



DÍOSPÓIREACHTAÍ PARLAIMINTE  
PARLIAMENTARY DEBATES

**DÁIL ÉIREANN**

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

*Dé Máirt, 27 Meán Fómhair 2011.*

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# DÁIL ÉIREANN

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*Dé Máirt, 27 Meán Fómhair 2011.*

*Tuesday, 27 September 2011.*

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Chuaigh an Ceann Comhairle i gceannas ar 2.00 p.m.

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*Paidir.*

*Prayer.*

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## Ceisteanna — Questions

### Priority Questions

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#### Health Service Staff

47. **Deputy Charlie McConalogue** asked the Minister for Children and Youth Affairs the total number of additional social workers that were to be employed in 2011 under the Ryan Report Implementation Plan that have been employed to date; the number of additional positions that are currently in the process of being filled; the number of additional social workers that will be in place by the end of 2011; and if she will make a statement on the matter. [26125/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The Ryan report implementation plan committed to the recruitment of an additional 270 social workers. Some 200 of these new posts were in place by the end of 2010, in addition to the backfilling of other vacancies which occurred.

An additional 60 social workers are due to be recruited by the HSE in 2011. These posts are at various stages in the recruitment process. Last week, in reviewing its overall approach to recruitment, the HSE prioritised some key development posts and decided to process the recruitment of these staff with a view to their taking up employment before the end of the year. I am pleased to advise the House that the 60 additional social workers have all been prioritised and included in this category of staff to be recruited by year end. This means that the HSE will be in a position to finalise recruitment of the additional social workers between now and the end of the year.

The House will be aware that in addition to the recruitment of an additional 270 social workers, the Ryan report implementation plan also contained commitments to place Children First guidelines on a statutory basis. My Department is finalising legislation to this effect and I am confident that the ongoing recruitment will provide a very sound basis for supporting Children First on a statutory footing. The additional social workers will be targeted at priority areas of the service having regard to the overall assessment of workloads by the national director, Mr. Gordon Jeyes, and his team and to support the change programme for children's

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services which is underway within the HSE and is being managed by its national director. This change agenda seeks to deliver the best outcomes for children and families through achieving a service delivery model that will address a multi-agency approach to managing the child welfare and protection system; a nationwide consistency of approach in practice; the implementation of Children First guidelines and children welfare protection services generally; the use of standardised definitions, criteria and thresholds for reporting and referrals, including the prioritisation of cases, which varied before; the launch last week of a child welfare and protection handbook for HSE staff and the commencement of training courses for staff, including joint training with the Garda; greater reliance on real-time data on social work referrals and alternative care collated through HSE performance management indicators; the ongoing development of the national child care information system; improved resource allocation responsive to changing needs; and clearer management and budget accountability.

*Additional information not given on the floor of the House*

This reform agenda will lead to a new child and family support agency, which will provide the dedicated focus on child protection. The implementation of these reforms will allow for the best possible services to be delivered within the resources available.

**Deputy Charlie McConalogue:** I thank the Minister for her reply. We all know the importance of increasing the number of social workers to ensure some of the past weaknesses in the care system are addressed. Following on from the Ryan report, as the Minister pointed out, a commitment was made and additional funding provided to hire 260 additional social worker posts. In her reply, the Minister stated these positions were prioritised last week. Does that mean that up until last week these positions were not prioritised? How many positions remain to be filled out of the 60 for the remainder of the year? Was the public sector recruitment embargo applied to those positions up until last week? Was the Minister waiting for clearance from the Government before she could proceed with them?

**Deputy Frances Fitzgerald:** No, they are at various stages in the HSE recruitment processes. As the Deputy knows, the commitment is to have these social workers in place by the year's end. Other recruitments have been going on too. Up to 168 additional social workers new to the HSE were recruited up to the beginning of September 2011.

This process is being managed by Gordon Jeyes, national director for children and family services. The reason I outlined the change programme in place is because he is managing the best allocation of various posts, given the situation in which he finds himself. The appointments were always a priority and the process was ongoing in the HSE. Some have had contracts issued, posts have been accepted awaiting clearance and others are at various other stages of the recruitment process. It must be noted social workers have been excluded from the public service recruitment embargo.

**Deputy Charlie McConalogue:** How many of the additional 60 posts for 2011 have been appointed to date? My question specifically asked for numbers and the stages they were at in the recruitment process. It is important the Dáil is given an update as to the exact numbers at each stage.

The Minister stated 168 additional social workers have been recruited. Up to 260 were supposed to be recruited, 200 last year and 60 this year. Have only 168 social workers been appointed so far? In an earlier reply I received from the Minister, I was informed 200 had been hired last year? Have we in fact fallen back in this regard?

**Deputy Frances Fitzgerald:** No, the 200 figure remains for 2010. At the beginning of 2011, 168 additional social workers new to the HSE had been recruited. The 200 figure stands, but the other figure relates to people who are new to the HSE. The plan is for all social workers to be in place — the 200, the 60 and the backfilling of places — by the end of this year.

**Deputy Charlie McConalogue:** I have not received an answer to a key part of my question. How many of the 60 have been employed this year?

**An Leas-Cheann Comhairle:** The time for this question has expired.

**Deputy Charlie McConalogue:** I understand, but I asked the Minister a specific question.

**An Leas-Cheann Comhairle:** Perhaps the Deputy will get the information.

### Child Welfare

48. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Children and Youth Affairs if the resources and systems to implement the promised Children First legislation, when enacted, are in place or in preparation; and if she will make a statement on the matter. [26128/11]

**Deputy Frances Fitzgerald:** In July, I launched the revised Children First: National Guidelines for the Protection and Welfare of Children. The guidelines deal with the recognition, reporting and management of child safety concerns. They emphasise the need to safeguard and protect children, that the safety and welfare of children are everyone's responsibility and that children will have safer lives where everyone is attentive to their well being. People who work with children across a range of areas must be clear in understanding their responsibility for safe practice and the reporting of concerns.

It is important to recognise that the original Children First guidelines have been in place for more than a decade. In that period, they have been used by the key agencies and their staff involved in the care and protection of children.

The Government has committed as a priority to the introduction of legislation to underpin Children First. It is my intention that the legislation will reflect a broad-based approach to compliance with obligations extending beyond reporting to one of safeguarding children at risk. The objective will be to ensure the greater protection of children by strengthening the existing system for reporting and responding to suspected child abuse.

It should be noted that the HSE as the statutory body responsible for promoting the welfare of children has in place a network of personnel to provide training, information and advice on the implementation of Children First. The HSE is providing a programme of information and training on the new guidance across the country. This includes the publication of the new child protection and welfare practice handbook, which was launched last week. The handbook will facilitate implementation of the Children First guidelines and achieve greater consistency in child protection practice throughout the HSE.

I am attending meetings with social work personnel and other staff in each of the four HSE regions to promote the Children First guidelines. We have already held two such meetings with an attendance of several hundred front line staff. The Garda also attends these meetings, reflecting the close working relationship it has developed over the years with the HSE in protecting children. Quite a deal of training is under way. This work has received a positive welcome and it is clear that the revised guidance enjoys widespread support, as I am sure the Deputy has found.

*Additional information not given on the floor of the House*

[Deputy Frances Fitzgerald.]

Beyond the HSE and the Garda Síochána, the Children First guidelines have been disseminated widely, including to every school. The consistent implementation of the guidelines in every sector is a priority. My Department is chairing an interdepartmental committee to oversee implementation of the guidance across Government. I will be meeting this committee in early October.

As to staffing resources, the number of social workers was increased in 2010 by 200. This additional resource will be of particular assistance to the HSE in driving forward the process of implementation. The necessary funding has been provided to the HSE to complete the recruitment of an additional 60 social workers by year end. The House will be aware that the Ryan report implementation plan contained commitments to place Children First on a statutory basis and to recruit an additional 270 social workers. By the end of this year, some 260 of these social workers will have been recruited and, together with the detailed implementation process for the revised guidelines, I am confident that these actions will provide a sound basis for Children First on a statutory footing.

**Deputy Caoimhghín Ó Caoláin:** Does the Minister accept that the main concern expressed about legislating for Children First — I confirm my and my party's support for what she intends in that regard — is that it will create an administrative burden and a further burden on front line staff and care providers in light of the fact that they cannot sustain the current degree of demand and expectation, given the level of staffing and other resources? The focus of my question is on resourcing and support staff in terms of the implementation of the legislation on Children First.

Does the Minister accept that the number and deployment of social workers are inadequate to deal with the level of reports of children in danger, which will be expanded with other legislation that we intend to see in place? Where the question arises, there will be a responsibility and a duty to highlight.

**An Leas-Cheann Comhairle:** I must call the Minister.

**Deputy Caoimhghín Ó Caoláin:** On 21 July, the Minister indicated that the 260 additional social worker posts would be filled by the end of this year. In her previous response to Deputy McConalogue, she did not provide the full data on the numbers currently in place. She referred to 168 of the posts having been filled. Deputy McConalogue and I would like to know whether the staff are in place or awaiting placement. How many of the 168 are in service at present?

**Deputy Frances Fitzgerald:** The Deputy said he supports the legislation to put Children First on a statutory basis. As I stated before, doing so is not simply about reporting but about inter-agency working. Just this morning, I attended the meetings of the local children's services committees. We see at county level that we need those who are working with children to work together. Inter-agency work is required to give the best and most effective service to children and families.

Part of the legislation is about sharing information effectively. The research indicates agencies should work together but that they must do so in a particular way and well. They must know precisely what they are trying to achieve. It is not just about agencies working together but about them working well together to an effective formula. The legislation is about reporting, sharing information and inter-agency co-operation.

If one supports the legislation, one must ask when one would not want a case to be reported. The Deputy's answer would be that he would want a case reported. This leads to the question of resources, in respect of which I will put some facts before the House. There was a €16

million budget overrun in the HSE child and family service in 2010. The previous Government reduced the budget allocation, by at least €14 million, without saying where the cuts were meant to occur. There is, therefore, huge pressure on the system. I have said before I am shocked with some of that pressure. Social work, child protection and fostering services are under pressure.

In the current financial climate, we must examine how we can have more effective management. As a consequence, I have asked for an audit of what is happening regarding cases awaiting allocation. I have asked that we be able to compare areas. Not enough work has been done on data collection to date. There is a new system in place now so we can get a full picture and base our policy decisions on proper information.

**Deputy Caoimhghín Ó Caoláin:** I thank the Minister of State for her response. We need capacity within the child protection service and we also need consistency of response, as the Minister indicated in her reply to me and other Deputies on 21 July. We need to have certainty in that across the State. In her reply the Minister said a regulatory impact analysis would be carried out and the results presented to the Government. Has that been done? What is the current status thereon?

Regarding the Minister's shock about discovering the reality in terms of funding support for what is currently available and what we hope to have in place, can she give us any assurance that the establishment of her Department will bring about ring-fencing, even of what is currently provided, such that we will not see a further contraction regarding the commitments made heretofore on child protection services in terms of the upcoming budget?

**Deputy Frances Fitzgerald:** The Deputy knows the current financial position as well as I do. Like all Departments, mine will be part of the current expenditure review. A special management audit, led by a leading UK child protection expert, has commenced with a view to ensuring we will have in place appropriate systems to manage the need for a rapid response. We are examining the sorts of thresholds that should apply in cases coming before the service. There is considerable demand and resources are an issue. The director is actively working on this. We must have consistency of response around the country and must know accurately the demand in different areas. We are beginning to get figures on this but I must state that some of these figures are unclear with regard to definition. Some areas with fewer social workers have longer waiting lists than others. There is much inconsistency and we need to put in place this part of the change agenda. Then, we can match resources and use them, including social work resources, more effectively.

### **Ministerial Responsibilities**

49. **Deputy Catherine Murphy** asked the Minister for Children and Youth Affairs her views on that of the Ombudsman for Children that the role of the National Council for Special Education should be included in her remit; if she has had discussions with the Department of Education and Skills regarding same; the outcome of these discussions; and if she will make a statement on the matter. [26127/11]

**Deputy Frances Fitzgerald:** I am aware of the matter raised by the Deputy. The Office of the Ombudsman for Children has been in contact with the Department of Children and Youth Affairs. On 3 June 2011, responsibility for the Ombudsman for Children Act 2002 was transferred to me as Minister for Children and Youth Affairs. I understand that under this Act the inclusion of the National Council for Special Education within the remit of the Ombudsman for Children requires a draft order to be laid before each House of the Oireachtas and a resolution approving this order to be approved by each House. This would be the procedure if

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it were to happen. I expect further contact before the end of the year from the Office of the Ombudsman for Children on its remit. While responsibility for proposing the amendment of legislation relating to the Ombudsman for Children rests with the Department of Children and Youth Affairs, responsibility for the National Council for Special Education rests with the Department of Education and Skills. Accordingly, my Department will consult the Department of Education and Skills and the Ombudsman for Children before finalising a proposal on this matter.

**Deputy Catherine Murphy:** This almost returns to the point the Minister made in her previous reply with regard to the need to have an integrated approach. The point parents make is that they do not know where their voice is heard. An appeal against a decision of the National Council for Special Education is adjudicated by colleagues sitting at the next table and parents feel very aggrieved by this. Our system should always have checks and balances, and this issue affects some of the most vulnerable children in the State. If they are allocated a special needs assistant or resource hours, by definition they require additional support.

Is the Minister disposed to moving the order? What dialogue must happen with the Department of Education and Skills? Will it take a short period of time? In the answers to questions posed, by the Opposition in the main, on the number of special needs assistants we are told if a child requires a special needs assistant he or she will have access to one. However, a language gap exists because “access to” does not mean a dedicated special needs assistant. This is why much grievance exists and the parents are being lost in all of this.

**Deputy Frances Fitzgerald:** I can only agree with Deputy Murphy on the vulnerability of the children and of their parents when trying to access a service. I fully understand this and appreciate the stresses and the difficulties. Deputy Murphy asked me to outline how the process for taking responsibility for this area might move forward and where the discussions are going. The Office of the Ombudsman for Children has stated it will come back to me. I understand originally it wrote to the former Minister, Mary Harney, on this matter and raised this question. This afternoon, I will meet the National Council for Special Education and I will discuss this issue with the Department of Education and Skills and the Ombudsman for Children to see how it can be best dealt with.

**Deputy Catherine Murphy:** If this is to happen, does the Minister see it happening by the end of this year or early next year?

**Deputy Frances Fitzgerald:** I want to stress that at this point, a decision has not been taken. The Ombudsman for Children will return to me with her proposals after which discussions will take place with the Department for Education and Skills. I know that Department will have its own plans on how it sees the service developing. I must have those discussions with the Department as well.

The Deputy made a relevant point; the Department of Children and Youth Affairs must be a cross-cutting Department as well. We must work with other Departments because not all of the issues that relate to children, for example, special needs, are under the direct remit of my Department at the moment, but even if they did not come under its remit, it would be an area on which we should work together.

### **Child Abuse**

50. **Deputy Charlie McConalogue** asked the Minister for Children and Youth Affairs if she will report on the details of any analysis she has carried out in relation to the resource impli-

cations of the introduction of a mandatory reporting policy for the reporting of child abuse; her plans to increase resources to deal with the introduction of mandatory reporting including any plans to increase the number of social workers employed by the Health Service Executive; and if she will make a statement on the matter. [26126/11]

**Deputy Frances Fitzgerald:** I thank Deputy McConalogue. In July 2011, I launched the revised Children First: National Guidance for the Protection and Welfare of Children. The guidance deals with the recognition, reporting and management of child safety concerns.

The revised guidance replaces the original version of Children First which was first published in 1999. The HSE, as I said in reply to the question from Deputy Ó Caoláin, has a network of personnel to provide training and information on the implementation of Children First. It is currently implementing a programme of information and training on the new guidance across the country. That includes the handbook which I am sure the Deputy has seen. The handbook will facilitate implementation of the Children First guidance and should provide for what I said is needed, namely, consistency across the country. The increase in the number of social workers should make a difference to that.

The Ryan report implementation plan recommended that Children First should be put on a statutory basis and the strengthening of the HSE's child protection services through the recruitment of an additional 270 social workers. The introduction of 260 of the social workers by the end of this year and the detailed implementation process under way within the HSE and across the Government will provide a firm basis for full compliance with Children First on a consistent basis, in addition to the other work which I have said is being carried out by the director of child and family services within the HSE. The audit which is currently being carried out should help.

The Government has also committed, as a priority, to the introduction of legislation to underpin Children First. I intend that the legislation will reflect a broad-based approach to compliance with obligations extending beyond reporting to one of safeguarding children at risk. The objective will be to ensure the greater protection of children by underpinning the existing guidance for reporting and responding to suspected child abuse with legislation.

*Additional information not given on the floor of the House*

The Government is committed to a significant programme of reform of our child protection services. This is intended to achieve national consistency with services across the country delivered according to national standards which will be externally evaluated. This reform will lead to a new child and family support agency which will provide the dedicated focus on child protection which has been sometimes lacking within the HSE. The implementation of these reforms will allow for the best possible services to be delivered within the resources available.

**Deputy Charlie McConalogue:** I thank the Minister for her response to the question. It greatly concerns me that I have not been able to get a clear response on the exact number of additional social workers that have been appointed so far this year. We have been given generalities but there is no specific figure in terms of progress on the appointment of an additional 60 by the end of this year on which a commitment was given. That concerns me in terms of where we are with resources.

I fully embrace the approach of putting the Children First guidelines on a statutory basis. The objective behind it is to ensure that we provide the best possible services to protect children. However, in a couple of the Minister's replies today——

**An Leas-Cheann Comhairle:** The Deputy should ask a question please.



**Deputy Charlie McConalogue:** In a couple of the Minister's replies today she stated she will introduce the guidelines and she will see following that how best the resources can be allocated. She indicated that the audit which is currently ongoing will be a help and the fact that extra social workers are being employed, which is to address other weaknesses in the system, will be a help with mandatory reporting. That is most concerning, in particular when one takes into account what has been said by experts such as Geoffrey Shannon and the head of children's services, Gordon Jeyes, and others, who have indicated that what we need is a step-by-step approach and we should not run before we can walk. However, what we see is that the Minister is coming up with plans but with no assessment of the resources and how they will work.

**An Leas-Cheann Comhairle:** I wish to call the Minister now.

**Deputy Charlie McConalogue:** That is not the way this should be done.

**Deputy Frances Fitzgerald:** It is quite the opposite. The Deputy's Government made no assessment of the situation and did no audit. In addition, it left the services in a state where it is unclear precisely what is happening around the country. The previous Government promised to introduce legislation by 2010 to put Children First on a statutory basis, but did not do so. Since coming into office, I have worked on the heads of a Bill that will shortly be available. We have put on the A-list legislation to underpin the Children First legislation. We have an audit going on so that we get consistent information. We have a changed work programme within the HSE which consists of a new child protection handbook and new guidance. The director, along with myself, are meeting all frontline staff throughout the country who are able to attend those meetings to discuss consistent implementation. That is what I would call taking action to address the child protection system in this country, which is badly in need of such action.

**Deputy Charlie McConalogue:** It ill behoves the Minister to attack the previous Government when we should be addressing the current situation. If her assertion — that no preparation was done before the last Government left office — is her position, surely the onus is on her to assess the resource implications and what would be required before moving on. That would be in line with what many health service experts have requested. We have heard that an audit is now being undertaken but in fact no assessment was done in advance. That was ill judged so we need to take it into account and address it.

**Deputy Frances Fitzgerald:** Clearly, the priority is to protect children and keep them safe. That is precisely what we are doing by working for consistency, looking at referrals around the country and ensuring there is an adequate response to them. In addition, we are putting in place legislation and an implementation plan, which is what the handbook is offering. That is how to keep children safe, by responding to cases that are currently coming to social work teams throughout the country, and having a consistent approach to managing those cases.

### **Adoption Records**

51. **Deputy Clare Daly** asked the Minister for Children and Youth Affairs if she will consider the situation of Irish citizens (details supplied) who were illegally adopted in the 1950's, who spent decades searching for their original families, and clarify her intention regarding legislating for access to adoption records, private nursing home and private mother and baby home records, individual doctor's files, priest's files and social worker's files in order to meet their right to an identity. [26203/11]

**Deputy Frances Fitzgerald:** I have been advised by the Adoption Authority of Ireland that it only holds records of adoptions effected since the introduction of statutory adoption in 1952. It holds no records relating to birth registrations.

The Adoption Board commenced a preliminary examination of available records in 2010. The audit related to records retained by the authority of contact received from persons who have been told and-or believe themselves to be adopted, in respect of whom no adoption record exists. This indicated that 99 people who have identified themselves to the board or authority as adopted, do not have a corresponding adoption file.

Around 50% of these relate to so-called “adoptions” prior to the introduction of the statutory adoption regime under the Adoption Act 1952, which was commenced on 1 January 1953. This work has continued following the commencement of the Adoption Act 2010, as these queries continue to arise.

The authority intends to undertake further work to explore the full extent of the issue. The board of the authority will then consider possible next steps to contribute to an understanding of the issue, including any advice to the Minister. It is important to note that the authority has no statutory responsibility in respect of the matter but is extremely sensitive to the issue, as it should be. Notwithstanding that, it should be noted that in a number of individual cases, where the facts have been available to the board or the authority, it has advised the appropriate authorities in respect of any activities which it believed contravened the Adoption Acts for the relevant period, but that is historic.

The drafting of legislation with regard to information and tracing is a priority of mine. Work is underway in regard to the preparation of the Bill, in consultation with the Adoption Authority, to provide for a structured and regulated way of providing access to information and contact for those affected by adoption. It is intended that the adoption (information and tracing) Bill will provide for the Adoption Authority to have access to records currently held by a wide range of information services, give the authority an oversight role with regard to the maintenance of adoption records and place the national contact preference register on a statutory basis. The Bill will also provide for proactive tracing and reunion services by appropriate bodies for adopted adults, birth mothers and birth families, with the Adoption Authority having the overarching responsibility for the service. I intend to take this legislation through the Houses of the Oireachtas in due course.

**Deputy Clare Daly:** I thank the Minister for her response as this is a very important issue and I am pleased to know the Minister intends to address it by way of legislation. My concern would be with regard to the timescale and the emphasis. I have heard the Minister speaking on the radio on this subject and her input has tended to be on the basis of looking at the issue from the point of view of the adoptive parents perhaps rather than the rights of the child. There has to be a balance of rights. However I refer to the rights of the children who were illegally adopted in this State — a figure which is reckoned in tens of thousands. This is a crime which people have spent their lifetimes trying to address. The present situation has a number of anomalies which require to be urgently addressed. For example, if an adoption body is not accredited, it is a private body and nobody has any control of what happens the files of such a body. These could be burned at any time which would destroy the identities of people who have been adopted and such a body would be free from prosecution. This situation must be addressed as a matter of urgency. Many of these files are all over the place and we need urgent action to ensure they are collected and held in a central place and properly audited and stored so that they are accessible. I ask the Minister to indicate the timescale for this process and to say what powers are being considered in this regard. Information and tracing is crucial for the citizens involved.

**Deputy Frances Fitzgerald:** I am aware of the situation described by Deputy Daly and of the calls by adopted persons for access to historical personal and family information. I completely agree with the Deputy that the files must be preserved intact. It is essential that those files are maintained in a safe and secure place. I agree with the Deputy that there should be one authority with overall responsibility for those files. I am aware of the radio interview to which Deputy Daly refers and in which I made the comment that people should be informed about access to information and that such information should be made available. However, historical issues need to be dealt with and these must be handled as sensitively and constructively as possible. A number of legal and constitutional issues arise as to balancing the rights of the adopted person to information as against the rights and in many cases, the expectations, of birth parents to privacy. We are examining those issues and progress has been made with regard to the Bill. The heads of the Bill are close to completion. I am hopeful that this legislation will be progressed fairly speedily. I understand the personal consequences for individuals of not having this legislation in place.

**Deputy Clare Daly:** I ask whether the issue of retrospection and the rights of individuals to access information from a certain date, for instance, will be addressed in the Bill. The HSE is excluded from this process and is excluded from requests under freedom of information legislation nor does it seem to have the administrative capability to provide access to information. Is this issue being dealt with in the proposed legislation?

**Deputy Frances Fitzgerald:** I wish to examine as comprehensively as possible the issues raised by Deputy Daly. I will consider international best practice and given our constitutional and legal constraints I will consider what precisely can be done with regard to the Deputy's query. The current contact register goes a certain way. It is clear many people will seek this information and we want the process to be as comprehensive as possible and to include supports for the individuals. This has been the practice in other countries.

### Other Questions

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### Ministerial Orders

52. **Deputy Micheál Martin** asked the Minister for Children and Youth Affairs the further primary and secondary legislation required for the establishment of and transfer of powers to her Department; when such legislation will be published and orders made; and if she will make a statement on the matter. [26057/11]

74. **Deputy David Stanton** asked the Minister for Children and Youth Affairs further to Parliamentary Question No. 45 of 12 July 2011, the progress that has been made regarding the transfer of the Irish Youth Justice Service to her; and if she will make a statement on the matter. [26086/11]

**Deputy Frances Fitzgerald:** I propose to take Questions Nos. 52 and 74 together.

The Department of Children and Youth Affairs was established on 2 June 2011 by the Community, Equality and Gaeltacht Affairs (Alteration of Name of Department and Title of Minister) Order 2011, made under section 6(1) of the Ministers and Secretaries (Amendment) Act 1939. The effect of this order also gave responsibility for the Family Support Agency to the Department of Children and Youth Affairs. On 3 June 2011, a further order made under section 6(1) of the Ministers and Secretaries (Amendment) Act 1939, entitled the Office of the Minister for Children and Youth Affairs (Transfer of Departmental Administration and

Ministerial Functions) Order 2011, transferred responsibility for the following legislation to the Minister for Children and Youth Affairs: the Adoption Act 2010; subsections (1)(d) and (2) — in so far as they relate to the young people's facilities and services Fund — of section 2 of the Community, Rural and Gaeltacht Affairs (Miscellaneous Provisions) Act 2007; the Ombudsman for Children Act 2002; the Protections for Persons Reporting Child Abuse Act 1998; and the Youth Work Act 2001.

The order also provided for the transfer of responsibility from the Minister for Health to the Minister for Children and Youth Affairs for the following functions: promoting the development of integrated policy frameworks to enable the development and implementation of cross-departmental strategies to secure the well-being of children and young people; conducting, commissioning and publishing research and building an information base to inform the development of policy and service delivery for children and young people across relevant Government agencies and non-governmental organisations; developing, monitoring and supporting the implementation of play, recreation and youth policies; overseeing the development, improvement and monitoring of policies and structures to promote and enable participation by children and young people in decision-making on matters that affect their lives; and providing and administering preschool early childhood care and education scheme. Responsibility for the National Education Welfare Board was transferred by the national education welfare board order from the Minister for Education and Skills to the Minister for Children and Youth Affairs in May 2011.

It is intended to transfer responsibility for the Child Care Acts 1991 to 2011 from the Minister for Health to the Minister for Children and Youth Affairs, with effect from 1 October 2011. Before the Child Care Acts could be transferred, Part 4 of the Child Care (Amendment) Act 2011, which provides the legislative basis for the provision of information and documents by the HSE to the Minister for Children and Youth Affairs and creates a safe channel of communication for sensitive information from the executive to me as Minister, was required to be commenced. This was commenced on 8 September 2011.

In the context of the preparation of legislation to establish the child and family support agency, consideration is being given to any additional legislative provisions required by the Minister for Children and Youth Affairs to be included in that legislation. In the meantime, protocols for consultation between the Minister for Health and myself will be put in place, subject to our agreement.

It is intended that responsibility for children detention schools, Part 10 of the Children Act 2001, and for remand places under section 88 of that Act will transfer from the Minister for Justice and Equality to me as Minister for Children and Youth Affairs. It is intended to transfer these responsibilities by a transfer of functions order. I will consult with the Minister for Justice and Equality and the Minister for Finance as to the appropriate timing of the transfer. In the interest of administrative efficiency, it appears most appropriate that the transfer of responsibility will take effect on 1 January 2012 to coincide with the financial year. However, the Irish Youth Justice Service staff will move to my Department in the coming weeks. Protocols for consultation between the Minister for Justice and Equality and the Minister for Children and Youth Affairs will be put in place subject to our agreement.

**Deputy Charlie McConalogue:** I thank the Minister for her response. As we are now six months into this Government, it is very important that the legislation to complete the establishment of the Department and the transfer of powers from other Departments proceeds as quickly as possible. When does the Minister expect that the work she has outlined in her response will be completed? The Act establishing the child and family support agency will be

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key to the operation of the Department. Where does that stand currently and when will the Bill be published and go through the Dáil?

**Deputy Frances Fitzgerald:** The Deputy can see from the fairly detailed reply I have provided that quite a number of the functions have been transferred. One function regarding youth justice is outstanding and, for budgetary reasons among others, it is intended that will be transferred on 1 January. We will work jointly on this because it is not being transferred in its entirety. Part of the work relating to the Garda diversion programmes will stay with the Department of Justice and Equality.

Establishing a new agency is a complex task. I have set up a task force, which has met and is working on establishing a new child and family agency. I do not have a timeframe for the task force for that but it is creating the vision for the new agency in association with the Department and myself. We are examining the transfer of responsibilities from the HSE. This is a period of change and it will not happen overnight. I do not have a precise timetable for the establishment of the agency because it is a complex task. I will attempt to examine the governance issues first and try to put the legislative base in place that will be needed by the agency as soon as possible in order that we can move forward with the legislation.

**Deputy Caoimhghín Ó Caoláin:** Regarding the role and remit of the Minister's Department, I have to express disappointment that a number of questions I tabled for address today have either been transferred or disallowed. I am particularly concerned that in reply to a question I posed about inter-country adoption, specifically in regard to Vietnam, the Minister stated she has "no responsibility to Dáil Éireann in this matter". The reply does not even suggest the question has been transferred to the Adoption Authority of Ireland. I participated in many Question Times with the Minister's predecessor, the former Minister of State with responsibility for children, Deputy Barry Andrews, addressing inter-country adoption issues, including with specified countries such as Vietnam, and they were always dealt with by him. I point this out because this reply signifies a deterioration rather than an advance in terms of the new Department's establishment. Will the Minister clarify the position?

Another disallowed question related to the national vetting bureau. While I acknowledge the facilitating Bill has been moved to the Department of Justice and Equality, nevertheless given its focus on one of the important areas in the context of child protection, surely the Minister would be willing and able to respond on that legislation. I had other questions disallowed but these two replies have vexed me most. I am interested to know what the Minister can do about this for the future.

**Deputy Frances Fitzgerald:** I will follow these questions up and correspond directly with the Deputy. I am happy to answer questions in the House in regard to Vietnam. Significant progress has been made in recent weeks in efforts to establish diplomatic relations with Vietnam on the adoption issue. I intend that I will answer questions relating to Vietnam in the House and I will correspond with the Deputy directly regarding his question.

The vetting legislation is the responsibility of the Department of Justice and Equality and the Minister will bring the legislation to the House. My Department has been involved in the preparation of the Bill. I can only assume the Deputy's question was transferred because the Minister for Justice and Equality will bring the legislation to the House but, as he rightly said, it impacts on child protection. I am particularly keen that issues relating to vetting are dealt with as soon as possible for a variety of reasons, not least because it will aid the protection of children and will help agencies who are currently experiencing delays.

**Deputy Caoimhghín Ó Caoláin:** Perhaps these questions could be addressed to the Minister for Children and Youth Affairs in the future.

**Deputy Frances Fitzgerald:** Yes.

### **Referendum on Children's Rights**

53. **Deputy Sandra McLellan** asked the Minister for Children and Youth Affairs the current state of preparations for the promised referendum on children's rights; and if she will make a statement on the matter. [26079/11]

**Deputy Frances Fitzgerald:** The third and final report of the Joint Committee on Children and the Constitution, JCCAC, deals with the rights of children under the Constitution, and the statute and case law concerning adoption, guardianship, care proceedings, custody and access to children. It sets out a proposed wording for a constitutional amendment to strengthen the rights of children. As Deputies will be aware, the programme for Government 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 joint committee. Work is under way in the Office of the Attorney General to develop a draft wording for consideration by me and my Government colleagues. The previous Attorney General identified certain unintended consequences attaching to the joint committee's wording. The development of a revised wording will seek to resolve these issues while staying as close as possible to the joint committee wording. On receipt of a draft wording it is my intention to consult with other Departments and seek approval from Government for the proposed wording, with a view to holding the referendum next year.

**Deputy Caoimhghín Ó Caoláin:** I reaffirm my support and that of my party for the introduction of this legislation and proceeding to referendum before the people. Has the Minister any idea at this point when in 2012 we will see this legislation published? It is committed in the legislative programme for 2012. It is a vague period of time; a full 12 months. Can the Minister be more specific? Will the draft wording be published in advance of the actual legislation in order to not only refer to other Departments and Cabinet colleagues but require the full support of the Houses of the Oireachtas? That is a position I want to arrive at and I would be very interested to know if we will get the draft wording in advance and have the opportunity to feed back to the Minister on it.

Regarding the work towards wording that somewhat measures up to that recommended by the all-party committee, has the Minister confidence that we will realise wording that is an advance on that first mooted by the former Government? Can she give us some sense of the ongoing work within the office of the Attorney General? Is progress being made on this issue? Is there real proactivity, and when does the Minister expect that she will be able to move to the next stage of this process?

**Deputy Frances Fitzgerald:** The Deputy knows first hand how complex this area is but I assure him that active work is being done to resolve some of the difficulties. It is a complex task. Real concerns were expressed by the previous Attorney General. There was concern about some unintended consequences in terms of the demands on the State. It is a question of seeing how we can resolve those. In advance of that I have not made decisions on some of the issues the Deputy raises but I welcome what he said regarding all-party support. The ideal position would be to have all-party Oireachtas support for this referendum. That would be my intention and I intend consulting across the Houses on the development of the approach to the referendum. At this stage I am focusing on ensuring that we get a wording and then preparing the necessary legislation.

**Deputy Caoimhghín Ó Caoláin:** I welcome again the Minister's restated commitment to the early publication of this legislation but seek clarification of one point, namely, the draft wording. Will we have sight of the draft wording in advance of the legislation to facilitate the referendum? Can the Minister confirm that that is the case?

**Deputy Frances Fitzgerald:** I have not made a decision on that but I would want to consult as widely as possible.

**Deputy Charlie McConalogue:** I thank the Minister for her response on this question and assure her, as I have done previously, of my party's support for work on progressing the children's rights referendum and in taking an all-party approach to this issue because it is a sensitive and complicated one and it is important we all work together on it. Along with Deputy Ó Caoláin I would welcome if the wording can be published in advance. My only disappointment about this issue which I have expressed previously is the approach the Opposition parties took on it last February to have the referendum on the same day as the presidential election but I assure the Minister that those of us in my party understand the complexities involved and will work with her on the matter. I urge her to try to progress the work to ensure we have this issue before the people next year.

**Deputy Frances Fitzgerald:** In reply to the comments by both Deputies, while the wording and the constitutional challenges are complex the intention is simple. It is to have greater protection for children and emphasise that in the Constitution.

#### **Child Care Services**

54. **Deputy Charlie McConalogue** asked the Minister for Children and Youth Affairs her plans to increase qualification requirements for staff working in child-care facilities, particularly those participating in the early childhood care and education schemes; and if she will make a statement on the matter. [26059/11]

**Deputy Frances Fitzgerald:** There are no plans at present to increase the level of qualifications required under the early childhood care and education, ECCE, programme. However, interim arrangements which applied in the 2010-2012 start-up phase will no longer apply from September 2012. Under the interim arrangements, possession of the four core child care modules of the FETAC Level 5 award have been accepted as qualifying a pre-school leader under the programme, provided that the person concerned is working towards the achievement of a full level 5 qualification by September 2012. From that date, all pre-school leaders will be required to meet this criterion in full.

The literacy and numeracy strategy, however, which was launched by my colleague, the Minister for Education and Skills, in July of this year, contains a commitment to increase the qualifications required for staff working in State-funded ECCE services at some stage in the future. Clearly, this will require assurance that appropriate ECCE training is available to child care staff.

In this context, the workforce development plan for the early childhood care and education sector identifies the way forward in terms of upskilling the existing workforce and ensuring that those who enter the workforce in the future are appropriately prepared for their role. It also identifies career paths and progression routes for those who choose this area of work and provides clarity regarding the core skills and knowledge essential to practice effectively in an ECCE setting. The implementation of the plan is being overseen by the early years education policy unit of the Department of Education and Skills, which is co-located within my Department.

One development associated with the implementation of the plan is the publication of new common award standards for awards made by the Further Education and Training Council, FETAC, at levels 4, 5 and 6 on the National Framework for Qualifications. The changeover to the new award standards is a very positive and welcome development. They promote consistency in quality, content and delivery of programmes of learning leading to these awards nationally, their practice focus ensures that graduates are fully prepared to enter employment upon graduation and their structure ensures that core knowledge and skills are developed across all levels of qualifications which in turn allows for the establishment of clear professional pathways into and through the profession, which is something many of the staff employed in these services have been requesting.

**Deputy Charlie McConalogue:** Go raibh maith agat a Aire for that reply. The early childhood care and education, ECCE, programme is one of the developments in the child care sector which has been a shining light in terms of progress. What was a relatively realistic investment is reaping great rewards in terms of ensuring that every child, regardless of the means of their family, is getting preschool education.

The first full year of the scheme was 2010-2011 but the scheme only began in early 2010 and therefore has been developing in the past two years. It has progressed a good deal in that way but the key is not just the provision of the time and a preschool service for children. It is also about the quality, as I have no doubt the Minister is aware, particularly attention to ensuring that the Síolta framework for early childhood care is promoted and is not just a document. It is important also that the Aistear curriculum is developed at preschool because we are at an early stage of this programme and its pre-eminence in terms of its potential for young children within the Minister's Department must continue.

**Deputy Frances Fitzgerald:** I agree with the Deputy on the opportunity the ECCE scheme presents in that 95% of our three to five year olds are attending these services, and quality is of the utmost importance as well as top quality training for the staff delivering the service. In that regard, another important element on which I am sure the Deputy would agree with me is to involve the parents where there are opportunities to do so.

The scheme is a good place for parents to have the opportunity to discuss their children's development and progress. The services need to be encouraged to involve parents as much as possible. We certainly want the two quality frameworks the Deputy mentioned, Síolta and Aistear, to be implemented and adhered to throughout the country.

**Deputy Caoimhghín Ó Caoláin:** On a related matter, is the Minister aware that cuts in recent years have disproportionately affected the provision of child care facilities through community-based providers, that is, under the community development programmes? Many of those who work in the area are already low paid, which is most regrettable. I believe one of the fault lines is that they are not allowed to access collective bargaining. That is just an example. Perhaps the Minister has already done so, but will she address the matter with the Minister for Finance? There should be an entitlement to access collective bargaining on the part of low-paid workers in child care provision, particularly in community-based facilities, which is where the overwhelming majority of those involved in this essential work are based.

**Deputy Frances Fitzgerald:** Access to child care is something we want to preserve and develop. As the Deputy said, the previous Government decided about three years ago to close down the capital funding in the area. Nevertheless, we must continue to address the issue, and at the very least be aware of the demands that exist given our increased population and increas-



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ing birth rate. We need to be sensitive to the demands in this area. I am keen that we have a rigorous analysis of what the demands are going to be. That is one response to what the Deputy said. Perhaps he will correspond with me directly on the other matter and I will examine it.

55. **Deputy Mick Wallace** asked the Minister for Children and Youth Affairs her plans to extend the entitlement to free provision that began with the free preschool year to a second, earlier year; her views that the extension of the early childhood care and education scheme would be a major boost to the future lives of our young persons and to society in general; and if she will make a statement on the matter. [26001/11]

**Deputy Frances Fitzgerald:** I assure the House again of the Government's ongoing commitment to early childhood care and education. The ECCE scheme, which Deputy McConalogue mentioned, was introduced in January 2010 and provides a free preschool year to all eligible children in the year before they commence primary school. Almost every preschool service in the State is participating in the programme, so it is available to children in all areas, and some 63,000 children or 94% of the eligible age cohort availed of the programme in the 2010-11 preschool year. In 2011, the ECCE programme is expected to cost €166 million. Services participating in the programme are required to provide age-appropriate activities and programmes to children within the Síolta framework for early learning and they are also encouraged to implement the Aistear curriculum, which has been developed for children from birth to six years.

My objective is to develop the ECCE programme incrementally over the term of this Government. However, all programme funding is considered in the context of the annual Estimates and budgetary process and I must operate within the financial constraints under which the rest of the Government is operating. As I have just said, a key element of this development will be to support the implementation of the workforce development plan by the early education policy unit of the Department of Education and Skills, which is co-located within my Department. In addition, I will be collaborating closely with my colleague, the Minister for Education and Skills, in implementing the recently launched literacy and numeracy strategy. Early intervention is crucial and the strategy provides for a range of actions to be undertaken by my Department to support preschool children and their families. I have been impressed by the work that is going on throughout the country in relation to early intervention. It is increasingly evidence and research based, which is a good thing. We are seeing programmes that have been tested and which we know have a good impact and support families properly.

It would be extremely helpful to many children if a second preschool year was provided. It would probably be particularly beneficial to children with special needs, who can currently avail of the preschool year on a *pro rata* basis over two years. I would like to be in a position to deliver on this, but as I said, I must operate within the financial constraints under which the rest of the Government is operating. I assure Deputy Wallace that the ECCE programme will continue to be evaluated and developed as resources permit.

**Deputy Mick Wallace:** I thank the Minister for her answer. I realise that money is scarce and the Minister is constrained, but she will know that a report by the OECD in 2009 showed that we spend a lower percentage on the education of children under six than any other country in Europe. It is a fact of life that we have underestimated the importance of investment in children at the earliest stages. Even if the overall spend cannot change, we need to consider rebalancing spending with a view to greater investment in children in the early years. As the Minister admitted, all the research shows that such spending is the most productive of all. Every euro spent on children under six years of age saves the State €8 in the long term. That is dramatic.

Surely it would be a great investment on the part of the State to spend more money on the early years.

**Deputy Frances Fitzgerald:** I certainly take the Deputy's point. He does not have to convince me of the importance of early intervention and support and quality child care. The situation has improved greatly in recent years and the ECCE programme, which 94% of children are attending, as I said, is certainly beneficial. I would like to see more resources in the area. In July, at the Oireachtas Joint Committee on Health and Children, I indicated my objective over the coming years to seek to develop further the free preschool year in early childhood care and education. As the Deputy well knows, we are in an extraordinarily difficult financial situation and my Department is subject to the expenditure review, as are all other Departments. However, I would like to work towards further development as resources permit. It would certainly be beneficial. I will discuss the matter with the Department of Education and Skills, but there are serious fiscal constraints on all of us and I must operate within them.

**Deputy Mick Wallace:** Aside from the social benefits, it is still just 15 hours a week. To add to that, parents are already in a difficult place financially, yet child care in Ireland is among the most expensive in Europe. We put the lowest funding into it of any country in Europe and the costs are among the highest. As an aside, I commend the Minister on her speech at the Amnesty briefing yesterday, which was very good.

**Deputy Frances Fitzgerald:** I thank Deputy Wallace. There is no doubt that Ireland was slow to develop comprehensive child care, but great progress has been made in the past number of years, primarily thanks to EU funding but also because of some national funding. Further developments in the area are hugely constrained despite the worldwide evidence because financial resources are limited. However, I assure the Deputy that I am personally committed to the area and I will seek to see whether resources can be made available, perhaps in the first instance to accommodate children with special needs and give them some extra time. I accept that the ideal would be to have a second year and I will progress work on that, but we are operating within tight financial constraints, as the Deputy knows.

### **Youth Services**

56. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the extent to which she has entered into dialogue with youth organisations with a view to identifying the extent to which provision can be made for a properly integrated youth service throughout the country which can in particular put in place positive options by way of youth services in such a way as to compete with negative influence leading to lack of self-esteem or even crime; if any studies have been done to ascertain the degree to which the provision of sophisticated and adequate youth services can result in a positive economic and social benefit; and if she will make a statement on the matter. [26015/11]

**Deputy Frances Fitzgerald:** My Department is involved in ongoing and productive dialogue with the youth sector through the National Youth Work Advisory Committee, NYWAC. This committee comprises a chairperson and 32 members drawn equally from the voluntary and statutory sectors involved in the administration and provision of youth work programmes and services. Thirteen nominees from the National Youth Council of Ireland, NYCI, and four from the Irish Vocational Education Association, IVEA, are represented on the committee.

The committee's main role is to advise me on matters relating to the development and coordination of youth work policies, programmes and services. The committee meets on average every two months and provides a forum through which specific issues can be addressed

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and progressed. I met recently with this advisory committee and with representatives of a wide range of youth organisations, including Foróige, Youth Work Ireland, Irish Girl Guides, Catholic Youth Care and Ferns Diocesan Youth Service.

One of my key aims for youth policy development will be to ensure optimum use of all the financial and human resources available. It is striking how many people work as volunteers in the youthwork sector; there are around 9,000 professionals and 60,000 volunteers. The development of my Department's policy on young people will focus specifically on ensuring greater coherence, co-ordination and impact in youth policy and provision to ensure quality outcomes for all.

The Department is in the process of commissioning a review of international best practice in the area of youth development and youth support. The findings from this work will inform my Department's policy objectives and future funding provision with the aim of ensuring that young people engaging in youth services derive maximum benefit.

**Deputy Bernard J. Durkan:** I thank the Minister for her comprehensive reply. Does she agree that in these straitened times, it is particularly important to focus on the support services for young people? Does she also agree that it is a good time, financial difficulties notwithstanding, to ensure the advisory bodies and youth support services she communicates with regularly are updated to enable the Minister and the Government to make value judgments on the issues facing young people? This is not an attempt to pretend these are the first youths to appear on the face of the earth but an effort to respond to the challenges that are emerging, particularly the negative challenges.

**Deputy Frances Fitzgerald:** I take the Deputy's point. We are all aware of the threats posed to young people by alcohol, drugs and unhealthy lifestyles. We must get to grips with the challenges posed by consumerism, the media and new technologies. There is a number of things I am doing on the development of youth work and I am going to ensure we have a national youth development policy because we have no comprehensive youthwork policy in place at the moment. I am also looking at the 2001 youthwork legislation. Deputies familiar with this area are aware that many of the provisions of that legislation have not yet been implemented. Youthwork funding streams have not changed since the 1980s and we must examine the most effective use of the funding being given to youth bodies. In many areas there is duplication and there is clearly work to be done to streamline the money and projects being done with young people. It is now more important than ever that organisations are not duplicating work, with multiple funding going to similar projects. This area needs to be rationalised and we must examine those funding streams.

**Deputy David Stanton:** I welcome the Minister's remarks about reviewing the youthwork sector and updating the youthwork legislation. Will the Minister join me in calling on local authorities, State agencies and other bodies to make available properties and facilities for youth clubs, youth organisations and sporting organisations? Facilities are a huge issue.

**Deputy Caoimhghín Ó Caoláin:** I support the thrust of Deputy Durkan's question and underline the import of his proposal. We must engage and have more dialogue with those at the coalface of support provision for young people, particularly those at risk. It must be done on the basis of recognising that a little can go very far. It was well exemplified last evening on the programme "Secret Millionaire" on the visit to Muirhevnamore in Dundalk, my neighbouring constituency. That is an example of how small sums of money can make a tremendous difference and at the end of the day, save the Exchequer vast sums of money by avoiding anti-social

behaviour and the prospect of a lifetime of crime and imprisonment for many young people that we wish to avoid.

**Deputy Bernard J. Durkan:** I ask the Minister to review the frequency of the meetings with the youth advisory groups on a bi-monthly basis. It might be better to increase the number of those meetings in the present climate.

**Deputy Frances Fitzgerald:** I can only agree with Deputy Stanton, it is a point well made. Access to facilities and resources is a huge issue. We have seen buildings that could be used by local youth clubs and organisations that are empty in the evenings, the very time when they could be available to such organisations. I will pursue that with the Minister for the Environment, Community and Local Government to see if we could make progress on the issue.

I will take Deputy Durkan's point on further contact with the youth organisations but I assure him there is ongoing contact with all of the organisations. There is a budget for the youth sector in 2011 of €60 million and we must ensure it is spent effectively to give us the best youth services we can get at this time. I agree with the point made by Deputies that this is a particularly stressful time for many young people and youth organisations have an important role to play in getting services to these young people.

### Leaders Questions

**Deputy Micheál Martin:** In March and July the leaders of eurozone countries held two special summits to agree urgent measures to tackle the financial and economic crisis. After both meetings, announcements were made that a line was being drawn under the crisis. Every day it becomes more obvious that the crisis is getting worse. Half measures impress no one and the lack of cooperation between European leaders is undermining confidence. Having taken the decision not to meet or contact any eurozone leader before the July summit, the Taoiseach's policy in the last two months has been to stay equally silent. As far as can be checked from public records, this seems to be the longest any Taoiseach has gone without holding a major bilateral meeting on urgent European Union business. The Government has not taken a position on the Franco-German proposals for a new European treaty and has accepted the European Central Bank's attitude to non-sovereign bondholders without even meeting the ECB president. Proposals are appearing in the media but nothing concrete is emerging. Given the urgency of what is happening with Greece, as well as Spain and Italy, will the Taoiseach state exactly what Ireland's position is on these fundamental matters? Does the Taoiseach agree that an early summit is now needed?

**The Taoiseach:** The Deputy is right that there were summits in March and July and decisions were made at those summits and those decisions will be implemented by those who attended. For its part, Ireland is working to fulfil those conditions. The Bill giving legal effect to the changes made in July is going through the House and there is a Finance Ministers' meeting scheduled for Monday. The timetable for that may change and may be expanded.

While Deputy Martin continuously comments on lack of contact between European leaders, the result achieved since July in both the EFSM and EFSF speaks for itself in the range of interest rate reductions brought about have secured substantial savings for the Irish taxpayer.

The agenda being pursued by Ireland, which has been articulated by the Minister for Finance at a number of meetings, is being considered by the European partners. It is to put other propositions in place to reduce the overall cost of debt here. The Minister has pointed out that the promissory note that was signed off on by the previous Government in respect of Anglo Irish Bank and Irish Nationwide Building Society contained a sleight of hand that is very costly to the Irish taxpayer. No interest was to be charged until 2013 when the interest rate will be

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penal, at over 8%. The Minister has pointed out to the IMF and EU that dealing with a range of propositions in that area would be beneficial for the country.

I agree that it is necessary that European leaders discuss these issues in a comprehensive fashion. The first thing they must do is implement what was agreed in July. A big decision is to be made in Germany on Thursday, we are dealing with it here, the Greek Prime Minister is spelling out what his Government wants to do and the Italian Prime Minister has implemented an austerity programme. The countries who signed on for decisions have a duty in their respective Parliaments to implement those decisions. A meeting is fixed for EU Heads of Government. I am not sure of the date of that meeting but it is fairly soon.

**Deputy Micheál Martin:** The Taoiseach's only consistent policy with regard to Europe in the last six months has been to claim credit for goals while standing on the sideline.

**Deputy Bernard J. Durkan:** What has Deputy Martin been claiming credit for?

**Deputy Micheál Martin:** The interest rate reduction that was eventually proffered by Europe was four times what the Government asked for——

**Deputy Michael Noonan:** That is not true.

**Deputy Micheál Martin:** ——and was clearly the result of the broader European crisis brought on by the situation in Greece itself. After six months of not having had a single bilateral meeting with a eurozone leader, the Taoiseach should put aside his election speeches about the major diplomatic initiatives he was about to undertake.

*(Interruptions).*

**Deputy Pat Rabbitte:** Deputy Martin should have a bilateral with Deputy Ó Cuív.

**Deputy Micheál Martin:** Debt sustainability is at the core of solving the crisis. Reductions in the interest rates, which were agreed at the start of the year, are finally being fully implemented. They are welcome but there remains the issue of outstanding debt. If discussions are taking place about writing down sovereign Greek debt, there should be no problem with doing the same for non-sovereign and unsecured bank debts. That goes to the core of the issues.

The European Central Bank stopped us doing this last year because of supposed contagion risks.

**Deputy Bernard J. Durkan:** The Deputy made that speech in 2003

**Deputy Micheál Martin:** This is no longer a credible argument. The Taoiseach has broken his election promise about "Not another red cent". Will he now agree to intervene personally and discuss that core issue with the President of the European Central Bank? The Taoiseach supported the president's appointment without question. It is time he had a substantive engagement with him on the core issue of our debt, given that discussions are going on at present about Greek sovereign debt.

**The Taoiseach:** Other discussions are going on. Did I not see Deputy Martin himself out on the plinth claiming credit for something a couple of months back?

**Deputy Billy Kelleher:** The Taoiseach should not be facetious.

**Deputy Tom Hayes:** That would have been Deputy Ó Cuív

**The Taoiseach:** Whatever condition we are in, we are in a better position to make comments about what is happening out there.

Last January in the *Financial Times*, the Minister for Finance, then Fine Gael spokesman on finance, spelled out our position and said that getting back down to the balance of payment fund rate would be what we would look for. When that happened——

**Deputy Micheál Martin:** The Minister for Transport summed it up when he said, “Not another red cent”. The rallying cry before the election was “Not another red cent to the banks”.

**The Taoiseach:** If Deputy Martin does not want to listen to the truth, I will tell him again. Last January, the Minister for Finance said — Deputy Martin can check the record if he wishes——

**Deputy Micheál Martin:** I have checked all the records.

**The Taoiseach:** The Deputy should check the *Financial Times* of January this year.

**Deputy Micheál Martin:** The election manifesto was very clear.

**Deputy Timmy Dooley:** It was in the five point plan.

**The Taoiseach:** The Minister spelled out the importance of getting back down to the balance of payment fund rate, which is applicable in Romania. It was from that proposition that the eventual decision arose.

**Deputy Micheál Martin:** What did he get? The Taoiseach is obfuscating.

**The Taoiseach:** Far from not looking for credit, we want to achieve results. They are being achieved and the reputation of this country — from an international commentary, a political and a business perspective — has risen substantially in the past six months.

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

**The Taoiseach:** That is not to say we do not have a long way to go, because we do. We will continue to focus on that. This kind of line will not get Deputy Martin anywhere.

We are in contact with the German Chancellor——

**Deputy Micheál Martin:** The Taoiseach is in contact with no one, and has not been.

**Deputy Billy Kelleher:** The last time the Taoiseach met the Chancellor she gave out to the Taoiseach.

**The Taoiseach:** ——and with the French Presidency about an appropriate time to discuss some issues concerning Ireland and Europe. I will go to Warsaw on Thursday and return on Friday. I have arranged three bilateral meetings with the Dutch and Finnish Prime Ministers and with a third.

**Deputy Timmy Dooley:** That will solve the problem.

**The Taoiseach:** I will let Deputy Martin have the details of what we discuss when I come back.

**Deputy Gerry Adams:** The Government placed a cap of €500,000 on bankers’ pay. Some of us argued for a lower rate, given the awful distress of people. Tá a fhios ag an Taoiseach go

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bhfuil na gnáth daoine ag cur suas le méadú costaisí ar bhia agus ar thaisteal cé go bhfuil an Rialtas ag leanúint leis ag cur billiún euro isteach ins na bancanna.

When I asked the Taoiseach this question in May, he did not rule out the possibility of AIB breaking this cap of €500,000, which is an obscene amount of money to pay anyone. In response, he said he had never seen people so frustrated at the carry-on of bankers but he did not rule the possibility out. Last weekend, the Minister for Finance confirmed that AIB has, indeed, asked for permission to negotiate a salary of more than €500,000. Will the Taoiseach tell AIB, and the Dáil, that the Government will, under no circumstances, allow this?

**The Taoiseach:** I answered this on a previous occasion. The cap is in place at €500,000. I said it would want to be a truly exceptional case to warrant breaching that. I have not seen evidence of any exceptional case.

**Deputy Gerry Adams:** Does that mean the Government will not allow it? The Taoiseach needs to speak in plain language. He quoted the Minister for Finance. The Fine Gael finance spokesperson, perhaps before one of the party's attempted coups——

**Deputy Jerry Buttimer:** Deputy Adams is good at coups himself. People who live in glass houses should not throw stones.

**Deputy Gerry Adams:** ——said that the figure of €500,000 was too high, given that people were in such difficulties. The Minister for Public Expenditure and Reform said that many members of the public will still regard these levels of payment as excessive, particularly having regard to the role played by many senior bankers in creating our current economic crisis. AIB has a cheek to ask for authority to negotiate a salary above €500,000.

**Deputy Peter Mathews:** Hear, hear.

**Deputy Gerry Adams:** Can the Taoiseach give a straight answer to this question and say he will not countenance this outrageous amount of money being paid at this time of dire distress?

**The Taoiseach:** As Deputy Adams knows, I extend courtesy to everybody. A letter about this matter has been received by the Minister for Finance. A Government cap is in place. This bank is, effectively, State owned. It is a much smaller bank than it was and €500,000 is an extraordinary amount of money.

**Deputy Michael McGrath:** That is only the salary.

**The Taoiseach:** I would like to hear from the Minister for Finance the case being made by the bank in question.

**Deputy Timmy Dooley:** How long does it take to do that? Just say “No”.

**Deputy Michael McGrath:** Just say “No” and that would be the end of it.

**The Taoiseach:** The cap was put in place for good reason.

**Deputy Jerry Buttimer:** Deputy Michael McGrath should listen.

**The Taoiseach:** No good reason has been put to me as to why that should change.

**Deputy Pat Rabbitte:** Hear, hear.

**Deputy Timmy Dooley:** The Taoiseach should say “No” then, end of story.

**An Ceann Comhairle:** I call Deputy Finian McGrath.

**Deputy Michael Noonan:** The previous Government put in place a cap and then paid €700,000 while pretending to pay €500,000.

*(Interruptions).*

**An Ceann Comhairle:** I ask Deputies to cut out the chat. I have called Deputy Finian McGrath.

**Deputy Michael Noonan:** The previous Government put in place a cap of €500,000 and paid €690,000.

**Deputy Jerry Buttimer:** What about the IMF? The Opposition need a few lessons on modern Irish history.

**Deputy Timmy Dooley:** Deputy Buttimer has some time to wait before getting a place on the front row.

**An Ceann Comhairle:** Perhaps Deputy Dooley would give us a break. I have called Deputy Finian McGrath.

**Deputy Paul Kehoe:** He will get there ahead of Deputy Dooley.

**Deputy Finian McGrath:** Deputy Buttimer wants a slot on Leaders' Questions.

**Deputy Timmy Dooley:** Deputy Mathews will get down ahead of Deputy Buttimer.

**Deputy Jerry Buttimer:** I will get my chance.

**An Ceann Comhairle:** Deputy Buttimer, please resume our seat.

**Deputy Finian McGrath:** I would like to raise with the Taoiseach today the issue of protection of our senior citizens before the harsh winter sets in. I ask that he reverse the fuel cuts for vulnerable older people. The Taoiseach knows that these people have served the State well for many years, in particular in the 1980s when they took a major hit in terms of taxes. We heard earlier on in this House that €500,000 is to be paid to senior bankers at a time when we are taking €3 or €4 in terms of fuel allowances from our senior citizens.

Does the Taoiseach agree with Age Action Ireland that it is unacceptable to target these people and that to do so is highly dangerous? Does he share my concerns that many older people could over the next few months die from cold-related illnesses such as pneumonia? Why did the Taoiseach and Government cut the free electricity and gas units allowance under the household benefits package by 25% and 20% respectively? Is the Taoiseach aware of the huge gas and electricity price increases in recent weeks and that many of our senior citizens are scared? Does he know that recently electricity prices increased by 12% and gas increased by 20%?

I ask that the Taoiseach reverse these cuts as a matter of priority.

**The Taoiseach:** I recall Deputy McGrath was a strong supporter of the previous Government for a number of years.

**Deputy Derek Nolan:** That is correct.



**The Taoiseach:** The Minister for Social Protection has had to implement unspecified cuts decided upon by the previous Government. I share the Deputy's concern for all our elderly people. While I am not sure of the weather forecast for next December-January, obviously if this winter is as cold as was last winter people will suffer. The position is that the Minister for Social Protection found, upon taking up that portfolio, a whole series of decisions made but nothing to back them up. Obviously, the comprehensive spending review and analysis of it will have to ensure some measure of priority for the protection of our elderly citizens. The Minister for Social Protection will, in so far as is possible, see that that happens.

**Deputy Michael McGrath:** The Government will have to avoid rate cuts.

**Deputy Aodhán Ó Ríordáin:** Cuts introduced by Fianna Fáil.

**Deputy Finian McGrath:** I referred earlier to the people earning €500,000 per annum at a time when we are taking €2 or €3 from senior citizens. Has the Taoiseach been visited at his clinic and office by senior citizens expressing concern about these cuts? I have.

Is the Taoiseach aware that cuts to the telephone, electricity, gas and smokeless fuel allowances will cost the average pensioner €265.20 per annum? That is a lot of money to many senior citizens. I ask that the Taoiseach seek in preparation of the budget to maintain social welfare payments to older people at current levels. This could be a matter of life and death for many older people. Approximately 2,000 senior citizens are directly affected by these cuts. This figure was provided by the voluntary sector who deal with senior citizens on the front line. I ask that the Government continue to assist these 2,000 senior citizens who will be at risk.

Will the Taoiseach stand up for older people and reverse these cuts now?

**The Taoiseach:** No, I cannot reverse these cuts now. Not alone have I been visited by a number of people, I have visited people whose situations are quite serious. In regard to the drafting of the budget, the Deputy is aware of the overall figures and will have an opportunity during the course of the debate on the budget to put his points. The Ministers for Finance, Public Expenditure and Reform, Social Protection, Health and others will, in consideration of the Estimates, take into account the difficulties and plight of many of our elderly citizens, as is being brought to their attention on a regular basis.

The situation is that decisions of the previous Government in respect of unspecified cuts have had to be dealt with. Preparation of budget 2012 will take into account in the best way possible and within the constraints available to us, the protection and respect of our elderly citizens, in particular those living alone or in difficult circumstances which arise for a variety of reasons.

## Ceisteanna — Questions (Resumed)

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### Ministerial Transport

1. **Deputy Gerry Adams** asked the Taoiseach if he will set out the protocols and procedures for use of the Government jet. [21199/11]

**The Taoiseach:** Requests for use of the ministerial air transport service are made by Ministers' private secretaries to my office and are dealt with, in the first instance, by the staff of my office. Requests are examined by my staff with regard to the need for and purpose of travel, the destination, the availability and suitability of other travel arrangements and other logistical details. Any necessary clarification or further information is sought at this point.

Screened requests are then submitted to me for my consideration and approval, if deemed appropriate. Once approved, all operational matters are settled directly between the office of the Minister in question and the Department of Defence or Air Corps.

**Deputy Gerry Adams:** The Taoiseach when replying to Deputy Finian McGrath earlier said “No, I cannot reverse these cuts now” but——

**The Taoiseach:** At this time.

**Deputy Gerry Adams:** ——could not use the same plain language——

**An Ceann Comhairle:** We are dealing now with questions to the Taoiseach.

**Deputy Gerry Adams:** ——in response to my question about caps on bankers’ salaries.

**The Taoiseach:** The question was if I would reverse them at this time and I said that I cannot.

**Deputy Gerry Adams:** The Taoiseach knows the point I am making and should not be dodging questions.

**The Taoiseach:** I do, but the Deputy needs to be clear about it.

**Deputy Gerry Adams:** I tabled this question prior to the summer recess, following the fiasco in regard to attempts to transport 14 year old Meadhbh McGivern to London for a life saving liver transplant. There was a whole series of blunders in that regard. Tá a fhios againn go bhfuil sí níos fearr anois. Le cuidiú Dé, beidh sí maith go leor de thoradh ar an surgery. Was consideration given at that time to using the Government jet? Could it have been put at the disposal of the McGivern family? Would the jet be placed at the disposal of a family in similar circumstances?

I understand from a news report that during the past week the Learjet took part in an air show in Malta. What was the cost to the taxpayer of participation in that air show of a jet that is not apparently available to assist citizens?

**The Taoiseach:** The Deputy asked two questions. What happened in the Meadhbh McGivern case is to be deeply regretted. Deputy Adams is aware that the Health Information and Quality Authority, HIQA, recently published its report into the failed transfer of Meadhbh to the UK on 2 July for a liver transplant. A key recommendation of that report is that a national aeromedical co-ordination group be established to implement its findings. I believe that is appropriate. The Learjet was used to transfer Meadhbh to the UK on 15 September. The Learjet has been made available on previous occasions for missions of mercy or for medical reasons. We must now move on to implementation of the recommendations of the HIQA report into Meadhbh not being transferred to London on time on the first occasion. I hope, as we all do, she makes a fully recovery. I saw reports that a transfer back to Ireland was refused. While not a doctor, it seems to me that an aircraft with 300 other people would not be a suitable place for a young patient in her condition. If there is a request for her transfer back to Ireland, it will be granted.

The cost for the participation of the Government jet in the Maltese air show came to €13,095. This is based on 6.7 hours return flying at an average hourly direct cost of €1,940. This is not a request that comes across my desk when I deal with ministerial transport. The reason for the participation in the show was because the Maltese authorities supported us in transporting Irish citizens out of Libya to Valletta.

### Cabinet Committees

2. **Deputy Gerry Adams** asked the Taoiseach if the Cabinet Sub Committee on Health met during the summer recess; and the number of occasions on which it met and the dates of same. [23765/11]

3. **Deputy Joe Higgins** asked the Taoiseach the Cabinet sub committee meetings that have taken place since Dáil Éireann rose on 22 July 2011. [24422/11]

4. **Deputy Micheál Martin** asked the Taoiseach the support structure, including staff numbers, he has put in place for each Cabinet committee. [26096/11]

5. **Deputy Micheál Martin** asked the Taoiseach the numbers of persons assigned to work full-time in support of the Economic Management Council. [26097/11]

**The Taoiseach:** I propose to take Questions Nos. 2 to 5, inclusive, together.

The Cabinet committee on social policy met on 21 September. No other Cabinet committee meetings have been held since 22 July 2011. However, the Government and the Economic Management Council have met several times. Meetings of five Cabinet committees are scheduled between now and the end of October.

Each Cabinet committee is supported by a senior officials' group, generally chaired by an assistant secretary in my Department and with membership drawn from the relevant Departments. As in previous Administrations, supporting Cabinet committees is a core function of the relevant policy division in my Department and is undertaken in addition to other responsibilities of the staff involved.

A second Secretary General has been appointed in my Department, whose responsibilities include managing support for the Economic Management Council, which has the status of a Cabinet committee, and reporting to the Tánaiste and Minister for Foreign Affairs and Trade on matters relating to the council. No staff have yet been assigned on a full-time basis to that committee. It is supported by staff from my Department with assistance from other Departments as appropriate.

**Deputy Gerry Adams:** Today some 394 patients are lying on hospital trolleys across the country. The largest number consistently is at Our Lady of Lourdes Hospital, Drogheda, County Louth. Last night 48 citizens were on trolleys. Over the summer, there were many reports on the long delays in filling vacancies for junior doctors. Some recent reports have stated some junior doctors from abroad had to return home due to long delays in processing their registrations. Did the Cabinet health sub-committee deal with these issues during the summer recess?

**The Taoiseach:** When the Government took office, we originally did not establish a Cabinet health committee. However, due to the importance of the issue in question, a health committee date has been set for the next fortnight. It will focus on this and several other issues. Over the summer, the Government, the Minister for Health and the Economic Management Council have been active on this issue.

I have visited several hospitals myself and spoken to patients on trolleys. It is always regrettable that this occurs. The special delivery unit, established by the Minister for Health to examine waiting lists and patients on trolleys, has made some interesting preliminary findings which will require a co-ordinated plan to be put in place to see such backlogs do not arise as they have consistently done so over the past 20 years. I have also visited Our Lady of Lourdes Hospital, Drogheda. It is trying for patients to be left on trolleys, often in uncomfortable

positions. Those at the front line of the health services do extraordinary work in dealing with a legacy and a structure inadequate for our current needs. Over the time ahead, this will be a priority matter for the Minister for Health. The Cabinet health committee will receive reports on several issues from the Minister, the HSE and so forth and we will have an opportunity to discuss those matters in the Chamber.

**Deputy Gerry Adams:** I am astonished a Cabinet health committee has not even been established yet. I was in the Chamber when its establishment was announced with a great brouhaha.

**The Taoiseach:** It was not announced with a great brouhaha. After a review of the Cabinet sub-committees, I considered there should be one for health and we set it up.

**Deputy Gerry Adams:** There are 400 people on hospital trolleys.

**The Taoiseach:** Yes, I accept that. An extraordinary amount of money is spent on the health system. Last week, nurses on a ward I visited informed me the wastage in their hospital is extraordinary. The Deputy has a part to play in resolving these issues. The Minister for Health and the Cabinet health committee will focus on these issues.

**Deputy Joe Higgins:** What is the function of the Cabinet sub-committee on health? How does it relate to the responsibilities of the Minister for Health and the HSE? The committee was established to underline the urgency of the needs of the health service and deal with the dramatic and disastrous effects of health cutbacks. It beggars belief that it has not yet met when hospitals across the country are suffering traumatically from the swinging and savage cuts imposed by the HSE on the Taoiseach's watch. The Taoiseach referred to wastage in the health services, as if it were a cover for the dreadful crisis that exists in them. The Government cut the number of beds in Blanchardstown hospital by 20%.

**An Ceann Comhairle:** These are matters more appropriate for the Minister for Health. This question relates to Cabinet sub-committees.

**Deputy Joe Higgins:** The problem is that doctors and other health staff are treating too many patients and have been told to cut back. This is Alice in Wonderland stuff. Who is going to bring sanity to this? Who will restore the services that have been cut, so that our health services are safe for patients?

**The Taoiseach:** The health committee meets on Wednesday, 5 October. Its purpose is to provide political oversight of the Government's programme to change the structure and nature of the health service to ensure it is fit for purpose in 2011 and onwards. This programme will also achieve greater efficiencies, a far more effective level and a better quality of service both for those who work on the front line and, in particular, patients. The forthcoming meeting will also be an opportunity for the sub-committee to focus on the oversight of delivering priority services for the Government.

Apart from this, over the summer I called together the Department of Health and HSE for a barnstorming session about several health issues. The committee was set up at the end of June and it will meet in October to provide a political oversight of the decisions being taken by the Minister for Health.

**Deputy Joe Higgins:** Which Ministers are on this committee?

**The Taoiseach:** The Minister for Health and his two Ministers of State, Deputies Kathleen Lynch and Shortall.

**Deputy Micheál Martin:** A Cabinet committee means it is composed of Cabinet Ministers. It cannot be a Cabinet committee if it just comprises one Minister and two Ministers of State. By definition, it should involve several Departments. Will the Taoiseach clarify what other Ministers and Departments are on this committee to implement the health service commitments in the programme for Government? The programme and the Fine Gael general election manifesto committed to changing completely the funding model for hospitals in the coming months. Hospitals were to lose their secure funding and move to a *per capita* system. This is a fundamental, substantive and radical change. It beggars belief that the Cabinet sub-committee on health has not met to consider this issue or the commitment's implementation. There is no urgency attached to the implementation——

**An Ceann Comhairle:** We are on Question Time. Could we have a question, please?

**Deputy Micheál Martin:** We are and I will put my question.

**Deputy Pat Rabbitte:** The Deputy's Government had no Cabinet sub-committee on health at all.

**Deputy Micheál Martin:** That there has been no meeting illustrates that no urgency is attached to the implementation of the proposal to change the funding model. I suspect there is no real commitment. Will the Taoiseach clarify this point?

**Deputy Bernard J. Durkan:** The Deputy did not commit to abolishing the health boards, but that is what occurred.

**Deputy Micheál Martin:** Neither the Minister for Health nor the Government have an idea as to how to bring about the health insurance model they touted during the election campaign. It was to be the panacea for all of the ills of the health service.

**An Ceann Comhairle:** I remind the Deputy that this is Question Time.

**Deputy Micheál Martin:** Does the Taoiseach agree that there is a lack of genuine commitment to the idea? There was no depth or substance behind it, as revealed by the facts that the Cabinet sub-committee has not met and, judging by his answers, the Taoiseach does not know who its members are. It is far from a satisfactory situation.

**An Ceann Comhairle:** We are on Question Time.

**Deputy Micheál Martin:** Why is the sub-committee being delayed and will the frequency of its meetings be increased in the coming months to prepare for the dramatic commitment in the programme for Government? I disagree with the fundamental principles of the Government's proposal. It is a dramatic overhaul. May I revert on Question No. 5 after the Taoiseach has answered my supplementary questions on Question No. 3?

**An Ceann Comhairle:** Yes.

**The Taoiseach:** I have rarely listened to such blather in all my life.

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

**The Taoiseach:** I chair the committee on health. The Minister for Health is its convenor. It is also attended by the Tánaiste and Minister for Foreign Affairs and Trade, the Minister for Public Expenditure and Reform, the Minister for Children and Youth Affairs, the Minister of State with responsibility for primary care, Deputy Shortall, and the Minister of State with

responsibility for disability, equality and mental health, Deputy Kathleen Lynch. They are the members of the committee.

**Deputy Micheál Martin:** I thank the Taoiseach.

**The Taoiseach:** It meets on 5 October. It is completely irresponsible of the Deputy to say that there is neither depth nor substance in this——

**Deputies:** Hear, hear.

**The Taoiseach:** ——when, speaking as Minister on this side of the House he said he had not read his brief and that he had no responsibility for taking €1 billion from geriatric people in——

**Deputy Micheál Martin:** That is not true.

**The Taoiseach:** Yes, it is.

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

**Deputy Paul Kehoe:** It is true.

**Deputy Dinny McGinley:** Deputy Martin never read his briefing.

**The Taoiseach:** He denied all responsibility for it.

**Deputy Micheál Martin:** That is not true. What the report established was completely at variance with what the Taoiseach has just asserted. He is wrong.

**The Taoiseach:** On the contrary, the Deputy continuously goes back——

**Deputy Micheál Martin:** The Taoiseach should withdraw his remark. He cannot keep deceiving the House on this matter. It is rubbish.

**Deputy Frances Fitzgerald:** Some 113 reports.

**Deputy Micheál Martin:** I implemented.

**The Taoiseach:** ——to the programmes of Opposition parties. This party and the Labour Party have a programme for Government. It is very clear in respect of health and we intend to implement that over the lifetime of the Government. Even Deputy Martin will understand that, after six months, it is impossible to shift the leviathan that is the health service in a way that will answer all of the questions.

**Deputy Micheál Martin:** The sub-committee could meet at least once. It has not met.

**The Taoiseach:** The health committee meets on 5 October. We have a lot of committees to deal with and a lot of meetings to attend. This is a priority and the Minister for Health has been focused on that since his appointment and will continue to be so along with his two Ministers of State and the members of this committee as part of Government. Deputy Martin will have his opportunity to have his say here.

**Deputy Bernard J. Durkan:** Too right. Address the record of Fianna Fáil.

**Deputy Micheál Martin:** The Taoiseach is misleading the House in respect of the Travers report on the nursing homes issue. The €1 billion in question dated back to 1976. The Taoiseach told an untruth.

**Deputy Pat Rabbitte:** Deputy Martin took the file home. It went missing.

**Deputy Micheál Martin:** I appeared before an Oireachtas committee and was vindicated by it and the Travers report.

**Deputy Bernard J. Durkan:** The Deputy is not to blame for anything.

**Deputy Micheál Martin:** It is not good enough for the Taoiseach to keep bringing that matter back to the surface just to cover up his own inadequacies and his lack of substance as regards health policy.

**Deputy Bernard J. Durkan:** The Deputy abolished the health boards. He is blaming someone else.

**Deputy Micheál Martin:** I stand over my record in the Department of Health and Children fully, particularly in terms of the National Treatment Purchase Fund, heart disease, cancer and anything the Taoiseach would like to discuss.

**An Ceann Comhairle:** Could we get back to Question Time, please?

**Deputy Micheál Martin:** The fact that the sub-committee has not met once in the past six months is testimony to the Government's lack of urgency.

**The Taoiseach:** The Deputy stated on the public record that he took no responsibility for it.

**An Ceann Comhairle:** Could we get back to Question Time?

**Deputy Micheál Martin:** I apologise.

**Deputy Pat Rabbitte:** Deputy Martin commissioned 113 consultancy reports.

**Deputy Micheál Martin:** With the greatest of respect,—

**Deputy Frances Fitzgerald:** The Deputy promised fundamental reform.

**The Taoiseach:** Entirely blameless. He took no responsibility.

**An Ceann Comhairle:** Would Deputy Martin mind speaking through the Chair, please? He is inviting this sort of thing.

**Deputy Micheál Martin:** The Ceann Comhairle should not justify the unacceptable interruptions by an unruly bunch across the floor of the House.

**An Ceann Comhairle:** I am trying to control the Deputy and the other side.

**Deputy Paul Kehoe:** He does not like to hear the truth.

**Deputy Micheál Martin:** I tell the truth all of the time. I will lay it on the line.

**An Ceann Comhairle:** Ask a question.

**Deputy Micheál Martin:** The fundamental point is—

**Deputy Bernard J. Durkan:** He never put it on paper.

**An Ceann Comhairle:** Will Deputy Durkan stay quiet for a moment, please?

**Deputy Bernard J. Durkan:** I apologise.

**Deputy Micheál Martin:** The Taoiseach did not answer my question. He never does. He just goes on a rant about something else.

**The Taoiseach:** Ask the question.

**An Ceann Comhairle:** If the Deputy asks his question, we will see if he can get an answer.

**Deputy Micheál Martin:** I asked about the proposal in the programme for Government regarding a fundamental change in the funding model for the health service in terms of each hospital's secure funding. The Taoiseach did not answer my question.

**An Ceann Comhairle:** I thought the Deputy was asking about the Economic Management Council.

**Deputy Micheál Martin:** I asked about the reason for the delay in the health sub-committee meeting and whether this means the programme's proposal will be delayed. The hospitals' funding model is a substantive issue.

Turning to Question No. 5, the Government has made much of the Economic Management Council, so much so that many Government briefers, including the Labour Party's briefers, have stated that the Minister for the Environment, Community and Local Government, Deputy Hogan, is jealous of its members because he cannot get on it.

**An Ceann Comhairle:** Will the Deputy ask a question and cut out the——

**Deputy Dinny McGinley:** Deputy Martin does not know the Minister too well, and certainly not as well as us. He does not get jealous.

**Deputy Micheál Martin:** The Taoiseach has been careful——

**An Ceann Comhairle:** Could the Deputy cut out the phrases and ask a question, please?

*(Interruptions).*

**An Ceann Comhairle:** I ask Members on the Government side to settle down, please. I am trying to chair Question Time.

**Deputy Paul Kehoe:** The Deputy had better watch his back.

**Deputy Micheál Martin:** I asked about the committee's structure. The House is not allowed to examine its work or its structure. The economic division of the Taoiseach's Department, which was open to parliamentary questions and freedom of information requests, seems to have been moved out and replaced by the Economic Management Council, which can hide every aspect of its work behind Cabinet confidentiality.

**An Ceann Comhairle:** This is Question Time.

**Deputy Bernard J. Durkan:** This is a long speech.

**Deputy Micheál Martin:** Does the Taoiseach not agree that this is the exact opposite of the transparency and accountability promised in the Government's programme? How will the roles of those co-ordinating the work of this Cabinet sub-committee differ from the roles of those who co-ordinate other sub-committees? Will the Taoiseach agree to make its work open to



[Deputy Micheál Martin.]

parliamentary questions and freedom of information requests? He can do so. There is no reason for it to be a Cabinet sub-committee. He could change its status if he wanted to do so. I ask him to do so in the interests of transparency and accountability so that we might ask questions about the economic work of the Department of An Taoiseach. The Dáil used to be able to do this but can no longer because that work has been subsumed within the Cabinet sub-committee. That we cannot ask parliamentary questions or make freedom of information requests means there is no accountability.

**The Taoiseach:** The Deputy is well aware that the confidentiality of discussions at Cabinet and Cabinet committees is protected by Article 28.4.3° of Bunreacht na hÉireann, which states:

The confidentiality of discussions at meetings of the Government shall be respected in all circumstances save only where the High Court determines that disclosure should be made in respect of a particular matter—

i in the interests of the administration of justice by a Court, or

ii by virtue of an overriding public interest, pursuant to an application in that behalf by a tribunal appointed by the Government or a Minister of the Government on the authority of the Houses of the Oireachtas to inquire into a matter stated by them to be of public importance.

These are the circumstances in which the confidentiality of discussions at Cabinet committees can actually be broken. In the light of constitutional provisions, the well established precedent in regard to questions on Cabinet committees is for the Taoiseach to answer matters of a factual nature. It is important to note that this is part of the requirement of the Constitution. The Deputy on this side of the House for 14 years and would not answer anything about Cabinet committees or anything else.

**Deputy Micheál Martin:** This is pathetic.

**Deputy Bernard J. Durkan:** He disavowed all knowledge of the nursing home issue.

**Deputy Micheál Martin:** The programme for Government made all sorts of commitments about transparency and accountability. I asked the Taoiseach a simple question. Will he open up the work of this council to the Parliament via parliamentary questions? It is his decision, his choice. I do not need any further recitation of the Constitution. I am well aware of it. The Taoiseach chooses to hide the economic work and move it to a Cabinet sub-committee on economic management and so forth. It is the Taoiseach's decision, not anyone else's. He should not keep mentioning ten years or the like. He made the choice and the promises.

**Deputy Bernard J. Durkan:** Deputy Martin made choices, too.

**Deputy Micheál Martin:** Will he agree to open up the work to the Dáil? “Yes” or “No”?

**An Ceann Comhairle:** Have we got an answer?

**The Taoiseach:** I will tell the Deputy why. The Economic Management Council is attended by myself and the Tánaiste, the Minister for Finance and the Minister for Public Expenditure and Reform. It is backed up by Secretaries General from appropriate Departments and senior officials from Departments depending on the issues that are under discussion. It is a very effective way of streamlining business to bring to the Cabinet, where decisions are then made.

These decisions obviously become public and the Deputy has an opportunity to debate them arising from opportunities in the Dáil and elsewhere.

Rather than have interminably long Cabinet meetings discuss everything, the Economic Management Council, the agenda of which is determined by the Tánaiste and which is now supported by the appointment of a second Secretary General, streamlines the work on very important issues that are then brought before the Cabinet.

For instance, if the Economic Management Council decides on an issue, its decision goes to the Cabinet for approval. If approved it becomes a Cabinet decision and once that is made public, the Deputy is entitled to ask questions about it, comment on it and debate it in the House. I hope that clarifies what we are doing in that room.

**Deputy Micheál Martin:** That does not answer the question.

**The Taoiseach:** I am not opening it up because of this.

**Deputy Bernard J. Durkan:** No living human being could answer Deputy Martin's question.

**Deputy Micheál Martin:** He does not want to answer it.

**The Taoiseach:** There are two referendums in October. We do not want one on Article 28.4.3°, not yet in any case.

**Deputy Micheál Martin:** The Taoiseach is shutting everything down.

**The Taoiseach:** We will have an opportunity to examine all these matters after the presidential election at a constitutional convention.

**Deputy Micheál Martin:** The never-never.

**An Ceann Comhairle:** I will allow a quick supplementary question from Deputy Boyd Barrett.

**The Taoiseach:** I have no intention of opening up the discussions at the Cabinet meeting to questions in here.

**Deputy Pat Rabbitte:** It is a kind of war office, or war Cabinet, to deal with the razed earth we found after Fianna Fáil left office.

**An Ceann Comhairle:** Could I hear Deputy Boyd Barrett?

**Deputy Richard Boyd Barrett:** I was waiting for the Minister, Deputy Rabbitte, to finish.

What the Constitution says is not really the issue or answer we are looking for. While the Taoiseach may have the right to maintain Cabinet confidentiality regarding the activities of the Economic Management Council — I have asked questions on this several times — we are in a very grave financial and economic situation that is very fluid. We and the public read daily about the next twist or turn in the economic and financial crisis in Europe and how it may have an impact on us.

**An Ceann Comhairle:** Will the Deputy ask his question?

**Deputy Richard Boyd Barrett:** We wish to be able to question the Taoiseach on the ongoing deliberations of the Government because they are of such urgency and importance. That is why we want the Taoiseach to open up the debate that taking is place among members of the

[Deputy Richard Boyd Barrett.]

Government on very important decisions that affect the economic and financial future of this country and its citizens.

**The Taoiseach:** I am not sure when the Deputy thought up that particular question. I am quite sure he is participating in the debate here on giving effect to the decisions taken in July at the Heads' of Government meeting in Brussels, which decisions have a direct impact on the economic——

**Deputy Richard Boyd Barrett:** July was a long time ago. A lot has happened since then.

**The Taoiseach:** ——position in so far as Europe is concerned.

The Government discusses matters on an ongoing basis at what are called Cabinet meetings. When the Cabinet makes decisions, as the current one is doing, they are made public and the House then has an opportunity to raise them, either during the Topical Issues debate or during other appropriate debates in the Dáil, or at meetings of Oireachtas committees. Perhaps the Deputy would like to participate in the Cabinet discussions himself, but he cannot do so yet. He may have to wait a while. In so far as it is possible to answer the Deputy's question——

**Deputy Richard Boyd Barrett:** The public.

**The Taoiseach:** ——and do so legitimately, we will do so.

The Deputy is asking me whether there is an opportunity for elected Members in the House to participate in these kinds of discussions. There is.

**Deputy Micheál Martin:** It is very limited.

**The Taoiseach:** We have freed up the system for the Deputies. I am not sure whether Deputy Boyd Barrett submitted a request to have a Topical Issues debate today on the issue he mentioned.

**Deputy Richard Boyd Barrett:** About another issue.

**The Taoiseach:** If so, it is a matter for the Ceann Comhairle. The Deputy may submit the matter again tomorrow and may participate in the debate on the euro. Another such debate will be held next week. The Deputy will have plenty of opportunities to voice his opinions.

**Deputy Micheál Martin:** That is not true. The opportunities are becoming fewer and fewer and the Taoiseach is avoiding the issue all the time.

**Deputy Bernard J. Durkan:** It is the opposite.

**An Ceann Comhairle:** I call Deputy Adams on Question No. 6.

**Deputy Micheál Martin:** The Taoiseach is reducing his time in the House.

**The Taoiseach:** Next week.

**An Ceann Comhairle:** Members should speak through the Chair. We will proceed to Question No. 6.

### EU Affairs

6. **Deputy Gerry Adams** asked the Taoiseach if he has had any contact with EU leaders during the summer recess. [23766/11]

7. **Deputy Gerry Adams** asked the Taoiseach if he will report on his attendance at the emergency EU summit on economic matters which he attended in July 2011. [23767/11]

8. **Deputy Joe Higgins** asked the Taoiseach if he will report on his attendance at the emergency summit of European Union leaders on 21 July 2011. [24424/11]

9. **Deputy Joe Higgins** asked the Taoiseach if he will report on his discussion with European leaders over the summer on the crisis in the European financial markets. [24425/11]

10. **Deputy Micheál Martin** asked the Taoiseach if he will report on the details and contents of bilateral contacts he has had with leaders of Eurozone countries since the last emergency meeting of Eurozone leaders. [24700/11]

11. **Deputy Micheál Martin** asked the Taoiseach if he has had any contact with Mr Jean Claude Trichet or Mr Mario Draghi since the last meeting of EU leaders; the nature and extent of each of these contacts; and if he will make a statement on the matter. [24701/11]

12. **Deputy Micheál Martin** asked the Taoiseach the contact he has had with Chancellor Merkel and President Sarkozy concerning proposals for amending the EU treaties discussed by them during recent weeks. [24702/11]

13. **Deputy Micheál Martin** asked the Taoiseach the preparations he has made for submitting proposals to the EU Council concerning the consideration of reforms to the governance of the Union and the Eurozone. [24703/11]

14. **Deputy Micheál Martin** asked the Taoiseach the differences between the text agreed by him at the July meeting of Eurozone leaders concerning Ireland's corporate taxation and the text proposed in March. [24731/11]

15. **Deputy Richard Boyd Barrett** asked the Taoiseach his plans to talk or meet with other Eurozone leaders in view of the ongoing Eurozone crisis; if he will outline a schedule of these meetings; and if he will make a statement on the matter. [24751/11]

16. **Deputy Richard Boyd Barrett** asked the Taoiseach if he will report on discussions he has had with other EU leaders on the growing Eurozone crisis; and if he will make a statement on the matter. [26071/11]

**The Taoiseach:** I propose to take Questions Nos. 6 to 16, inclusive, together.

I attended a meeting of the Heads of State or Government of the euro area in Brussels on 21 July. The meeting was convened to consider the financial stability of the euro area as a whole and future financing of the Greek programme. We took important decisions in three key areas: improving Greek debt sustainability, addressing the risk of contagion and committing to improve the eurozone's crisis management. We agreed to support a new programme for Greece and, together with the IMF and the voluntary contribution of the private sector, to cover fully its financing gap. The agreed official financing of an estimated €109 billion will be designed, notably through lower interest rates and extended maturities, to improve decisively the debt sustainability and refinancing profile of Greece.

We also agreed important enhancements to the EFSF. It will get more flexibility to intervene in the areas of precautionary assistance; recapitalisation of banks through Governments, including in non-programme countries; and secondary market interventions in exceptional circumstances on the basis of an analysis by the ECB. Member states are now engaged in the process

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of legislative change needed to enable the new arrangements to enter into force. For our part, the necessary Bill was passed last week and now has been signed. The measures agreed in July were based on a clear acknowledgement that the Greek situation is different from that of other countries and required an exceptional response, including as regards the participation of the private sector.

The decisions made at the meeting will mean that the EFSF will lend to Ireland at a significantly reduced rate. This will apply not only to moneys yet to be drawn down, but also to future interest payments on existing loans. This is a saving in the order of several billion euro over the term of the loans. In this regard, I very much welcome the decision of the European Commission to propose that loans under the EFSM will come with zero margin.

The meeting in July recognised Ireland's resolve to press ahead with implementation of our programme, and expressed its strong commitment to our success. We tasked the President of the European Council, in close consultation with the President of the Commission and the president of the Eurogroup, to make concrete proposals by October on how to improve working methods and enhance crisis management in the euro area. This work is now being advanced, including through bilateral consultations at official level.

With regard to corporation tax, there was no new language agreed at the meeting. We agreed to engage constructively in what I expect to be a very long debate on the Commission's CCCTB proposal, and more generally in the structured discussions on tax policy issues provided for within the framework of the euro plus pact. There was nothing new in this and the Government's position on the substance of the matter has not changed in any respect.

In the period since the end of July, there has been significant and ongoing engagement at Minister for Finance level and through associated euro area structures in giving effect to the measures that we agreed. I will meet several colleagues when I attend the meeting of the Eastern Partnership in Warsaw later this week. The next meeting of the European Council is scheduled for Brussels on 17-18 October. It will discuss economic policy, including, I anticipate, any developments regarding the eurozone, preparations for the G20 summit and climate change.

**An Ceann Comhairle:** Given that Questions Nos. 6 to 16, inclusive, are grouped, I would like to be as fair as possible in calling Deputies. Deputy Gerry Adams, whom I call first, tabled Questions Nos. 6 and 7.

**Deputy Gerry Adams:** I object to the Taoiseach's lumping together so many questions. It happens so often. I have specific questions on Questions Nos. 6 and 7. Have there been discussions with our European partners about the centralisation of fiscal powers? Has the Government ruled out this development?

**The Taoiseach:** I have had no discussions with European leaders on fiscal powers. There have been quite a number of meetings and contacts between Ministers for Finance and officials dealing with the technicalities of the decisions made in July. They were signed off on recently at official level and confirmed by the ECOFIN Ministers. The answer to the Deputy's question is that I have had no discussions about the centralisation of fiscal powers.

**Deputy Gerry Adams:** Will the Taoiseach give a very clear commitment that he will rule out the Irish Government going along with the centralisation of fiscal powers?

**The Taoiseach:** How does the Deputy define "centralisation of fiscal powers"?

**Deputy Gerry Adams:** With respect, the Taoiseach must know what it means because it has been proposed by some of the larger states. Having taken monetary power, they want to take fiscal power. It has been proposed by the French and Germans, and the Taoiseach needs to stand very firmly against it. He should take the opportunity to decide on this now. He should pretend we are talking about taking money from old people.

**The Taoiseach:** I do not contemplate any such move. The Deputy is well aware of the fluidity of the debate, both in and outside Europe, on Europe's difficulties.

**Deputy Gerry Adams:** This is a fundamental question concerning sovereignty. One reason the Economic Management Council has nothing to discuss is because it has ceded so much economic power to the European Union and International Monetary Fund. It is very clear that the Government is standing with the bankers. Has it taken the opportunity, given what is happening in the eurozone and the crisis, to tell the relevant authorities it will not pay the €31 billion to Anglo Irish Bank and Irish Nationwide? The Government is committed to pay €7 million on 2 November. This would build approximately 200 schools or create 8,000 jobs. I do not understand it. Last week, I was in New York and met very senior Wall Street stockbrokers who were astounded the Government was not burning the bondholders and that it pays all of this money to a toxic bank. These people trade in their sector. As we see the eurozone crisis deepening, is it not time for the Taoiseach to seize the moment and for once stand up and state we will not pay the money? The Government is committed to removing €3.6 billion from the budget and at the same time will give €3 billion to Anglo Irish Bank. What does the Government owe Anglo Irish Bank?

**Deputy Peter Mathews:** It was a commitment of the previous Government.

**Deputy Micheál Martin:** No, it was not. They are not secured.

**The Taoiseach:** Who Deputy Adams meets in New York is his own business. All I can state is that the Minister for Finance has pointed out quite clearly that from his discussions with Mr. Trichet and Commissioner Rehn the question of burning senior bondholders in Anglo Irish Bank is something they would not contemplate. When this was mentioned in Greece, the contagion immediately spread to other larger economies, as Deputy Adams is well aware. What was signed off by my predecessor was a promissory note to Anglo Irish Bank and INBS for €30 billion, that is, €3 billion over each of ten years—

**Deputy Bernard J. Durkan:** Wow.

**The Taoiseach:** —with no interest to be paid until 2013 when the blended rate will be at more than 8%. The extent of moneys that might be saved by the State, while quite substantial at approximately €100 million in the case of Anglo Irish Bank and INBS, is much smaller than what could be achieved through the agenda now being pursued by the Minister for Finance, which is to deal with an extension of time and maturity in respect of the promissory note which was signed off by the previous Government. The savings there could be far more substantial than risking the enhanced reputation the country has achieved in the past six months internally in Europe and externally in the wider world from economic, business and political perspectives. It is a balance of looking at the risk to what we have achieved in the past six months and where we want to go. We want to be able to return to the bond markets ourselves and borrow at appropriate rates and be in charge of our economic future, which is the intention of the Government in implementing our programme.

**Deputy Joe Higgins:** The Taoiseach just stated that Mr. Trichet, who is the President of the European Central Bank, told the Minister for Finance he would not contemplate the burning of the bondholders and specifically that the €3.5 billion to be paid to unsecured Anglo Irish Bank bondholders by the end of June had to be paid. What is the point of the Taoiseach going to EU summits if it is not the political leaders, supposedly elected by the people of Europe, who make the decision but bureaucrats at the European Central Bank who obviously represent the interests of the major European bankers, bond dealers, hedge funds and the rest of it? Does this not turn what is supposed to be democracy on its head? In July, did the Taoiseach discuss with Chancellor Merkel and President Sarkozy the issue of €3.5 billion? The Minister for Finance stated categorically in Washington in June that Anglo Irish Bank was a warehouse of debt and speculative investment and the Irish people should not pay. Did the Taoiseach follow up this by stating to Frau Merkel and Monsieur Sarkozy that the Irish people do not owe this money and that we will not pay it?

**Deputy Gerry Adams:** We know what the question is; the answer is another thing.

**The Taoiseach:** The selfsame bureaucrats of whom Deputy Higgins speaks fund the entire Irish banking system to the tune of almost €150 billion at a 1.5% interest rate and his own salary is paid out of it. It is important to attend meetings of EU Heads of Government because agreement was reached on our proposal that interest rate reductions be applied. The savings that have and will emerge from this are very substantial. Of course in the general discussions that have taken place the Minister for Finance has been very vociferous about the problem of Anglo Irish Bank and raised the matter long before he came into government. However, the consequence of dealing with it in the manner spoken about by Deputy Higgins became evident very abruptly in Italy when it was mentioned in the case of Greece.

I am not sure what is the opinion of Deputy Higgins but the country has changed direction and there is now a very different reaction to us internationally, which is far more favourable. Political leaders in Europe look at this country as possibly being the first to emerge from this economic challenge with an enhanced reputation and heading in the right direction to be in charge of our own economic destiny. I remind the Deputy that at the end of the day, the ECB and Mr. Trichet have been very favourably disposed towards Ireland and its citizens and €150 billion at 1.5% is a very substantial contribution from people whom Deputy Higgins claims are just bureaucrats.

**Deputy Joe Higgins:** The point is that there would be no need for tens of billions of ECB funding if the policy of the predecessor Government now being followed and implemented by the Taoiseach—

**An Ceann Comhairle:** A question please.

**Deputy Joe Higgins:** —had not been to guarantee €80 billion or €90 billion of gamblers debts. That is the point. Does the Taoiseach realise what he is saying?

**The Taoiseach:** I do.

**Deputy Joe Higgins:** The Taoiseach stated in opposition to my demanding the non-payment of the €3.5 billion, which the Minister, Deputy Noonan, stated should not be paid, that we should look at what happened when there was a threat that this might happen in Greece. What happened? The sharks in the financial markets ratcheted up interest rates for Italy and Spain and terrorised the political leaders of Europe who all fell on their faces in front of them. Who runs Europe? Is it a dictatorship of the markets, as the Taoiseach just indicated he cannot

make sovereign decisions because he fears unelected unaccountable entities in the financial markets? Is this not what the Taoiseach is stating?

**The Taoiseach:** It was not Europe which downgraded the United States. The markets have their own way of making their impact, obviously with devastating consequences in some cases. I remind Deputy Higgins that the amount of unguaranteed residual bonds in Anglo Irish Bank is €3.46 billion, comprising €2.86 billion from Anglo Irish Bank and €600 million from Irish Nationwide. A voluntary burning of these bondholders might, depending on the price offered in any LME, liability management exercise, and taken up by the bondholders, raise approximately €100 million. As I pointed out, the savings that might be achieved in dealing with the extent of the promissory note would be of a far greater proportion than this and would not destroy the rising credibility and enhanced reputation that Ireland has achieved with our European colleagues and internationally in the past six months.

**Deputy Joe Higgins:** And the vultures.

**Deputy Micheál Martin:** I have tabled five of the questions included in this group and I hope I receive a reasonable opportunity. I agree with what Deputy Adams stated on the unsatisfactory nature of grouping all of these questions, which are on quite different topics.

The Taoiseach is spinning a great yarn about the international response to Ireland and our approach. The bottom line is that the response to Ireland is due to the fact that very severe budgetary measures were taken which hurt many people and which were politically unpalatable. The budget passed last year included a correction of approximately €6 billion. The international response to this has been——

**An Ceann Comhairle:** I ask the Deputy to put a question please.

**Deputy Micheál Martin:** ——that Ireland has bitten the bullet. It has nothing to do with what the Taoiseach did since he came into power because he has taken no substantive decision on anything. It is wrong of him to keep pedalling and spinning this yarn.

**Deputy Pat Rabbitte:** You must be joking. It is this Government that has implemented the pain, sadly.

**An Ceann Comhairle:** We are not having a discussion or a debate.

**Deputy Micheál Martin:** That is what it is; it is a yarn.

**An Ceann Comhairle:** This is Question Time.

**Deputy Micheál Martin:** Does the Taoiseach agree that he voted against every one of those measures?

**The Taoiseach:** What did the previous Government do about reducing the banks?

**Deputy Micheál Martin:** He behaved in a reckless and irresponsible way and is now claiming credit six months later because he has not changed any of them. That is basically the factual position.

**The Taoiseach:** I have never looked for credit in my life.

**Deputy Micheál Martin:** I asked the Taoiseach about the summit meeting which refused to address the issue of burning bondholders. Does he agree that the core issue is again about



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what politicians told the Irish people in a fundamental communication? I told people in advance of the election that there could not be a unilateral burning of bondholders.

**An Ceann Comhairle:** Could I have a question please?

**Deputy Micheál Martin:** I put it to the Taoiseach that the public was fundamentally misled on the issue in that he and his party told them there could be unilateral burning of bondholders. The Tánaiste said that it would be Frankfurt's way or Labour's way. I will put the core question to the Taoiseach again because I did not get an answer. Does he not agree it is now on the agenda? Perhaps he cannot comment publicly but it is being talked about openly all over Europe and internationally that Greek sovereign debt is up for discussion. That is something we never contemplated in terms of a major burning of sovereign bondholders. That appears to be on the agenda in Greece——

**Deputy Peter Mathews:** It is not burning, it is writing down.

**An Ceann Comhairle:** I am sorry. Deputy Mathews should not interrupt.

**Deputy Peter Mathews:** I am sorry.

**Deputy Micheál Martin:** ——yet we are being told that anything to do with non-secured bondholders in Anglo Irish Bank is completely off the agenda. It is wrong of the Taoiseach as well to use the term——

**An Ceann Comhairle:** We will leave history to the historians. The Deputy should ask a question please.

**Deputy Micheál Martin:** ——"sleight of hand". I ask him to withdraw the term in regard to the Minister for Finance, Deputy Noonan's late predecessor. It is unworthy. The Taoiseach is aware that it was quite transparent at the time and it was brought before the House.

**Deputy Bernard J. Durkan:** What about from 2003 onwards when a hole was being dug for the national economy? For God's sake.

**Deputy Micheál Martin:** That is fine if issues arise on renegotiating the agreement. I have no difficulty with that.

**An Ceann Comhairle:** Will Deputy Martin put a question to the Taoiseach please?

**Deputy Micheál Martin:** Why is that off the agenda? I put that point in particular to the Taoiseach in terms of the ongoing debate about Greece and the sovereign issue and the fact that he is working his way out in terms of spinning a yarn and getting off the hook of very clear commitments he made on burning bondholders, senior debt holders——

**Deputy Peter Mathews:** It is not burning bondholders, it is writing down to collectable amounts.

**Deputy Micheál Martin:** ——and unsecured debt. I thank Deputy Mathews.

**Deputy Charlie McConalogue:** What is the difference?

**The Taoiseach:** The writing down in respect of subordinated bondholders has been significant. Deputy Martin seems to be taking a line that is completely irrelevant.

**Deputy Micheál Martin:** It is relevant.

**The Taoiseach:** The Government follows through on the programme for Government. I recall two of Deputy Martin's colleagues at the time saying in public interviews that they did not know the IMF was coming in, that they never heard anything about it.

**Deputy Bernard J. Durkan:** We told them.

**The Taoiseach:** At least the public is now being told what the situation is.

**Deputy Micheál Martin:** Will the Taoiseach answer the question I asked?

**The Taoiseach:** The position has been outlined very clearly for Deputy Martin and for everybody else——

**Deputy Micheál Martin:** Does the Taoiseach regret making the commitments?

**The Taoiseach:** ——by the Minister for Finance. In response to discussions both with Commissioner Rehn and Mr. Trichet, the question of writing down debt in respect of senior bondholders in Anglo Irish Bank is something that when it was mentioned in the case of Greece had an automatic spill-over in respect of the Italian economy and the situation arising there. The Minister rightly pointed out that he would reflect on the discussion but that a far greater opportunity for this country exists if we can do something about the promissory note. Perhaps Deputy Martin might like to explain to me why no interest rate was applied on it for two years, which is only going to apply as a blended rate of over 8% from 2013. Why did he not tell that to the people in the beginning?

**Deputy Micheál Martin:** We did. The Taoiseach keeps on saying “The Minister for Finance” as if he is independent of him. The Taoiseach is the Head of Government. Does he regret making the clear commitments to the Irish people that he made on senior bondholders — and made for a long time in this House, and attacked the outgoing Government on the issue time and time again?

**Deputy Bernard J. Durkan:** Does Deputy Martin remember where he was when the IMF came?

**Deputy Micheál Martin:** I can indeed. Yes.

**Deputy Pat Rabbitte:** Does Deputy Martin remember who caused it?

**Deputy Bernard J. Durkan:** Does Deputy Martin remember what he said when they IMF came?

**Deputy Micheál Martin:** Chancellor Merkel——

**An Ceann Comhairle:** Deputies.

**Deputy Bernard J. Durkan:** I am sorry, a Cheann Comhairle.

**Deputy Micheál Martin:** Chancellor Merkel and President Sarkozy have announced proposals for radical changes to the European treaties. The Taoiseach was asked a question about that earlier and he almost feigned ignorance of it. The world and its mother know they did that. It is a dangerous trend that both Germany and France think that what they now say on future treaties goes, without challenge. I ask the Taoiseach to comment on that.

**Deputy Peter Mathews:** Today the world recognises that losses have to be recognised. That is what the markets are saying.

**Deputy Micheál Martin:** Please, Deputy.

**An Ceann Comhairle:** I am sorry, Deputy Mathews should please not interrupt.

**Deputy Micheál Martin:** Am I allowed to continue?

**Deputy Peter Mathews:** I am sorry, a Cheann Comhairle.

**Deputy Micheál Martin:** It is very important. I asked a question and I did not get a response.

**An Ceann Comhairle:** Will Deputy Martin please ask questions? Another Deputy has tabled two questions and we have 11 minutes left.

**Deputy Micheál Martin:** I have five questions.

**Deputy Charlie McConalogue:** What is the point, a Cheann Comhairle? The Taoiseach does not answer any of them.

**Deputy Micheál Martin:** I have asked questions. I am getting to the point of what preparations the Taoiseach is making to submit proposals to the EU Council. It is Question No. 13——

**An Ceann Comhairle:** Deputy Martin should please put the question.

**Deputy Micheál Martin:** ——concerning the consideration of reforms to the governance of the EU and the eurozone. Instead, the Taoiseach is feigning ignorance as if he is not contemplating anything or there is nothing going on——

**An Ceann Comhairle:** Deputy Martin should leave out the padding.

**Deputy Micheál Martin:** ——but that is happening. Will the Taoiseach answer me as to what preparations and submissions he has made about those fundamental issues? This House at least should have the opportunity to debate it.

**Deputy Pat Rabbitte:** There is nothing going on. Does Deputy Martin remember who said that?

**Deputy Micheál Martin:** The Taoiseach has repeatedly dodged my final question and he has used freedom of information legislation to avoid answering it.

**Deputy Bernard J. Durkan:** This is the greatest laugh of all time.

**Deputy Micheál Martin:** Will the Taoiseach specifically answer the question on the corporation tax issue? He must show us the exact deal he rejected in March. He must show us the text of the Van Rompuy position he rejected in March. We must contrast that with the deal from last July. What is the difference between the two? I asked the Taoiseach in Parliamentary Question No. 14 the differences between the text agreed by the Taoiseach at the July meeting of eurozone leaders concerning Ireland's corporation tax and the text proposed in March. It is a simple question which could be answered if the Taoiseach were to publish both texts. That would be the end of the matter. Let the people judge.

**Deputy Peter Mathews:** As McEnroe said: “You cannot be serious.” Corporation tax in the eurozone

**An Ceann Comhairle:** Deputy Mathews should allow the Taoiseach to reply.

**The Taoiseach:** Mr. Van Rompuy did not circulate a text.

**Deputy Dara Calleary:** Let the expert speak.

**The Taoiseach:** He made a proposition. He did not circulate a text generally to leaders in respect of what Deputy Martin is talking about. He made a suggestion to deal with a particular problem but that was not accepted.

**Deputy Micheál Martin:** Does the Taoiseach acknowledge what he said previously?

**The Taoiseach:** That problem has been dealt with and Deputy Martin and his colleagues should move on and deal with the crisis.

**Deputy Micheál Martin:** The Taoiseach said in the House on the record that he did circulate a text.

**An Ceann Comhairle:** I am sorry, but Deputy Martin should not interrupt.

**The Taoiseach:** In respect of Deputy Martin’s comment about propositions for the next Heads of Government meeting, before that meeting on behalf of the country I intend to participate fully in a comprehensive discussion about what opportunities we might propose in a European sense that will help our colleagues in the European Union and the eurozone to deal with this particular crisis. As I pointed out to Deputy Martin, the issue that was raised in the *Financial Times* in January of this year in respect of the rate of margin of the fund was first raised by Ireland and was eventually carried through by a decision both of the European leaders and ECOFIN.

In respect of Greece and the current position, I expect that every country that has signed on for the conditions in July will go ahead and implement them, as we have done and are doing in this country. As the position evolves we will reflect on changing issues around the world but we will contribute a number of proposals that we think are important. They will come through my Department, the Ministry for Finance, the EMC and the views of our colleagues around the table because there are issues that would be opportune for this country to put forward and we will voice those articulately.

**Deputy Micheál Martin:** An intergovernmental conference must be called. That is basic in terms of treaty change.

**The Taoiseach:** The Heads of Government are meeting.

**Deputy Micheál Martin:** What is the formal Irish position?

**The Taoiseach:** No.

**An Ceann Comhairle:** If Deputy Martin has a supplementary question he should ask it.

**Deputy Micheál Martin:** The Taoiseach acknowledged in the House before the summer that there was a text in existence.

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

**Deputy Micheál Martin:** He is now saying there was not even though he acknowledged previously that a text was produced by Mr. Van Rompuy.

**The Taoiseach:** Mr. Van Rompuy did not.

**Deputy Micheál Martin:** He cannot keep on changing his story.

**The Taoiseach:** He did not circulate a text.

**Deputy Richard Boyd Barrett:** The Taoiseach said that Jean-Claude Trichet ruled out the possibility of bondholders taking some of the burden of a crisis they created. Let us be clear; it is they, the bankers and others, who created it. Did he explain why? What is the rationale for saying that we cannot force bondholders, the financiers and the speculators, to bear the burden? The Taoiseach can correct me if I am wrong, but from what he is saying it seems to me that the reason is because it might spread the contagion into the rest of Europe. But is another way of putting that simply that what they are doing is defending the interests of German, French and British banks who are in fact responsible for the problem? In one sense is it in our interests or in the interests of dealing with the crisis as it is not to acknowledge that they are partly to blame for it and that they must share the burden? In these talks with either Jean-Claude Trichet, the eurozone leaders in general or the EU-IMF, I wonder if there is any discussion about the fact there is a serious body of opinion — not left-wing opinion but main stream opinion, including Joseph Stiglitz, Paul Krugman in *The Irish Times* today, and the UN Committee on Trade and Development — which is saying the overall policy of prioritising bailing out banks and bondholders has a big cost attached because it imposes austerity on ordinary people. It is not just causing extreme suffering but is also strangling the real economy. It is contracting demand and the entire package will fail because the measures being taken to prop up the bankers and bondholders are ensuring there cannot be economic growth or recovery.

**An Ceann Comhairle:** Could the Deputy ask the Taoiseach a question?

**Deputy Richard Boyd Barrett:** The question is whether there is any debate. Does the Taoiseach put that point to Trichet or the rest of them — that there is a serious body of opinion saying not just that it is unfair but that we are committing economic suicide?

**The Taoiseach:** Of course there is a discussion about these things and that is why, in part, ECOFIN ministers have been meeting regularly over the summer. It is also a fact that, as the situation evolves and changes rapidly here, at the end of the day politicians will have to make decisions in respect of their governments and collectively within the eurozone and the European Union. That is why each government has a responsibility to implement the decisions taken at the meeting in July. Ireland is doing that. As these discussions continue and as the situation changes, everything is discussed, from the crisis in particular countries in Europe and the impact of this infecting banks if one writes down debt from senior bondholders. However, at the end of the day politicians and leaders have to make decisions. In so far as that is concerned, we will contribute our part.

Nobody has been discussing with me the question of a new treaty for Europe. We have the Lisbon treaty and my view is that should be fulfilled and on a co-operative basis we should implement what we have to do to re-establish the primacy of the European Union, in which I believe very strongly.

**Deputy Richard Boyd Barrett:** In effect, is the ESM and the souped-up EFSM with corresponding or connected centralised economic governance criteria — the so-called six-pack —

not a new treaty? It will centralise economic policy as a condition of bailing out countries and give more control to unelected and unaccountable central European authorities to dictate economic policy to countries that are in these mechanisms. The Taoiseach is not directly answering the question as to whether there is any discussion at all about these serious voices which are saying that the austerity strategy may not just be unfair, as many of us believe it is, but also counterproductive. Is there any discussion of that or acknowledgement that these people might have a point?

**Deputy Bernard J. Durkan:** What is the alternative?

**Deputy Richard Boyd Barrett:** It is fiscal stimulus.

**An Ceann Comhairle:** The Deputy should not go astray.

**Deputy Richard Boyd Barrett:** Do not continue bailing out the bondholders, but stimulate the economy, which this strategy is failing to do.

**Deputy Bernard J. Durkan:** Will the Deputy come into the real world?

**Deputy Micheál Martin:** That is where one is in an Opposition party.

**Deputy Richard Boyd Barrett:** Is there any discussion at all on that?

**An Ceann Comhairle:** Will the Taoiseach please reply to that?

**The Taoiseach:** The Lisbon treaty set out its conditions clearly and they have been adopted by all the countries. The europack-plus and the six-pack are voluntary commitments involving voluntary co-operation. Participation is a matter for each individual country. Of course, everybody agrees that the indigenous economy here has been very flat for a long time, but it is important to note that the projections for next year are that we will see for the first time an increase in employment and growth. In so far as the preparation of budget 2012 is concerned, we are taking almost €5 billion out of the economy in what is a very difficult situation. Despite the fact that the interest rate reductions will provide almost €1 billion in savings to the Irish taxpayer annually, that does not mean we can turn our backs on sorting out the problem with our public finances. As has been pointed out on many occasions, we are going to do that in respect of getting the debt level down to 8.6%. We are not able to put a figure on what that actually means until all the Revenue and tax information comes to hand.

I agree, however, that it is necessary to stimulate the indigenous economy, which is why the Government made its decision in respect of PRSI, VAT reductions, the minimum wage and a range of other issues.

**Deputy Joe Higgins:** Unemployment went up.

**The Taoiseach:** Between now and the preparation of the Estimates and the budget, the Government will continue to turn its face towards that area. I have never come across more people who actually want to get stuck into creating their own business, employing people and getting on with it.

**Deputy Richard Boyd Barrett:** It will not work.

**The Taoiseach:** Even the Deputy supports that and when the time comes I will be happy to hear his proposals.

**Deputy Micheál Martin:** As regards the European Central Bank, why has the Taoiseach not sought a proper meeting either with the outgoing ECB president, Jean-Claude Trichet, or the incoming one, Mario Draghi, to deal with these fundamental issues?

**The Taoiseach:** The Minister for Finance spoke to Mr. Trichet on a number of occasions at recent meetings. I always speak to him when the EU Heads of Government meet.

**Deputy Micheál Martin:** I am referring to a separate, bilateral meeting.

**The Taoiseach:** I have not had a separate, bilateral meeting with Mr. Trichet because the Government decided that the Minister for Finance would raise the issue of writing down debt with the governor. He went off to meet him specially and had a serious discussion with him, as well as with Commissioner Rehn. Obviously, when the new ECB president is appointed, we will arrange to meet with him.

*Written Answers follow Adjournment.*

### Order of Business

**The Taoiseach:** It is proposed to take No. 10, Supplementary Estimate for Public Services [Vote 42] (back from committee); No. 10a, motion re Supplementary Statement of Expenditure for Houses of the Oireachtas (on Supplementary Order Paper); No. 11, motion re proposed approval by Dáil Éireann of Ireland's participation in an EDA category A project on chemical, biological, radiological and nuclear protection and an EDA category B project on maritime surveillance; and No. 1, Insurance (Amendment) Bill 2011 [Seanad] — Second Stage. It is proposed, notwithstanding anything in Standing Orders, that: (1) the Dáil shall sit later than 9 p.m. tonight and shall adjourn on the adjournment of Private Members' Business which shall be No. 26 — motion re employment and the national internship scheme, which shall take place on the conclusion of the opening speeches of No. 1 or at 7.30 p.m. whichever is the later, and adjourn after 90 minutes; (2) Nos. 10 and 10a shall be decided without debate and any divisions demanded thereon shall be taken forthwith; (3) the proceedings on No. 11 shall, if not previously concluded, be brought to a conclusion after 25 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, who may share their time, and which shall not exceed five 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; and (4) the Second Stage of No. 1 shall be taken today and the proceedings thereon shall, if not previously concluded, be brought to a conclusion at 6 p.m. tomorrow and the following arrangements shall apply: (i) the opening speech of a Minister or Minister of State and of the main spokespersons for Fianna Fáil, Sinn Féin and the Technical Group, who shall be called upon in that order, shall not exceed 15 minutes in each case; (ii) the speech of each other Member called upon shall not exceed ten minutes in each case; (iii) Members may share time; and (iv) a Minister or Minister of State shall be called upon to make a speech in reply which shall not exceed five minutes.

**An Ceann Comhairle:** There are four proposals to be put to the House. First, is the proposal that the Dáil shall sit later than 9 p.m. tonight agreed to? Agreed.

Second, is the proposal for dealing with No. 10, Supplementary Estimate for Public Services [Vote 42] (back from committee); and No. 10a, motion re Supplementary Statement of Expenditure for Houses of the Oireachtas (without debate) agreed to?

**Deputy Joe Higgins:** No. Before agreeing that No. 10, Supplementary Estimate for Public Services [Vote 42], should be taken without debate, will the Taoiseach give the House an assurance in regard to Ms Teresa Treacy of Clonmore, County Offaly, who is in Mountjoy jail at the behest of a powerful semi-State company, the ESB? This is totally inappropriate when there is an alternative. Will the Taoiseach intervene to ensure this situation is resolved urgently?

**An Ceann Comhairle:** I am sorry Deputy but that has nothing to do with the Supplementary Estimate.

**Deputy Joe Higgins:** It is a question of whether or not it is done without debate. If there is a debate on a Supplementary Estimate regarding public bodies, this is an issue that should be discussed.

**An Ceann Comhairle:** Is anyone else objecting to this Supplementary Estimate?

**The Taoiseach:** I understand that EirGrid has been trying to work out a compassionate solution to this particular problem.

**An Ceann Comhairle:** I will put the question.

**Deputy Joe Higgins:** In the interests of a just way——

**Deputy Richard Boyd Barrett:** She just wants to negotiate.

**Deputy Joe Higgins:** ——there is another possibility.

**An Ceann Comhairle:** Is the Deputy proceeding with his objection?

**Deputy Joe Higgins:** I just wish to put it to the Taoiseach that there is a very reasonable alternative, that the lines are put underground which is more environmentally friendly. Will he not intervene to ensure that this poor woman is released from prison?

**An Ceann Comhairle:** Is the Deputy continuing his objection? Shall I put the question or is the proposal agreed?

**Deputy Joe Higgins:** I await a reply from the Taoiseach.

**An Ceann Comhairle:** He replied to that.

**The Taoiseach:** What we want is a just outcome to this problem. As I understand, the personnel in EirGrid have been trying to arrive at a compassionate solution to the problem and I hope this can be achieved.

**An Ceann Comhairle:** Is the proposal for dealing with No.10 and *No. 10a* agreed to? Agreed.

Is the proposal for dealing with No. 11, motion re proposed approval by Dáil Éireann of Ireland's participation in the European Defence Agency programme, agreed? Agreed.

Is the proposal for dealing with No. 1, Insurance (Amendment) Bill 2011[*Seanad*], Second Stage, agreed?

**Deputy Micheál Martin:** It is not agreed. I oppose the Order of Business as regards this item. On the broader issue, I am very disappointed that time has not been allowed for a substantial debate on the eurozone crisis. The entire world is commenting on it, including President Obama.



**An Ceann Comhairle:** We are dealing with the Insurance (Amendment) Bill.

**Deputy Micheál Martin:** I know that.

**An Ceann Comhairle:** It has nothing to do with the eurozone.

*(Interruptions).*

**Deputy Micheál Martin:** I am opposing the Order of Business. I am opposing the taking of Second Stage of the Bill. I believe——

**An Ceann Comhairle:** We cannot have a debate on an entirely different subject.

**Deputy Micheál Martin:** I do not ask for a debate, I want to give the reasons for my opposition to the proposal. We asked last week for a debate on the eurozone crisis and this crisis trumps anything on the agenda for today or tomorrow in its urgency and importance. I find it extraordinary that this Parliament is the last place to debate and discuss the eurozone crisis when the entire world, at this stage, is discussing it and some fundamental questions regarding the eurozone which pertain to Ireland, are on the agenda while this House is not discussing it.

**An Ceann Comhairle:** That has nothing to do with the Second Stage of the Insurance (Amendment) Bill.

**Deputy Micheál Martin:** It is a question of the allocation of time.

**An Ceann Comhairle:** I do not care what the Deputy thinks. It has nothing to do with the Insurance (Amendment) Bill.

**Deputy Billy Kelleher:** This is the hypocrisy exposed, about burning the bondholders and bankers' pay.

**An Ceann Comhairle:** Deputy Martin can seek a debate on the Order of Business.

*(Interruptions).*

**An Ceann Comhairle:** I call Deputy Ó Snodaigh. Has Deputy Ó Snodaigh a difficulty with the Insurance (Amendment) Bill?

*(Interruptions).*

**Deputy Aengus Ó Snodaigh:** I have specific difficulty with the way in which it is laid out.

*(Interruptions).*

**An Ceann Comhairle:** I suggest the people on the backbenches have a rest, please.

**Deputy Aengus Ó Snodaigh:** I have two difficulties with the proposal. I find it strange that tomorrow's business is being ordered today when there will be an Order of Business tomorrow. I note the proposal that Second Stage of the Insurance (Amendment) Bill shall be brought to a conclusion tomorrow at 6 p.m. I object to the guillotine and also to the fact that tomorrow's business is being ordered today. I am also concerned that all too often, the opening speaking slots are now being reduced to 15 minutes on a number of Bills, in place of the previous arrangement of 30 minutes. I acknowledge the opening speaking slot can be shared. With regard to this Bill, a spokesperson might only want to speak for 15 minutes and that is his or her choice, but the reduction of time should not become common practice.

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

**Deputy Richard Boyd Barrett:** I also object to the guillotine being imposed on the Insurance (Amendment) Bill. I spent an hour at a Department of Finance briefing this morning trying to get my head around the quagmire of the collapse of Quinn Insurance and this Bill is yet again a case of the ordinary policyholders having to bail out this failed entity which is tied up with Anglo Irish Bank bondholders and all the rest of it. Policyholders will be forced to pay a significant levy for at least the next ten years or so.

There is no provision in this Bill to go after the €200 million in personal wealth which Seán Quinn gave to his children, yet ordinary people will be carrying the can. In that context, it is outrageous that something as important and as complex as this Bill should be rammed through the Dáil in such a short time without sufficient time for a debate and then to have a guillotine imposed on it. I urge the Taoiseach to give proper time and not to impose a guillotine on this matter which has far-reaching consequences for many citizens.

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

**Deputy Joe Higgins:** It is very objectionable that the Government begins this new autumn session in the same way as it went about its business during the first session of this new Dáil, with guillotines virtually every day. The same parties when in opposition were highly vociferous for many years against the Fianna Fáil Administration, for the same type of guillotines. What has changed?

**Deputy Bernard J. Durkan:** I remember what they told us at the time.

**Deputy Joe Higgins:** There is a different way of doing this. The Taoiseach did not even ask to see how many speakers might wish to contribute to a particular Bill and then make an estimate on that basis. He has proposed the blunt weapon of the guillotine and it is not acceptable.

This is another bailout on the backs of ordinary people for the machinations of the sharks in insurance and high finance and it deserves to be teased out in great detail. I fully agree with the objections to this guillotine.

**The Taoiseach:** It is time for people to get real. I refer to the question raised by Deputy Martin in respect of a debate on the eurozone issue. The European financial stability Bill was debated here until late last Tuesday and Wednesday and this provided an opportunity for everyone to contribute. I have asked the Chief Whip to arrange a two-hour debate on this issue next week.

**Deputy Micheál Martin:** Two hours?

**The Taoiseach:** Yes. If the Deputy was listening to me instead of texting on his phone, he would know that last Tuesday and Wednesday we discussed the European financial stability Bill until late. I say to Deputy Higgins and Deputy Boyd Barrett, who come in here and bleat away every day about the ordinary workers——

**Deputy Billy Kelleher:** They are just following what the Taoiseach did last year.

**The Taoiseach:** ——that the sale of Quinn Insurance to Liberty will be raised in the High Court on 4 October and the question will be asked as to whether provision has been made in law for this levy to be paid. If the Minister for Finance had allowed this collapse, the cost would have been something of the order of €2 billion.

**Deputy Richard Boyd Barrett:** That assumes there were no alternatives.

**The Taoiseach:** I remind the two Deputies who comment about the ordinary workers that 1,600 jobs are being protected in this case, in the Border counties and these are ordinary workers. It is about time that people faced that reality. This Bill has to go through the House. Second Stage will be dealt with today and tomorrow evening, Committee and Remaining Stages will be taken from 6 p.m. to 7.30 p.m. We can have Deputy Martin's debate on the eurozone and listen to his proposals next week. This is the reason for the urgency in dealing with the Insurance (Amendment) Bill. The 1,600 jobs are of critical importance and the reduced saving brought about by the Government decision is very considerable. The reason for the quick passage is that the matter comes before the High Court on 4 October.

**An Ceann Comhairle:** I will put the question.

**Deputy Joe Higgins:** When sheep lead, we speak up for working people. I do not take being Cassius lightly.

Question put: "That the proposal for dealing with No. 1, Second Stage of the Insurance (Amendment) Bill 2011 be agreed to".

The Dáil divided: Tá, 96; Níl, 42.

Tá

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.  
Conaghan, Michael.  
Conlan, Seán.  
Connaughton, Paul J.  
Conway, Ciara.  
Coonan, Noel.  
Corcoran Kennedy, Marcella.  
Coveney, Simon.  
Creed, Michael.  
Daly, Jim.  
Deasy, John.  
Deenihan, Jimmy.  
Deering, Pat.  
Doherty, Regina.  
Donohoe, Paschal.  
Dowds, Robert.  
Doyle, Andrew.  
Durkan, Bernard J.  
English, Damien.  
Farrell, Alan.  
Feighan, Frank.  
Ferris, Anne.  
Fitzgerald, Frances.  
Fitzpatrick, Peter.  
Flanagan, Charles.  
Flanagan, Terence.  
Griffin, Brendan.  
Hannigan, Dominic.

Harrington, Noel.  
Harris, Simon.  
Hayes, Brian.  
Hayes, Tom.  
Heydon, Martin.  
Hogan, Phil.  
Howlin, Brendan.  
Humphreys, Heather.  
Humphreys, Kevin.  
Keating, Derek.  
Keaveney, Colm.  
Kelly, Alan.  
Kenny, Enda.  
Kenny, Seán.  
Kyne, Seán.  
Lawlor, Anthony.  
Lynch, Ciarán.  
McCarthy, Michael.  
McGinley, Dinny.  
McHugh, Joe.  
McLoughlin, Tony.  
McNamara, Michael.  
Maloney, Eamonn.  
Mathews, Peter.  
Mitchell, Olivia.  
Mitchell O'Connor, Mary.  
Mulherin, Michelle.  
Murphy, Dara.  
Murphy, Eoghan.  
Nash, Gerald.  
Naughten, Denis.  
Nolan, Derek.  
Noonan, Michael.  
Ó Ríordáin, Aodhán.  
O'Donnell, Kieran.  
O'Donovan, Patrick.  
O'Dowd, Fergus.  
O'Mahony, John.  
O'Reilly, Joe.

Tá—*continued*

O'Sullivan, Jan.  
 Perry, John.  
 Phelan, Ann.  
 Phelan, John Paul.  
 Rabbitte, Pat.  
 Reilly, James.  
 Ryan, Brendan.  
 Shatter, Alan.  
 Shortall, Róisín.

Spring, Arthur.  
 Stagg, Emmet.  
 Stanton, David.  
 Timmins, Billy.  
 Tuffy, Joanna.  
 Twomey, Liam.  
 Wall, Jack.  
 Walsh, Brian.  
 White, Alex.

## Níl

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

Mac Lochlainn, Pádraig.  
 McConalogue, Charlie.  
 McGrath, Mattie.  
 McGrath, Michael.  
 McLellan, Sandra.  
 Martin, Micheál.  
 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.  
 Tóibín, Peadar.  
 Troy, Robert.  
 Wallace, Mick.

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

Question declared carried.

**An Ceann Comhairle:** I remind Members that only three minutes remain on the Order of Business. Any private discussions should take place outside the Chamber.

**Deputy Micheál Martin:** The Taoiseach indicated in his previous response that he would allocate two hours for a debate next week on the eurozone crisis. I reiterate my disappointment that our request last week to facilitate a debate this week on the euro crisis was not met. It is incredible that the entire world is discussing the crisis and we, as a national Parliament, do not seem to have the facility to do that. It reflects badly on the Executive and those who table the agenda that they cannot allow for a reasonable debate. It is regrettable that we are not having that debate this week. Will the Taoiseach ask the Chief Whip to have a meaningful dialogue with the other Whips regarding the length and the organisation of the debate next week and, if possible, to include a question and answer session on key issues?

**The Taoiseach:** I repeat that it is opportune for Opposition Whips to raise requests at the Whips meeting. The House sat late on both Tuesday and Wednesday evenings last week to discuss the financial stability Bill—

**Deputy Micheál Martin:** That is a separate issue.

**The Taoiseach:** —which deals with many of these issues.

**Deputy Micheál Martin:** That was urgently guillotined.

**The Taoiseach:** I do not have a particular problem with a debate next week and if the Deputy wants a debate longer than two hours, he should have his Whip raise it at the Whips' meeting.

**Deputy Micheál Martin:** We wanted it this week.

**The Taoiseach:** I will not object to it. It is an important debate but we have to have some time to structure what it is we have to do.

**Deputy Micheál Martin:** Will there be questions?

**Deputy Timmy Dooley:** Will we get answers?

**Deputy Gerry Adams:** We have called for a debate on the euro crisis for the past two weeks. I raised this with the Taoiseach two weeks ago and he promised me a debate. He referred me to the my party Whip. Deputy Ó Snodaigh raised it at the Whips' meeting. Deputy McDonald then raised it in the House last week. We have ended up bringing the Government kicking and squealing to the House to have this debate. It is not good enough, as this is one of the biggest crisis facing the EU.

**An Ceann Comhairle:** I am glad the Deputy has succeeded in getting it raised.

**The Taoiseach:** It was not raised by Deputies McDonald or Boyd Barrett at the Whips meeting.

**Deputy Aengus Ó Snodaigh:** Deputy MacDonald was not at the meeting; I was.

**The Taoiseach:** The Deputy's comment about us being dragged kicking and screeching is nonsense. He can have a debate next week, put a structure to it and have his Whip raise at the Whips' meeting the time he requires.

**Deputy Gerry Adams:** Deputy Boyd Barrett is not a member of Sinn Féin and Deputy McDonald is not the party Whip. This was raised by our party Whip with the Government Chief Whip.

**Deputy Joe Higgins:** The Taoiseach announced a by-election in Dublin West on 27 October, which means the writ needs to be moved and ministerial orders made. I notice today with some alarm that the poles are rapidly filling up with posters of the growing list of presidential wannabees, which might indicate that in Dublin West there will be no space for the peasants if the Taoiseach delays.

**Deputy Billy Kelleher:** The Deputy should be careful what he wishes for. He might have a running mate for the next election.

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

**Deputy Joe Higgins:** Will the Government move the writ and put the process in place this week? Laochra Fáil can do it but they seem to be a little hesitant at the moment. Perhaps they will announce their intentions here but the people of Dublin West are anxious to begin the debate.

**An Ceann Comhairle:** We are out of time in accordance with Standing Orders. The Taoiseach will make a quick reply. I cannot do anything about it.

**The Taoiseach:** If the by-election is to be held on 27 October, the writ must be moved between tomorrow and 6 October. We have changed the regulations in order that by-elections will be held within six months of being caused. However, this by-election has resulted from the unfortunate death of a member of Fianna Fáil and Deputy Martin's party will be given the opportunity to move the writ in accordance with precedent. I understand he will possibly do that on Thursday.

**Deputy Micheál Martin:** That has not been decided. It will be within the period.

**An Ceann Comhairle:** Deputies Donohoe and Naughten will be given priority tomorrow. We are out of time.

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

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** I move the following Supplementary Estimate:

#### **Vote 42 — Public Expenditure and Reform (Supplementary Estimate)**

That a supplementary sum not exceeding €1,000 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 Public Expenditure and Reform, for certain services administered by the Office of the Minister and for payment of certain grants and grants-in-aid.

Vote put and agreed to.

### **Supplementary Statement of Estimates for Houses of the Oireachtas: Motion**

**Deputy Jack Wall:** I move:

That Dáil Éireann take note of the Supplementary Statement of Estimates not exceeding €13,963,000 required by the Houses of the Oireachtas Commission to defray the charge which will come in course of payment during the year ending on 31st December, 2011 in respect of ongoing expenditure, including a grant-in-aid.

Question put and agreed to.

### **Topical Issue Matters**

**An Ceann Comhairle:** I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 27A and the name of the Member in each case: (1) Deputy Michael Healy-Rae — the closure of up to 200 Garda stations following this year's budget and associated issues; (2) Deputy Brian Stanley — the plans for the future status of Portlaoise hospital, particularly regarding the intensive care and the accident and emergency unit; what plans there are to proceed with the "Model 2" proposal and the implications this would have for the maternity unit; (3) Deputy Seán Conlan — the HSE proposal to reduce the opening hours of the minor injuries unit at Monaghan General Hospital; (4) Deputy Noel Harrington — the new Hibernia Atlantic Project Express cable being laid between the UK and the USA with the potential to insert a branching unit into the southern part of the country

[An Ceann Comhairle.]

through Cork; (5) Deputy Derek Keating — the urgent and serious situation of public transport in Dublin city and the decision by Dublin Bus to alter many services without notice or consultation which is affecting up to 500,000 users; (6) Deputies Ray Butler and John O'Mahony — the efforts of Revenue to deal with the problem of fuel laundering; (7) Deputy Brendan Smith — the need to retain Dún Uí Néill Barracks, Cavan as a key and pivotal military installation; (8) Deputy Pádraig Mac Lochlainn — the impact of proposed closure of more than 200 Garda stations on community safety, particularly in smaller rural communities such as County Donegal; (9) Deputy Thomas Pringle — the need to restore the exceptional needs payment for applicants for social housing that are offered accommodation in properties secured under long-term leasing arrangements by local authorities; (11) Deputy Arthur Spring — the exodus of nursing staff from Kerry mental services; (12) Deputy Tom Hayes — the impact the closure of St. Michael's psychiatric unit in Clonmel will have on south Tipperary and the health service as a whole in the constituency; (13) Deputy Denis Naughten — the need for the Government to reopen Roscommon urgent care centre on a 24-7 basis and to revise ambulance by-pass protocols in light of the chronic overcrowding in adjacent accident and emergency departments; (14) Deputy Luke 'Ming' Flanagan — the overcrowding at the accident and emergency department, University Hospital Galway, on Saturday, 24 September 2011; (15) Deputy Caoimhghín Ó Caoláin — the need to prohibit in law the manufacture and sale of window blinds with looped cords; (16) Deputy Aengus Ó Snodaigh — the decision by the HSE management in Dublin mid-Leinster to impose a 5% cut in funding to drugs projects — section 39 funding — for the final quarter of 2011; (17) Deputy Michael McCarthy — the provision of ambulance cover in west Cork; (18) Deputy Mick Wallace — the declaration by Dublin City Council that 12,500 applicants are ineligible to be housed by the local authority plans to use NAMA-controlled housing units for the benefit of those on the waiting list; and (19) Deputy Billy Kelleher — the industrial action planned at the Mid-Western Regional Hospital Limerick by members of the Irish Nurses and Midwives Organisation.

The matters raised by Deputies John O'Mahony and Ray Butler, Caoimhghín Ó Caoláin, Michael McCarthy and Billy Kelleher have been selected for discussion.

### Topical Issue Debate

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#### Illicit Trade in Fuel

**Deputy John O'Mahony:** I thank the Ceann Comhairle for selecting this important topic. I have raised the issue of fuel laundering and fuel abuse on many occasions. Fuel smuggling and fuel laundering has been a problem here for many years but since the beginning of this year in particular when the sulphur content in off-road diesel was reduced, which made it much more difficult to detect illegal fuel, it has reached epidemic proportions.

The extent of the problem was illustrated when one of the fuel laundering operations uncovered this year was believed to be making a profit of €100,000 per week. Between 2005 and 2011 I understand nine illegal operations were uncovered. Up to June this year five were uncovered and I believe there have been more uncovered since then. One uncovered had the capacity to launder up to 18 million litres per annum, with a loss to the State of €9 million.

The question also arises as to how this fuel finds its way to the public. It is being sold in service stations that are rented on short-term leases. With a duty difference of almost 40 cent per litre, up to €15,000 per tanker is being made by these illegal operatives. These operations have been taken over essentially by criminal elements that have moved from the drugs trade

or other criminal undertakings but the effects on the people who are upholding the law, paying their taxes and giving employment is that hundreds of jobs are being lost in the legitimate industry as a result of this activity.

The solutions to this problem are a detection method; a DNA tracer to be put in place; and an audit trail to find out where the fuel is being bought and to whom it is being sold.

In regard to fines and penalties, an issue arose this year where a garage was closed for one day and fined €3,000. If these people are making €14,000 a tanker that is not a very punitive sentence.

**Deputy Ray Butler:** I thank the Ceann Comhairle for giving me the opportunity to speak on this important issue of fuel laundering. This problem was recently brought to my attention by several forecourt owners and a major petrol supplier in my constituency of Meath West who informed me that approximately 15 to 20 filling stations which closed and have since reopened are now selling laundered diesel. The same forecourt owners now state that their turnover on petrol and diesel has diminished significantly as a result of the availability of laundered diesel throughout Meath West.

Statistics given to me suggest that in Ireland alone there are 120 to 150 diesel laundering providers throughout the country costing the State a possible €200 million to €300 million in lost taxes per year. These illegal suppliers are selling the laundered diesel at a profit of 40 to 45 cent per litre and are selling petrol, which has been bought legitimately as petrol cannot be laundered in the same manner as diesel, at cost price. As they say in the business, petrol is a loss leader and is only a means to encourage customers onto their premises to buy the illegal laundered diesel and to spread the word among the general community that it is available for sale. This washed diesel is detrimental to the engine of any vehicle, rendering the engine useless if used over an approximate period of time, for example, 12 to 18 months.

The forecourt owners in my constituency have said that if this practice continues their business will fall under even more stress and it will eventually result in the loss of staff at the very least. Revenue and Customs officials are doing their best to address this problem but as soon as one illegal supplier is closed down another takes over the closed facility and the cycle of events commences again.

In the light of the evidence of the great extent of this illegal activity I sincerely hope that better control can be gained over this problem, whether by putting more dyes into the diesel or examining the possibility of having one form of diesel available in the market. Having spoken at length to the forecourt owners, business people and members of the general public in my constituency who have been directly affected by the effects of laundered diesel I urge that this matter be given further consideration by the Government and every effort made to eradicate the availability of this illegal laundered diesel.

**Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes):** I thank both Deputies Butler and O'Mahony for raising this important issue that affects not just the people in the constituencies both Deputies referred to but adversely affects the ability of the Revenue Commissioners to raise tax legitimately and keep in business those suppliers and producers who are paying their taxes legitimately.

I am informed by the Revenue Commissioners, who are responsible for the collection of mineral oil tax and for tackling the illicit trade in fuel products, that they are very conscious of the threat to the Exchequer posed by the laundering of markers from mineral oil. Marked gas oil, commonly known as green diesel, is subject to mineral oil tax at a rate of €88.66 per 1,000 litres, while the rate for auto-diesel is €465.70 per 1,000 litres. In addition, marked gas oil is subject to the lower VAT rate of 13.5%. The resulting total tax differential is around 50 cent



[Deputy Brian Hayes.]

per litre. As the Deputies rightly point out, there is enormous advantage for those people who deal in this illicit trade.

This differential offers a very significant incentive for “oil laundering”, that is, the removal of the chemical marker from marked gas oil to facilitate illegal use as auto-diesel. This is a particularly serious offence, carried on by organised criminal gangs. It carries a maximum penalty of €126,970 or five years imprisonment, or both. Any equipment used for oil laundering and any vehicle found to be transporting laundered fuel is liable to forfeiture.

As with other illegal activity, it is not possible to provide a reliable estimate of the extent of oil laundering activity. The Revenue Commissioners, who are responsible for mineral oil tax and the control of mineral oils, are tackling this issue on a number of fronts.

There has been ongoing extensive enforcement action, which has led to the detection of oil laundries and the prosecution of individuals and companies involved. To confirm what Deputy O’Mahony said in his opening remarks, in 2010 four oil laundries and over 288,000 litres of laundered oil were seized. Also in 2010, nine retailers were found dealing in laundered oil, and eight haulage companies were detected using laundered oil. There were four convictions for laundered oil offences.

Already in 2011, eight laundries have been detected and more than 300,000 litres of laundered fuel have been seized. There have been 11 arrests resulting from these operations, and eight tankers and 19 other vehicles have been seized. Several retailers and haulage companies have also been implicated. One can see in the difference between the figures for 2010 and 2011, even with the incomplete information we have for this year alone, the very substantial rise in this activity even in a 12 month period, to which the Deputies have referred.

Revenue has played an integral role as part of a cross-Border multi-agency organised crime task force which has been set up specifically to deal with the illicit trade in mineral oil in the Border area. The multi-agency operations are planned to supplement the normal ongoing level of Revenue detection and enforcement activity. Since its inception this combined force has successfully targeted a number of illegal operators in the Border area.

**Acting Chairman (Deputy Catherine Byrne):** The Minister’s time is about to conclude.

**Deputy Brian Hayes:** I will take questions from the Deputies.

**Deputy John O’Mahony:** I pay tribute to the Revenue and Customs Service for the increased detection but that could be viewed in another way, namely, that this practice has become so epidemic they are still only scratching the surface, so to speak. First, will the Minister indicate if extra resources have been allocated this year to the detection of these sites and service stations? Second, regarding the fuel, what is the up to date scientific diagnosis? Has science overcome the detection problem, which was increased because of the low sulphur level in diesel? Has it caught up with that? Is illegal fuel more detectable than it was six months ago, for example? If not, we still have a problem.

**Deputy Ray Butler:** The Minister for Finance said that a laboratory in Sligo is starting to look for better quality dyes to put into the diesel. Does he know any more about that? There are environmental concerns because much of the laundered diesel is washed through the Turkish sand that is coming into the country in container loads, all of which has to be dumped somewhere, so that will have to be looked into. I agree with Deputy O’Mahony that the hands of Revenue and Customs and Excise officials are tied because of cutbacks and the fact that they need more staff. In my area, the problem is getting out of hand and we will lose many jobs because legitimate petrol stations will close. I have heard concerns about the issue from

people who have visited my constituency office. Business has gone slow at a petrol station on the Dublin Road and the owner is worried that he will go out of business if the situation continues. Fuel laundering is having a knock-on effect throughout the country.

**Deputy Brian Hayes:** Deputy O'Mahony made a crucial point on the science of the subject and asked, given that these substances can be washed through, whether we are any closer to developing a means whereby we can be confident that the diesel people buy is the diesel they expect. It would be wrong to say we have resolved the issue, but we are working closely with all concerned to come up with a solution. Licensing is an important issue and we have made sure that licences have been revoked or refused on the basis that we cannot stand over the authenticity of the supplier concerned. That is another important aspect.

Both Deputies asked what more can be done. In discussions with the Revenue, the Minister is considering measures in the context of the upcoming finance Bill to strengthen further the controls relating to all aspects of mineral oil trade. Where further measures are considered necessary, they will be put in place. There is a high level of co-operation between the Revenue and HM Revenue and Customs in the UK. Increased co-operation is the order of the day. I am not going to second guess that and go into further detail, but I assure the House and the two Deputies who raised this important issue that high-level co-operation is taking place between all agencies on this island to stamp out this practice, and this co-operation will increase further to ensure we deal with this scourge. I assure the Deputies that, even in these difficult times when the Revenue, like any public sector organisation, is finding it difficult to meet requirements because of the number of people employed in the public sector, we are determined to stamp out this practice and use every measure we can, in co-operation with our colleagues in the UK, to beat the problem. I thank the Deputies for highlighting this important issue.

**Deputy Ray Butler:** I would just like to say to the general public that, if they drive past a petrol station and see that diesel is 10 or 15 cent cheaper, they should be aware of the health of their car.

### **Product Safety Standards**

**Deputy Caoimhghín Ó Caoláin:** Do I read the topical issue into the record or is it recorded automatically?

**Acting Chairman (Deputy Catherine Byrne):** It is automatic.

**Deputy Brian Hayes:** Some have referred to it as a tropical issue.

**Deputy Caoimhghín Ó Caoláin:** I thank the Ceann Comhairle for giving me the opportunity to address the Dáil and question the Minister on this important issue. At the outset, I extend my deepest sympathy once again to the family of Dean Regan Russell. Words cannot express the grief of a family that loses a young child in such a tragic manner. I salute the courage of this family, who have bravely spoken out in order to help prevent the deaths of other children.

I attended Dean's inquest at the Dublin Coroner's Court last Friday at the invitation of the family and it was a most harrowing experience. The coroner found that Dean Regan Russell, aged 23 months, died in Crumlin children's hospital after a fatal accident at his home in Tralee in January this year. He found the toddler had been strangled by the looped cord of a window blind. Dr. Farrell stated this was not the first such child fatality and he was prompted to repeat his previous call for this type of blinds to no longer be manufactured. He stated that the configuration of looped cord has, in his experience, caused the deaths of several infants in the Dublin area alone. He described it as a dangerous design and undertook to contact all relevant

[Deputy Caoimhghín Ó Caoláin.]

authorities to reiterate the recommendation that such blinds should no longer be manufactured and are a danger, a recommendation that I emphasise he has had to make previously. The European Commission has become aware of ten such fatal accidents involving children aged between 15 months and 36 months. They occurred in Ireland, Finland, the Netherlands, Britain and Turkey in the period 2008 to 2010, and in the US 119 fatalities involving corded window coverings are reported to have occurred since 1999.

When the Minister, Deputy Bruton, replies, he might refer to the draft standards for window blinds that have been issued for public comment by the National Standards Authority of Ireland. The closing date for comments was 23 September, which was last Friday, the very day of Dean Regan Russell's inquest. As I said in my submission, the draft standards are inadequate and should be withdrawn. In light of the coroner's findings, the standard required is that looped cords for blinds should no longer be manufactured and their sale in Ireland should be prohibited in law. Simple alternative designs are readily available.

I reaffirm the call for the banning of looped cords, a call I have made at the request of the bereaved family of Dean Regan Russell and on behalf of others bereaved in this way. If the Government took this course, which I commend to the Minister, we would become a world leader in this aspect of child safety. I will certainly continue to press for this outcome. In the meantime, I ask that we urge people with looped cords on their window blinds to cut them and apply tassels or other simple safety devices to prevent children from being endangered. I observe that this type of cord is widely used here in the Houses of the Oireachtas. In the interest of setting a good example, perhaps the same should apply here.

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** First, I sympathise with the family of Dean Regan Russell and indeed with Deputy Ó Caoláin, who I know is a close family friend. I cannot begin to imagine what an impact this has had on the family.

As the Deputy knows, both the National Consumer Agency and the National Standards Authority of Ireland have a role in the matter. The National Consumer Agency has primary responsibility for non-food consumer safety, and it has been campaigning to achieve safer standards since 2002. It was at the agency's initiative that the 2009 standard that is in place was brought in, and on foot of that it placed a warning on its website, followed it up with a consumer guide on safety, wrote to 222 manufacturers and retailers, ran a nationwide market surveillance campaign and visited 97 retail outlets.

I understand from the reports that the allegation is that the products that were sold in 2010 were not in compliance with the 2009 standard, but I mention those facts to give members a picture of the effort that was put in at that stage. People have recognised that the existing standard is inadequate. That is what prompted the request for a revision of the standard. It does not cover made-to-measure blinds and various other cases are excluded. A new standard is being developed and the closing date for comments was extended to give people a chance to make further submissions.

I am told that the difficulty with the call for prohibition from the coroner, the family and indeed Deputy Ó Caoláin, which I can understand, is that Ireland cannot unilaterally introduce such a ban. It would have to obtain approval from the European Commission and other member states, and the advice I am receiving is that such approval is unlikely to be granted because work is being undertaken on improving the standard. The best approach is to have products installed with the safety features that make them safe rather than to ban a particular type of blind. That approach is being pursued here, limiting the risks from loop chord mechanisms by requiring manufacturers to fit risk prevention measures in the design and by supply-

ing proper safety advice with the product. I am advised that the prohibition route is not open to Ireland for unilateral action. The approach being adopted is to make all products safe.

**Deputy Caoimhghín Ó Caoláin:** I thank the Minister for the reply but it is a great disappointment. It beggars belief that we cannot take the simple and reasonable steps to protect young children, a number of whom have lost their lives in this jurisdiction, particularly after the coroner made his informed recommendation on Friday. Must we wait for others across the European Union to recognise the real dangers involved? It is most regrettable we cannot take the required steps and be world leaders in child safety measures.

I ask the Minister to review the decision and to examine the information he gave us today to see if there is not a way to impose an alternative design on the manufacturers. It is not a case of putting them out of business; far from it. Undoubtedly, however, easy adjustments can be made to remove the loop from the blind chord. That is the key danger.

If we were talking about a defective car, would we for a moment say that we would not arrange for the recall of defective cars because we had to wait for some other jurisdictional call for said to happen? If defects were found in a range of vehicles provided in this country, we would take the required step to ensure they were recalled to enhance road safety, not only of the owner and user but of all road users. Why would we not apply the same thinking for this particular danger that exists in the homes of countless numbers of our citizens, if not in all our homes? The alternative is readily available. Manufacturers will not be at any greater expense and we will have removed a real threat to infant children and would be applauded internationally for it. I recommend the proposition for that reason.

**Deputy Richard Bruton:** A process of consultation on the new standard is under way and I will ask that the Deputy's comments are taken into account.

**Deputy Caoimhghín Ó Caoláin:** I have already made a submission to the body.

**Deputy Richard Bruton:** The complication is that many of these products were sold in accordance with the standards then prevailing. It is not open for the Government to call unilaterally for a recall of products issued in accordance with the standards that then prevailed without entering into compensation issues. We would be talking about huge numbers being recalled and I am not sure that is feasible.

The advantage of going the European route is that these standards will apply to every manufacturer and every product that comes into Ireland will be covered. The National Consumer Agency will police this and oversee it. The new standard will incorporate the safety measures that make looped blinds safe; that is the important thing. They will not allow a product to continue to be manufactured if it does not adhere to the safety standard that Deputy Ó Caoláin and I and every other parent want to see.

I will take into account what the Deputy said because he has every reason to make a strong plea and I will ask that his submission be closely reviewed in the process to see what we can do. Those, however, are the constraints that make it difficult to do what the Deputy proposes.

**Deputy Caoimhghín Ó Caoláin:** The product is defective and manufacturers must face up to their responsibilities. Who will compensate the Regan Russell family and all of the other families for their loss?

### **Ambulance Service**

**Deputy Michael McCarthy:** I thank the Ceann Comhairle for selecting this issue for debate this afternoon. I also thank the Minister for being here in person to take it.

[Deputy Michael McCarthy.]

A curtailment of the ambulance service in west Cork is being planned by the HSE. It is introducing plans to remove ambulance cover from both Skibbereen and Castletownbere between 8 p.m. and 8 a.m. and to replace the service with two rapid response cars. Neither car will have patient carrying capability and will be manned by a single paramedic. The effect of this action will be that a population of more than 82,000 people in the wider west Cork area will be serviced by just two ambulances, one in Bantry and one in Clonakilty, from 8 p.m. until 8 a.m. seven days a week. To say this is causing considerable stress is an understatement, not least given the overstretched ambulance service that already exists in the area. There is a strongly held belief that this action will endanger lives.

There is one ambulance for every 37,000 people in the country. The withdrawal of 24 hour cover in Skibbereen and Castletownbere means this figure will rise in west Cork to one ambulance for every 57,000 in County Cork. It is unacceptable in the 21st century that such a situation could prevail. I appeal to the Minister to reverse the decision.

I acknowledge the second phase of the proposal from the HSE will restore the 24 hour ambulance cover in Castletownbere. While I welcome that move, it negates the reason for removing cover from the area in the first place. I question the logic of restoring cover in Castletownbere but not in Skibbereen, which is the second busiest, and occasionally the busiest, 999 ambulance station in west Cork, second only to Clonakilty. If Skibbereen loses its 24 hour cover, it effectively means the vast area from Rosscarbery west to Mizen Head will not have a service after 8 p.m. seven days a week. This will have an adverse impact on people in Leap, Glandore, Union Hall, Castletownsend, Skibbereen, Baltimore, the islands, Ballydehob, Schull, Goleen and Crookhaven.

Another key issue to consider in the context of this proposal is that the SouthDoc service in Skibbereen closes at 11 p.m., meaning that if a GP is needed after hours, a doctor would have to come from Bantry, 30 kilometres away. The HSE has a target time of ten minutes as a maximum time for treating a trauma casualty on-site before transporting him to hospital. The withdrawal of 24 hour cover from Skibbereen will mean that in respect of advance paramedics or ambulance after 8 p.m. or doctors after 11 p.m., this target time will not be met.

Heaping more pressure on the situation are future plans by the HSE to shut the minor injuries assessment unit in Bantry Hospital at night. All trauma patients will have to be taken to Cork city during these hours, leaving a minimum three hour absence of ambulance cover from the west Cork area. In the recent Roscommon case, the closure of the casualty department was offset by the provision of extra ambulance cover. The opposite will happen in west Cork, where ambulances will be taken out of service while the minor injury unit in Bantry is closed. There are honest fears about this and I appeal to the Minister to look at this sympathetically.

**Minister for Health (Deputy James Reilly):** I thank the Deputy for raising this issue.

The HSE has confirmed to me that no ambulance stations are closing in Cork and Kerry. The opposite is true, as stations move to on-duty status and away from on-call. This means highly trained paramedic crews will be on-site in the stations to respond to calls rather than having to go to the station when called out. It also means that resources can be deployed dynamically, based on need and demand patterns, rather than simply by location, producing more flexibility and responsiveness. This will produce better response times for the people in the Cork and Kerry area and a better service.

Skibbereen will, under the new system, move to full 24 hour on-duty cover. Paramedics will be present at all times, with an on-duty ambulance during the day and an on-duty rapid

response vehicle at night. The dynamic delivery model means that an on-duty emergency ambulance will be available from within the region as required.

I note that ambulance staff sought the elimination of on-call working, that it has already been reduced from 44 hours to 16 hours per week and that it will continue to decrease on a phased basis as part of the improvement of services and response times in the region. There are ongoing discussions with staff on implementing the proposals, including Skibbereen. The HSE and unions are committed to this process.

The national ambulance service proposals are phased. In phase 1, stations in east Cork with night time on-call will have crews rostered on-duty 24/7 and 365 days a year. The more rural stations of Castletownbere, Kenmare, Bantry, Skibbereen and Caherciveen will be in later phases. The service will be evaluated after each phase.

Current evidence suggests patient outcomes can be improved by better treatment and stabilisation at the scene, followed by ongoing treatment and transport to the most appropriate centre, even if that means longer transport times. On-duty service will enable a modern emergency response service involving paramedics, advanced paramedics, community first responders and GP out-of-hours services working together to respond to emergency situations. This approach is consistent with international best practice and will ensure compliance with HIQA response times and quality standards.

On-duty rostering is one of several service enhancements. Other developments include improved arrangements for control and dispatch, practitioner deployment and inter-hospital transfers. All of these will allow the national ambulance service to provide a better, safer, more comprehensive and more efficient emergency ambulance service to the people of Skibbereen and to the Cork and Kerry region as a whole.

**Deputy Michael McCarthy:** I thank the Minister for being here in person and I thank him for his reply. However, I refer him to the second paragraph of his reply. He states:

Skibbereen will, under the new system, move to full 24 hour on-duty cover. Paramedics will be present at all times, with an on-duty ambulance during the day and an on-duty rapid response vehicle at night. The dynamic delivery model means that an on-duty emergency ambulance will be available from within the region as required.

That is simply not the case. That information is inaccurate. The official who drafted that response is, at worst, lying and, at best, grossly ignorant. The story is as I outlined in my contribution.

Does the Minister agree that removing an ambulance from a geographic area as expansive as west Cork will endanger lives? Would the Minister, or any other Deputy, if he were suffering a heart attack, prefer to see a car with one individual in it to an ambulance with trained paramedics? We are at least 90 minutes from Cork city. What the HSE is proposing will endanger lives.

I would be interested in meeting the official who drafted the Minister's response. If this is believed, the same individual would believe the tooth fairy.

**Deputy James Reilly:** I will address both points. I stated that an on-duty emergency ambulance will be available within the region as required. I did not say it would be available within the area. Regions cover larger areas. Perhaps that is what the official who drafted the reply means. Nevertheless, I would be happy to arrange a meeting between the Deputy and the individual who drafted the reply. I am not in the business of giving disinformation to the House. If the information is not accurate I would take a serious view of that.

[Deputy James Reilly.]

Second, the concept of the golden hour is 40 years old and comes from military field medicine. All international experience and experts, and our own emergency department consultants and specialists, are clear that it is far more important to receive appropriate treatment in a bigger centre than to receive immediate treatment at a smaller centre where the full skill-set may not be present. That we now have paramedics on-site to commence treatment while an ambulance is on its way makes a huge difference to outcomes for patients. Paramedics and advanced paramedics are a great addition to the service and will result in many lives being saved rather than the reverse.

### **Industrial Action by Irish Nurses and Midwives Organisation**

**Deputy Billy Kelleher:** I welcome the Minister to the House to take this issue. It is very topical, given the threatened industrial action in the mid-west region.

Earlier this year, the Minister addressed the annual conference of the Irish Nurses and Midwives Organisation, INMO. He clearly and concisely outlined his vision of the importance of nurses in the delivery of front line services in health. He also said he was conscious of the importance of working together and of listening to nurses and those who provide front line services. In view of what is happening in the mid-west and of the concerns expressed in Beaumont Hospital and University Hospital Galway, it is evident from his inaction that the Minister is not listening to the nurses or to representatives of those providing front line services, who are expressing grave concern about overcrowding in accident and emergency departments and patient safety.

As I looked at Deputy Reilly's website and at old press releases dating from his time as Fine Gael spokesperson on health, I got tired of reading press releases headed "Reilly slams". Reilly was continually slamming the Minister and the HSE. He was doing nothing but slamming at that time. He has now been Minister for six months. I am a fair and reasonable person, but the Minister's only major press release, PR or media hype in that time was about the sacking of the board of the HSE. He subsequently stated that he was assuming personal control of policy and budgetary parameters. Now the HSE is consistently being fingered as being responsible for budgets and for the management of hospitals. There is a disconnect and a failure of the management chain between the Department of Health, through the Minister, and the HSE. It is evident that his proposals, made with wild abandon, to abolish the HSE and set up new management structures is not working.

The Labour Relations Commission, LRC, has offered to intervene tomorrow in the industrial action in the mid-west. The front line service providers, to whom the Minister said he would listen, are clearly stating that patient safety is at risk. They say shortcuts will be taken and there is a major concern about accident and emergency services in the mid-west and in University Hospital Galway. The closure of the accident and emergency department in Roscommon is putting added pressure on other accident and emergency departments.

I do not mind a *volte-face* or a U-turn, but the Minister is embracing reconfiguration with the zeal and enthusiasm of a latter-day convert. Every day, he is driving this reconfiguration, sometimes without discussion with local communities. This is evidenced by the comments of Deputy McCarthy about the reconfiguration of ambulance services in west Cork.

It is time the Minister took a hands-on approach. He must not wash his hands of this issue. He should roll up his sleeves and get involved, as he said he would do, in ensuring a proper chain of management from the Department of Health, through the Minister who would be accountable to the House, to the HSE.

I am also disturbed by the Government's lack of urgency in dealing with health issues. The Minister established a Cabinet sub-committee on health which has never met. It is six months since the Government came into being but the Cabinet sub-committee on health has never met.

The Minister must be honest about the commitments he has made. His policies are not working on the ground and patients' lives are being put at risk.

**Deputy James Reilly:** The wildness of the Deputy's imagination is matched only by the wildness of his rhetoric. After six months we have made considerable progress, notwithstanding the mess that was left for us to clean up.

**Deputy Billy Kelleher:** There is no need for that now.

**Deputy James Reilly:** There was an overrun of €70 million in our hospitals from last year. We are trying to retrench the runaway and out of control budgets in our hospitals which occurred during the first three months of this year under the watch of the previous Government either by intent or through neglect. On top of this, to address the financial morass in which the previous Government left the country we must take almost €1 billion out of the health system, keep the service running and put in train a reform programme.

I put it to Deputy Kelleher that this industrial action serves no useful purpose. I am concerned about the further stoppage planned for tomorrow and urge the INMO to reflect on the impact this action will have on the general public and on patients in particular. I find it hard to reconcile that the nursing unions are taking this industrial action given they are parties to the public service agreement which focuses, in particular, on the need to deliver services in the changed circumstances in which, thanks to the previous Government, we now find ourselves and on co-operation between management and unions.

The shared focus of all those working in the health service should be on safeguarding front line care in the face of our continuing very serious economic situation. The Mid-Western Regional Hospital Limerick was €16.2 million over budget at the end of July 2011 and has had to take measures to reduce its spending, including a prohibition on staff overtime and the hiring of agency staff. As in all areas of the economy and the public service, we must focus on solutions, including efficiency, flexibility and innovative working in order to maintain our public services in the face of economic crisis.

Industrial action by any group will simply exacerbate our problems and, in the case of nurses, may impact negatively on patient care. In recent months, I established a Special Delivery Unit, SDU, under the leadership of Dr. Martin Connor. The SDU is working to unblock access to acute services by improving the flow of patients through the system. It is focusing initially on emergency departments and will be working to support hospitals in addressing excessive waiting times for admission to hospital. The SDU is due to submit a report on the Mid-Western Regional Hospital Limerick to me on Thursday. I look forward to the co-operation of all health service staff with the Special Delivery Unit, which is aimed at ensuring that patients receive safe and appropriate service when they present at our acute hospitals.

In the case of Mid-Western Regional Hospital Limerick, it is vital that we focus on solutions, including the introduction of new rosters and redeployment of nurses to areas of greatest need in the hospital. New rosters become even more important in light of the need to maintain and improve services in a financially constrained context. As regards pressures in the emergency department, it is clear that risk issues arising from overcrowding should be regarded as a problem with which the entire hospital must deal. Hospital management cannot accede to a demand that no extra beds should be put up in wards. This is provided for in the escalation



[Deputy James Reilly.]

policy and represents a lesser risk than allowing an unsafe build up of trolleys in the emergency department.

**Deputy Billy Kelleher:** While I welcome the Minister's reply it lacks answers. Are we questioning the validity of the INMO to raise serious issues of concern with regard to patient safety? It has tried everything else and now believes industrial action is the only way it can get the Minister to listen to its concerns in respect of the serious shortcomings that are now evident in the health services. The Minister can engage in all the historical debates he wants about how we got where we are. When in opposition, he knew where we were and gave many commitments in that regard. Political choices are being made every day by this Government. The Government made the political choice not to burn the bondholders and to provide funding for job creation but has made no political choices in regard to the critical area of patient safety and health provision. The only political choices it has made in this area relate to increased capacity and ensuring reconfiguration of hospitals throughout the country is expedited while not ensuring proper procedures and extra facilities are put in place in the context in particular of University Hospital Galway, which the Minister, amid fanfare, also visited.

I wish the Special Delivery Unit and Dr. Connor well. However, it is evident from what is happening in the North that this will run out of steam very fast. While in the short term it might assist in addressing hospital waiting lists, the situation in Northern Ireland illustrates it will not work in the longer term. The Special Delivery Unit informed the Mid-Western Regional Hospital Limerick of its proposed visit well in advance. It is clear that management of the accident and emergency department was changed in advance of that visit. Staff have told me there were few hospital trolleys on the corridors at the time of that visit because of the forewarning by the Special Delivery Unit of its visit. The Minister should refer the Mid-Western Regional Hospital Limerick to the Health Information and Quality Authority, HIQA, which should undertake a full audit of it in the context of patient safety. Nurses are not taking industrial action for the good of their health rather they are doing so for the good of patients.

**Deputy James Reilly:** The Deputy has made several points, all of which I would like an opportunity to address.

**Acting Chairman (Deputy Catherine Byrne):** The Minister has two minutes to respond to Deputy Kelleher's supplementary questions.

**Deputy James Reilly:** The Deputy's suggestion that we should send HIQA into the hospital until such time as the SDU report is available and the actions recommended therein are taken is nonsense. If there is a need to send HIQA in following that report, consideration will be given to the matter. It is to misunderstand what the SDU does to say that it must make a morning raid in great drama. Its purpose is to examine, analyse and issue recommendations to support management and staff of the hospital. I have no doubt it will make those recommendations. As I said earlier, I cannot see how taking industrial action will improve or make safer the situation for patients.

The Secretary General of the Department of Health, Mr. Michael Scanlan, received a letter today from Mr. Fergal Hickey, President of the Irish Association of Emergency Medicine, the salient part of which states:

Many Irish hospitals are overcrowded. The fact that they or the HSE choose to manifest all of the overcrowding in the emergency departments is inappropriate, clinically unsafe and inequitable. There is now irrefutable international and national evidence that preferentially condensing all of a hospital's overcrowding into one single clinical area, the emergency

department, increases the risk of avoidable death and harm not only for those hospital in-patients who remain in the emergency department because no bed is available for them but also for emergency department patients who can be discharged and those who do not wait in the ED to be seen because of excessive delays. A better, fairer, safer way to treat all patients during times of emergency department overcrowding is by implementing a simple patient care practice used successfully in other developed health care systems, namely, the full capacity protocol. Full capacity protocol is an internationally validated protocol. The IAM believes strongly that the full capacity protocol, FCP, is a reasonable measure and fair approach to the significant dangers created by overcrowding of emergency departments. One or two additional patients admitted to multiple hospital wards at times of significant emergency department overcrowding is much safer and more clinically just for all patients than is allowing tens of additional patients to be detained for more than six hours in a single dangerously overcrowded compromised emergency department.

### **European Defence Agency Projects: Motion**

**Minister for Defence (Deputy Alan Shatter) (Deputy Alan Shatter):** I move:

That Dáil Éireann approves Ireland's participation in an EDA Category A Project on Chemical, Biological, Radiological and Nuclear (CBRN) Protection and an EDA Category B Project on Maritime Surveillance (MARSUR) pursuant to section 2 of the Defence (Miscellaneous Provisions) Act 2009.

I will provide some brief information on the reason the Government is presenting this motion and approving Ireland's participation in these two projects. In commending the motion to the House, I will briefly outline the function of the European Defence Agency, EDA, and the background to the two programmes in which Ireland wishes to participate.

Following the Government's approval, Ireland joined the EDA when it was established during the Irish EU Presidency in 2004. Ireland participates in the framework of the agency and I represent Ireland on the EDA steering board along with defence Ministers of all participating EU member states.

Since its inception, the EDA has made significant progress on the development of many military capability projects and programmes in support of EU crisis management. The primary reason for Ireland's participation in the EDA, is to support the ongoing development of Defence Forces capabilities for international peace support operations. One example is improved communications and network systems for use on the ground in operations.

The two projects identified, chemical biological radiological and nuclear, CBRN, and maritime surveillance networking, MARSUR, will further contribute to Defence Forces capability development. I fully support the Defence Forces participation in these projects. Pursuant to the provisions of the Defence (Miscellaneous Provisions) Act 2009 I am seeking Dáil approval for Ireland's participation in them.

The joint investment programme on CBRN has been initiated between the EDA, the European Commission and the European Space Agency. Intelligence-based threat assessments at national, EU and international level, all indicate an increased likelihood of terrorist organisations and insurgencies using chemical, biological or radiological agents, against both military and civilian targets. Apart from possible international threats, there are also potential national threats in this area. It is recognised that non-state actors and organised criminal groups could develop the capability to use improvised CBRN devices.

Regardless of the source of any CBRN hazard, an attack or exposure could inflict major casualties amongst security forces, emergency responders and unprotected civilians. There is

[Deputy Alan Shatter.]

also the potential for CBRN hazards to arise from accidents or natural disasters as was the case following the tsunami in Japan recently.

One of the primary reasons for our involvement in the CBRN area is to ensure the safety and improve the capacity of the Defence Forces operating in a CBRN environment. The scope of the EDA project on CBRN ranges from the identification of emerging technology to CBRN protection as an operational capability. The programme will involve research, technology development and demonstration activities.

The MARSUR project will facilitate a group of interested member states joining together to further develop a recognised maritime picture, RMP, exchange network. New developments will include modifications to improve data exchange, allowing for secure exchange of confidential or sensitive information, using data from a range of systems and covering different maritime areas. The nature and level of information exchanged is determined, monitored and controlled by each participating member state.

In developing the RMP exchange, network, the European Union, including Ireland, will be better able to combat drug trafficking, smuggling, illegal immigration and migration and international terrorism. Better exchange of information will also play a part in protecting maritime trade, the maritime environment and natural resources.

The MARSUR network also has a role to play on the economic and industrial front. Ireland's maritime area contains natural resources with a potential value in excess of a trillion euro including mineral deposits, fossil fuels, marine life, fisheries and wind and wave energy. Marine transport leisure and tourism, seafood, renewable ocean energy and marine biotechnology are niche areas that can contribute to Ireland's economic recovery and are, therefore, worth protecting.

Ireland's involvement in this project will enhance information sharing and knowledge transfer between member states and build working relationships based on mutual trust with other European agencies at the operational level. Through our involvement in drug seizures, success depends on the co-operation of our national and international partners.

The cost of participating in the two projects will be met from the proposed allocations for the Department of Defence. Participation in the CBRN project will be approximately €150,000 over four years while participation in the MARSUR project is estimated at €105,000 over three years.

Both projects will deliver benefits in enhancing Defence Forces capabilities. The CBRN project will offer the Defence Forces access to research, studies and developments arising from the project that will complement work undertaken and investments made over the past several years by the Defence Forces. Participation in the MARSUR project will play a major part in the fight against drug trafficking, in the protection of our natural resources and in safety and security at sea.

**Deputy Dara Calleary:** Fianna Fáil will support this motion. The Minister has outlined the benefits of both initiatives. The MARSUR project is of particular interest to me as I believe we have failed to maximise the value of our maritime resources. As the Minister stated, participation in this programme will allow us to gain information about fisheries stock management, as well as the better use of our maritime resources such as wind and wave energy production. Given the extent of our coastline, we have a serious problem with illegal drug importation. Any project that can assist us in tackling this problem must be supported.

The nuclear accident in Japan earlier this year highlighted the type of non-terrorist attack threat posed by natural disasters outside our control. We must ensure Ireland plays its role in European investigation of such events.

Even ten years on from 9/11, chemical weapons are a threat to the world and to Ireland, regardless of its neutrality. It would be criminal for us to decide to distance ourselves from any efforts to tackle this threat.

**Deputy Jonathan O'Brien:** I welcome the opportunity to discuss this motion today. The draft schedule of this week's Dáil business circulated last Thursday had this issue down for approval without debate which would have been regrettable. As I have always stated the importance of discussing all defence motions, I welcome the decision to have a debate on the motion.

The motion at first glance seems to be innocuous enough. Most Irish people would agree Ireland should be involved in chemical, biological, radiological and nuclear, CBRN, protection. Sinn Féin has always been opposed to nuclear energy for safety reasons and it will continue to oppose the use of nuclear energy. On checking the EDA website to get some background information I noticed this quote:

Despite arms control agreements and initiatives, some nations and some non-state actors continue to acquire chemical, biological, radiological and nuclear capabilities. This trend is most pronounced in areas of chronic political instability where the EU may be called upon to mount operations.

Additionally there have been many instances of terrorist and other *ad hoc* groupings that embrace CBRN technologies as a powerful means of pursuing their interests.

To address these risks, the EDA, in its own words, has been successfully tackling CBRN capability development issues since the beginning of 2006 with good and tangible results.

The maritime surveillance project asks Ireland to sign up as willing participants to monitor "activities, associated with and occurring in the maritime domain, which could impact on the security, safety and environment of the European Union and its member states". In 2006 when this project was officially launched, the aim was to create a network whose overall goal was to avoid duplication of efforts in this area by using existing naval and maritime information exchange systems.

While we all agree on co-operation to tackle illegal drug importation and human trafficking, I am more than uneasy with the term military co-operation. The question always remains "co-operation with whom exactly?". A 2008 document on the EDA website concerning EU-NATO collaboration and the role of the EDA gives us some insight into this question. It states:

The fact that EU member states that are also NATO allies have only one set of armed forces and must optimise their available resources means that coherence between the EU and NATO is an absolute necessity. The two organisations simply must co-ordinate their activities. Existing NATO standards, concepts and military requirements should be used wherever applicable.

Regarding CBRN issues, this document further stated: "With regard to chemical, biological, radiological and nuclear threats, the EDA mainly focuses on biological threats while NATO focuses on the chemical threats."

It is obvious the EDA, through the CBRN and MARSUR project, is all about the EU being a vital part of the NATO infrastructure. For this reason, Sinn Féin will oppose this motion.

**Deputy Richard Boyd Barrett:** I oppose the motion. The European Defence Agency, EDA, is about promoting the arms industry. This is not appropriate for any state that is interested in promoting peace. It is certainly not appropriate for a state that claims to be militarily neutral. On any moral ground, we should have nothing to do with a body that was set up for the sole purpose of promoting, developing and expanding the arms industry. Will the Minister or anyone justify the arms industry to me? An obnoxious trade, it is concerned with developing ever more sophisticated means of killing people. It is ironic that Members of the opposite side of the House and members of former Governments often get up on their high horses to denounce violence as being morally obnoxious while supporting Ireland's involvement in an agency whose sole purpose is to assist the companies that specialise in producing lethal weapons.

It is an issue of great concern that the EDA's executive recently told the European Parliament that unmanned drones will be tested in Europe's civilian airspace by 2012. Some of these will be bought from Israel, which has been testing them against Palestinians. According to some estimates, these barbaric instruments have killed as many as 7,000 innocent Afghani men, women and children in horrific bombing raids on villages and towns. It is beyond me why we would have anything to do with an agency or policy that promoted the use of such weapons.

There is no question but that I will oppose the motion. Will the Minister or anyone on the Government side justify support for the arms industry? What is good about it? What possible benefit does it have to humanity and the world? When people are homeless and jobless and lack adequate health and education resources and when there is extraordinary poverty in the world, is it not obscene that Europe and Ireland want to promote an industry that takes resources from those areas humans need to survive and prosper and use them to develop industries designed to produce the means to destroy human life? It is beyond me.

I will oppose the motion strongly. If the Government has any shred of moral sensibility or commitment to the notion of Ireland as a neutral country, we should stand out against the development and expansion of the EDA, which is nothing more than an agency to promote the interests of arms companies that profit from death.

**Minister for Defence (Deputy Alan Shatter):** I am sure we all feel better for that. I thank Deputy Calleary for his considered and constructive contribution to this debate. The issues we are dealing with are of importance. I never fail to wonder at what particular world Deputy Boyd Barrett inhabits. He has yet again given us an example of his contrived, selective ideological outrage. I presume he approves of our engagement in peacekeeping. I presume he approves of the Defence Forces engaging in the Lebanon to try to maintain a degree of peace and contribute to a troubled region so that a part of might not be engaged in conflict. I presume he approves of the work done by individuals such as Colonel Mike Beary of our Defence Forces who is trying to train members for an army in Somalia to protect the existing Government there and end the slaughter by the Al-Shabaab group. I recall Deputy Boyd Barrett, in his detestation of NATO, believing that the residents of Bin Ghazi should be left to be slaughtered by Colonel Gadaffi's forces when the French and the British intervened to try to prevent the murder and mayhem that Colonel Gadaffi intended. If we lived in an ideal world, no one would have guns, but it seems to be his perception that, when the Defence Forces are engaged in serious peacekeeping operations, they should be equipped with water pistols rather than any meaningful military supports of any description.

This project is not about armaments, their manufacture or spreading them around the world. In the context of EDA programmes, Ireland participates in the joint investment programme on force protection. This is a research and technology programme that focuses on technologies for protecting EU armed forces against threats such as snipers, booby traps and improvised bombs. Force protection involves measures to protect defence forces engaged in peace support

and crisis management operations overseas. It is one of the main factors considered when undertaking any operation. As such, the development of enhanced capabilities in this area is one in which our Defence Forces have a great interest. It was only last week that a report was published about the circumstances in which three members of the Defence Forces tragically lost their lives in 1989 as a consequence of an improvised explosive device. Are we supposed to send our Defence Forces out untrained, helpless and without modern technology to ensure that they can properly engage——

**Deputy Richard Boyd Barrett:** Does the EDA sell arms on the global market?

**Acting Chairman (Deputy Catherine Byrne):** The Minister without interruption, please.

**Deputy Alan Shatter:** ——in UN peacekeeping operations? Quite clearly the Deputy does not support peacekeeping operations,——

**Deputy Dara Calleary:** He clearly has not met the families of the three soldiers.

**Deputy Richard Boyd Barrett:** Does the Minister believe in arms sales?

**Deputy Alan Shatter:** ——does not support our Defence Forces and seems to be of the view that we should not engage in humanitarian interventions or peacekeeping operations with our European partners. This State and its Defence Forces have a constructive contribution to make in this regard.

These projects are not just important in these areas — I thank Deputy Calleary for his support again — but also in intercepting those who try to bring drugs ashore in this country and in dealing with those engaged in terrorist activities. It may be comforting to Deputy Boyd Barrett to take the view that we should have no security forces of any description and should leave ourselves liable to the State being used by terrorists to launch an attack on London during the London Olympics. Perhaps we should have no intelligence gathering of any description. This is not the role that I intend the State to play, nor is it the role that the Government intends to play.

The projects that I have brought to the attention of the House also offer potential for Irish-based enterprises and research institutes to participate in the development of new technologies and to create commercial opportunities to exploit these technologies in other markets. Enterprise Ireland will promote and manage any aspect of Irish research and development participation in these two EDA projects in association with the Department of Defence and within the scope of its functions and areas of competence as well as providing for our engagement at the frontiers of technological development. What has been proposed to the House also creates the potential for some additional employment in worthwhile projects in this State. I commend the motion to the House.

Question put:

The Dáil divided: Tá, 108; Níl, 18.

Tá

Barry, Tom.  
Breen, Pat.  
Broughan, Thomas P.  
Bruton, Richard.  
Butler, Ray.  
Buttimer, Jerry.  
Byrne, Catherine.

Byrne, Eric.  
Calleary, Dara.  
Cannon, Ciarán.  
Carey, Joe.  
Coffey, Paudie.  
Collins, Áine.  
Collins, Niall.

## Tá—continued

Conaghan, Michael.  
 Conlan, Seán.  
 Connaughton, Paul J.  
 Conway, Ciara.  
 Coonan, Noel.  
 Corcoran Kennedy, Marcella.  
 Coveney, Simon.  
 Cowen, Barry.  
 Creed, Michael.  
 Daly, Jim.  
 Deasy, John.  
 Deering, Pat.  
 Doherty, Regina.  
 Donohoe, Paschal.  
 Dooley, Timmy.  
 Dowds, Robert.  
 Doyle, Andrew.  
 Durkan, Bernard J.  
 English, Damien.  
 Feighan, Frank.  
 Ferris, Anne.  
 Fitzgerald, Frances.  
 Fitzpatrick, Peter.  
 Flanagan, Terence.  
 Fleming, Sean.  
 Grealish, Noel.  
 Griffin, Brendan.  
 Hannigan, Dominic.  
 Harrington, Noel.  
 Harris, Simon.  
 Hayes, Tom.  
 Healy-Rae, Michael.  
 Heydon, Martin.  
 Hogan, Phil.  
 Howlin, Brendan.  
 Humphreys, Heather.  
 Humphreys, Kevin.  
 Keating, Derek.  
 Keaveney, Colm.  
 Kehoe, Paul.  
 Kelleher, Billy.  
 Kelly, Alan.  
 Kirk, Seamus.  
 Kitt, Michael P.  
 Kyne, Seán.  
 Lawlor, Anthony.  
 Lynch, Ciarán.

McCarthy, Michael.  
 McConalogue, Charlie.  
 McGinley, Dinny.  
 McGrath, Michael.  
 McGuinness, John.  
 McHugh, Joe.  
 McLoughlin, Tony.  
 McNamara, Michael.  
 Maloney, Eamonn.  
 Martin, Micheál.  
 Mathews, Peter.  
 Mitchell, Olivia.  
 Mitchell O'Connor, Mary.  
 Moynihan, Michael.  
 Mulherin, Michelle.  
 Murphy, Dara.  
 Murphy, Eoghan.  
 Nash, Gerald.  
 Naughten, Denis.  
 Nolan, Derek.  
 Noonan, Michael.  
 Ó Cuív, Éamon.  
 Ó Fearghail, Seán.  
 Ó Ríordáin, Aodhán.  
 O'Dea, Willie.  
 O'Donnell, Kieran.  
 O'Donovan, Patrick.  
 O'Mahony, John.  
 O'Reilly, Joe.  
 O'Sullivan, Jan.  
 Penrose, Willie.  
 Perry, John.  
 Phelan, Ann.  
 Phelan, John Paul.  
 Rabbitte, Pat.  
 Ryan, Brendan.  
 Shatter, Alan.  
 Smith, Brendan.  
 Spring, Arthur.  
 Stagg, Emmet.  
 Stanton, David.  
 Timmins, Billy.  
 Troy, Robert.  
 Tuffy, Joanna.  
 Twomey, Liam.  
 Varadkar, Leo.  
 White, Alex.

## Níl

Adams, Gerry.  
 Boyd Barrett, Richard.  
 Collins, Joan.  
 Colreavy, Michael.  
 Doherty, Pearse.  
 Ferris, Martin.  
 Flanagan, Luke 'Ming'.  
 Fleming, Tom.  
 Mac Lochlainn, Pádraig.

McGrath, Mattie.  
 McLellan, Sandra.  
 Ó Caoláin, Caoimhghín.  
 Ó Snodaigh, Aengus.  
 O'Brien, Jonathan.  
 Pringle, Thomas.  
 Stanley, Brian.  
 Tóibín, Peadar.  
 Wallace, Mick.

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

Question declared carried.

**Insurance (Amendment) Bill 2011 [Seanad]: Second Stage**

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

I welcome the opportunity to address Dáil Éireann today on the Insurance (Amendment) Bill 2011, which was published on Tuesday, 13 September 2011. At the outset, I wish to outline the main reason it is necessary to have the Bill passed speedily by the Oireachtas. The joint administrators of Quinn Insurance Limited, QIL, hope to conclude the sale to Liberty Mutual Direct Insurance Company Limited, a joint venture between Liberty Mutual and Anglo Irish Bank on 4 October and they are to report to the High Court that day to give effect to this.

A key requirement which will have to be demonstrated to the court by the joint administrators is that there is a commitment in place from me, as Minister for Finance, to advance the necessary funds to the insurance compensation fund in the following weeks. A precondition of such an advance is a recommendation from the Central Bank that such funding is required. At present, there is €40 million in the fund, and the Central Bank has advised that in order for the joint administrators to be able to meet their financial obligations in the last quarter of this year, €280 million will have to be provided to the fund and has accordingly recommended that I make the necessary advance. However, as Deputies will appreciate, before I can make such an advance the proper legal basis has to be in place, thus explaining the urgency of the Bill. Approval from the High Court for the deal will complete an important milestone in the administration process, which will see the sale of QIL completed and ensure the future of the workforce is secure.

The main reason for amending the legislation is changes in EU law in the non-life insurance sector since the fund was last used. The Attorney General advised that our existing legislation was not compatible with EU law and should be amended. Accordingly, the Bill proposes to amend the Insurance Act 1964.

The Bill comprises ten sections, the main elements of which are set out as follows. Section 1 is the definitions section, and the purpose of this provision is to acknowledge that the principal Act is the Insurance Act 1964. Section 2 amends section 1 of the principal Act, which is the definitions section of that Act. The purpose of this provision is to introduce a number of new definitions to section 1 of the Insurance Act 1964 and update the existing definitions for “authorisation”, “policy” and “insurer”. These will allow the scope of the scheme to be extended to cover all insured risk in the State, except specific excluded risks.

Section 3 amends section 2 of the principal Act, which deals with the insurance compensation fund. This is a technical provision and its purpose is to make a number of minor cross-referencing changes to section 2 of the Insurance Act 1964, consequential on the amendments made in this Bill.

Section 4 deals with payments out of the fund in respect of insolvent insurers. The purpose of this provision is to replace section 3 of the Insurance Act 1964 and to introduce a number of new sections. These provisions are designed to facilitate payments out of the fund to policy holders with regard to risks in the State where an Irish authorised or an EU authorised insurer goes into liquidation and the approval of the High Court has been obtained for such payments.

In more detail, section 3 provides context for sections 3A and 3B and also sets out the limitations to the payments which can be made from the fund. These limitations replicate what is contained in the existing legislation, the most important of which is that payment from the fund under a policy shall not exceed 65% of that sum or €825,000, whichever is the less, in the event of payments being made to policy holders after the liquidation of an insurer.



[Deputy Michael Noonan.]

Under the new scheme, policy holders will be covered by the fund in respect of “risks in the State.” The principal factors which will determine whether a risk is a “risk in the State” will be whether insured buildings are located in the State; whether insured vehicles are registered in the State; in the case of short-term travel insurance — whether the insurance was taken out in the State; and in most other cases whether the habitual residence of the policy holder is in the State or, in the case of legal persons, whether the establishment of the policy holder is in the State.

Section 3A provides for the liquidator to make payments from the fund to policy holders of Irish authorised firms.

Section 3B provides that if an insurance undertaking in another member state goes into liquidation and policyholders in relation to risk in the State are affected, that the Accountant of the High Court can make an application to the High Court on their behalf and can distribute any sums due to such policyholders.

Section 3C provides for the continuation of the administration provision as set out in the Insurance Act 1964, but prospectively intends confining the availability of funding from the ICF to firms under administration which conduct a large percentage of their overall business in Ireland, that being, 70% averaged over the three years before the appointment of the administrator.

Section 5 is the repeal of section 4, grant to fund by Minister, of Principal Act. The purpose of this provision is to repeal section 4 of the Insurance Act 1964 which the Office of the Attorney General has advised is obsolete as it relates to a specific insolvency in 1964, namely the Equitable Insurance Company Limited.

Section 6 is an amendment of section 5, advances to the fund by Minister, of Principal Act. This is a technical amendment designed to make a cross-referencing change to section 5 of the Insurance Act 1964.

Section 7 deals with contributions to the fund. The purpose of this provision is to replace section 6 of the Insurance Act 1964. The section sets out the conditions for the levying of insurance companies in relation to the ICF. The key elements of this provision are: (i) The Central Bank continues to be responsible for assessing the fund to determine if it needs financial support; (ii) the bank determines the levy to be placed on insurers where funding is required and notifies them; and (iii) it requires all insurance companies to be levied in respect of risks in the State under the new scheme.

Section 8 repeals section 31, the insurance compensation fund of the Insurance Act 1989. Section 8 of this Bill is a technical amendment and the purpose is to repeal section 31 of the Insurance Act 1989, which made amendments to section 3 of the 1964 Act. Those amendments are now obsolete as they are superseded by section 4 in this Bill.

Section 9 relates to saving. The purpose of this provision is to provide a saving mechanism and to ensure that any liquidations or administrations commenced before this Act comes into effect will continue to be subject to the old rules. This is the standard convention that a company under administration is protected under the rules that applied when the company went into administration. The effect of this is to ensure that Quinn Insurance Limited remains under administration as if this Bill had not been introduced.

Section 10 is a standard provision, which provides for the Short Title of the Act. I would like now to elaborate on the main reasons for the Bill. When the administrators were appointed their main task was to carry on the business of Quinn Insurance Limited as a going concern with a view to placing it on a sound commercial and financial footing by carrying out the

necessary restructuring and setting in motion a process to sell the business. During this time they were also required to establish what the underlying financial position of the company was and in particular whether sufficient reserves had been put aside to meet its future liabilities. Consequently, by the time the announcement of the sale of Quinn Insurance Limited to Liberty Mutual Direct Insurance Company Limited, LMDI, was made on 28 April, the joint administrators were in a position to indicate that Quinn Insurance Limited had suffered losses of €905 million in 2009 due largely to operating losses in the UK market and a write down in the value of assets. Further related losses in 2010 are expected to be €160 million. At the same time the joint administrators indicated that there was likely to be a call on the insurance compensation fund in the region of €600 million. This figure has however been revised upwards to €738 million in recent weeks, because of an increase in the outstanding claims reserve which was required after the finalisation of the 2010 actuarial review by Quinn Insurance Limited actuaries.

Deputies should note that the increased call upon the insurance compensation fund concerned me in case the company's eligibility for insurance compensation fund funding might be leading to a less rigorous approach being adopted to the settlement and payment of claims. It was important that I be satisfied that the appropriate systems and processes were sufficiently robust to ensure that the call upon the fund is kept to an absolute minimum. In that light, I asked the State Claims Agency, which has specialist skills in the area of claims management and reserving, to undertake a review of the processes at Quinn Insurance Limited and in particular to have a look at the claims management process. The State Claims Agency has almost completed its review and in its interim report has reassured me that the claims management process is operating effectively. It indicated that reserving had improved considerably since the joint administrators took over the running of the business, but there was potential for improvement in some other areas. In summary, it felt that the increased call upon the fund, as a result of various actuarial reserving reviews, was appropriate.

Currently, under the Insurance Act 1964, all policyholders of Irish authorised firms are covered by the insurance compensation fund whether they are located in Ireland or in other EU member states. The legislation also provides that all such companies are required to be levied whenever there are insufficient funds in the insurance compensation fund to meet a particular demand such as the Quinn Insurance Limited deficit.

However, because of changes in EU law since the fund was last used, it was necessary to get legal advice on this legislation, in particular the application of the insurance compensation fund levy on insurance companies. The primary issue we wanted clarified was whether Article 46 of the Third Non-Life Insurance Directive, 92/49/EEC, which precludes a member state from applying an indirect tax or parafiscal charge on insurance risks outside of its jurisdiction was relevant to the application of the insurance compensation fund levy. The Attorney General concluded that it was relevant, and that any levy which was applied on insurance companies in terms of risks outside of the State in the context of an administration or a liquidation would appear to infringe Article 46.2 of the directive. In light of this she advised that a levy can only be applied in respect of those risks located in the State. The outcome of this advice is that we cannot apply the insurance compensation fund levy to international risks, and as a result our legislation must be changed thus explaining the amendments being made to Article 6 of the 1964 Insurance Act in this Bill.

I have also decided to amend the scheme so that, as far as possible, risks outside of the State are no longer covered by the fund. Failure to do this could result in Irish policyholders having to fund a deficit resulting from the failure of an Irish authorised insurance company which conducts the bulk or all of its business outside the State. In addition, I have decided to use this legislative opportunity to broaden the scope of the insurance compensation fund to cover all

[Deputy Michael Noonan.]

insured risk in the State. That will protect policyholders in this country who take out cover with companies authorised in other EU member states and who are not currently covered by the existing scheme and therefore ensures that all domestic policyholders have the same level of protection in a liquidation situation, whether the policy is taken out with an Irish authorised firm, or a firm authorised elsewhere in the EU.

For the moment, I have decided to exclude health insurance from the scope of the scheme, because the main player in the market, VHI, is not authorised by the Central Bank and is therefore outside the scope of the general body of insurance legislation. In addition, the placing of an additional 2% on health insurance premiums at a time when there has been a significant increase in people not renewing their policies because of the difficult economic climate concerns me.

It should be noted that I propose to maintain the administration provision as set out in the Insurance Act 1964, but prospectively intend confining the availability of funding from the insurance compensation fund to firms under administration which conduct a large percentage of their overall business in Ireland, that being 70% averaged over the three years before the appointment of the administrator. The purpose of the restriction is to prevent Irish policyholders being burdened with paying for the administration of an insurance business which conducts all or the bulk of its business outside of the State, in circumstances where it is not possible to levy the premiums of foreign policyholders because of Article 46 of the third non-life directive.

In conclusion, I reiterate the importance of the swift passage of this amending Bill, in order to ensure that I can advance the necessary funds to the insurance compensation fund in the next couple of weeks. It is important to keep in mind that any advance by the Exchequer to the fund will be classified as a financial transaction and as such is not seen as expenditure, and therefore does not affect the general Government deficit and our targets under the EU-IMF framework. Indeed, an appropriate market rate of interest will be applied to this advance which means it will marginally improve the general Government balance. I commend the Bill to the House.

**Deputy Michael McGrath:** I welcome the opportunity to make a contribution to this debate on the Bill. I am dissatisfied at the way in which the legislation is being handled. We have to rush it through both Houses of the Oireachtas over a short period because of the High Court date on 4 October. The sale of Quinn Insurance Limited to the Liberty Mutual-led joint venture was announced back in April, yet here we are on the eve of an important court date putting through the necessary legislation to ensure that the insurance compensation fund is adequately recompensed to deal with the losses on Quinn Insurance's books. Essentially, the levy is proposing to put a charge somewhere in excess of €700 million on policy holders. In truth, however, it is an open-ended commitment because we do not know for sure what the full extent of the losses are on Quinn Insurance's books. The Department's briefing note refers to this legislation facilitating a levy of up to 2% on the insurance industry, but it is a levy on policy holders. We all know that so we should call it as it is. It is a bit like saying the pension levy is a levy on the pensions industry when, in all cases that we are aware of, it is being passed on to pensioners and future pensioners. If this particular levy is approved by the Oireachtas, it will land on the doorsteps of ordinary policy holders through the renewal of their motor, home and other policies.

I have read the report of the Seanad debate which took place two weeks ago. The Minister's contribution then was most interesting, as were the contributions of Senators. It is fair to say, however, that the level of awareness — not just among public representatives but also among

the general public — of this impending 2% levy is very low. It is a matter of concern that people are unaware that this is coming down the tracks and will hurt them. The cost of policy renewals is rising and this levy will only make the situation worse for those who are already struggling to make ends meet. The Attorney General has advised the Minister that our existing legislation is not compatible with EU law. It is therefore necessary to amend the Insurance Act 1964 to change the scope of the insurance compensation fund from one which covers the risks of policy holders of Irish authorised insurance companies to one which covers all insured risk in the State except for certain excluded risks. In effect, under the legislation all insurance policies taken out in relation to risks in the State come within the remit of the scheme.

The legacy of Quinn Insurance Limited is at the heart of this Bill, as is, to put it bluntly, the mismanagement of Quinn insurance over a number of years. That has now landed the State and every policy holder with a bill that is unknown, but is currently estimated at €738 million. In the Seanad two weeks ago, the Minister indicated that it was only €720 million. When the joint administrators first announced the sale of Quinn Insurance Limited they estimated it would be €600 million. Even in that short period we have seen the overall bill increasing. The joint administrators are hoping to conclude the sale of Quinn Insurance Limited to Liberty Mutual Direct Insurance Company Limited- a joint venture between Liberty Mutual and Anglo Irish Bank — on 4 October. They need to report to the High Court on that date in order to give effect to this. As the Minister has said, they must demonstrate to the court that there is a commitment from the Minister on behalf of the Government to advance the necessary funds to the insurance compensation fund in response to a request from the Central Bank, which is the competent authority. That particular fund currently has only €40 million and the Minister has outlined in some detail the scale of the losses that were incurred at Quinn Insurance.

I accept the need to put this debate in the context of job retention. We all want to see the jobs at Quinn Insurance retained, which is a policy priority for all parties in the House. Some 1,600 jobs are at stake and generally the employees welcome the sale of Quinn Insurance to the new joint venture as a means of preserving and protecting the existing jobs which are so important in the Border counties and elsewhere. We all support the need for policy holders to be protected. We do not want a situation where policy holders are loading claims with insurance companies in respect of incidents that happened some years previously and then find that the insurance company is not able to meet the requirements of a valid claim.

In April, the joint administrators indicated that Quinn Insurance Limited has suffered losses of €905 million in 2009 due largely to operating losses in the UK and a write-down in the value of assets in regard to the company's investment in Quinn Property Holdings. The 2010 losses are expected to be some €160 million. I read with interest the contribution of Senator Jimmy Harte in the Seanad about the business model that Quinn Insurance was pursuing, including the aggressive undercutting of its competitors' pricing policy for premia. He made the point that ordinary people were asking how Quinn Insurance could do business at a figure that was one quarter of what massive companies such as Hibernian, Norwich Union and AXA — which have been in the business for 200 or 300 years — were offering. That is a question for the regulatory authorities. To be fair, the Financial Regulator, Mr. Matthew Elderfield, identified and quantified the problem, and put a process in place to deal with the legacy of that. Just as with our banking system, however, we must ask the hard questions as to how this situation was allowed to develop. I would be the first to acknowledge that.

We also need to acknowledge the potential cross-contamination of Seán Quinn's investment in Anglo Irish Bank and the €2.8 billion that he and his family owe to that bank concerning the share gamble they made. For example, Quinn Insurance made a loan to the family to facilitate the purchase of some of those shares. There is an element of cross-contamination. While the losses we are examining are substantially related to operating losses, they are also

[Deputy Michael McGrath.]

attributable to the reduction in property values. Quinn's investment in the property sector has also impacted on the losses and has increased them significantly. At the time, the administrators felt the losses would be €600 million, then €720 million and now €738 million. People really want to know where this will end.

I am disappointed and disturbed to see that there is no sunset clause in the Bill to set a date by which we are committed to ending this levy. Quantifying the cost of future claims in insurance is an extremely difficult task because of the tail effect. Claims can come in many years after incidents have taken place. It is important to give people some direction or assurance as to how long this particular levy will be in place. If the deficit is in the region of €740 million, the Minister indicated in the Seanad that the levy will bring in about €65 million per year, so we are looking at this levy being in place for 11 or 12 years. That issue is at the centre of this Bill and it needs to be addressed.

I welcome the involvement of the State Claims Agency concerning the processes that were being employed at Quinn Insurance. The agency's feedback and reporting is very helpful.

It will have found what the administrator found on Quinn's books, that sufficient provision was not made for claims and hence, this levy is being proposed to cover claims in the system and future claims. We need to ask hard questions about the deal being proposed by the joint administrators for the sale of Quinn Insurance to the Liberty Mutual and Anglo Irish Bank joint venture. Is this the best possible deal for the Irish taxpayer? What is Liberty Mutual bringing to the table? I know it is making some investment and a commitment about job retention. However, I refer the Minister to his reply to a parliamentary question last May:

I have had no direct dealings with Liberty in relation to the transaction, including the issue of the future of all existing job-holders, however, I am informed by the joint administrators that aside from the redundancies in Manchester, all the 1,570 jobs in Quinn Insurance Limited have been protected for at least two years.

What is the status of that commitment from the Minister? It is a welcome commitment but even if it stands up, two years is not a long period of time. It seems that the State is underwriting to an unlimited extent all the losses incurred by Quinn Insurance. Liberty Mutual is making an investment and it is taking on board a company with a large customer base, even though many customers have moved on to other providers. The legacy liabilities of that business have been taken care of for Liberty Mutual. What is the upside, the benefit, for the State, in the event of that business becoming successful once again? Anglo Irish Bank has a minority shareholding and I presume if the business does particularly well — as is to be hoped — Anglo will recoup more of the money it lent to Seán Quinn and his family for the purchase of the shares. This is one benefit that is obvious but I am not convinced that we are necessarily getting the best possible deal. It should be put on the record of the House the exact details of what Liberty Mutual is bringing to the table and what are the explicit commitments it has made regarding the retention of jobs in the Republic and in Northern Ireland. In the event of the business succeeding, will there be any compensation from the company to bridge the deficit in the insurance compensation fund or will the bill be entirely laid at the feet of Irish policyholders? This is the key question.

What other options were considered for plugging the hole in the insurance compensation fund? The Minister has made a decision to pass on this cost to the insurance industry which will, in turn, pass it on to policyholders. We need to have a debate on whether any other options were considered. The 2% levy comes on top of an existing stamp duty levy of 3%. I understand that in 2010 that stamp duty levy took in approximately €110 million. Does the Minister intend to retain this levy and in effect, create a 5% levy on all insurance policies?

This is an important question for which the public will want an answer. Has the Minister any plans to reform the insurance compensation fund? Is he giving the insurance industry a completely free hand as regards passing on this levy to policyholders, as was done in the case of the pensions levy? I note with interest his comments about the health insurance policies. For obvious reasons, he has decided to exclude health insurance policies because of the status of the VHI. Is this status subject to change or to be reviewed by the Minister in the short term? This would have an impact on many more people.

I look forward to engaging with the Minister on Committee Stage. I am disappointed at the short time allocated to consider this Bill which will impose a charge of somewhere north of €700 million but we do not know the full extent of the liability on the Irish policyholders and many hard questions need to be asked and answered and that is what we are here to do.

**Deputy Pearse Doherty:** During the last Dáil, when Fianna Fáil tried to rush legislation through, there were loud protests from both Fine Gael and Labour and rightly so. It is unfortunate that despite all the promises of new politics and parliamentary reform from his party during the general election, the Minister is seeking to rush through this important legislation and this is not good enough. Good legislation requires good scrutiny and good scrutiny requires the allocation of adequate time to prepare, question, debate and amend what is put before us. When any Government attempts to railroad through legislation one must ask why the parliamentary process is being denied and why there is not adequate time to ensure the proposal is an appropriate and proportionate response to the issue at hand.

The cynic in me is always suspicious that the intention of the Government is to avoid scrutiny for fear of what it may reveal. This is particularly the case when it comes to the out-workings of the placing into administration of Quinn Insurance by the Financial Regulator.

A fortnight ago, Senators were given less than two days to read and absorb this Bill, all Stages being taken in a single session. Having read the Official Report of the Seanad debate, it is clear that no Senator felt able to comment adequately on or support the Bill.

The Government has proceeded with this legislation in an unacceptable and deeply undemocratic way. The treatment of the Dáil is little better. Amendments were to be submitted before the Second Stage debate had even taken place, a demand that is both procedurally inappropriate and politically unacceptable. When one considers the financial implications for the taxpayer and for hundreds of thousands of insurance policyholders across the State, this cavalier approach by the Minister to the parliamentary process is outrageous.

It has been widely reported in the media, and referred to by the Taoiseach and the Minister today, that the Minister is under pressure from Liberty Mutual and Anglo Irish Bank to ensure this Bill is fully enacted by 4 October, in advance of a High Court appearance by Liberty Mutual and Anglo Irish Bank to close the sale of Quinn Insurance. This is a reckless way to treat legislative process and it is certain to result in bad law and a bad result.

The entire Quinn Insurance saga is littered with bad practice and questionable behaviour. My colleague from Cavan-Monaghan, Deputy Caoimhghín Ó Caoláin, will deal with this matter in more detail during his contribution. However, I wish to place on record Sinn Féin's view that serious questions need to be answered regarding the way in which the Government, the Financial Regulator and the administrators have handled the issue of Quinn Insurance. Already, some 1,000 jobs have been lost in a region of the country with a history of high unemployment. These jobs were lost on the watch of the Financial Regulator and his appointed administrators. There is a need for a short public inquiry into the manner in which both the administrators and the Financial Regulator behaved, if we are to ensure any level of public confidence in the outcome of this saga.

[Deputy Pearse Doherty.]

This Bill raises more questions than it answers and at this stage, Sinn Féin is not in a position to support it. Sinn Féin is not, in principle, against amending the current shape and size of the insurance compensation fund and nor are we, in principle, against the imposition of a levy on all insurance risk in the State in order to fund future requirements. However, in determining whether to support this Bill, it is important to understand the background to its drafting. Following the placing of Quinn Insurance Limited into administration by the Financial Regulator negotiations between representatives of the administrator and the US insurance giant, Liberty Mutual and Anglo Irish Bank, commenced. The sale of Quinn Insurance has been agreed in principle and will be subject to a High Court hearing on 4 October. If the sale of Quinn Insurance to Liberty Mutual and Anglo Irish Bank proceeds, the insurance company will be split into two entities. The first entity, comprising of the Irish policy book of the company, will continue as an ongoing concern run by Liberty and Anglo.

The second entity, comprising of the policies held in the North of Ireland and Britain will be administered by Liberty Mutual but funded with a payment of up to €720 million from the insurance compensation fund. The fund will pay the policyholders who are outside the State. The request for this money was made by the administrators to the Central Bank. However, as the compensation fund currently only contains €40 million, the Government is proposing changes to its size and operation to meet the request by the administrators. Officially €720 million — this figure may increase — is to cover payments on policies to customers of Quinn Insurance in the North of Ireland and Britain. However, like so many aspects of this story, things are not that clear. It appears that assets from Quinn Insurance of more than €400 million were used as security against loans for the same value from Anglo Irish Bank for other commercial activities pursued by the company. As a result, bondholders with Anglo Irish Bank effectively have a hold on this portion of Quinn Insurance's insurance book. Liberty Mutual, seeing this as a liability, is insisting that the Government and the insurance compensation fund fill the gap. Happy to oblige, the Government is seeking to place a 2% levy on all non-life insurance policy holders in Ireland to fund the capital requirements of Quinn Insurance.

In order for the Anglo Irish bond holders to relinquish their claim on the €400 million of assets at Quinn Insurance, they have been offered a pay-off of €200 million. Put another way, €200 million of the €720 million requested by the administrator will effectively be used to pay off senior bondholders in Anglo Irish Bank, after the compensation fund moneys are lodged and become part of the general assets of the company. As the compensation fund currently only holds €40 million and the proposals in front of us to day will only raise €65 million a year, the Government proposes to advance €400 million, of money it must borrow from the EU and IMF, over the next two years plus a market interest rate to the compensation fund. At no stage, even up to now, has a rationale been provided to this House for the request for these funds or a justification as to why the Minister is acceding to this request.

Why is this money not being provided by Liberty Mutual as part of the purchase of Quinn Insurance? Why are the Government and the directors of Anglo Irish Bank not exploring burden-sharing, if not outright burning of the bondholders in Anglo who have a hold over the assets of Quinn Insurance? Why are taxpayers and, ultimately, insurance policy holders being asked to foot the bill to pay off senior bondholders who lent recklessly to Anglo Irish Bank, which in turn lent recklessly to Quinn? No matter what sophisticated financial semantics are used to describe this sorry affair, it is hard to see it as anything other than yet another bailout by the public to a toxic bank, its bondholders and a major US insurance company. If this is not the case, then the Minister has a responsibility to outline in fine detail why this money is required and why the only source of this money is the taxpayer and policy holders with other insurance providers? There is no guarantee in any of this that €720 million will be the maximum

drawdown required as a result of the Liberty Mutual-Anglo Irish purchase of Quinn Insurance. Nor is there any guarantee that the State will recoup the entire €400 million cash it will advance in 2011 and 2012.

I am also concerned about the involvement of Anglo Irish Bank in all of this. Like most people, I understand that Anglo Irish Bank is no longer a trading bank, but an empty shell holding and servicing its toxic debts. Can the Minister explain the involvement of Anglo Irish Bank in this enterprise and why, as I understand it, the bank will retain a 24.5% share in the company after it is sold to Liberty Mutual? I am also unclear as to the impact of the technical changes to the insurance compensation fund. The legislation proposes to apply a 2% levy on all non-life insurance policies in the State. However, if my reading of the Bill is correct, only companies with 70% or more of their business in the State could apply to the compensation fund while in administration. What level of risk does this represent to policy holders with companies that have less than 70% of their business in the State? Why does the Bill provide cover for all policy holders in the State if their provider goes into liquidation, yet restricts access to the compensation fund to only certain providers if in administration? It is important that there is clarity on this matter as those who will be contributing to the fund through the new 2% levy have a right to know whether they will be able to benefit if their provider goes into administration.

In addition, while we are being told that the increased contributions to the compensation fund are to cover future eventualities in the insurance industry, the reality is that the first €720 million will be used to repay the State and cover directly the requirements in Quinn Insurance. This means that for anything up to ten or 11 years, the compensation fund will not be in a position to service any other insurance company that faces difficulties. This means that policy holders with other insurance providers will have to pay an additional 2% on their premium for the next ten years, during which time they will have no protection via the compensation fund if their provider falls into difficulty.

I want to repeat once again that the way the Minister has brought this legislation to the House is deeply unsatisfactory. Both the origin of the legislation and its content beg a litany of questions which must be answered before the legislation passes into law. Worse than this, however, is that the Minister is trying to present what is nothing more than a bank bailout under the cover of a measure that he says is designed to protect ordinary policy holders. Some would say that this is downright dishonest.

Sinn Féin will support any Bill that protects policy holders in Quinn Insurance or any other insurance provider. At a time of great economic uncertainty and volatility, people have a right to know that their policies are protected to the greatest degree possible. Sinn Féin will also support any Bill that protects the employees and policy holders at Quinn Insurance. However, we are not opposed to the sale of Quinn Insurance if all other options have been carefully assessed and shown to be without merit. Nor are we opposed to the reform of the insurance compensation fund, as long as it meets these crucial objectives. However, what the Minister has put in front of us today does not deserve support from any Member of this House. On that basis, Sinn Féin will oppose the legislation, unless serious amendments are made to it on Committee Stage. However, given the truncating of the debate, I understand that will not be permitted and that only approximately an hour will be provided for Committee Stage.

There are genuine questions that need to be answered. They have not been answered in the Seanad nor in the Minister's opening remarks. There is a lack of knowledge within these Chambers and outside as to what is happening and as to the untold story of the bondholder that has a part of the Quinn asset book. Basically, that bondholder is being paid off, using our money. This is money that will be borrowed by the EU-IMF to pay off the bondholder, but



[Deputy Pearse Doherty.]

will be recouped through applying a 2% levy on every person with an insurance policy, other than a health policy, in this State. That is unacceptable.

**An Ceann Comhairle:** I call Deputy Mattie McGrath on behalf of the Technical Group. I understand he is sharing time with Deputies Clare Daly and Catherine Murphy.

**Deputy Mattie McGrath:** I too am appalled at the indecent haste with which this Bill is being proposed. I understand that this is to meet a deadline of 4 October, which was imposed by people outside of the House. This is an attempt to cover the losses that were accumulated by Quinn Insurance.

The levy of 2% is a significant amount. I am old enough to remember when the PMPA went bust and the levy for that was introduced and for how long it lasted. This 2% levy will apply to every person in the country with an insurance policy. This is a critical issue at a time of such financial stringency and lack of funds for businesses and everybody. The levy will affect those with car, house, travel and every other kind of insurance policy, but particularly business insurance. As a person with a small business, I understand that insurance costs have risen. We had 40 years to get them down, but over the past number of years the fat cats in the insurance companies have used every excuse, including the weather, the ash cloud and anything they can, to revert to previous charges. Prices have been increasing over the past number of years and this levy will be the straw that will break the camel's back.

Nonetheless, we must address the situation and the problems we face as a result of poor management by personnel and leaders of Quinn Insurance. I would also question the joint administrators. From information I have from the Border region, Liberty Mutual has been hovering over Quinn Insurance for a long time. It is not coming in to rescue it, but for the rich pickings. It does not care about other important parts of the Quinn group, parts which are important to the infrastructure and economy of the Border region. Liberty Mutual is in it for the rich pickings it can make for itself and is dealing with the scandalous rogue bank that created part of the problem initially with its funny games and movement of money and shady loans. We understood from news bulletins that this bank would be removed and would no longer operate in this country. The name was taken down from the bank's headquarters not far from this building some time ago, yet the Government is now applying a levy on taxpayers to protect Anglo Irish Bank and its senior bondholders once again. It stinks from the high heavens.

A report will be made to the High Court before 4 October. Legal opinion should be sought on whether that date can be put back because this is too serious an issue. The public cannot take any more. The Government's response is to fire another levy on them, raise taxes again and make more cuts to protect the rotten banks and businesses that ruined this country. We are walking blindfolded into this again. The former Minister for Finance, Deputy Brian Lenihan, was criticised in the House for decisions he made. We were all part of those decisions and we have seen where the indecent haste got us. I compliment the Minister and the Government on renegotiating interest rates downwards but they should make haste slowly and investigate properly. As Deputy Doherty said, a swift inquiry should be held, possibly by the Oireachtas rather than a tribunal, because we will become an even greater laughing stock in Europe and the public will be even more angry otherwise.

We do not know when the levy will cease because we have not been given facts and figures. We do not know how much will be needed. A sum of €700 million has been mentioned but there is only €40 million in the pot. The fund will increase through this levy but the Government could increase the levy again next year if it is not coming up to scratch. It will drive people out

of business and policyholders will be unable to renew their insurance, which will create more problems down the road. All the while, Anglo Irish Bank, that despicable bank, lurks in the background sucking more of the lifeblood out of taxpayers. This is outrageous. The Quinn Group was eager to go after the rich pickings in the insurance industry for a number of years. It got in and now we are told the insurance aspect will be the saviour.

However, this raises the issue of the role of administrators and receivers. It is a sorry mess and the administration is not delivering what it is supposed to. It is not fair, just or satisfactory in any shape or form. It must also be opposed. I am opposed to the Bill.

**Deputy Clare Daly:** One of the key issues is the extension of the insurance compensation fund to deal with losses of the Quinn family. A large percentage of insurance losses result from speculative gambling on the property market by the family and, in effect, the legislation provides for the transfer of those gambling debts on to the shoulders of hard pressed taxpayers and working people who need to insure cars, homes and so on. As previous speakers pointed out, this is the third time a private company has been bailed out by the State — Equitable Life in the 1960s and PMPA and ICI in the 1980s. The original levy was not discontinued when PMPA's historical liabilities were run down but, instead, was replaced with a stamp duty to which the Government proposes to add a Quinn Insurance levy. Clearly, that is a disgrace and should be condemned by all.

I would like to concentrate on one aspect of the legislation. It proposes that the insurance compensation fund would cover all insured risk in the State with the exception of a number of excluded risks. It then defines one of those as a risk relating to a building in the State. Will the Minister address the Homebond issue in this regard? He may be aware that householders will take to the streets tomorrow to protest outside Homebond's offices because it has opted out of its liability under a structural guarantee against major defects and has said it will not honour offers made to residents in that regard. Is this an insurance policy or not, given it was sold to people on that basis? Were people tricked into taking up this policy? Payments come out of the insurance compensation fund for insolvent insurers and, therefore, this issue is relevant.

People bought their houses in the belief that Homebond offered them a structural guarantee against major structural defects for ten years. The homeowner had no choice in that regard as he or she was obligated to go down that route. He or she did not have the option of choosing the insurance route. It was provided to the developer and the Irish Home Builders Association. It is a consequence of the light touch regulation that existed. The banks legitimised Homebond by mandating that people to whom they were giving loans had to have a Homebond guarantee before they were able to avail of the mortgage. Warnings were issued repeatedly from 2000 onwards that the company was significantly underinsured. The Law Society issued a warning in 2000 while Grant Thornton and others produced reports in which they warned the society that this was a potential major liability, yet nothing was done.

I would like the Minister to address this because between 30,000 and 50,000 houses have fallen victim to heave inducing pyrite, a defect that costs between €40,000 and €50,000 per household to repair. A claim would result in a liability of between €1 billion and €1.5 billion. If Homebond is deemed to be insolvent and the pre-2008 insured members are deemed liable for heave inducing pyrite resulting in major structural damage, who will pay the bill? Is the Minister exposing the State by bringing this under the insolvent insurers scheme? If not, why not? He can offer a compensation fund to Sean Quinn and his family to defray their gambling debts but the victims of Homebond who did nothing other than to buy a home in good faith that they thought was fit for purpose have to pay the cost of heave inducing pyrite. There is no compensation fund for them.

[Deputy Clare Daly.]

This more than anything else exposes the Government's record and the double standards it is applying. The Minister is rushing this legislation and that is not on. It will be exposed in the eyes of the public for what it is.

**Deputy Catherine Murphy:** When the debate concludes, there will still be many unanswered questions and that is a dangerous way to proceed. Bills will drop through people's letter boxes following the Bill's enactment with a levy on them. That will then result in the same reaction a similar measure produced in the 1980s. I recall the failure of PMPA and the constant reminders in my bank statements year after year that I was paying a levy to bail out a private company. The credit union movement has done good work assessing the amount of disposable income available to households. A significant number of households have a tiny amount of disposable income and they are cutting out costs such as home insurance. The difficulty is that a levy such as this will push those who are on the brink over the edge.

Individual policyholders will pay for this and I do not understand how history is repeating itself. I recently looked back over newspaper reports from the 1980s and 1990s. Reference was made to administrators and so on. A Fine Gael-Labour Party Government was in power in the mid-1990s and it is interesting that the Minister for Jobs, Enterprise and Innovation is present because his brother reported to the House on the issue at the time. The PMPA administrator estimated in 1994 that the company could cease to be dependent on the compensation fund based on an existing annual 2% levy within a certain number of years. Each family paid on average £100 in insurance levies. PMPA was estimated to have a shortfall of £200 million. Doing even a rough assessment one could say that over the lifetime of the levy fund for this insurance company alone it will be somewhere in the region of €400 per family. It was interesting that the Insurance Corporation of Ireland, ICI, liabilities were not known. So much of what is happening now is history repeating itself. Asked at a press conference if the State was not simply bailing out a private company, the then Minister for Finance, Mr. Dukes, stated that the Government was insuring against major disruption in the insurance market. The tone was the same against ICI in that if the Insurance Corporation of Ireland, a wholly owned subsidiary of Allied Irish Banks, had gone into liquidation, that could have had consequences for the bank itself. It is a pity it did not. They were saying that a bank would have an inability to borrow if it was exposed in this particular way and that if a wholly owned subsidiary of the bank collapsed, the terms on which the bank itself could then borrow money could be immediately affected. The same threatening language was used then in terms of trying to rush legislation through and creating a sense of fear and insecurity. Clearly, the workers in Quinn are being used as a softener to rush this Bill through the House to ensure there is some certainty about their jobs.

The key point is how this keeps happening. Why were there not adequate funds in this insurance fund? My understanding is that insurance companies employ actuaries who do assessments and make sure these things can be avoided, yet that industry is the one we are talking about.

Debate adjourned.

### **Private Members' Business**

#### **Employment and National Internship Scheme: Motion**

**Deputy John Halligan:** I move:

That Dáil Éireann:

recognises:

- the unacceptable fact that the current rate of unemployment is 14.5%;
- the crushing toll that persistent job losses, mounting unemployment and heightening emigration levels are having on ordinary Irish people and the desperate need for honesty when addressing this crisis and those affected by it; and
- the particularly devastating impact of recent job losses on areas such as Waterford City and County which have not only seen the direct impact of job losses due to closures of companies such as Waterford Crystal, the Iron Foundry, ABB Transformers, Teva Pharmaceuticals, GlaxoSmithKline and, most recently, TalkTalk but have also experienced the secondary impact that the removal of such vital industry has on surrounding and supporting industries;

condemns the present Government for:

- opting to make good the gambling debts of unguaranteed bondholders at a time when desperately-needed State funds should be invested aggressively in job stimulus initiatives;
- undermining the right of workers to a fair day's work for a fair day's pay with the introduction of a deeply flawed National Internship Scheme that allows employers to recruit often skilled, qualified and experienced individuals into entry and non-entry level positions which in no way, apart from their €50 per week rate of pay, bear any resemblance to an internship; and
- introducing a piecemeal and tokenistic jobs budget and initiative aimed more at producing headlines than creating true growth in employment levels; and

demands that the Government:

- restore the right of workers to a fair day's work for a fair day's pay by immediately addressing the deep flaws in the National Internship Scheme;
- return sanity to the commercial rental sector by eliminating the presence of upward-only rent reviews in the Irish economy;
- abandon its commitment to pay back the gambling debts of unguaranteed bondholders and instead use State funds to implement a truly effective jobs initiative that promotes education, training, entrepreneurship, meaningful support for the small and medium enterprises (SME) sector and the development of a genuinely 'smart economy'; and
- honestly deliver on its commitment to 'Get Ireland Working'.

I am sharing time with a number of Members from the Technical Group.

I did not get an opportunity last week to thank the Minister for his visit to Waterford in an attempt to try to stop the closure of TalkTalk. I genuinely mean that. I did not get an opportunity last week because before the Minister came into the House, I was turfed out of the Dáil for a week, as the Minister is probably aware.

On a serious matter, the latest report on the economy issued by accountants, Ernst & Young, states that it could be 2022 before employment regains even 2007 status. That is a fairly damn-

[Deputy John Halligan.]

ing report. It also states that 54% of all those out of work and without a decent income have been in that position for well over a year or more.

There has been a 170% increase in youth unemployment in the past two years and there is huge despondency among the youth. All one has to do is speak to youth organisations and read reports of those who deal with youths who are facing the terrible consequences of unemployment and not being able to be employed, despite whatever qualifications they might have. The latest statistics also show that only 20% of all FÁS trainees in the past two years have managed to get some form of work.

Whatever way the Minister looks at all these figures, which indicate that almost 500,000 people are unemployed, they are damning statistics, especially on the previous Government's policies, but they do not look too good for the current Government's policies in dealing with the huge unemployment levels. For instance, a report from the Society of St. Vincent de Paul stated that the vulnerable are on the verge of despair and that in 2010 it received a 35% increase in calls seeking its assistance. All such agencies go on in the same manner. Barnardos talks about increased sourcing of loans from loan sharks, more children going hungry or waiting longer for treatment for illness, and so on. I could go on. What it comes down to is that it is unsustainable to have almost 500,000 people on unemployment benefit.

Many of those job losses are a direct result of austerity measures put in place by the previous and current Governments. Further measures, and we are talking about cuts of €3.6 billion or even more, will further drive down spending and drive the economy further into recession, which will stop growth and inevitably lead to more job losses.

If we examine the current spending figure in this economy, we can see that hundreds of thousands of people are restricted in terms of spending because they have restricted power. I refer to people in low income groups, people on social welfare and so on who cannot spend into the economy and therefore cannot help the economy grow. Thousands of others are paying down debt. That is their first priority and therefore they cannot spend into the economy. Many who are able to spend into the economy, and the statistics show this, are saving because of an uncertain future. All of that is taking money out of circulation.

Does the Minister accept that if people do not spend and money is taken out of circulation, the consequence is that people earn less, buy less, products are not sold and this ultimately leads to job losses? That is evident in clear statistics which indicate that from 2010, almost 1,200 small business were deemed insolvent. Thousands more were shedding jobs, with thousands more close to the edge, so to speak. As people buy fewer commodities, all those companies let people go, and that is a consequence of reduced spending. Our argument is that we cannot reduce unemployment by curtailing spending. In fact, we will increase unemployment. That has been shown in economies throughout the world.

Regarding small businesses, all the evidence from the banks is that 50% of businesses were refused credit last year and the year before by banks who could have kept people in jobs. That is in spite of all the promises the Government made and commitments made by the banks.

Surely sound economics at this stage would be to encourage people to spend and not to cut. That generates growth, encourages people to spend in the economy and creates jobs, which will take people off unemployment benefit and reduce the billions of euro we are paying out on unemployment benefit.

The Minister's answer to this is, for instance, the speculative cuts in overtime and anti-social working hours. The Minister made an announcement some months ago and as a result, 240,000 low paid workers in industries such as hospitality, cleaning, agriculture, hairdressing and so on will face pay reductions. Their working rates and overtime rates will be cut. They will not get

the full rate for the anti-social hours they work. The Minister announced that he was reversing the €1 in the national minimum wage. All that will do is drive down spending.

The Minister's answer to this problem is the internship scheme, which is deeply flawed. It undermines the rights of workers to a fair day's pay for a fair day's work. No one will tell me that this scheme will not be used to employ part-time workers instead of employing full-time workers. Why would they not take someone off social welfare and give them €50 and perhaps later let a full-time worker go? There is no question that this will happen, and there is some evidence that it is happening already.

On the Minister's job creation proposal, 20% of people who did FÁS courses last year barely got any sort of employment. People do not want schemes. They have enough schemes. They are looking for full-time jobs. It is a question of value for money with FÁS. It must be remembered that it spent €645,000 on junkets some years ago. That is what it did with some of the money we put into it.

What are the alternatives? It costs in excess of €20,000 per year to keep someone on social welfare. Over three years, it could cost the Government €80,000, given the cost of statutory redundancy, stamps, social welfare, fuel allowance, medical cards and so on. The programme for Government states:

Job creation is central to any recovery strategy. Every person who leaves the dole and goes back to work reduces the deficit by an estimated €20,000, spends on average an additional €15,000 on goods and services and also reduces the risk on the banks' mortgage books.

That is pure and simple. Is there no thinking outside the box? Why can we not use that money to take people off unemployment, perhaps by giving it to a small business to enable it to sponsor a worker? That is one way of reducing the deficit.

The Minister for Finance astonished and to some degree confused people a couple of months ago when he urged people to spend to help the economy grow. That is what we are proposing tonight, and other Deputies will discuss how we should create jobs and so on. No economy will grow by cutting. We have to urge people to spend, and we can only get them to do that by giving them a decent wage so they have spending power in the economy. We can then reduce unemployment rates substantially. We must remember that keeping someone in unemployment costs €35,000 a year- I put the Government's own figure to the Minister again. That does not make sense to me.

**Deputy Mick Wallace:** I am fairly certain that the Minister understands that business requires investment and stimulus if it is to thrive. That is its nature. I was in business for 30 years — I am still in it, just about — and I know it is difficult to function without access to money. We all agree that the lack of jobs is a major problem. When I hear the Government say that one of its primary aims is to create jobs, I am glad to hear it. I cannot see how austerity will create jobs, and if we continue being dictated to by Europe, I do not think things will change much. We all know that unemployment causes huge social problems and that we get a poor economic return from it. There are problems with it right across the board. The Government's initiative of reducing VAT for the catering industry gave it a big boost. I can tell the Minister that from having the wine bars. It has been a huge help in the past few months and it has really made a difference. That stimulus measure is to be welcomed because it is positive, but the general theme from the Government and the previous Government has been the opposite. Austerity is the opposite to stimulus and investment.

[Deputy Mick Wallace.]

A fellow called Dave Kohlbeck asked to meet me recently. He has a company called Cleanair Products Limited. He initially worked for a multinational company so he has access to export markets. He is into anti-allergy bedding, which sounds unusual, but seemingly there is a good market for it. It helps with dust mite allergies, asthma and other sinus problems. He came up with a business plan. All he needed was a loan of €40,000 and he promised to employ six people in the first year and ten people within three years. He went to the credit union first, thinking it would be his best bet, and it was really impressed. It said that it really liked his business plan but the regulator has stopped it giving money to businesspeople for the moment. He told me that some credit unions are being allowed to do that but some are not. I do not understand that and I have not had a chance to look into it. Next, he went to AIB and Bank of Ireland, but they could not even tell him why they were refusing him. That will not be a shock to any of us, because we know the banks are more or less closed when it comes to lending to business. He went to the South-East Enterprise Platform Programme and the people there were positive and helpful, but they had no money to give him. All the avenues are closed to him. I do not know what he is going to do. He is putting the small amount of savings he had from his last job into trying to put his company on a level where he can look ahead and start to develop the business. He has invested his own money in it, but he needs the €40,000 to get it off the ground and make it work. I do not see how the country will recover if we do not help people like this guy, who is prepared to stick his neck out, be entrepreneurial and go for it. He is full of beans and really energetic. The State has to see that it is in its interests to give such people a leg up.

Unfortunately, many people are suffering because of the austerity they are experiencing, especially the less well off in society, who are certainly feeling the most pain. I understand the Government's actions are being dictated very much by European policy, but it can make some decisions. Sadly, it has decided to accept lock, stock and barrel what the Europeans are throwing at us. I have always been pro-European, but I have been following what is happening in Europe very closely for the past few years and I am not so sure any more. Europe was a great thing for us, but I am not sure that will continue. I am not convinced it will survive in its current form because it has become so big and powerful — it has become problematic and unmanageable. Listening to what the Germans have to say, I think they are coming to the same conclusion.

I will read from a good article by Paul Kingsnorth in *The Guardian* on 25 September. He looks back on a book written 50 years ago by a fellow called Kohr, and he also quotes the book. It is difficult to believe it was written 50 years ago:

Drawing from history, Kohr demonstrated that when people have too much power, under any system or none, they abuse it. The task, therefore, was to limit the amount of power that any individual, organisation or government could get its hands on. The solution to the world's problems was not more unity but more division. The world should be broken up into small states, roughly equivalent in size and power, which would be able to limit the growth and thus domination of any one unit. Small states and small economies were more flexible, more able to weather economic storms, less capable of waging serious wars, and more accountable to their people. Not only that, but they were more creative...

Bigness, predicted Kohr, could only lead to more bigness, for “whatever outgrows certain limits begins to suffer from the irrepressible problem of unmanageable proportions”. Beyond those limits it was forced to accumulate more power in order to manage the power it already had. Growth would become cancerous and unstoppable, until there was only one possible endpoint: collapse.

We have now reached the point that Kohr warned about over half a century ago: the point where “instead of growth serving life, life must now serve growth, perverting the very purpose of existence”. Kohr’s “crisis of bigness” is upon us and, true to form, we are scrabbling to tackle it with more of the same: closer fiscal unions, tighter global governance ... more economic growth. Big, it seems, is as beautiful as ever to those who have the unenviable task of keeping the growth machine going.

This shouldn’t surprise us. It didn’t surprise Kohr, who, unlike some of his utopian critics, never confused a desire for radical change with the likelihood of it actually happening. Instead, his downbeat but refreshingly honest conclusion was that, like a dying star, the gigantist global system would in the end fall in on itself, and the whole cycle of growth would begin all over again.

**Deputy Thomas Pringle:** I welcome the opportunity to speak on the Private Members’ motion on behalf of the Technical Group. It is a worthwhile and timely motion, coming against a background where we are rapidly approaching 500,000 people unemployed, with companies like TalkTalk moving abroad to low cost economies, doing what multinationals do, spending time here before moving on to where they can make even more profit.

We will probably be accused during the debate on the motion of not coming up with ideas or proposals for how we can create jobs. I will use my time tonight to give three examples that can make significant change and could be policies the Government could pursue at very little cost and that would create confidence in the economy and perhaps encourage people to create jobs, shrinking the dole queues instead of growing them. There is no doubt that the current path, where we insist on paying back unguaranteed bondholders and doing what the EU-IMF tells us, will lead to longer dole queues.

We should encourage people to set up businesses and work on their own. I come from a region in the north west where one in five people at work is self-employed. During the election and since, we have all met with self-employed people who now have no work but are not entitled to any benefits under the social welfare system. The Government should change the PRSI regulations to allow self-employed workers to pay an extra PRSI contribution that would eventually entitle them to jobseeker’s benefit if they end up unemployed. This would be a compulsory measure and would be self-financing because there would be a lead in time before people are entitled to benefit. Ordinary PAYE workers must have 52 contributions in the previous two years before they are entitled to any benefit. The self-employed who pay into this system would take time to accrue the benefit and if they then needed the benefit, it would be self-financing or, at most, at a very low cost to the Exchequer. The self-employed already pay a contribution but it should be doubled from 3% to 5% or 6% and made compulsory. There is already a voluntary scheme in place for the self-employed to pay extra contribution, but very few avail of it. When things are going well people do not think something will go wrong and they will need something to fall back on. By changing the PRSI contribution system, we could create a limited safety net for those who take the step to create a job for themselves. We could also put in a place a system where those self-employed who employ more people could pay a reduced personal rate, encouraging them to take people on and leading to employment growth. That system would go a long way to creating confidence and boosting small businesses, reducing the dole queues and stimulating the economy.

A study entitled “Creative Edge” was carried out by the Western Development Commission, looking at the seven north-western counties, including Donegal. It has shown that by helping creative companies in the north-west region to export their services and products, 17,000 jobs could be created. All it takes is for Enterprise Ireland, the IDA and the other State agencies



[Deputy Thomas Pringle.]

to work with those companies to show them how to export their services. This scheme would not need internship programmes where people provide free labour; it would simply show these companies how to develop their businesses, creating 17,000 jobs in the north west alone, not to mention the impact such a scheme would have on a country-wide basis.

We could also develop a wood for energy and home heating industry. Already people are working in this area and we have all the necessary natural resources. We do not need subsidies, we simply need to show people this can be done. Projects are already under way that demonstrate how this can be developed. The Western Development Commission has estimated upwards of 1,000 jobs could be created in the western region by developing supply chains and the industry. It would also have the added benefit of offsetting imports of home heating oil. We import €1 billion worth of home heating oil but we produce five times more wood and biomass than we would need to heat the entire country. By expanding this area we would develop an indigenous industry, improve the balance of payments and move away from oil dependency while creating more jobs.

Some of these ideas would provide stimulus for the economy, producing jobs at very little cost, with no need for fanfare about internship programmes or fancy announcements about 100 jobs here or there. Instead, in every community across the State we would create five or six new jobs, providing a boost to the economy throughout the country. I ask the Minister to take these ideas on board and bring them to fruition. He has the ability and the tools to do it and it would be to all our benefit.

**Deputy Mattie McGrath:** I also welcome the opportunity to contribute to this important motion and I compliment my colleagues on putting it together. I also am glad the Minister is here because I know he is interested in and concerned about the blockages that stop companies from taking people on or that stop people from working.

As a small businessman, I know every small business would take on one or two more people if they were encouraged. That would make huge inroads into the dole queues. Unemployment leads to utter devastation, with 95% of people only wanting to do a decent day's work for a decent day's pay to provide for their families. We all hear stories about fraud and how much money unemployed people are getting. Those on middle income are getting more frustrated. I have personal experience of people going on a three day week and finding the system immediately favours them. They get six days pay for a three day week and get three days social welfare. That anomaly should be dealt with. That is bad enough but then there are all the bonuses the person in employment does not get, all those fringe benefits for those on low incomes. I know of companies who let workers go on a three day week after 25 years working with them and when the work picked up, they did not want to come back because the other system suited them. It favours the black economy because they will do nixers or work for €100 cash. That is a complete blockage and I ask the Minister to check that.

TalkTalk treated the workforce and the State agencies disgracefully. Those were all IDA-led jobs. Earlier we were debating the Bill that is being rushed through to protect Quinn Insurance. This will cost between €700 million and €850 million. We had to save the jobs but 1,500 jobs divided by that sort of money is costing a lot. That is not the end of it; there will be further austerity as John Citizen is forced to pay a levy on every insurance policy.

This is a further punitive measure that will stymie businesses which, as the Minister knows, are on their knees. They cannot take that kind of increase. Where is the wisdom in putting that kind of money into shoring up a disgraced bank? I still have an interest in it. Bondholders are

still being protected. A rich-picking insurance company has seen the success of Quinn Insurance and wants that part of the company. Anyone can see through that.

An EU fund was available to help redundant Dell workers. We have a huge inability to change the system, which should be caught by the scruff of the neck and shaken. I heard an official from a State agency today who was unable to answer questions as to why that fund was not drawn down and how so few people set up as self-employed. The questions were left for someone else to answer. It is an outright disgrace to give that kind of money to create 250 jobs. I compliment agencies on creating jobs but that is not a good return on State spending. Departments and agencies are not pulling their weight.

We got carried away in the good times. Social partnership drove business out of the country. That is why TalkTalk and other companies are leaving.

I did not support the cut in the minimum wage and I compliment the Government on restoring it. It must be viable for someone to go to work. It costs money to go to work.

We must cut out red tape. This is not happening because vested interests have their hands clasped around those interests. The Health and Safety Authority, the National Employment Rights Authority, NERA, and agency after agency which have chief executives and regional offices throughout the country are a crying disgrace. Instead of walking into business premises, flashing cards and telling employers that employees should be paid one rate five minutes before midnight and a different rate five minutes after midnight, NERA should offer help. The agency should be renamed the national employers and employees support agency. We do not need another quango to frighten the life out of businesses. We need a change of attitude from top to bottom. The people who manage these agencies are not in the real world.

We have too much legislation. Employees' rights legislation was introduced in the 1950s, when it was badly needed. Since then, however, we added more levels on top of the original legislation. Any self-employed person who employs six people will need a book-keeper and someone to manage the various regulations and agencies.

We need employment stimulus. Most business people start small. *Tosach maith leath na hoibre*. Anyone who starts a business must have vision and passion. Many small businesses have gone to the wall because we did not have a proper construction Bill. When big companies went out of business there was no protection for the small firms, who were not paid. Human tragedies resulted from that. When a small firm goes out of business the employees get unemployment benefit, and rightly so, but the employer gets nothing. How will such small employers find the courage to start up again? They have ideas but they cannot get a shilling from the banks. This and the previous Government produced plans and reports on how much they would spend on job creation. The banks do not have the money, or if they do they are not lending it. Something must be done about this. Why would a person with initiative and ideas face the ordeal of setting up a business again? He or she would be persecuted by many of the State agencies. Why would a self-employed person who was forced to close through no fault of his or her own start again? If we kill initiative we will take a long time to develop it again.

We must focus on keeping the jobs we have. We must stop the haemorrhage, cut out the red tape and encourage people rather than discourage them on a daily basis. Small business people are frustrated, blackguarded and not supported in a meaningful way. I am not looking for special favours. I am simply asking that people with initiative be allowed to carry on, grow their companies and create better employment. Most business people value their workers and treat them properly. In that way they create a better rapport. Everything is better when people are happy working together and driving forward.

[Deputy Mattie McGrath.]

It was heartening to be at the ploughing championships last week and to see the farming industry, which has come out of a huge depression, buoyant and in good form and about to spend, if farmers can get the money. Finance is the big problem.

The Minister knows my views. I appeal to him to release the shackles on enterprise and cut out at least half of the red tape.

**Deputy Richard Boyd Barrett:** I suspect that the Minister would agree that unemployment, particularly at the levels we are now witnessing, is unacceptable and that it must be everyone's priority to do something about it. It is demoralising for people who were working and who want to work to find themselves dependent on social welfare and with no prospects of getting back to work. They face the difficulty of meeting mortgage repayments, paying bills and trying to live a dignified existence, but they also face the demoralisation of not working. Unemployment will create a social cost if we do not deal with the problem quickly. We are all familiar with what mass unemployment over a long period led to in the 1980s, when serious damage was done to communities across this city and the entire country. We all understand that and how urgent it is to deal with it. Any talk of success, improvement, recovery or being on the right track means very little if we do not address that problem quickly.

I am sure the Minister would also agree that getting people back to work has to be central to any sustainable economic strategy. One cannot grow an economy with this number of people unemployed and dependent on social welfare, considering its cost to the Exchequer.

The strategy employed by the Government, the European Union and the International Monetary Fund, if I understand it correctly, is the following. We nurse the banks back to health. We need them because, no matter how awful they were or how badly they misbehaved, without them we cannot get credit back into the economy. We must accept this necessary evil of nursing them back to health. We must cut costs in order to make ourselves competitive, grow exports and get ourselves out of the mess we are in. That seems to be the strategy being articulated by the Government for dealing with the current economic crisis, but there is a major flaw in the logic of this strategy.

It is apparent if one looks at the effect of the austerity strategy over the last couple of years. Things have not got better. They have got worse on all those fronts. The focus on nursing the banks back to health has not produced a release of credit into the economy. We can all see this. No money is going from the banks into small businesses, despite our huge efforts to recapitalise the banks and nurse them back to health and the enormous austerity people have had to suffer to do this.

Unemployment has not got better. It has got worse. There is no sign of significant economic growth. There has been a small improvement in the export situation but, given the contraction in the rest of the economy, exports are too small a proportion of our economy to drag the country out of recession or to make up the ground necessary to get all those people back to work.

The view that the current strategy is not working is not coming only from the Technical Group or from the left, or even the extreme left or whatever term is used to ridicule us. The UN Conference on Trade and Development produced a report in the last couple of weeks. It states:

A shift from fiscal stimulus towards fiscal tightening is self-defeating, especially in the most developed economies which were severely hit by the financial crisis. In such a situation a restricted fiscal policy may reduce GDP growth and fiscal revenues and is, therefore, counter-productive in terms of fiscal consolidation.

It goes on to say that the fiscal imbalances were not a driving factor of the current crisis rather, they were a result of the crisis. Getting the books balanced is not the issue because the books are unbalanced because of the financial crisis. It further states that public bail-outs of financial institutions accounted for a large portion of the deficit, reflecting a conversion from private into public debt.

The UN is saying that it was not profligacy in public spending that created the deficit rather, it was the taking on of the private debts of the bankers. It states public opinion and policy makers should not trust again those institutions, including rating agencies, to judge what constitutes sound macro-economic policies and management of public finances. The reduction in growth promoting fiscal expenditure may lead to a decline in future Government revenues that would be larger than the fiscal savings obtained by retrenchment, with negative consequences for long term fiscal and debt sustainability.

**An Leas-Cheann Comhairle:** The Deputy has two minutes remaining.

**Deputy Richard Boyd Barrett:** The UN states that, as an alternative, increases in spending on infrastructure, social transfers or targeted subsidies for private investors tend to be more effective in stimulating the economy because they directly lead to job creation, purchases and demand.

The argument for stimulus and investment rather than austerity and a focus on bailing out the banks is being put forward by the UN. It is also put forward in today's *The Irish Times* by Mr. Paul Krugman, one of the most prominent economists in the world. I do not understand why the Government, EU authorities or IMF will not even debate this alternative strategy given the obvious failures of the strategy of austerity and bank bail-outs.

The Minister may say that we have no choice because we are a small economy that is bankrupt and dependent on EU money and that even if the Government agreed with me or with this analysis of the UN there is nothing we can do about it. I put it to the Minister that there is. The Minister, Deputy Howlin, told us recently that our deficit is €15 billion. He said that if we do not do what the EU tells us we will be left with a deficit of €15 billion. The Minister accepted that the €15 billion includes the interest repayments on the loans, which on an annual basis is roughly about €4 billion or €5 billion, leaving a deficit of approximately €10 billion or €11 billion. If one considers that our social welfare budget is approximately €21 billion, it would be reasonable to suggest that half of that results from people who are unemployed but do not want to be unemployed. It is costing us €20,000 per person to keep people on the dole doing nothing when they want to work.

**An Leas-Cheann Comhairle:** I must ask the Deputy to conclude.

**Deputy Richard Boyd Barrett:** In other words, the €10 billion could be achieved if we put people back to work. That is the reason we have a deficit. I am not suggesting people should work for their dole payments. Clearly, they must be given better wages than that but the extra money could be, for example, made up from the remaining €5 billion in the National Pensions Reserve Fund or by putting a small tax on the super wealthy. If we combine this with the current social welfare budget we could put people back to work doing things such as developing the agri-food sector, sustainable energy, generic medicines and the vital infrastructure of the country. Why can we not try that approach?

**An Leas-Cheann Comhairle:** I thank Deputy Boyd Barrett for his contribution.

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** I move amendment No. 2:

[Deputy Richard Bruton.]

- To delete all words after “Dáil Éireann” and substitute the following:
  - “recognises:
    - the difficulties faced by many individuals and families as a result of job losses in the current economic climate;
    - the need to continue to take concerted action to reduce the unemployment rate of 14.2%, which is a legacy of the incorrect policies pursued over the last number of years by previous Governments; and
    - that, notwithstanding recent improvements in the competitiveness of the Irish economy, further measures need to be taken to support economic recovery;

commends the Government for:

- the strong and decisive actions and policies which are designed to restore sustainable economic growth and job creation capacity to the economy as soon as possible;
- the measures announced in the Jobs Initiative to stimulate the domestic economy, including the reduction in the lower rate of VAT, the halving of PRSI on jobs paying up to €356 per week and investment in labour intensive local capital projects such as school works, investment in local and regional roads and home energy efficiency;
- the further measures taken in the Jobs Initiative to provide an additional 20,900 places in training, education and work experience programmes;
- the creation of the National Internship Scheme, ‘JobBridge’, which is aimed at providing work experience and training in enterprises for people who have been on the Live Register for 3 months or more and the success of the scheme to date, which has placed over 1,400 interns since 1st July of this year;
- the importance of continuing policies to support our enterprise culture to provide investors with confidence, encourage growth in the economy and promote further foreign direct investment and the growth of indigenous businesses;
- the work underway within Government in relation to increasing access to credit for viable businesses, in particular through the recapitalisation of the banks, the development of a partial credit guarantee scheme and the establishment of a microfinance fund for start-up businesses;
- implementing policies to stimulate the development of new business and facilitate the retention of jobs and expansion of existing companies through the ongoing work of the enterprise agencies;
- the stronger focus on strategies to promote exports and assist Irish based businesses to compete on global markets;
- its support for the development of a more dynamic venture capital industry through the implementation of Innovation Fund Ireland; and
- pursuing policies to ensure restoration of overall economic competitiveness, including through the commitment to legislate to end upward-only rent reviews for existing business leases, reforming the Joint Labour Committees (JLC) system of wage settle-

ment, to legislate to tackle legal costs, and to implement the findings of the Local Government Efficiency Review Group;

notes the continuing impact of these policies reflected in:

- strong export performance and our highest ever trade surplus;
- the creation of new jobs in companies such as Twitter, Bioware Studio, Coca Cola, Arvato and others; and
- increased tourist activity; and

encourages the Government to continue to develop the employment strategies as outlined in the Programme for Government.”.

I wish to share time with Deputies Olivia Mitchell, Gerald Nash, Paudie Coffey and Jim Daly.

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

**Deputy Richard Bruton:** I thank the Deputies who tabled this motion, on which we have heard an interesting range of contributions. It would be impossible to do justice to all that people have said.

As pointed out by Deputy Halligan, it must be recognised that the Government inherited an appalling situation from the previous Government. We are spending 40% more than we are raising in revenue. That is the reason we do not have options involving an easy fiscal stimulus. We are already spending vastly more than we take in. We cannot borrow from anywhere but one source, namely, the EU and IMF. The previous Government’s policy resulted in the collapse of the banks and public finances, the loss of 350,000 jobs and a collapse in our competitiveness. Previously, we were the fourth most competitive economy. We have now slumped to 29th position. We lost 31% in our cost competitiveness in export markets. For six years in a row, we lost export market share. That is the recipe of economic collapse created by the previous Government and inherited by this Government.

There has been a decisive shift in emphasis. This Government has not been all about nursing along the bad loans of the past or about fixing the public finances. The first action of this Government was a decisive shift in the tone and direction of debate through the introduction of a jobs initiative. Deputy Wallace acknowledged that the VAT cut has had an impact. Other people have told me the PRSI cut has also had an impact. Despite the criticism of JobBridge, 4,000 employers are now offering quality employment. I recently visited VMware in Cork, a significant multinational company which is not alone taking on people from this scheme but is investing €15,000 of its own money in training them. This should, because of the nature of the enterprise — cloud computing — guarantee them a job either with VMware or another company.

It is not true to say that this Government has been continuing on with what the previous Government did. We have restructured the banks. We have created pillar banks that have loan to deposit ratios, that are recapitalised and are in a position to lend. However, as Deputy Wallace said, that does not mean they are lending. We are confronting that issue, in part by setting targets, which, disappointingly, the banks have not been hitting, and by deliberate interventions. We will shortly be producing a temporary partial loan guarantee scheme to address the type of needs referred to by Deputy Wallace, namely, the person trying to set up a business but who cannot get €40,000 to do so. This scheme will not be finalised until later in the year. The constituent to whom Deputy Wallace referred could have gone to the credit review office of John Trethowan who is overturning half of the banks’ decisions in respect of

[Deputy Richard Bruton.]

loan refusal in such situations. There is a need to confront the banks. Deputy Wallace or others should advise the person concerned to do that.

We will also shortly be introducing a micro-finance scheme which will be open to small start-ups who cannot get access to funding. Micro-finance is available in most European countries but not in Ireland. It will fill a gap. There are continuing problems in terms of people accessing credit, which we need to address and in respect of which we need to develop a policy. We are only six months in office. The banks have been cleansed of much of the material that needed to be disposed of, namely, external overseas loans. We now need to manage our banking system into a position whereby it can lend leading to export-led recovery.

I recently visited the United States. Bankers there often refer to themselves as bankers whose expertise is in lending into the green economy. These banks specialise in that area, know how the sector works, understand the dynamic of it and invest in and lend to companies that can build a future in that area. We do not have that level of expertise or hands-on ability within our banking structure. We will have to rebuild that. That is part of the transformation that has to happen if we are to have a banking system that is fit to drive a small open economy seeking to expand its export performance.

A number of speakers said that this Government is all about cutting costs. Governments do not create jobs. We need long-term viable enterprises to create sustainable jobs. When a Government spends 40% more than it raises in revenue, it is not in a position to put people back to work through massive spending schemes, as suggested by Deputy Boyd Barrett. Such an option is not at the disposal of a Government that has had to go to the lender of last resort to keep the show on the road.

Instead, we must concentrate on how we can build a strong export-led recovery and confidence in our economy so that those who could invest will invest in it. This is the challenge we face. The first step is to get cost competitive. Anyone who pretends Ireland is sufficiently cost competitive is fooling himself. The National Competitiveness Council has stated that in business costs such as water and waste Ireland is one of the most expensive countries. A heap of services, many of which are provided by the public sector, need to become competitive.

A change in this regard is starting, nonetheless. The National Competitiveness Council reported recently costs are improving with Ireland now 10% more competitive than it was two years ago. A turnaround is happening with exports strong over the past two years and market share is being rebuilt by young dynamic companies. There was an increase of 50% in the number employed in high potential start-up companies supported by Enterprise Ireland in the first half of this year.

While the Deputies opposite might be right in claiming the jobs initiative is not enough to restore full employment, this is all about rebuilding confidence in the economy. Other countries will admit Ireland is confronting its public finances. The Government has renegotiated the bailout deal with the EU which makes the debt sustainability much stronger as we are not paying exorbitant interest rates for the moneys on which we rely. The most creative and dynamic multinationals are choosing Ireland as the place to do business, as seen in yesterday's jobs announcement from Twitter and today's from Dun and Bradstreet.

I share Deputy Pringle's concern that Irish companies are not sufficiently accessing new export markets. Returning to the Department after 14 years, I was disappointed to learn the share of Irish indigenous exports has not increased since 1997, remaining at 10% of total exports. We need to drive these companies. This will involve securing finance for them so they do not have to sell off because they have hit their ceiling and cannot expand.

I am not understating the scale of the challenge that faces us. I agree with Deputy Boyd Barrett that as a society we must decide employment is our priority. It will, however, be driven by enterprise and not a free-spending strategy from the Government. We cannot afford such a scheme in the first place and in any event they tend not to work. We must rebuild a strong enterprise economy that is more creative, competitive and effective in winning and opening markets. The Tánaiste and Minister for Foreign Affairs is addressing these areas. The Ministers of State at my Department, Deputies Perry and Sherlock, are focusing on small business and innovation. I believe, with much effort and patience, we can turn this economy around. We can create the strategy to change the economy around, one based on prudent management of our resources, a willingness to reform the way public resources are managed and driving enterprise and creativity through every sector.

**Deputy Olivia Mitchell:** Unemployment must be the major issue of concern for all Members. It is somewhat unfair that this motion refers to the jobs initiative as tokenistic. I cannot see what is tokenistic about a major reduction in VAT and PRSI rates for employers of low-paid workers. I doubt those paying for these tax cuts through the levy on their pensions would regard it as tokenistic either. The results from the initiative have also been promising which validate its direction and target. In the hospitality sector, the falling costs in VAT, PRSI and changes to the wage-setting mechanisms have resulted in a reduction in prices charged and, accordingly, an increase in tourists visiting Ireland. In the restaurant industry alone, it was recently announced it saw an increase of 500 jobs in just two months. Exports have grown, particularly in the high-value food area. This is all being underpinned by the drive to contain and reduce business costs.

I accept the motion's point that unemployment is our largest challenge as it is a real economic tragedy. If we do not stabilise the downward trend in employment, the reduction in spending power in the economy will simply reinforce this downward spiral. An unemployment rate at 14% means no family has been unaffected by the demoralising effect of unemployment.

Our economic recovery depends on a world recovery and Ireland being competitive enough to sell into that world. Regarding the latter, it is acknowledged Ireland has made progress in driving down costs. While achieving a world recovery is not in our control, preventing one is. The world financial crisis is at its most acute with market sentiment fragile and near to imploding. The last thing Ireland wants to do is be a catalyst for causing such an implosion. That is why I am surprised Members opposite call for burning the unguaranteed bondholders. I dearly wish when the bank guarantee was given in 2008 and when Anglo Irish Bank was nationalised in 2009, a stand had been taken to distance taxpayers from responsibility for those unguaranteed bonds. No one lobbied harder than Fine Gael to make that stand. However, conditions have changed. Ireland is in a bailout situation, a bankrupt country dependent on the lender of last resort as the Minister stated earlier. There are conditions to the bailout which must be observed even though we may not like them. Now, with the financial markets in such a fragile state, is not the time to renegotiate this. It is irresponsible to talk about burning the bondholders when one sees the contagion effect of a possible French bank meltdown arising from the recent suggestion that Greece may default.

Deputy Pringle referred to changes to the PRSI arrangements for self-employed people who lose their business. They must be afforded protection under the social welfare system. The JobBridge programme needs to be amended to cater for young graduates. Originally, the GradLink programme was to be incorporated into the internship programme, but few young graduates are eligible for the latter. We cannot forget about them and I would like to see the programme tweaked to allow some of them to avail of it. Young graduates, particularly science



[Deputy Olivia Mitchell.]

graduates, lose their skills quickly if they are not employed. Worse yet, they could emigrate. We cannot afford to lose them.

**Deputy Gerald Nash:** I welcome the opportunity to respond to the motion. The second paragraph lays an implicit charge of dishonesty at the Government's door. Even on a cursory analysis, this charge does not amount to much. It is more of the unfortunate, empty rhetoric and bogus claims we have come to expect from Members on the benches opposite, albeit with some notable exceptions.

From day one of this national Government, we have all set about the task of dragging the country out of the mire, as the Minister correctly stated. We have been up front and honest with the people about the scale of the challenge ahead. We have rolled up our sleeves and got stuck into the business of getting Ireland back to work. As we all know only too well, people have suffered from the recklessness of the banks egged on by successive Fianna Fáil Administrations. It is every Member's job to get the country back on its feet.

As Deputy Mitchell stated, the jobs initiative, the targeted cut in VAT rates and the decrease in PRSI charged on employers have led to shoots of recovery in, for example, the tourism market. Lest we forget, the number of visits jumped by more than 9% between May and July. GDP expanded by 1.6% in the second quarter of the year. An even stronger increase has been recorded on an annual basis. Taken with the first quarter's figures, last week's data show that a recovery is under way.

We extracted over the course of several weeks a significant saving on the bad bailout deal surrendered by the former Government last year, yet this annual saving of several hundred million euro to the people we all represent does not attract a mere mention from the Opposition. Everyday we battle to restore Ireland's reputation internationally. Arguably, this is working well. For example, last week Reuters stated: "Irish GDP jump offers rare euro zone bright spot". Last Friday, David Cottle of *The Wallstreet Journal* wrote: "Ireland achieving quiet success". The day before in the same newspaper, Eamon Quinn wrote: "Celtic Tiger purrs". These headlines were unimaginable a short six months ago.

Lest we need to be reminded, our sovereignty was pawned off less than a year ago. We are in what amounts to a wartime situation. We need more of the Churchillian spirit.

**Deputy Peter Mathews:** Hear, hear.

**Deputy Gerald Nash:** What we get from the Members opposite is more akin to the constant cries of "We are doomed" by Private Frazer in "Dad's Army". I accept that the Opposition has a duty to perform. All I ask is that it do so constructively and honestly. Even a cursory perusal of the motion leads me to the sad conclusion that a large number of Members on the benches opposite, with some exceptions, inhabit what I would charitably call a solution-free zone. I do not doubt for one minute that Deputy Boyd Barrett and his colleagues are all concerned with the crisis of joblessness, but the 460,000 plus people who are out of work demand a sustainable recovery, sustainable jobs and realistic solutions to the problems they face. Many Deputies agree that none of the empty rhetoric in the House to date and in the coming weeks and months will pay the bills or feed the families of the people we represent.

**Deputy Paudie Coffey:** I welcome the opportunity to contribute on the Technical Group's important debate on unemployment levels. I respect the views of every Deputy, as every view is worth consideration, but we must propose realistic solutions.

I will correct the motion's flawed wording. For example, it names Waterford companies. While they have suffered job losses, not all of them have closed, which is contrary to what is

stated in the motion. Waterford Iron Foundry is now Waterford Stanley and employs 120 people in the city. There is a great deal of spin-off employment in the various stores it supplies. My brother lost his job at Teva Pharmaceuticals last January, but it continues to employ 415 people in the city. The motion refers to the company as being closed. Despite the more than 200 redundancies at GlaxoSmithKline in Dungarvan, it still employs 570 people and maintains a presence in the constituency. While there have been a number of job losses in those companies, they have restructured. It is important that the Government does everything within its power to ensure that the remaining jobs are protected. Job protection is now as important as job creation.

The motion contains flaws. I am also disappointed by the small number of constructive proposals it contains. A negative motion, it offers no solutions to unemployment and takes cheap shots at the national internship scheme and the jobs initiative, which are getting people off the live register and returning young people to employment where they can gain experience that will stand to them and keep them in the workplace for the near future.

There is no magic solution to the problems we face. We must be realistic, accept that the country is on its knees and put our shoulders to the wheel to ensure it can recover and get back on its feet. The Government has inherited an economic mess. The legacy of Fianna Fáil Governments sees Ireland with unprecedented levels of indebtedness, a property bubble propagated by reckless policies, an unregulated banking sector and the erosion of competitiveness by unsustainable policies. Consequently, our international reputation has been destroyed. One of the first actions by the Government upon taking office was to get out there internationally to try to restore our reputation. We are beginning to see positive results.

In the mid to late 1990s when Fine Gael and the Labour Party were last in government, we were creating 1,000 jobs per week. We need to revert to the fundamental policies of job creation, sustainable employment and competitiveness. Unless we do so, nothing good will come of rewinding the clock two or three years to a false economy dependent on people selling properties to one another. Our economy has an annual deficit of €19 billion. We have a job to do and will do it with a social conscience to lessen the impact as much as possible. However, we need to balance our books and prove to international investors that we can do so. We need to regain control of our finances.

Last week, I attended an event at Merck Sharp & Dohme. It has made an additional €100 million investment in research and development. I was told by its general manager that, of the five pharmaceuticals it was developing globally, three were being developed between Clonmel, Waterford and Ballydine. Two were for insomnia and the third was for diabetes. Research and development is the type of sustainable employment that we need to encourage.

Recently, Bausch & Lomb invested more than €100 million in its plant in Waterford city. Genzyme, a pharmaceutical company employing more than 500 people, is celebrating ten years in the city and will invest more than €125 million in its expansion. Boston Scientific in the south east employs 575 people and is making an investment of €26 million.

Many Members of the Technical Group proposed in their election manifestos to raise corporation tax rates. If we did so, we could not sustain these levels of employment in large companies in the south east. We would drive many of those companies and jobs out of the country. Our proposals need to be realistic.

I welcome the attendance of the Minister of State, Deputy Perry. Small and medium-sized enterprises, supporting enterprises, research and development, innovation and indigenous industries, the potential of the agrifood sector and food sciences and exporting our expertise in these areas can be exploited to the full. We do not need to return to where we were two or

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three years ago. We need to return to where we were in the mid to late 1990s when we were creating sustainable jobs on a weekly basis and when our economy's fundamentals were sound.

**Deputy Jim Daly:** I welcome this timely assessment of and opportunity for reflection on the Government's record to date. It challenges the record of our first six months in government, from what we have done to what some Independents perceive we have not done. Anyone who makes an honest assessment of the economy recognises the need for growth, as it is the only means of establishing stability, creating jobs and, in turn, repaying our debts.

If we cannot achieve economic growth, we will fail miserably in our objectives, as set out. Anything else is only a distraction from the truth and is not worthy of much further comment. The Government's record, as outlined by the Minister and others, stands on its own and does not need to be reinforced by me.

I take issue with the condemnation of the present Government. The motion condemns the "present Government" for "opting to make good the gambling debts of unguaranteed bondholders". I do not understand why the motion should condemn the "present Government". The problem is not the fault of the present Government.

**Deputy Peter Mathews:** Hear, hear.

**Deputy Jim Daly:** Any reasonable, honest assessment of modern history — we do not have to go back further — would recognise that the present Government did not opt to make good the gambling debts of unguaranteed bondholders. I ask the movers of the motion to recognise that. The Opposition should recognise the efforts being made by the present Government to deal with the repayments, including those we cannot handle and those we are challenged to deal with.

There is ongoing debate on the Anglo Irish Bank promissory notes that commit the State to pay in excess of €3 billion per year for the next ten years and some €17 billion in additional interest. This arrangement was signed off on by the previous Government, not the current one. Notwithstanding the actions of the previous Government, the present Government has set about, very successfully, renegotiating many aspects of the EU-IMF deal. Some of the best estimates to date on the actions that have been taken by the Minister for Finance show that up to €9 billion can be saved over the lifetime of the repayments. In addition, there is hope that the arrangement pertaining to the Anglo Irish Bank promissory notes can be renegotiated, and that a much better, fairer and more sustainable deal can be achieved by the Government.

**Deputy Peter Mathews:** Hear, hear.

**Deputy Jim Daly:** I hope that will happen. It is not for us to aspire to defaulting. This is not a starting position from which a Government can set out. What we can do is make our debts more manageable, have a sustainable economy and deal with the real issues. There is a money system, we bought into it and must move with it. We rely on the funding of the ECB and, therefore, telling it we will not pay our debts will not get us out of the hole we are in. We have achieved savings of nearly €7 billion through agreements with junior bondholders. These are very significant changes by any standards.

Consider the phrase, "honestly deliver on its commitment to 'Get Ireland Working'". I do not know why there should be a reference to honesty or dishonesty. The wording is peculiar, to say the least.

Many in the Technical Group have argued against austerity and stated it is not a good measure. The opposite to austerity is what we had, and it was exemplified by the Bertie Ahern and Charlie McCreevy schools of economics. These got us into the position we are in and are certainly not the solution. Austerity is good provided it is equitable and targeted equally at all those who can bear it most.

We can be either a forward-looking, strong, competitive country with a positive attitude or a negative country that desires to default. I began by saying growth in the economy is very important and that we need to inspire confidence in the economy. The negativity from the now absent Technical Group is not helpful, constructive or positive. It will not get us to where we need to be.

**Deputy Willie O’Dea:** I thank the movers of the motion and welcome the opportunity to say a few words on the matter. I could not help being struck by the last speaker’s contribution in which he said he did not want to take us back to the era of Mr. Charlie McCreevy and Mr. Bertie Ahern. Perhaps he would like to take us back to the era of Garret FitzGerald, which was such a resounding success.

**Deputy Paudie Coffey:** We had to fix that mess after Fianna Fáil’s term in office also.

**Deputy Willie O’Dea:** This year, more than 3.1 billion will be at work in the world at large. This is a greater number than ever before, yet there is a pervading sense of crisis over jobs. This is because there are now 205 million people officially unemployed in the world. A high percentage of these are under the age of 25. It is often overlooked that the quality of the jobs available seems to be in decline, especially for routine white collar workers in rich countries. This country is no exception to what is happening in the rest of the world. More than one in every seven jobs, or approximately one in six, created during the Celtic tiger era has disappeared in recent years. Official unemployment is now edging towards 15%, which figure does not count people on schemes, those who have gone back to full-time education because they cannot get a job and, more important, people who are emigrating. The Department of Finance estimates that net emigration between April 2010 and April 2012 will reach 120,000. If anything, this is understated.

Approximately 15,000 fewer people are at work than in the last quarter of 2010. One in every three people under 25 is out of a job. What is most significant is that more than one in two unemployed people, or effectively 60%, have been jobless for more than a year. That is scary. Just two years ago, that figure was only one in five.

**Deputy Peter Mathews:** Why is that?

**Deputy Willie O’Dea:** The devastating human, social and economic consequences of long-term unemployment need no elaboration. It is very difficult for an individual who has been unemployed for more than 12 months to get back into the workforce. It is very difficult and costly for the agencies of the State to get that person back into mainstream employment. There have been a number of studies on this, all of which have come to the same conclusion. The most recent detailed study of the recession and job losses suffered in Japan, published last year, found those who experienced long periods of unemployment in their early careers now account for almost 60% of cases of severe and chronic depression in the country, often leading to suicide or attempted suicide.

Ireland is relying on exports, but exports are very slow burners when creating jobs. The Minister extolled the success of the Government in regard to exports. Statistics show we have recovered about 75% of the export market we lost during recent years, but global volumes of

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trade have returned to their pre-crisis peaks, which means we have actually lost market share. It gives me no pleasure to say the export figures for July show a very significant downturn, which is extremely worrying. That is due to the economic ill-health of our trading partners, which I freely acknowledge. The Members on the other side of the House, who used to sit here, never acknowledge that. We have a small, open trading economy, as all speakers on the Government side have said, and naturally our performance depends on the economic health of our trading partners.

As acknowledged on all sides of the House, there are steps we can take. It is true we have regained some competitiveness since 2008. That said, many cost increases have been as a result of cyclical rather than structural factors, for example, subsidies for major energy consumers and currency fluctuations. The problem is that if the structural barriers preventing costs from adjusting to lower growth are not removed pretty quickly, recent competitiveness gains will be rapidly eroded once the economy starts to recover. Given Ireland's reliance on trade and the open nature of its economy, international cost competitiveness is a crucial determinant of our economic well-being.

The Government has identified all the areas where it needs to take action pretty urgently in this regard. We read about the impending legal services legislation, in respect of which there are reported divisions in Cabinet. I hope that is not correct. Although the areas of energy costs, utilities costs, rent, rates, insurance, and so on have been identified clearly, we are still awaiting action. I hope that, having given the Government a fair period of grace over its first seven or eight months, we will see early action on many of these fronts.

There is also the question of credit. There is a credit famine in the country and we discussed this matter today at a meeting of the Joint Oireachtas Committee on Jobs, Social Protection and Education. We were told one can appeal to a credit review committee but when we asked the departmental officials how many cases had been referred to this committee we were told the number was 100 cases, which is laughable, and that 30 of them were successful. This is a drop in the ocean. The fact is a credit famine exists.

I realise the Government has heavily recapitalised the banks, and the banks are now in a position to extend lending to business at a realistic level. However, they are not doing so. The Government has announced two impending initiatives — it has been announcing them for the past eight months and I hope we will see them shortly — which are the micro-finance initiative and the partial credit guarantee scheme. The figures we have heard they will cover are minuscule and are just the tip of the iceberg. Recently, I spoke to business people in the UK, which has a far more extensive partial credit guarantee scheme, and it is not working. The UK is experiencing exactly the same credit problems for businesses as are experienced here.

There is much we can do with regard to innovation in areas such as digital games, cloud computing and life sciences. The Minister of State, Deputy Sherlock, has pointed out to us on many occasions that programmes exist which trundle along but there now needs to be a step-change in how we approach these matters. I know of many SMEs which, because the domestic market is flat, have been trying to break into the export market but no assistance or encouragement is available for them. There is no mentoring or organised system for receiving advice. We should consider a MABS-type system for small businesses. It is in the Government's power to take various other initiatives at relatively little cost.

I will not get into a debate on the effectiveness or otherwise of the jobs initiative. All I will state is that it had some effect, particularly in the sectors of the tourism industry at which it was targeted, but the sad reality is that unemployment has increased by approximately 25,000

since the jobs initiative was announced. We all know that finance for the jobs initiative was secured by raiding private pension funds.

The centrepiece of the jobs initiative is a reduction in VAT. I was the first person to reply for the Opposition when the jobs initiative was announced, and I stated in so far as stimulating the economy was concerned a number of studies indicated that a scatter-gun VAT reduction is the worst way to go about it. I quoted the experience of Gordon Brown's Government, which was the previous Labour Party Government in the UK, which reduced VAT substantially. The result was disastrous; it created no jobs and plunged the country further into debt. We have not plunged ourselves further into debt; we have plunged private pensioners who have been saving for years further into debt.

If we are to get a grip on the problem and take action which is in our own power to take — I recognise all of this is heavily influenced by world factors such as what will happen to the euro — we must look to the next budget for a far more radical approach than the approach we have seen to date from the Government.

**Deputy Timmy Dooley:** I thank the proposers of the motion for giving us an opportunity to discuss what is one of the most important issues facing the Government and the House. It is right at this stage that we have a general review of the jobs budget or jobs initiative — I will not get into parsing the words. What was sold at the time of the election was that when the now Government parties came to power they would introduce appropriate measures, bring a budget before the House within a set number of days and set about resolving the jobs crisis.

Deputy O'Dea referred to the jobs initiative, has largely been a failure. The Government pinned much of its activities, resources and efforts on the tourism sector at a time when that sector was recovering. The Government set its targets against one of the lowest levels tourism had seen for many years, largely influenced by the ash cloud which occurred the previous year and which had skewed numbers completely off target. It would be a trick to suggest that growth rates in excess of 10%, 12% or 15% would be the result as that was happening in any event. The extent to which the VAT reduction in particular has had on activity is marginal. To boil it down, the simple fact of the matter is that the 4% reduction in VAT on a meal for two would not pay for a cup of tea for one afterwards. This is the minuscule effect it has had on the tourism sector.

As Deputy O'Dea stated, the measure will remove €800 million from the pockets of pensioners over a full year period. These are people who genuinely spend money, but if they are frightened and uncertainty is created about their future they will not spend. It is my view, and over time statistics will bear this out, the net effect of transferring wealth from pensioners to the VAT reduction will be a destabilising effect on the economy, because money is being taken from those who spend. A little confidence would have allowed these people to continue to plan for their future and spend as they always have done. This is a real issue.

During the course of the election campaign, the Government parties attacked the previous Government for the introduction of the travel tax. We had reduced it to a relatively nominal figure and were using it to support and promote the activities of Fáilte Ireland and Tourism Ireland with regard to attracting inward investment. The Government parties stated they would abolish it, set about doing so but have so far failed in the attempt. It has failed to achieve success with the airlines and has failed to convince them of the necessity to attract greater tourism levels. It has failed to meet their demands and needs.

I have sat on the other side of the House and I accept airlines are difficult to deal with, particularly one which is among the largest in Europe. They do not negotiate easily and they certainly do not assist governments. The Government parties seemed to be on their side when

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they were on this side of the House and made it sound very plausible and easy, that all the airlines needed was tender loving care and, lo and behold, the bedrooms of Ireland would be filled with tourists from overseas. The Government has not succeeded in doing this. It would be nice if we had a little humility and acceptance with regard to the issues that have had to be faced.

I will remind the Government of the historical context in which it fought the election and what was included in the programme for Government. There was much talk about the strategic investment bank, which would be the panacea to create jobs. I have not heard much about it recently. The Government has spoken much about banking and the implementation of the banking strategy we put in place——

**Deputy John Perry:** Some legacy.

**Deputy Timmy Dooley:** ——with which we faced the electorate and for which we suffered the wrath of the electorate. The present Government has continued to implement it and rightly so because it is the only solution. I know Deputy Mathews will have a different view when he speaks on this matter. Where has the strategic investment bank gone? It was going to resolve the jobs crisis and help the Minister of State, Deputy Perry, who I know is very committed to creating jobs in small enterprises——

**Deputy John Perry:** It is all happening. Give it time.

**Deputy Timmy Dooley:** He is a great man in this regard, but we have no strategic investment bank to help small enterprises.

**Deputy Peter Mathews:** It is on its way.

**Deputy Timmy Dooley:** I am concerned about this.

Then we had NewERA, which would create, depending on who one listened to——

**Deputy Willie O’Dea:** The Government is creating minus jobs.

**Deputy Timmy Dooley:** In fairness, since the Minister, Deputy Noonan, took office he has been sceptical about it.

**Deputy John Perry:** Deputy O’Dea was 14 years at it.

**Deputy Timmy Dooley:** The Government pushed it out there and stated 105,000 jobs——

**Deputy Jim Daly:** Will we go back to property?

**Deputy Timmy Dooley:** We have seen a reduction in the levels of employment since the Government came to power and the jobs budget was announced and there is no sign of New-ERA. Government Members come here and trot out the notion that somehow one could not burn the bondholders despite the fact the Government parties stated they would do so and that they would have a different approach to banking——

**Deputy Jim Daly:** We support burden sharing not burning.

**Deputy Timmy Dooley:** The shareholders were well burned; the Government did not have to do that. Ask anyone who had a few bob invested. The shareholders were gone.

The Government somehow suggested the guarantee was the root of the problem. However, €3 billion of unsecured debt is sitting in Anglo Irish Bank which is not covered by the bank guarantee to which the Government accuses us of signing up.

**Deputy Peter Mathews:** Who holds the gun to Ireland's head?

**Deputy Timmy Dooley:** If the Government so wished it could burn those bondholders in the morning.

**Deputy Jim Daly:** Is that what you propose? Is that Fianna Fáil policy?

**Deputy Timmy Dooley:** The Minister for Finance went to the United States and spoke about it. He got as far away as he could from Frankfurt and then issued the threat. When he went to Mr. Trichet and put his hands up and said he knew he could not do it and that it was dreadful. The Government does not have coherence to its argument even when it is in power, and it certainly it did not have it when it was in opposition.

I am disappointed because there are so many inconsistencies in what I have heard but I am sure there will be other opportunities in the course of the debate to set the record straight.

**An Leas-Cheann Comhairle:** I am delighted the Deputy knows he is out of time.

**Deputy Sandra McLellan:** I move amendment No. 1.

**An Leas-Cheann Comhairle:** The Deputy cannot move the amendment but she can speak on it.

**Deputy Sandra McLellan:** I welcome the opportunity to speak on the motion this evening. I commend the Technical Group on bringing the motion before the House.

Jobs, the lack of jobs and our efforts to create and retain jobs are issues that have a real impact on the lives of ordinary people right across the State, whom we know are struggling. The political choices made by successive Governments have ensured that. In truth, we have a crisis, which this Government thinks it can cut its way out of. The austerity measures being planned by the Government, and prescribed by the previous one, have resulted in hundreds of thousands of people being unemployed and wondering which bills to prioritise: the weekly grocery bill, the visit to the doctor, the child care fees, the ESB bill, the gas bill or the back to school fees, including uniforms, transport, books and registration, not to mention the rent or mortgage. Many people now find themselves in a situation where they have no disposable income at all. Many are faced with having to make a choice as to whether to call a plumber, visit the doctor, pay house insurance or simply to put food on the table.

While the Government dithers around the edges with a jobs budget-cum-initiative, more and more people are being dragged under the water. Having more than 470,000 people out of work is a national emergency. A total of 60,000 young people emigrating is a moral disgrace. It cannot be allowed to continue. Our best and brightest are boarding planes and ships on an hourly basis. We are losing a generation of bright, energetic and gifted young people because of a lack of action on jobs. We need real and meaningful solutions.

It is time for the Government to re-evaluate its course of action. It is time for it to get its priorities straight, to get this country back on its feet and to start to make the right choices for the people of this State. People want to work. They have a right to work. Article 15.1 of the EU Convention on Human Rights tells us that we have a right to engage in work and to pursue a freely chosen or accepted occupation. This country needs a job creation and stimulus package



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if we are to fulfil these obligations. We must provide people with opportunities. Successive Governments have failed to do that. They have consistently relied on short-term measures which we all knew were destined for failure.

Sinn Féin warned that the construction sector was over-inflated. We demanded pre-emptive intervention for workers in vulnerable sectors of the economy. We warned that economic growth was being driven by domestic consumption rather than exports. Nothing was done. There is an epidemic of wrong choices and inaction in this country when it comes to job protection and creation. Small and medium enterprises need to be able to access money. They need to be able to access credit. We need them to be able to get paid. There is without doubt a better way to protect and save jobs.

Debate adjourned.

The Dáil adjourned at 9.10 p.m. until 10.30 a.m. on Wednesday, 28 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 16, inclusive, answered orally.*

*Questions Nos. 17 to 46, inclusive, resubmitted.*

*Questions Nos. 47 to 56, inclusive, answered orally.*

### **Literacy Levels**

57. **Deputy Michael McGrath** asked the Minister for Children and Youth Affairs her plans for implementing the new literacy and numeracy strategy as it applies to the preschool and early education sector; and if she will make a statement on the matter. [26061/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The Literacy and Numeracy Strategy was launched by my colleague, the Minister for Education and Skills, in July of this year. The Strategy's publication is a milestone in the development of the early years sector in Ireland, as it recognises the central role played by experiences in early childhood in the development of literacy and numeracy skills.

Early intervention is crucial and the Strategy provides for a range of actions to support pre-school children and their families, to be undertaken by my Department. These actions include encouraging and supporting the upskilling of early childhood care and education (ECCE) practitioners. A key element of this will be to support the implementation of the Workforce Development Plan by the Early Years Education Policy Unit of the Department of Education and Skills, which is co-located within my Department. The Workforce Development Plan provides a framework for ensuring that personnel working in the ECCE sector have access to accredited training, enabling quality and standards in ECCE services to be continuously improved.

As the Free Preschool Year has just completed its first full year of operation, we have also begun to collect data on the scope and nature of practice in ECCE settings. A number of research and development activities are planned to inform the optimum strategies through which to progress the objectives of the literacy and numeracy strategy in early childhood settings.

### Youth Services

58. **Deputy David Stanton** asked the Minister for Children and Youth Affairs her priorities with respect to youth organisations, youth affairs and youth work generally; and if she will make a statement on the matter. [26087/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** My Department provides a range of funding schemes, programmes and supports to the youth sector. These include the Youth Service Grant Scheme, the Special Projects for Youth Scheme, the Young Peoples Facilities and Services Fund and certain other provisions including the Local Youth Club Grant Scheme, Youth Information Centres, European Youth in Action Programme (administered by Léargas — The Exchange Bureau) and Gaisce — the President’s Award.

Funding of €60.954m is available from my Department to support the delivery of a range of youth work programmes and services for all young people, including those from disadvantaged communities, by the voluntary youth work sector. Youth work programmes and services are delivered to young participants in the various programmes by some 1,100 youth work staff and by a volunteer base of over 60,000. As Minister for Children and Youth Affairs, I am committed to the development of a new youth policy framework which my Department is currently progressing. Through this work a clear policy framework will emerge that will aim to enhance the development, participation and support of young people.

I intend that the policy framework will also facilitate and promote co-ordination and coherence across departments and services and will set out the priorities, rationale and criteria for future funding programmes. It will also accommodate issues relevant to young people within the 10-24 age range in informal or out-of-school settings that fall within the remit of my Department. The overall aim will be to clarify and enhance coherence, connectivity, coordination and delivery in youth services and related out-of-schools services for young people and to ensure such provision is both quality and outcomes based.

Ensuring quality service delivery is an ongoing priority for me. My Department is at present progressing two quality standards initiatives in the youth area that will help ensure an improvement in good practice, that services are outcomes focussed and that the young people involved are deriving the maximum benefit from being involved. The developmental and supportive nature of the National Quality Standards Framework for youth work (NQSF), introduced in January 2011 on a phased and incremental basis, gives youth organisations and services the opportunity to articulate their youth work practice through a structured framework and to review, assess and continually develop this practice. The NQSF applies to all staff-led youth work organisations, services, projects and programmes funded by the Youth Affairs Unit of my Department.

In addition to setting national standards for “staff-led” youth work projects and organisations, my Department, having consulted widely with young people, volunteers, youth work staff and the National Youth Work Advisory Committee, is now finalising a set of best-practice standards for volunteer-led youth clubs and groups. The overall aim of these standards will be to support some 1,580 clubs with some 89,000 members in creating and providing quality developmental programmes and activities for young people in safe and supportive environments and to ensure that there is a connection and continuity with the standards that exist for staff-led youth provision.

### Child Protection

59. **Deputy Brendan Smith** asked the Minister for Children and Youth Affairs her plans to

extend the Murphy commission to examine the record of further Catholic dioceses in regard to child protection practices; and if she will make a statement on the matter. [26050/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The Commission of Investigation has completed its work. Separately the HSE is finalising a national audit of child protection policies, procedures and practices in each Catholic diocese. I am advised that the report of this audit is at an advanced stage and that the HSE hopes to submit the report to me by the end of October. The need for follow up action will be informed by the findings of the national audit.

The HSE's National Director, Mr. Gordon Jeyes, is also at my request engaging directly with the National Board for Safeguarding Children in the Catholic Church on a programme of action designed to ensure that the Catholic Church is responding properly and comprehensively to all child protection concerns. Mr. Jeyes will report formally to me on progress in this regard.

### Proposed Legislation

60. **Deputy Barry Cowen** asked the Minister for Children and Youth Affairs the discussions she has had with representative bodies of professions for whom it will be obligatory to report under the upcoming mandatory reporting of child abuse legislation; and if she will make a statement on the matter. [26042/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The Government has committed, as a priority, to the introduction of legislation to underpin Children First. The objective will be to ensure the greater protection of children by raising societal awareness of child abuse and the need to better safeguard children.

It is my intention that the legislation will reflect a broad based approach to compliance with obligations extending beyond reporting to one of safeguarding children at risk. My Department is working closely with the Office of the Attorney General in developing the best legislative means to underpin Children First. My Department will also be working with other relevant Government Departments and agencies, including professional regulatory bodies in formulating legislative proposals. With regard to relevant professional regulatory bodies, my Department has written to these bodies seeking their input and meetings are in the process of being arranged.

I am particularly interested in benefiting from the experience of these bodies with the implementation of the Children First Guidelines over the last decade. This experience will inform the implementation of the recently published revised Guidance and the Children First legislation which is planned to further strengthen implementation. I would hope that the legislative proposals which I will bring forward in this regard enjoy widespread support in the interests of protecting vulnerable children.

### Family Support Services

61. **Deputy Pearse Doherty** asked the Minister for Children and Youth Affairs her plans to set up a child and family support agency; and if she will make a statement on the matter. [26081/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** I recently established the Task Force on the Child and Family Support Agency under the chairmanship of Ms Maureen Lynott. The inaugural meeting took place on September 15th last, and the second meeting was held just last week.

[Deputy Frances Fitzgerald.]

The Task Force will advise my Department in regard to the necessary transition programme to establish a Child and Family Support Agency, and will base its work on best practice in child welfare, family support and public administration; consistent with the Government's public sector reform agenda.

In relation to the Agency it has been asked to:

- Propose a vision and the principles to guide operations;
- Advise on the appropriate service responsibilities, and the delivery of same;
- Review existing financial, staffing and corporate resources; and propose a methodology for resource allocation;
- Propose an organisational design and operating child welfare and protection service model;
- Prepare a detailed implementation plan;
- Identify the main priorities and core relationships required;
- Oversee the implementation and monitor progress, pending establishment of the Agency.

The Task Force is currently finalising a detailed work programme and has established a number of sub-groups to assist it in its work. It is envisaged that the Task Force will meet on a fortnightly basis with sub-groups meeting in between. The Task Force's work will inform preparations for the new Agency, including the drafting of legislation.

### **Child Protection Services**

62. **Deputy Aengus Ó Snodaigh** asked the Minister for Children and Youth Affairs when the Health Information and Quality Authority standards for oversight of the Health Service Executive child protection services will be published; and if she will make a statement on the matter. [26076/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The Health Information and Quality Authority (HIQA) has convened a Standards Advisory Group to advise on the development of National Standards for the Protection and Welfare of Children. The Advisory Group, which comprises a wide representation of people from the health and social care sector has met several times and will continue to advise HIQA on the draft standards, prior to a wider public consultation. The draft standards will then be amended based on feedback received from the consultation and the final draft standards will be forwarded to me for approval early next year.

### **Homeless Persons**

63. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Children and Youth Affairs if she liaises with other Departments in respect of the problem of youth homelessness; the joint initiatives under way, if any; and if she will make a statement on the matter. [26074/11]

80. **Deputy Mary Lou McDonald** asked the Minister for Children and Youth Affairs if she will report on progress made in the implementation of the youth homelessness strategy; and if she will make a statement on the matter. [26075/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** I propose to take Questions Nos. 63 and 80 together.

My Department, together with the Department of the Environment, Community and Local Government and service providers engaged in addressing the problem of youth homelessness met at the end of May, to assess and review the current demand for services, the progress made to date under the Youth Homelessness Strategy 2001 and the need to address any outstanding service deficits. This workshop was very beneficial in getting the views of stakeholders and arising out of the priorities identified on the day, work will commence shortly on a high level review of the 2001 strategy. This review will form the basis for the development of an implementation framework to address youth homelessness over the next 5 years.

It is appropriate that some ten years after the National Strategy for Youth Homelessness was developed in 2001, we review progress and set new targets. A review of progress in 2008 by the HSE in conjunction with other agencies found that significant progress had been made, especially in interagency cooperation, early prevention and an ‘out of hours’ service. A standardised system is in place whereby Gardaí can access an appropriate place of safety for children found to be at risk out of hours under Section 12 of the Child Care Act, 1991. The service is designed to ensure that children presenting as ‘at risk’ outside of normal working hours are provided with an appropriate emergency place of safety, thereby reducing or eliminating social admissions of children in an acute hospital setting.

In addition, a pilot out-of-hours social work service is being tested in two locations as provided for in the Implementation Plan published following the Report of the Commission to Inquire into Child Abuse.

It is acknowledged that there remain serious information deficits with regard to the number of children accessing services. Work is underway to improve the quality of information on the number of young people under 18 years who are homeless, and to establish what areas of the service are working well and where further improvements are needed. The review now being undertaken by my Department will address these requirements.

### **Missing Persons**

64. **Deputy Peadar Tóibín** asked the Minister for Children and Youth Affairs further to her previous parliamentary question reply of 12 July 2011, the progress she has made in conjunction with the Department of Justice and Equality in establishing the promised missing children’s hotline; and if she will make a statement on the matter. [26078/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The introduction of a missing children’s hotline has been the subject of discussions between my Department, other Government Departments and prospective service providers including NGOs. The notification of a missing child is a matter for the Garda Síochána, and accordingly I am in contact with my colleague Mr Alan Shatter TD, Minister for Justice, Equality and Defence in seeking to jointly achieve the establishment of this service.

In the current financial it is essential that the most economic approach possible is taken to providing any service. I would hope that a partnership approach can achieve a cost effective solution to the implementation of this important initiative and my Department is committed to seeking to achieve this outcome.

### **Anti-Poverty Strategy**

65. **Deputy Michael Moynihan** asked the Minister for Children and Youth Affairs the plans she has to tackle child poverty; and if she will make a statement on the matter. [26066/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** Tackling child poverty is a priority for Government and a key goal of the National Action Plan for Social Inclusion 2007- 2016, coordinated by the Department of Social Protection. Children are more likely to be poor if they are living in lone parent households with low labour market participation and dependant on income support. The Government programme sets out a framework to achieve real and sustainable economic growth, increase employment and protect the most vulnerable in society.

As Minister for Children and Youth Affairs, improving children's outcomes is a key objective. Early childhood care and education programmes, in particular those that are aimed at low income families, are important priorities in my Department to enhance children's opportunities for social and educational development and to support parents undertaking training and participating in employment. The network of 107 family resource centres that are funded by the Family Support Agency, under the remit of my Department, also have an important role in this regard. These programmes will inform the Government's plans to develop an area based approach to child poverty.

My priority, as Minister for Children and Youth Affairs, is to enhance the role of early intervention and support programmes for the most vulnerable children and their families in the context of the new Child and Family Support Services Agency.

My Department works closely with other departments and agencies with shared objectives to secure better outcomes for children and young people. In particular, my Department works closely with the Department of Social Protection which is charged with the development of appropriate social protection policies, including in respect of children affected by poverty. My Department is represented on the Advisory Group on Tax and Social Welfare established by the Minister for Social Protection to examine issues to do with the interactions of the tax and welfare systems so that they provide good incentives for parents to take up and remain in work and thereby contribute to the reduction of poverty and child poverty, in particular.

### **Children in Care**

66. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Children and Youth Affairs the action she is taking in respect of the provision of aftercare; and if she will make a statement on the matter. [26073/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** Section 45 of the Childcare Act 1991 places a statutory duty on the HSE to form a view in relation to each person leaving care as to whether there is a "need for assistance" and if it forms such a view to provide services in accordance with the section and subject to resources and that all young people who have had a care history with the HSE, be it foster care, residential care or high support, are entitled to an Aftercare Service based on their assessed needs. The core eligible age range for aftercare is 18 years and up to 21 years which can extend until the completion of a course of education in which he/she is engaged up to the age of 23 years of age. A total of 1,051 young people were in receipt of aftercare nationally at March 2011. The breakdown between male and female was 46% and 54% respectively.

Aftercare provision incorporates advice, guidance and practical support. An individual holistic needs assessment identifies a young persons need for accommodation, financial support, social network support and training and education. One of the key features of Aftercare support is to advocate on behalf of young people to promote their development as a fulfilled adult in their community. The most important requirements for young people leaving care are for secure, suitable accommodation as well as further education, employment or training.

The HSE National Aftercare Service is underpinned by a National Policy and Procedures Document which has been developed in cooperation with the key stakeholders including the voluntary sector agencies involved in Aftercare provision and my Department. The policy commits to promoting and achieving the best outcomes for young people leaving care and in ensuring consistency of support to these young people.

The HSE National Policy on Aftercare is being rolled out nationally under the watch of the HSE's Aftercare Implementation Group, which includes representation from the HSE, mental health, family service and disability service, as well as representation from the voluntary sector and a young persons representative from Empowering People in Care (EPIC).

I am acutely aware of the challenges facing the aftercare service, the need for information required to plan the services; the need for consistency across all areas; the need to follow up with young people who may at first reject its services and the need to link in with adult services as necessary. To accommodate such challenges funding was reviewed in 2011 to support the recruitment of ten additional aftercare workers. Additionally funding was provided to EPIC to develop a national advocacy and support service for young people in care, leaving care and aftercare.

### Health Service Staff

67. **Deputy Timmy Dooley** asked the Minister for Children and Youth Affairs if the public service recruitment moratorium is currently being applied to the hiring of additional social workers; and if she will make a statement on the matter. [26043/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The approved Employment Control Framework for the HSE exempts social worker posts from the current moratorium on recruitment and the filling of vacancies.

An additional 60 social workers are due to be recruited by the HSE in 2011. In reviewing its overall appointment and recruitment the HSE, last week, prioritised some key development posts and decided to process the recruitment of these staff with a view to their taking up employment before the end of the year. I am pleased to advise the Deputy that 60 additional social workers have been prioritised and included in this category of staff. This means that the HSE has confirmed that it will be in a position to finalise the recruitment of the additional social workers between now and the end of the year

### Youth Services

68. **Deputy Denis Naughten** asked the Minister for Children and Youth Affairs her plans for the reform of the funding structure for youth organisations; and if she will make a statement on the matter. [25939/11]

71. **Deputy Éamon Ó Cuív** asked the Minister for Children and Youth Affairs if she will expand on her plans for the funding of youth services in view of her recent comments at the Oireachtas Joint Committee on Health and Children that she has plans for rationalisation and streaming of youth services. [26068/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** I propose to take Questions Nos. 68 and 71 together.

My Department provides a range of funding schemes, programmes and supports to the youth sector. These include the Youth Service Grant Scheme, the Special Projects for Youth Scheme, the Young People's Facilities and Services Fund and certain other provisions including the Local Youth Club Grant Scheme, Youth Information Centres, European Youth in Action



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Programme (administered by Léargas — The Exchange Bureau) and Gaisce the President's Award.

This funding supports the delivery of a range of youth work programmes and services for all young people, including those from disadvantaged communities, by the voluntary youth sector. Youth work programmes and services are delivered to young participants in the various programmes by some 1,100 youth work staff and by a volunteer base of over 60,000. The main objectives of the Youth Affairs Unit in my Department are to develop and implement coherent, coordinated and relevant youth policies and strategies to support the youth sector in providing effective non-formal education and developmental opportunities for young people through which they can enhance and develop their personal and social skills and competencies.

To support this work, the Youth Affairs Unit of my Department has a budget in 2011 of €60.154m on current expenditure and €0.8m on capital expenditure. In the context of the Government's Comprehensive Review of Expenditure, and in the context of the development of a youth policy framework that is currently being progressed, my Department is reviewing the allocation of funding with a view to ensuring more efficient management and value for money as well as ensuring that the funding provided is both quality and outcomes focussed. It is intended, in particular, to review the current spread of funding available across multiple sub-heads and schemes which reflect responsibilities having historically been allocated across a number of Government Departments and which may be unnecessarily complicated in the context of the new Department of Children and Youth Affairs.

### Departmental Strategy Statements

69. **Deputy John McGuinness** asked the Minister for Children and Youth Affairs the plans she has to examine the impact of consumerism and the media on children; the action she has in mind in this area; and if she will make a statement on the matter. [26063/11]

78. **Deputy Mick Wallace** asked the Minister for Children and Youth Affairs if the forthcoming national children's strategy 2012 to 2017 will include a commitment to develop a comprehensive national plan for early childhood care and education; and if she will make a statement on the matter. [26000/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** I propose to take Questions Nos. 69 and 78 together.

My Department is developing a new strategy for children and young people. The strategy will build on *Our Children — Their Lives*, Ireland's first children's strategy which was published in 2000 and it will cover the period from 2012 to 2017.

The new strategy is being developed in a holistic way to comprehend the continuum of the life course from infancy, through early and middle childhood, to adolescence through to early adulthood, in keeping with my Department's responsibilities for children and young people. The strategy will have a specific focus on the aspects of growth and development that are unique to each time period and the policies and services that need to be prioritised at each stage to secure good outcomes for children and young people.

The new strategy for children and young people will be the overarching framework under which policy and services for children and young people will be developed and implemented in the State. Early childhood care and education is a key commitment in the Government for National Recovery programme. The future direction of early childhood care and education policy is set out in recent policy commitments developed by my Department with the Department of Education and Skills such as the free preschool year in Early Childhood Care and

Education Scheme, Síolta, and Aistear, the Workforce Development Plan for the early education sector and the recently launched National Literacy and Numeracy Strategy. I intend to build on these initiatives in formulating a national plan for the development of early childhood care and education.

It is clear from both the research evidence and what children and young people have to say that there are a number of new and emerging issues which are impacting upon their lives. Prominent social policy concerns relate to childhood obesity and child poverty and it is evident that aspects of consumerism are impacting on children's experience of growing up. Children and young people participating in Dáil na nÓg have voiced their concerns about being negatively represented in the media and they have spoken about the pressures they experience to conform to idealised body images portrayed in media. The impact of consumerism, in its various forms, has been identified for further investigation in my Department's work to improve data and research on children lives. The development of the new children and young people's strategy provides an opportunity to focus on these issues and how they may be addressed to improve the experience of growing up in Ireland for this and future generations of children.

It is anticipated that the new children and young people's strategy will be published mid 2012.

### **Asylum Support Services**

70. **Deputy Denis Naughten** asked the Minister for Children and Youth Affairs her plans for the reform of the system of care for unaccompanied minors seeking asylum; and if she will make a statement on the matter. [25940/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** Unaccompanied minors seeking asylum are in need of care and protection under the Child Care Act, 1991 and are entitled to the same treatment and rights as indigenous young people. The immediate and the ongoing needs of separated children seeking asylum (SCSA) relating to accommodation, medical and social needs as well as their application for refugee status are the responsibility of the Health Service Executive (HSE) in accordance with the Refugee Act, 1996 (as amended) and the Child Care Act, 1991. Where children are identified by An Garda Síochána, at the point of entry, the circumstances are investigated and if there are any concerns about the welfare of the child, they are placed into the care of the HSE.

The Implementation Plan on the Report of the Commission to Inquire into Child Abuse, 2009, contained a commitment that the HSE would end the use of separately run hostels for separated children seeking asylum and accommodate children in mainstream care, on a par with other children in the care system. In accordance with this commitment, the HSE phased out hostel type care for separated children seeking asylum and since January 2011, hostels have not been used to accommodate unaccompanied minors. Instead each child is cared for in a registered care placement or equivalent.

The HSE has developed a national policy on the standards and services to be provided to separated children seeking asylum. The policy seeks to achieve equity and equality of services to separated children seeking asylum vis a vis indigenous or resident children and to ensure that there is no differentiation of care provision, care practices, care priorities, standards or protocols.

*Question No. 71 answered with Question No. 68.*

### **Children in Care**

72. **Deputy John Browne** asked the Minister for Children and Youth Affairs the number of young persons who currently avail of aftercare, support for children in care after they turn 18

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years of age; the way many aftercare workers are currently employed; the locations in which those workers are based; and if she will make a statement on the matter. [26036/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** In 2011, the Health Service Executive (HSE) commissioned a review of the capacity for alternative care services, including Aftercare services. An audit was undertaken last March and the HSE has provided the following information based on this audit.

A total of 1,051 young people were in receipt of aftercare nationally at March 2011. The breakdown between male and female was 46% and 54% respectively.

Aftercare provision incorporates advice, guidance and practical support. An individual holistic needs assessment identifies a young person's need for accommodation, financial support, social network support and training and education. One of the key features of Aftercare support is to advocate on behalf of young people to promote their development as a fulfilled adult in their community. The most important requirements for young people leaving care are for secure, suitable accommodation as well as further education, employment or training.

Finally, information on the numbers of aftercare workers employed and their location is not currently accessible and I am informed that the HSE is in the process of collecting this data.

### Youth Services

73. **Deputy Catherine Murphy** asked the Minister for Children and Youth Affairs her role in ensuring there are adequate youth facilities throughout the country; if that includes carrying out an assessment of deficiencies; if she has or intends to open up dialogue with other Departments towards this aim; and if she will make a statement on the matter. [26013/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** My Department provides a range of funding schemes, programmes and supports to the youth sector. These include the Youth Service Grant Scheme, the Special Projects for Youth Scheme, the Young People's Facilities and Services Fund and certain other provisions including the Local Youth Club Grant Scheme, Youth Information Centres, European Youth in Action Programme (administered by Léargas — The Exchange Bureau) and Gaisce, the President's Award.

Funding of €60.954m is provided by my Department to support the delivery of a range of youth work programmes and services for all young people, including those from disadvantaged communities, by the voluntary youth work sector. Included within that sum is €0.8m for capital funding under the Young People's Facilities and Services Fund.

The Young People's Facilities and Services Funding (YPFSF) was established in 1998 to assist in the development of preventative strategies/initiatives in a targeted manner through the development of youth facilities, (including sport and recreational facilities) and services in disadvantaged areas where a significant drug problem exists or has the potential to develop. Applications for funding under the YPFSF are made through the relevant Development Group which determines the suitability of proposals against priorities identified for the area and funding is allocated to relevant projects taking account of this advice amongst other criteria.

The Fund is now under the remit of my Department and currently operates in 22 areas — 14 Local Drug Task Force areas, (12 in Dublin, Bray and Cork) and in Galway, Limerick, Waterford and the towns of Carlow, Athlone, Arklow, Dundalk and Wexford.

Since it was established in 1998, the Government has allocated approximately €201m under the Young Peoples Facilities & Services Fund (YPFSF) to assist in the development of youth facilities (including sport and recreational facilities) and services in disadvantaged areas where

a significant drug abuse problem exists or has the potential to develop. Approximately €69m has been provided for capital developments, which include the building, upgrading, fit-out and refurbishment of over 220 youth and community facilities in the different target areas.

My Department is assisted in its assessment of the need for facilities for young people under the Young People's Facilities and Services Fund, by the National Assessment Committee which includes representatives of other Government Departments, community and voluntary representatives, a representative from Dublin City Council and from the City of Dublin Youth Services Board (CDYSB). The role of the NAC was to ensure that local plans and projects approved for funding addressed gaps in provision at local level.

In addition to funding provided through the Young People's Facilities and Services Fund, a national competitive youth café development scheme was initiated in 2010 with an allocation of approximately €1.6m from Dormant Accounts funds. Under the competitive scheme, which was operated for my Department by Pobal, a total of 48 existing youth cafés received funds to improve and augment existing facilities. These funds were paid out in early 2011. In a separate strand of the scheme development funding of up to €95,000 per location was awarded to a total of 16 new youth café projects. The latter will finance the opening of a completely new facility in each case and the 16 locations are spread throughout the country. The new facilities can be expected to come on stream gradually from late 2011 up to the end of 2012 depending on the scale of individual projects. Pobal will monitor progress on the delivery of each new facility and report back to my Department in due course. The scheme is an excellent example of a significant benefit being achieved for local communities from a relatively small amount of investment by the state.

*Question No. 74 answered with Question No. 52.*

### **Child Abuse**

75. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the mechanisms, legislatively and administratively, she proposes to take to prevent child sex abuse or other abuse of children or vulnerable persons; the timescale for putting in place such measures; and if she will make a statement on the matter. [26014/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The Government is committed to fundamental reform and transformation of the delivery of our children and family services. A number of significant structural and legislative changes are key to effecting such reform. This includes the establishment of a new agency with dedicated responsibility for the delivery of child welfare and protection services, separate from the HSE and reporting directly to my Department. Work on the establishment of the agency is underway and will include the preparation of primary legislation to create the new agency.

The Government is also committed to the introduction of legislation to underpin Children First, the national guidance on the reporting and management of child welfare and protection concerns. The need for such legislation was also highlighted in the Implementation Plan prepared following the publication of the Report of the Commission to Inquire into Child Abuse. The Government is attaching a high priority to the preparation of this legislation. I am pleased to report that good progress is being made in this regard.

In July 2011, I published the new Children First: National Guidance for the Protection and Welfare of Children on the 15th July, 2011 which gives direction to the identification, investigation, assessment, reporting, treatment and management of child abuse. I would hope that the implementation of both the revised Children First Guidance and the legislation which will

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underpin compliance will provide an opportunity to raise societal awareness of physical, sexual and emotional abuse and the need for everyone to play their part in protecting children.

In addition to the above, my colleague the Minister for Justice, Equality and Defence is finalising legislation which will put the vetting of employees on a statutory footing and also allow for the sharing of soft information as part of the vetting process. The Minister is also progressing legislation on Withholding Information on Crimes against Children and Vulnerable Adults.

### Services for People with Disabilities

76. **Deputy Richard Boyd Barrett** asked the Minister for Children and Youth Affairs if she will report on her meeting with the Special Needs Parents Association; the assurances she has given it; her plans to ensure the human rights of children with special needs will be protected; and if she will make a statement on the matter. [26070/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** I am addressing the Special Needs Parents Association's Annual Conference on Saturday 1 October 2011.

### Child Abuse

77. **Deputy Dessie Ellis** asked the Minister for Children and Youth Affairs the further action that will be taken in response to the Cloyne report; and if she will make a statement on the matter. [26080/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** Arising from the publication of the Report of the Commission of Investigation into the Diocese of Cloyne in July 2011, the Government committed to a series of measures designed to significantly strengthen the existing legislative, policy and practice framework in the area of child protection. The intention is to ensure that child abuse in Ireland, be it clerical, institutional, within or outside the family, is strongly and decisively tackled, and that children are properly safeguarded.

I am working closely with my colleague the Minister for Justice, Equality and Defence on this agenda and we are making significant progress in this regard.

In July I launched the revised *Children First* National Guidance for the protection and welfare of children, and last week I launched the HSE's accompanying 'Child Welfare and Protection Practice Handbook' for use by all social workers and other relevant practitioners. The Handbook complements the *Children First* Guidance and sets specific protocols for HSE social workers, gardaí and other front line staff in dealing with suspected abuse and neglect. The objective is to ensure that safe and effective child protection practices are operated across all organisations and sectors that work with children.

I have received Government approval to put the *Children First* Guidance on a statutory basis and my Department is currently working with the Office of the Attorney General in developing the necessary legislative approach. *Children First* will also be supported by an assurance framework which will include strong emphasis on inspection and the need to provide demonstrable evidence of implementation. In the case of the health sector, the remit of the Health Information and Quality Authority (HIQA) is being expanded to include oversight of the HSE's Child Protection services, including the operation of *Children First*. HIQA is currently developing standards to allow for inspection of the HSE's child protection services.

My colleague the Minister for Justice, Equality and Defence is bringing forward legislation which will put the vetting of employees on a statutory footing and also allow for the sharing of soft information as part of the vetting process. Minister Shatter is also introducing legislation

on the withholding of information relating to crimes committed against children and vulnerable adults.

The range of measures which I have described forms part, in my view, of a strong and necessary Government response to the Cloyne report, and one which must be complemented by the Church authorities having regard to the very serious failings identified by the Commission of Investigation. The HSE's National Director, Mr. Gordon Jeyes, is also at my request engaging directly with the National Board for Safeguarding Children in the Catholic Church on a programme of action designed to ensure that the Catholic Church is responding properly and comprehensively to all child protection concerns. Mr. Jeyes will report formally to me on progress in this regard.

It is important that the Church authorities' actions to safeguard children, like those of all organisations, are fully and transparently in conformity with the *Children First* Guidance and their own protocols. I understand in this regard that the National Board intends publishing its completed reviews of dioceses on an ongoing basis.

*Question No. 78 answered with Question No. 69.*

### **Child Protection Services**

79. **Deputy Jonathan O'Brien** asked the Minister for Children and Youth Affairs if she is satisfied that the level of staffing and resources will be in place to ensure the implementation of Children First; and if she will make a statement on the matter. [26083/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** In July 2011, I launched the revised Children First: National Guidance for the Protection and Welfare of Children. The Guidance deals with the recognition, reporting and management of child safety concerns. It emphasises the need to safeguard and to protect children. Among these are that the safety and welfare of children is everyone's responsibility, that children will have safer lives where everyone is attentive to their well being. People who work with children across a range of areas understand their responsibility for safe practice and the reporting of concerns.

It is important to recognize that the original Children First Guidelines have now been in place for over a decade. These Guidelines have over the period been used by the key agencies and their staff involved in the care and protection of children.

It should be noted that the HSE as the statutory body responsible for promoting the welfare of children has in place a network of personnel to provide training, information and advice on the implementation of Children First. The HSE is currently providing a programme of information and training on the new Guidance across the country. This includes the publication of its Child Protection and Welfare Practice Handbook which I launched last week. This Handbook will facilitate implementation of the Children First Guidance and achieve greater consistency in child protection practice throughout the HSE. I am currently attending meetings with social work personnel in each of the four HSE regions to promote the Children First Guidance. An Garda Síochána are also in attendance at these meetings reflecting the close working relationship they have with the HSE in protecting children. The welcome from social workers at these meetings for the Handbook has been extremely positive. and its clear that the revised Guidance enjoys widespread support.

Beyond the HSE and An Garda Síochána the Children First Guidance has been disseminated widely, including for example to every school in the country.

The consistent implementation of the Children First Guidance in every sector is a priority. My Department is chairing an Inter Departmental Committee to oversee implementation of the Guidance across Government. I will be meeting this Committee in early October.

[Deputy Frances Fitzgerald.]

The Government has also committed, as a priority, to the introduction of legislation to underpin Children First. It is my intention that the legislation will reflect a broad based approach to compliance with obligations extending beyond reporting to one of safeguarding children at risk. The objective will be to ensure the greater protection of children by strengthening the existing system for reporting and responding to suspected child abuse.

*Question No. 80 answered with Question No. 63.*

### Employment Levels

81. **Deputy Peter Mathews** asked the Taoiseach if he will provide details on the eight sectors that reported increases in employment in the latest quarterly national household survey; and if he will make a statement on the matter. [25735/11]

**Minister of State at the Department of the Taoiseach (Deputy Paul Kehoe):** The Quarterly National Household Survey (QNHS) is the official source of both employment and unemployment estimates for the State. The information the deputy referred to is presented in the table below. As with any sample survey, estimates from the QNHS are subject to sampling variability meaning that changes in the level of estimates of a relatively low order of magnitude may not be statistically significant. Another point to note is that, in the case of relatively large populations, such as the number of persons working in a sector of the economy, some level of movement is expected. To emphasise these points it can be noted that in recent years there has not been any quarter where decreases were recorded for all sectors despite the heavy loss in employment overall. Similarly during the period covering 2004 to 2007, a period when employment was growing rapidly, there was no quarter where increases were recorded for every sector. Therefore the CSO would caution against over-interpretation of short-term movements and rather suggest that a focus on the underlying trends be kept to the fore in any detailed analysis of the data. A clearer interpretation can be seen in the overall movement of the estimates of total employment. The quarterly fall of 3,200 in the seasonally adjusted employment series is the lowest reduction recorded since early 2008. To put that in context the highest quarterly reduction recorded in employment was a fall of 76,700 persons in the first quarter of 2009. We can similarly note that the rate of increase in unemployment has been slowing in recent quarters. With that noted, up to the second quarter of this year it remained the case that employment continued to fall and unemployment continued to rise. Future estimates from the QNHS, along with other estimates of economic activity, will be needed to allow us to draw conclusions about the ongoing state of the labour market.

(ILO) classified by NACE Rev. 2 Economic Sector, Q2 '09-Q2 '11

Economic sector (NACE Rev. 2)		Apr- Jun 09	Jul- Sep 09	Oct- Dec 09	Jan- Mar 10	Apr- Jun 10	Jul- Sep 10	Oct- Dec 10	Jan- Mar11	Apr- Jun11
A	<i>All persons</i> Agriculture, forestry and fishing	97.4	93.7	89.8	82.3	85.0	87.4	85.1	85.2	85.9
B-E	Industry	258.0	248.7	246.7	244.6	241.4	238.0	238.1	235.4	232.3
F	Construction	155.7	150.7	136.0	130.2	125.3	114.3	109.4	108.2	105.6
G	Wholesale and retail trade; repair of motor vehicles and motorcycles	277.8	270.3	266.6	267.5	268.7	268.4	268.2	262.8	264.9

Economic sector (NACE Rev. 2)		Apr- Jun 09	Jul- Sep 09	Oct- Dec 09	Jan- Mar 10	Apr- Jun 10	Jul- Sep 10	Oct- Dec 10	Jan- Mar11	Apr- Jun11
H	Transportation and storage	94.9	95.6	93.4	92.8	90.0	91.4	95.8	93.9	95.0
I	Accommodation and food service activities	120.4	119.8	122.8	124.3	120.4	119.1	115.2	103.3	107.9
J	Information and communication	72.2	72.9	73.6	74.1	72.6	73.6	70.0	70.7	73.3
K-L	Financial, insurance and real estate activities	108.1	108.9	106.7	104.5	102.6	98.8	97.9	100.8	103.1
M	Professional, scientific and technical activities	102.3	102.0	103.2	102.1	100.5	97.3	97.9	102.5	101.7
N	Administrative and support service activities	65.3	65.8	63.3	59.9	60.7	58.7	59.9	62.7	65.4
O	Public administration and defence; compulsory social security	107.5	104.9	107.1	106.6	107.5	104.8	104.2	107.1	99.8
P	Education	148.4	145.5	144.8	146.5	148.0	155.4	149.2	147.7	144.9
Q	Human health and social work activities	228.0	231.4	233.3	234.3	235.1	235.0	233.8	232.8	238.0
R-U	Other NACE activities	100.4	101.2	101.4	98.5	99.8	99.9	99.3	103.9	98.9
Total Employment		1,936.9	1,907.7	1,890.3	1,872.3	1,855.2	1,838.1	1,826.3	1,819.1	1,815.9

Reference period: q1=Jan-Mar q2=Apr-Jun, q3=Jul-Sep, q4=Oct-Dec.

Source: Quarterly National Household Survey, Central Statistics Office.

Seasonally Adjusted Series of persons aged 15 years and over in employment

(ILO) classified by NACE Rev. 2 Economic Sector, Q2 '09-Q2 '11- Quarterly change

Economic sector (NACE Rev. 2)		Apr- Jun 09	Jul- Sep 09	Oct- Dec 09	Jan- Mar 10	Apr- Jun 10	Jul- Sep 10	Oct- Dec 10	Jan- Mar 11	Apr- Jun 11
A	<i>All persons</i> Agriculture, forestry and fishing	-5.9	-3.7	-3.9	-7.5	2.7	2.4	-2.3	0.1	0.7
B-E	Industry	-9.0	-9.3	-2.0	-2.1	-3.2	-3.4	0.1	-2.7	-3.1
F	Construction	-25.9	-5.0	-14.7	-5.8	-4.9	-11.0	-4.9	-1.2	-2.6
G	Wholesale and retail trade; repair of motor vehicles and motorcycles	-6.4	-7.5	-3.7	0.9	1.2	-0.3	-0.2	-5.4	2.1
H	Transportation and storage	1.6	0.7	-2.2	-0.6	-2.8	1.4	4.4	-1.9	1.1



[Deputy Paul Kehoe.]

Economic sector (NACE Rev. 2)		Apr-Jun 09	Jul-Sep 09	Oct-Dec 09	Jan-Mar 10	Apr-Jun 10	Jul-Sep 10	Oct-Dec 10	Jan-Mar 11	Apr-Jun 11
I	Accommodation and food service activities	1.6	-0.6	3.0	1.5	-3.9	-1.3	-3.9	-11.9	4.6
J	Information and communication	-0.3	0.7	0.7	0.5	-1.5	1.0	-3.6	0.7	2.6
K-L	Financial, insurance and real estate activities	3.5	0.8	-2.2	-2.2	-1.9	-3.8	-0.9	2.9	2.3
M	Professional, scientific and technical activities	-2.0	-0.3	1.2	-1.1	-1.6	-3.2	0.6	4.6	-0.8
N	Administrative and support service activities	-2.1	0.5	-2.5	-3.4	0.8	-2.0	1.2	2.8	2.7
O	Public administration and defence; compulsory social security	1.0	-2.6	2.2	-0.5	0.9	-2.7	-0.6	2.9	-7.3
P	Education	-0.9	-2.9	-0.7	1.7	1.5	7.4	-6.2	-1.5	-2.8
Q	Human health and social work activities	3.5	3.4	1.9	1.0	0.8	-0.1	-1.2	-1.0	5.2
R-U	Other NACE activities	-1.1	0.8	0.2	-2.9	1.3	0.1	-0.6	4.6	-5.0
Total Employment		-43.2	-29.2	-17.4	-18.0	-17.1	-17.1	-11.8	-7.2	-3.2

Reference period: q1=Jan-Mar q2=Apr-Jun, q3=Jul-Sep, q4=Oct-Dec.

Source: Quarterly National Household Survey, Central Statistics Office.

### Ministerial Staff

82. **Deputy Michael McGrath** asked the Taoiseach the names and salaries of every special adviser appointed by him and the Minister of State in his Department since 9 March 2011; and if he will give the same details for any other advisers appointed. [26150/11]

**The Taoiseach:** The names and salaries of the Special Advisers I have appointed since 9th March 2011, are as follows:

Name and Grade	Annual Salary
Mark Kennelly, Chief of Staff	€168,000
Andrew McDowell, Special Adviser	€168,000
Paul O'Brien, Special Adviser	€80,051
Angela Flanagan, Special Adviser	€80,051
Mark O'Doherty, Special Adviser to Chief Whip	€80,051

The total of the annual salaries for these 5 Special Advisers is €576,153. In January 2010, the total of the annual salaries for the 7 Special Advisers who were appointed by my predecessor was €974,496.

### Departmental Strategy Statements

83. **Deputy Micheál Martin** asked the Taoiseach if his Department has submitted a strategy statement to him, as specified under the 1997 Public Service Management Act; and if so, if he will publish this statement. [26407/11]

**The Taoiseach:** My Department has prepared a draft Strategy Statement for the period 2011-2014.

This draft will be the subject of further work, following discussions with me and to reflect the restructuring of my Department's role and responsibilities as I outlined to the House on 20 September, 2011.

The final strategy statement will be published.

### Independent Commissions

84. **Deputy Derek Keating** asked the Taoiseach his plans to commemorate the centenary of 1916 and will he consider appointing an independent commission to consider a new national anthem and review national emblems such as those worn by the gardaí, the Defence Forces, the Fire Service, the Civil Defence and our offices of State. [26412/11]

**The Taoiseach:** A commemorative programme is being prepared to mark the centenary of 1916. I envisage that a draft framework of events will be submitted to Government for consideration in early 2012. There are no plans to appoint an Independent Commission to consider a new national anthem and review national emblems such as those worn by the Garda Síochána, the Defence Forces, the Fire Service, the Civil Defence and our Offices of State.

### Departmental Staff

85. **Deputy Anne Ferris** asked the Taoiseach notwithstanding Civil Service circular No. 28, if he will provide a list of the current pay of each senior civil servant from higher executive officer to Secretary General in his Department, broken down by grade; the pension entitlements of each and any other emoluments they are entitled to receive upon reaching retirement; and if he will make a statement on the matter. [26413/11]

**The Taoiseach:** The pay scales for each civil servant working in my Department from Higher Executive Officer level to Secretary General level, are detailed in the following table.

The Department of Public Expenditure and Reform is responsible for determining the precise pension entitlements of each officer in my Department. Generally, under the terms of the Civil Service Superannuation Schemes, retiring staff are entitled to a lump sum payment and a retirement pension which is based on their length of service and final pensionable remuneration. Further details regarding retirement benefits for civil servants are available at [www.cspensions.gov.ie](http://www.cspensions.gov.ie).

Retiring staff receive a retirement lump sum of 3/80ths of pensionable remuneration for each year of reckonable service, subject to a maximum of 1½ times pensionable remuneration. In general, staff who were recruited prior to April 1995 and pay the modified rate of PRSI receive a pension of 1/80th of pensionable remuneration per year of reckonable service, subject to a maximum of 40 years. Staff who were recruited after April 1995, receive a pension which is integrated with the State Pension (Contributory). The formula for the calculation of the pension is 1/200th of pensionable remuneration up to 3 1/3rd times the State Pension, and 1/80th for pensionable remuneration in excess of this limit, per year of reckonable service, subject to a

[The Taoiseach.]

maximum of 40 years. TLAC retirement terms may be applied to retiring Secretaries General, subject to certain conditions. Those terms are currently under review for future appointees.

Grade	No. of staff on this payscale	Minimum and maximum point of payscale
Secretary General	1	€200,000
Second Secretary General	1	€180,000
Assistant Secretary	2	€127,296 — €146,191
Principal Officer (higher scale pre '95)	4	€85,957 — €105,429
Principal Officer (standard scale pre '95)	4	€80,051 — €98,424
Assistant Principal (higher scale pre '95)	15 (including 7 w/s)	€67,913 — €84,296
Assistant Principal (higher scale post 95)	1 w/s	€71,359 — €88,598
Assistant Principal (standard scale pre '95)	4 (including 1 w/s)	€61,966 — €76,768
Assistant Principal (standard scale post '95)	1	€65,185 — €80,678
Higher Executive Officer (Higher scale) pre 95	9 (including 1 w/s)	€46,426 — €57,251
Higher Executive Officer (standard scale) pre 95	13 (including 5 w/s)	€43,816 — €55,415
Higher Executive Officer (standard scale) post 95	4 (including 1 w/s)	€46,081 — €58,294
Administrative Officer (higher scale post 95)	1	€40,734 — €57,251
Administrative Officer (standard scale post 95)	4	€31,619 — €55,415

Notes:

1; W/S = Work sharing

2; A small number of staff also receive allowances in addition to their salary (e.g. private secretary allowance)

### Departmental Expenditure

86. **Deputy Brendan Griffin** asked the Tánaiste and Minister for Foreign Affairs and Trade the mechanisms in place to monitor the way Irish Government overseas aid is spent by the recipient governments and non-governmental organisations; the overseas aid expenditure by the Irish Government over the past five years; the terms and conditions applied to the granting of aid to respective governments and NGO's; and if he will make a statement on the matter. [25674/11]

#### **Minister of State at the Department of Foreign Affairs and Trade (Deputy Jan O'Sullivan):**

The Government is strongly committed to Ireland's overseas aid programme, which is a central element in our foreign policy. The programme is recognised internationally for its strong focus on the fight against poverty and hunger, and its concentration on the poorest countries and communities of sub-Saharan Africa. The amounts provided for Ireland's Official Development Assistance (ODA) over the past five years are as follows:

2007	2008	2009	2010	2011
€871 million	€921 million	€722 million	€676 million	€659 million

These figures include the funds administered by Irish Aid in the Department of Foreign Affairs and Trade, which manages the Government's aid programme, as well as contributions to international development by other Government Departments and Ireland's share of the EU development cooperation budget.

As Minister of State with responsibility for the development programme, I am very conscious of the need to ensure that development aid reaches its intended beneficiaries and that it makes

a real difference in the lives of the poorest people. We deliver our aid programme in cooperation with Governments, local communities, NGOs, and key multilateral partners including the UN and EU. Ireland will play a strong role, in cooperation with our partners, at the forthcoming international meeting on Aid Effectiveness, which I will attend in Busan, Korea in November. In reviewing the aid programme most recently, in 2009, the OECD noted that Ireland is an international leader in making aid more effective. I am determined that we will build on that reputation at Busan.

Irish Aid is strongly focused on development results, identifying specific objectives and results against which all programmes are assessed and evaluated. All development aid funding is disbursed in line with these specific objectives. Proposals are rigorously appraised by Irish Aid staff as well as by an independent external Programme Appraisal and Evaluation Group using a number of criteria, including quality of intended impact, sustainability, cost effectiveness and efficiency in the use of resources. Where funds are provided to Non-Governmental Organisations, it is a fundamental condition that annual audited accounts are provided to us.

Programmes in receipt of funding from Irish Aid are subject to regular internal and external monitoring to ensure that the intended objectives and goals are being accomplished. These arrangements ensure that Ireland's development funding reaches those most in need, and supports the improvement of national systems of accounting and auditing in the countries where we work.

Irish Aid programmes are evaluated and audited by independent experts as well as by Irish Aid's Evaluation and Audit Unit. The Unit's work is also reviewed by the independent Audit Committee of my Department. These evaluations and audits provide assurance that funds are used for the purposes intended and have a particular focus on poverty reduction outcomes and value for money.

The OECD has found that "the structure of Irish Aid's programme ensures that the capacity and policy benefits of programme aid are achieved whilst improvements in the quality and accountability of public financial management together with rigorous oversight ensure that Irish funds are correctly used."

While we are working in some of the most difficult environments in the world, I am satisfied that the assessment, monitoring, evaluation and audit systems which Irish Aid has put in place provide the best assurance that development aid funding is being used for the intended objectives.

### **Overseas Development Aid**

87. **Deputy Eric Byrne** asked the Tánaiste and Minister for Foreign Affairs and Trade in regard to Palestine, if he is in a position to work with the Agricultural Project, Green Palestine for Rural Development, through the auspices of Irish Aid. [25723/11]

**Minister of State at the Department of Foreign Affairs and Trade (Deputy Jan O'Sullivan):** Through the Irish Aid programme of overseas development assistance, the Government provides significant funding assistance to the Palestinian people.

In 2010, Irish Aid provided €9 million to address humanitarian and development needs, provide emergency assistance to the most vulnerable Palestinians, and support the Palestinian Authority in public service delivery. We also provide funding to both Palestinian and Israeli civil society organisations focusing on human rights issues. Ireland is also a strong supporter of the UN agency for Palestinian Refugees (UNRWA), which provides vital social services, including health and education, to five million Palestinian refugees. Work is now underway within Irish Aid, in the Department of Foreign Affairs and Trade, to finalise a new strategy

[Deputy Jan O’Sullivan.]

for our programme of support to the Palestinian people. This strategy will reinforce the priority Ireland attaches to meeting the needs of the most vulnerable Palestinians and will involve a particular focus on education, an area which will be vital in assisting individual Palestinians and Palestinian society as a whole to achieve their potential.

While the Government does not at present provide direct funding through Irish Aid to the agricultural sector in Palestine, Irish funding to both the Palestinian Authority and UNRWA indirectly supports the implementation of Palestinian policies on rural development and food security, as set out in the Palestinian Authority’s National Development Plan 2011-2013.

### **Proposed Legislation**

88. **Deputy Eric Byrne** asked the Tánaiste and Minister for Foreign Affairs and Trade if it is envisaged that framework legislation will be introduced to underpin the commitment to the State’s programme of official development assistance and the United Nations target of investing 0.7% of national income in overseas aid by 2015. [25902/11]

**Minister of State at the Department of Foreign Affairs and Trade (Deputy Jan O’Sullivan):** The Government is strongly committed to Ireland’s overseas development programme, which is central to our foreign policy. The programme is clearly focused on the fight against extreme poverty and hunger, and concentrated in some of the poorest countries of sub-Saharan Africa. The Programme for Government underlines our commitment to the UN target of spending 0.7% of Gross National Product (GNP) on Official Development Assistance (ODA). Despite the difficult economic environment, and the pressure on aid budgets across the developed world, we remain committed to the 0.7% GNP target.

It has been suggested that legislating for ODA allocations and the 0.7% commitment would ensure that Ireland meets its international ODA commitments and protect annual ODA allocations. I expect that the issue will arise in the context of the consultations with the public and interested organisations under the review of the White Paper on Irish Aid, which is now under way.

Over the coming years, it is clear that decisions on the annual allocations for the aid programme will have to be taken within the overall budgetary framework and the fiscal constraints on the Government. As Minister with responsibility for trade and development, I will make the strongest possible case for funding for development cooperation. I will also ensure that Ireland’s aid programme continues to focus rigorously on the achievement of results and provides strong international leadership in making aid more effective, for the ultimate benefit of the world’s poorest people.

### **International Agreements**

89. **Deputy Maureen O’Sullivan** asked the Tánaiste and Minister for Foreign Affairs and Trade while acknowledging Serbia’s arrest of indicated war criminals, if he will ensure Serbia’s compliance with those articles in the stabilisation and association agreement requiring the necessity of Serbia’s contribution to stabilisation of the region and their fostering of regional cooperation and good neighbourly relations in view of recent provocative statements regarding Kosovo made by a Serbian Minister and in view of recent difficulties in the trade deal between Kosovo and Serbia. [26016/11]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** Dáil Éireann approved the EU-Serbia Stabilisation and Association Agreement (SAA) on 21 July 2011. A letter communicating Ireland’s ratification of the SAA was sent to the Council of the European

Union on 23 September 2011. The EU-Serbia SAA will come into effect once all EU Member States have ratified the agreement. Currently, eight Member States are still in the process of completing their national ratification procedures. Articles 14-17 of the Agreement, which deal with regional cooperation, are a crucial part of the SAA . They require Serbia to actively promote regional cooperation and to commit itself to the development of good neighbourly relations, including through free trade. Similar obligations apply equally to other Western Balkans countries which have concluded Stabilisation and Association Agreements with the EU.

Serbia and Kosovo have been engaged in an EU-facilitated dialogue since March 2011 following on from a joint EU-Serbia resolution at the UN General Assembly last year. The talks led to agreements on a number of practical matters including civil registry, freedom of movement and acceptance of university and school diplomas. Tensions escalated in northern Kosovo in late July in connection with customs controls at Kosovo's border with Serbia. Ireland and its EU partners appealed to both sides to show restraint. At a further round of Belgrade-Pristina talks on 2 September, agreements were reached on customs stamps and cadastral records. We welcome the fact that the talks were reconvened and that it was possible to reach agreement on a Kosovo customs stamp.

Ireland is a member of the board of Regional Cooperation Council (RCC), based in Sarajevo, which brings together all the countries of the Western Balkans and their neighbours and aims to promote cooperation in the region. Since the RCC was founded in 2008, Ireland has contributed almost €200,000 to it in furtherance of our national objective of enhancing cooperation in the Western Balkans. There have been improvements in regional cooperation and good neighbourly relations involving Serbia in recent years. Notable examples of this include: the establishment of the Belgrade-Pristina dialogue; the March 2010 resolution of the Serbian Parliament condemning the Srebrenica massacre; the joint attendance of the Presidents of Serbia and Croatia at a ceremony in Bosnia-Herzegovina in July 2010 to mark the 15th anniversary of the massacre; and the visit of the Serbian President to Vukovar in Croatia in November 2010 to commemorate victims of a siege by Serb forces. In July 2011, President Tadic paid the first official visit by a Serbian President to Bosnia-Herzegovina.

I welcomed the arrests this summer of Ratko Mladic and Goran Hadzic by the Serbian authorities, and their swift transfer to the International Criminal Tribunal for the former Yugoslavia (ICTY) in The Hague for trial. The arrests represented an important step in addressing the appalling atrocities committed during the war in Bosnia and Herzegovina in the 1990s. Their trials in The Hague will help to further the cause of true reconciliation in the Western Balkans region.

On 12 October, the European Commission will publish its annual report on the EU Enlargement process, which will assess the progress of all the countries of the Western Balkans on key benchmarks, including their shared obligation to develop regional cooperation and good neighbourly relations. I look forward to receiving the report of the Commission on progress made by Serbia and all the countries of the Western Balkans in their preparations for accession to the European Union.

### **Tax Code**

90. **Deputy Finian McGrath** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will support a matter (details supplied) regarding taxes. [26019/11]

94. **Deputy Finian McGrath** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will meet with a person (details supplied) in Dublin 9. [26429/11]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** I propose to take Questions Nos. 90 and 94 together.

As I mentioned in my reply to the Deputy in Question Number 44 of 14 September 2011 on this matter, the role of the Department of Foreign Affairs and Trade concerning private property transactions by Irish nationals abroad is limited and redress in such cases, including on taxation issues, should be sought through the relevant legal system. However, as indicated previously, officials in the Embassy of Ireland in Lisbon are ready to discuss any concerns the individual has with him. Officials at my Department's headquarters can, of course, assist in arranging such contact, as necessary.

### Departmental Staff

91. **Deputy Anne Ferris** asked the Tánaiste and Minister for Foreign Affairs and Trade notwithstanding the Civil Service circular No. 28, if he will provide a list of the current pay of each senior civil servant from higher executive officer to secretary general in his Department broken down by grade; the pension entitlements of each and any other emoluments they are entitled to receive upon reaching retirement; and if he will make a statement on the matter. [26237/11]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** It would be inordinately time consuming to compile such detailed information in respect of some 550 individual officers. However, in order to be as informative as possible I have set out in the following table details of the Department's staff by grade from Higher Executive Officer upwards as well as the applicable salary scales. The figures take account of officers of other Government Departments serving in our Missions abroad, most notably Ireland's Permanent Representation to the EU in Brussels, except where their salaries and other costs are borne by their parent Departments. Ministerial appointees are excluded. The table reflects the position as of 31 August 2011.

Grade	Number serving (based on full-time equivalents)	Standard pay scale for the Grade € per annum
Secretary General	1	215,590 (voluntarily reduced to 200,000)
Second Secretary	2	188,640
Deputy Secretary	4	168,000
Assistant Secretary	36	127,796—146,191
Legal Adviser	1	127,796—146,191
Counsellor	50	80,051—98,424
Counsellor Higher	16	85,957—105,429
Principal Officer	11	80,051—98,424
Principal Officer Higher	5	85,957—105,429
Principal Development Specialist	5	92,672—105,356
Senior Development Specialist	17	74,514—89,898
Development Specialist	25.8	61,966—76,768
Assistant Legal Adviser	6.5	61,966—76,768
First Secretary	87	61,966—76,768
First Secretary Higher	21.6	67,913—84,296
Assistant Principal	49.8	61,966—76,768
Assistant Principal Higher	15	67,913—84,296
Professional Accountant Grade 1	2	65,247—80,814

Grade	Number serving (based on full-time equivalents)	Standard pay scale for the Grade € per annum
Professional Accountant Grade 2	1	55,863—69,132
Architect (Principal Officer)	1	85,957—105,429
Senior Architect	1	59,719—80,814
Translator	1	55,863—69,132
Third Secretary	78	31,619—55,415
Third Secretary Higher	29.6	40,734—57,215
Administrative Officer	3	31,619—55,415
Higher Executive Officer	40.8	43,816—55,415
Higher Executive Officer Higher	18.75	46,426—57,251
Librarian	1	43,182—55,967
HEO Systems Analyst	6	43,816—55,415

The superannuation entitlements of civil servants vary greatly depending on a number of considerations including recruitment date and applicable superannuation scheme, as well as age, salary and number of years completed service upon retirement. Staff recruited since 1 April 2004 have no maximum retirement age.

### Departmental Strategy Statements

92. **Deputy Dara Calleary** asked the Tánaiste and Minister for Foreign Affairs and Trade if his Department has submitted a strategy statement to him, as specified under the 1997 Public Service Management Act; and if so, if he will publish this statement. [26401/11]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** I wish to confirm to the Deputy that my Department's draft Statement of Strategy for 2011-2014 has been submitted to me, in accordance with the requirements of the Public Service Management Act. The Department is currently engaged in a number of ongoing processes, including the finalisation of the arrangements for the transfer of certain EU-related functions to the Department of the Taoiseach and the Comprehensive Review of Expenditure, and the Statement of Strategy will be finalised with a view to accurately reflecting decisions arising from these processes.

Thereafter, I will, as set out in the Guidelines on the preparation of Statements of Strategy, consult with the Taoiseach on the draft Statement prior to its finalisation, submission for information to the Government and publication. The Statement of Strategy will, in accordance with the Public Service Management Act, be laid before the Oireachtas no later than 60 days after its approval.

### Humanitarian Aid

93. **Deputy Clare Daly** asked the Tánaiste and Minister for Foreign Affairs and Trade noting the recent statement by the Turkish Prime Minister Erdogan that the Turkish defence forces will protect Turkish citizens attempting to bring humanitarian aid to the Palestinian people in Gaza, if he will ensure that Irish citizens attempting to bring humanitarian aid to Gaza will be protected against hostile forces. [25254/11]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** I continue to regard the blockade of Gaza as unjustified and counter-productive, as I made clear when I addressed the UN General Assembly yesterday in New York. The only real solution is the full opening of the land crossing points between Israel and Gaza. Ireland, along with our EU



[Deputy Eamon Gilmore.]

Partners, continues to press for a full opening up of the border crossings into Gaza to allow unimpeded flows of humanitarian aid, and normal commercial and human traffic, as clearly called for by UN Security Council Resolution 1860 of January 2009. It is also clear that the genuine humanitarian needs of the people of Gaza cannot be met through flotillas or land convoys attempting to bring aid through Egypt. Aid carried to Gaza port or transported through the Rafah crossing can only meet a tiny and symbolic fraction of the territory's needs. The full opening of land crossings is required to enable any semblance of normal life to resume in the territory. I recognise that Israel is entitled to prevent the transport of weapons and genuinely military materials into Gaza, and therefore to check cargoes in this context, but other goods and materials should not be impeded.

I recognise the humanitarian motivations of those attempting to transport humanitarian aid to Gaza. However, as I have previously stated, I cannot encourage participation in any project which would involve Irish citizens engaging in actions which could lead them into real danger. My Department's travel advice is quite clear in recommending against travel to Gaza, including by sea. We also continue to press the Israeli Government to do all possible to facilitate those wishing to transport humanitarian goods to Gaza while my Department will also continue to provide all possible consular services, where necessary.

I would observe that a more effective means of providing humanitarian aid to Gaza would be to do so by donating to UN agencies such as UNRWA, which have established means of transporting aid to Gaza.

*Question No. 94 answered with Question No. 90.*

#### **Tax Code**

95. **Deputy Jim Daly** asked the Minister for Finance the reason he will not permit local authorities to make payments to subcontractors under the RCT 35 return in the absence of a valid C2 certificate which is the law laid down by the Revenue Commissioner as a method of payment between all principle and subcontractors in the State; and if he will make a statement on the matter. [26309/11]

**Minister for Finance (Deputy Michael Noonan):** Circular 43/2006 issued by my Department advised Government Departments and other public sector bodies concerned with awarding public sector contracts of the procedures relating to tax clearance.

In the case of sub-contractors on any public sector contract of a value of €10,000 (inclusive of VAT) or more, the contracting authority should, when advertising the main contract, state that it will be a condition for the award of the contract that all sub-contractors employed on the project must produce a tax reference number where payments exceed €650. Records of tax reference numbers must be kept by the contractor and be available for inspection where requested by the Revenue Commissioners.

Where payments exceed €2,600 in any 12 month period the sub-contractor will be required to produce either a current tax clearance certificate or a current C2 certificate. It should be made clear to sub-contractors that payments under a contract are at all times conditional on compliance with these requirements. It will be the responsibility of the relevant contractor to ensure that any sub-contractor employed by him complies with these requirements. In all cases contracting authorities must ensure that contractors have complied with these requirements.

It should be emphasised in the case of sub-contractors in the construction, forestry and meat processing industries that, in the absence of a C2 certificate, tax must continue to be deducted at source at the rate of 35 per cent in accordance with Section 531 of the Taxes Consolidation

Act, 1997 as amended notwithstanding the fact that a tax clearance certificate has been furnished under these arrangements.

### Tax Code

96. **Deputy Pearse Doherty** asked the Minister for Finance the amount raised for the Exchequer during 2010 by the income levy; and the amount that would have been raised were the income levy applied only to those earning in excess of €30,000 per annum. [25654/11]

**Minister for Finance (Deputy Michael Noonan):** The Income Levy was collected by the Revenue Commissioners as a component of Income Tax. I am informed by the Revenue Commissioners that it is estimated that €1,446 million was collected from the Income Levy in the calendar year 2010. However, as is normal, it would have been expected that the total Income Levy liability for the income tax year 2010 would be higher at €1,710 million and the difference would have been collected in 2011/12. I am advised by the Revenue Commissioners that the estimated full year yield to the Exchequer, estimated by reference to 2010 incomes, of confining the Income Levy to all income earners earning in excess of €30,000 per annum, and double that amount for married couples, would have been of the order of €1,405 million.

These figures are estimates from the Revenue tax-forecasting model using actual data for the year 2009 adjusted as necessary for income and employment trends for the year 2010. They are therefore provisional and may to be revised.

97. **Deputy Pearse Doherty** asked the Minister for Finance the revenue that would be raised for the Exchequer by reducing capital acquisition tax thresholds by 25% and increasing the CAT rate by 10%. [25655/11]

**Minister for Finance (Deputy Michael Noonan):** I am advised by the Revenue Commissioners that the estimated full year yield to the Exchequer from increasing the Capital Acquisitions Tax rate by 10%, based on the expected outturn in 2011, could be in the region of €110 million, assuming no change in the existing thresholds. The additional full year yield from existing taxpayers from reducing the existing thresholds by 25% and applying the proposed rate of 35% to the additional amounts thus brought into charge is estimated to be of the order of €50 million. Revenue do not receive information on gifts and inheritances which currently do not have to be declared so it is not possible to estimate the potential yield if such benefits were brought into the tax net. These estimates are based on transactions recorded in 2010, the latest year for which the necessary detailed information is available. It should be noted that these estimates are based upon an assumption that there would be no behavioural impact from these changes, which could lead to a less than expected impact on Exchequer yield. In addition, the realisation of any estimated yield from an increase in taxation on assets related to property is subject to movements in the value of such assets currently occurring in the economy.

### Financial Services Regulation

98. **Deputy Michael McGrath** asked the Minister for Finance if he will provide a list of financial institutions covered by the Central Bank's consumer protection code. [25659/11]

**Minister for Finance (Deputy Michael Noonan):** I have been informed by the Central Bank that its Consumer Protection Code applies to the regulated activities of all regulated entities operating in this State including:

- the services of all regulated entities operating in this State for which they require to be authorised by, or registered with, the Central Bank, and

[Deputy Michael Noonan.]

- persons with an equivalent authorisation or registration in another EU or EEA Member state when providing services in this State on a branch or cross-border basis,
- the services of a financial or investment nature that are subject to regulation by the Central Bank, for which a separate authorisation is not required.

For the purposes of the Code “regulated activities” are services of a financial or investment nature that are subject to the regulation of the Central Bank. Also for the purposes of the Code “regulated entity” means a person who carries on a business of providing one or more “regulated activities”.

The Code does not apply to regulated entities when:

- providing services to persons outside the State,
- providing Markets in Financial Instruments Directive Services,
- providing the services of a “moneylender”, within the meaning of the Consumer Credit Act 1995,
- carrying on the business of reinsurance or reinsurance mediation,
- carrying on the business of a “bureau de change” or “money transmission”, within the meaning of Part V of the Central Bank Act 1997,
- if such firm is a credit union, when providing services for which it does not require to be authorised by or registered with the Central Bank,
- carrying on the business of entering into hire purchase agreements, or
- carrying on the business of entering into consumer hire agreements.

The Central Bank has advised me that its registers contain individual registers for all financial service providers and collective investment schemes regulated by it. A consumer wishing to do business with a financial institution may check, by using a link on the Central Bank’s website and inserting the company name in question, whether or not that institution is regulated by the Central Bank.

### **Strategic Investment Fund**

99. **Deputy Gerald Nash** asked the Minister for Finance the position regarding the establishment of a strategic investment fund to support small and medium enterprises; the way the fund will be resourced; and if he will make a statement on the matter. [25697/11]

**Minister for Finance (Deputy Michael Noonan):** As I said in a reply to a question from Deputy Ferris on 14 September last, 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 objectives for the renewal of the banking system, which are ahead of schedule, have been completed. This assessment will include the strategic investment bank’s relationship with the two pillar banks and the time line for its establishment.

As regards the support of small and medium enterprises in general, the restructuring of the domestic banking sector creates capacity for the pillar banks to lend in excess of €30 billion over the next three years in SME and other important sectors. This is in excess of Central Bank estimates of the likely demand for SME and mortgage credit over this period. Both pillar

banks are concentrating on the Irish economy and need to issue credit to make profits and rebuild their balance sheets.

As the Deputy may be aware, the Government has imposed lending targets on the two domestic pillar banks for the three calendar years, 2011 to 2013. Both banks will be required to sanction lending of at least €3 billion this year, €3.5 billion next year and €4 billion in 2013 for new or increased credit facilities to SMEs.

### **Tax Code**

100. **Deputy Bernard J. Durkan** asked the Minister for Finance if any refund of income tax paid is due in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [25713/11]

**Minister for Finance (Deputy Michael Noonan):** I have been advised by the Revenue Commissioners that, according to their records, no income tax was paid by the person concerned in 2008. Accordingly no refund is due for 2008.

101. **Deputy Bernard J. Durkan** asked the Minister for Finance the reason full entitlement of refundable income tax was not determined on the basis of income earned in 2009 when they ceased employment so payment in respect of which did not issue until 2010 in the case of a person (details supplied) in County Laois; and if he will make a statement on the matter. [25714/11]

**Minister for Finance (Deputy Michael Noonan):** It is a long established principle in tax case law that emoluments from an employment are taxable in the year in which they are earned (and not necessarily assessable in the tax year in which such emoluments are paid). In addition to such principle, Section 112 Taxes Consolidation Act 1997 provides that where an individual receives emoluments from a former employer, such emoluments are assessable in the tax year in which the employment with that employer ceased.

I am informed by the Revenue Commissioners that in contrast, the PAYE tax deducted in 2010 from the 2009 arrears (paid in 2010) is given as a credit in the 2010 tax year even though the arrears are assessable in 2009. I am further informed by the Revenue Commissioners that in the case in respect of which details are supplied, the relevant arrears have been correctly assessed in the 2009 tax year and the individual has received full and proper credit in the 2010 tax year in respect of the PAYE tax deducted in 2010 from the 2009 arrears. Taking one year with the next, the overall position gives rise to a repayment of tax that issued on 31st August 2011.

Finally, Revenue were not aware of the arrears of pay situation until representations were made on 11th August 2011 on behalf of the individual in respect of whom details are supplied.

102. **Deputy Bernard J. Durkan** asked the Minister for Finance the reason full entitlement of refundable income tax was not determined on the basis of income earned in 2009 when they ceased employment so payment in respect of which did not issue until 2010 in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [25715/11]

**Minister for Finance (Deputy Michael Noonan):** It is a long established principle in tax case law that emoluments from an employment are taxable in the year in which they are earned (and not necessarily assessable in the tax year in which such emoluments are paid). In addition to such principle, Section 112 Taxes Consolidation Act 1997 provides that where an individual

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receives emoluments from a former employer, such emoluments are assessable in the tax year in which the employment with that employer ceased.

I am informed by the Revenue Commissioners that in contrast, the PAYE tax deducted in 2010 from the 2009 arrears (paid in 2010) is given as a credit in the 2010 tax year even though the arrears are assessable in 2009. I am further informed by the Revenue Commissioners that in the case in respect of which details are supplied, the relevant arrears have been correctly assessed in the 2009 tax year and the individual has received full and proper credit in the 2010 tax year in respect of the PAYE tax deducted in 2010 from the 2009 arrears. Taking one year with the next, the overpayment in respect of the 2010 tax year has been off-set against the arrears of tax for the 2009 tax year.

### Financial Services Regulation

103. **Deputy Joe Costello** asked the Minister for Finance if his attention has been drawn to the application from a company (details supplied) in Dublin 2 to the Central Bank for a licence to become a deposit bank; and if he will make a statement on the matter. [25726/11]

**Minister for Finance (Deputy Michael Noonan):** The authorisation of credit institutions is a matter for the Central Bank of Ireland and, as such, applications for authorisation are not considered by the Minister for Finance. A full list of authorised credit institutions is published on the Central Bank's website at *www.centralbank.ie*.

### Proposed Legislation

104. **Deputy Joe Costello** asked the Minister for Finance if new legislation on the regulation of credit unions is being prepared; if so, the persons preparing same; when it is likely to be drafted; the main issues being addressed; and if he will make a statement on the matter. [25728/11]

**Minister for Finance (Deputy Michael Noonan):** Under the EU/IMF Programme, legislation is to be published by end-2011 to strengthen the regulatory framework for credit unions. The Government has established the Commission on Credit Unions to review the future of the credit union sector. In line with the Programme for Government, the Commission will review the future of the credit union movement and make recommendations in relation to the most effective regulatory structure for credit unions. This will take into account their not-for-profit mandate, their volunteer ethos and community focus, while paying due regard to the need to fully protect depositors' savings and financial stability.

The Commission on Credit Unions is due to submit its interim report to me by the end of this week. This report will inform the preparation of the bill to be published by the end of this year. As is normal for financial legislation, the Bill will be prepared by the Department of Finance in conjunction with the Office of the Attorney General and the Office of the Parliamentary Counsel and will take into account the advice of the Central Bank and the Registrar of Credit Unions.

### Financial Services Regulation

105. **Deputy Joe Costello** asked the Minister for Finance if his attention has been drawn to the situation outlined in documents (details supplied); the steps he will take to ensure that the EBS which was in receipt of State funding fulfils its obligations; and if he will make a statement on the matter. [25768/11]

**Minister for Finance (Deputy Michael Noonan):** I have no role in relation to a dispute that arises between a consumer and his/her financial service provider. In relation to the case mentioned by the Deputy, I am aware that it was submitted to the Financial Services Ombudsman (FSO). The FSO is independent in the performance of his statutory duty. I cannot comment on any decision which he may have taken.

### Departmental Staff

106. **Deputy Noel Grealish** asked the Minister for Finance the number of employees in his Department who have expressed an interest in retiring ahead of the changes to the public sector pension schemes that are to come into force in 2012; and if he will make a statement on the matter. [25785/11]

**Minister for Finance (Deputy Michael Noonan):** A number of employees in my Department will be required to retire in 2012 upon reaching their compulsory retirement age of 65 while others may retire upon reaching their minimum retirement age of 60 years of age or on actuarially reduced pension terms if they are within ten years of minimum retirement age. Since 11 July 2011, all staff in the civil service who intend to retire on or before 29 February 2012 are required to give 3 months notice of their date of retirement. Accordingly, in advance of the cut-off date of 30 November 2011, and taking account of the many factors that might determine an employee's decision to retire or not, it is not possible to accurately reflect, at this juncture, the number of employees in the Department who will submit a formal notification of retirement.

### Tax Evasion

107. **Deputy Derek Nolan** asked the Minister for Finance if there is currently a phone number persons can use to report tax defaulters; and if such a hotline is manned at all times; and if he will make a statement on the matter. [25843/11]

**Minister for Finance (Deputy Michael Noonan):** I am informed by the Revenue Commissioners that the Deputy and the Chairman of the Revenue Commissioners discussed this at the meeting of the Public Accounts Committee on the 22nd. September. While there is no one dedicated phone number, the Chairman outlined that people can, and do, advise Revenue of evidence of tax evasion through the network of local offices, by phone, email or letter. She also spoke about the Confidential Freephone 1800 295 295 for reporting tobacco smuggling or sale of illicit tobacco products. The challenge with these approaches is how to get useful information while minimising the opportunity cost to Revenue and the impact on compliant taxpayers.

With a view to improving the value, Revenue is currently discussing with some business/trade bodies the provision of a template form which their members can complete and submit through the body, thereby protecting their identities if they wish.

Reports of suspected evasion/fraud should provide as much detail as possible particularly in terms of location, names, addresses, telephone numbers and vehicle registrations.

### Tax Code

108. **Deputy Sean Fleming** asked the Minister for Finance if he will reconsider the recently introduced pension levy in view of the fact that members of pension schemes are facing increased contributions and reductions in benefits; and if he will make a statement on the matter. [25859/11]

**Minister for Finance (Deputy Michael Noonan):** As I explained in my speech introducing the “Jobs Initiative” in May last, the decision to fund the Initiative by way of a levy on pension funds over the 4 year period was taken because the alternatives for increases in taxation elsewhere at this time would be more damaging to the economy.

I do not have any plans for alternative sources of revenue to fund the Jobs Initiative.

109. **Deputy Eric Byrne** asked the Minister for Finance if he will confirm that companies from outside this jurisdiction operating within this State will in the future be required to report on their taxes paid and profits made on a country basis. [25903/11]

**Minister for Finance (Deputy Michael Noonan):** The issue of country-by-country reporting by Multinational Enterprises (MNEs) features prominently on the agenda of both the European Union and the OECD. In 2010, the EU Commission issued a Communication setting out a twelve point action plan in support of the Millennium Development Goals which inter alia called on Member States to facilitate ongoing research into country-by-country reporting. Work is proceeding at the EU level on this with an initial focus on the extractive sector.

In parallel, the OECD, through the work of the Development Assistance Committee, is seeking to enhance transparency and accountability of MNEs including an examination of the feasibility of introducing full disclosure through country-by-country reporting.

While we are supportive of the efforts of the EU Commission and the OECD in this area , we are also pragmatic in recognising the inherent difficulties in advancing the issue, because of the many stakeholders involved including the International Accounting Standards Board and MNEs themselves which have very real competitive concerns.

I want to assure the Deputy that we will continue to work with our Partners on this issue but equally we would not wish that this issue would deflect attention from other very important transparency issues such as Exchange of Information and facilitating developing countries in their negotiations with MNEs.

### **Enterprise Support Services**

110. **Deputy Jim Daly** asked the Minister for Finance if he will consider introducing a scheme of assistance administrated by Enterprise Ireland to deal with the currency crisis for small and medium enterprise here that are not being afforded credit by suppliers operating in Britain as a result of recent developments in the euro economy; and if he will make a statement on the matter. [25906/11]

**Minister for Finance (Deputy Michael Noonan):** I have no plans at present to introduce a scheme of assistance similar to the one outlined by the Deputy in his question.

### **Tax Code**

111. **Deputy Jim Daly** asked the Minister for Finance the percentage of the €50 million patent income tax exemption claimed in 2010 that was availed of by multinationals versus the amount claimed by Irish small and medium enterprises; and if he will make a statement on the matter. [25907/11]

**Minister for Finance (Deputy Michael Noonan):** The termination of the tax exemption for royalty and other income arising from qualifying patents came into effect from 24 November 2010 at an estimated full year yield of €50 million.

The decision to abolish the relief was taken in the light of a recommendation to this effect by the Commission on Taxation. As part of its review of all tax expenditures, the Commission

on Taxation examined the relief for patent income to determine if its continued operation was justified on cost benefit grounds. The Commission found that the relief had not had the desired impact on innovation and R&D activity and that, despite various refinements to the scheme over the years, it was not a particularly well-targeted measure providing good value for money.

The R&D credit scheme provides a more direct and effective incentive for enterprises to innovate and invest in R&D activities and the scheme has been enhanced considerably in recent years to make it one of the most competitive of its kind anywhere.

I am informed by the Revenue Commissioners that information in relation to claims for patent income exemption is derived from corporation tax returns and income tax returns. Based on the information that has been provided in the tax returns for the tax year 2009, the latest year for which the necessary detailed data are available, the total cost to the Exchequer of the patent income exemption was €72 million, of which approximately €16 million was associated with claims from companies.

I am also informed by the Revenue Commissioners that statistics on the amount of patent income exemption claimed by multinational corporations is not separately available. However, it is likely that many of the larger claims of patent income exemptions by companies are claimed by large multinational companies.

Data for the year 2010 is not yet available as the bulk of tax returns for that year are not yet due.

### **Tax Yield**

112. **Deputy Pearse Doherty** asked the Minister for Finance the potential savings to the Exchequer from limiting the capital allowances available to business at €2 million. [25951/11]

**Minister for Finance (Deputy Michael Noonan):** I am informed by the Revenue Commissioners that based on claims for capital allowances on the income tax returns and corporation tax returns for 2009, the latest year available, the notional cash flow saving to the Exchequer of limiting capital allowances available to business at €2 million in a tax year could be in the region of €1 billion if applied to all existing and new claims. The estimated cash-flow yield does not take account of any potential additional yield from applying the proposed cap to claimed but unused capital allowances which have either been brought forward from prior years or will be carried forward into future years as losses and are no longer separately identifiable as capital allowances.

Neither do the estimated savings take into account the potential substantial loss to the Exchequer of taxes such as Corporation Tax, Value Added Tax and PAYE as a result of the probable disincentive effect the proposal would have on businesses investing in large capital projects. For example, as capital expenditure on plant and machinery is generally written off for tax purposes on a straight-line basis over eight years, the proposed cap would impact on any project in excess of €16 million.

Furthermore, no account can be taken of any possible changes made to corporate structures which could result in an effort by businesses to maximize their use of capital allowances restricted as proposed.

It would be more difficult to quantify the saving to the Exchequer if the proposal were confined to new expenditure only as there is insufficient data on the timing and quantum of such expenditure to allow for a meaningful estimate to be made.



### Bank Guarantee Scheme

113. **Deputy Eric Byrne** asked the Minister for Finance if during the course of his negotiations the ECB was made aware that Anglo Irish Bank and Irish Nationwide Building Society were both solvent; and if the Central Bank of Ireland communicated the full and frank financial picture to the ECB during the course of negotiations and specifically in the run up to the bank guarantee in 2008. [25952/11]

**Minister for Finance (Deputy Michael Noonan):** Ireland has a good cordial and professional relationship with both the ECB and the European Commission. The relationships are built on mutual trust, openness and a cooperative and collegiate approach to issues that arise.

In relation to the Bank Guarantee I understand that in September 2008, the then Minister for Finance, after consulting with the Governor and the Regulatory Authority, had formed the opinion that there was a serious threat to the stability of credit institutions generally, and that the provision of financial support was necessary, in the public interest, for maintaining the stability of the financial system in the State and to remedy a serious disturbance in the economy of the State. In his report on events at that time Professor Honohan states “It is hard to argue with the view that an extensive guarantee needed to be put in place, since all participants (rightly) felt that they faced the likely collapse of the Irish banking system within days in the absence of decisive immediate action. Given the hysterical state of global financial markets in those weeks, failure to avoid this outcome would have resulted in immediate and lasting damage to the economy and society. There would have been additional lost income and employment surely amounting, if it could be quantified, to tens of billions of euros.”

The Governor’s report contains a detailed account of event leading up to the provision of the Guarantee including in relation to the advice that would have been received by the Minister from the Central Bank and Financial Regulator. Paragraph 8.19 of the report in which the Governor states that the clear consensus of those bodies was that the problem being experienced by the domestic credit institutions was essentially one of liquidity rather than solvency as a consequence of a world-wide “financial tsunami”. In addition in his discussions with the Joint Oireachtas Committee on Finance and the Public Service on 15 June 2010 the Governor stated that the Minister would not have been aware of solvency concerns relating to the banking system because the Financial Regulator did not have solvency concerns.

As the Deputy is aware the Central Bank is independent in the performance of its functions and in its dealings with the ECB. I can not comment on what was communicated between the Central Bank and the ECB.

### Departmental Bodies

114. **Deputy Pearse Doherty** asked the Minister for Finance if he will provide details of the secondees currently working in the National Assets Management Agency; the duration of their contracts; the amount that NAMA pays for their services; the firms the secondees come from; the amounts payable to individual firms; if he will confirm if NAMA also uses these firms for paid consultancy work; if so, the firms that are used; the amount they have earned for consultancy work; and if NAMA has taken any steps to ensure that firms which do not supply secondees are not unfairly disadvantaged by NAMA’s relationships with firms that provide secondees. [25973/11]

**Minister for Finance (Deputy Michael Noonan):** I am informed by NAMA that there are currently three secondees working on short-term assignments of less than 3-months duration in the Agency. It is NAMA’s practice to use secondees only on short-term specialist assignments where this is the most cost-effective option available. One of the three is on secondment

from the Housing and Sustainable Communities Agency examining NAMA's database regarding stock suitability for social housing.

The other two have been provided to NAMA by Knight Frank property consultants and Olswang, a leading UK law firm. The Knight Frank secondee is assisting with processing the final property valuation reports and the Olswang secondee is a specialist UK banking solicitor.

The cost of procuring the services of the secondees is a confidential commercial matter between NAMA and the firms concerned but I understand that they are being provided to NAMA on a cost recovery basis.

Knight Frank is one of 24 firms on the Real Estate Valuation Panel, all of which have received work from NAMA. It has also been appointed as receiver for 9 properties owned by Derek Quinlan. Olswang is one of 31 firms on the 42-firm Enforcement and Re-financing Panel to have received work from NAMA.

NAMA advises me that those firms which do not supply secondees are not disadvantaged, given the small number of secondees required by the agency.

### Consultancy Contracts

115. **Deputy Pearse Doherty** asked the Minister for Finance if he will provide details of a company's (details supplied) remit to assist his Department on the restructuring of Irish banks, including the start date and end date of the contract; if he will confirm that this company has recently pitched for projects outside of this original remit; if he will clarify if this company was asked to re-tender for this work in line with normal competitive process; and the fees budgeted for this company's work on Irish bank restructuring and the level of fees. [25974/11]

**Minister for Finance (Deputy Michael Noonan):** The company referred to in the question was engaged on 16 May 2011 until 31 December 2011 as external adviser on bank restructuring, to ensure a timely, efficient and effective process, and to review the proposals for merger and integration. A fixed fee, including expenses, of €2.75m was agreed for the engagement. The company has carried out no work for the NTMA or the Department of Finance other than that specified under the terms of the contract nor has it proposed to do so.

### Tax Code

116. **Deputy Pearse Doherty** asked the Minister for Finance if his attention has been drawn to the proposal in the Northern Assembly to place a tax on mobile phone masts; if he will consider this proposal; and if he will provide an estimate of the revenue that could be raised. [25986/11]

**Minister for Finance (Deputy Michael Noonan):** I am aware of the proposal to which the Deputy refers. Placing such a charge on mobile telephone masts could deter service providers from erecting new masts in areas where coverage is bad. Consideration would also have to be given to the possible impact within the communications sector and on our communications infrastructure of such a proposal.

I have been informed by ComReg that there are approximately 4,500 mobile telephone 'sites', consisting of a mix of masts and building mounted sites. The potential yield from such a tax would obviously be dependent on the rate applied per mast or site. Mobile telephone companies are already subject to VAT at 21% on calls and text messages. Any further charges would probably be ultimately passed on to the user.

I have no plans to introduce such a tax.

### Tax Yield

117. **Deputy Willie O’Dea** asked the Minister for Finance the revenue loss to the Exchequer from the abolition of the PRSI charge on share-based remuneration; and if he will provide an estimate of the jobs protected by the abolition. [25989/11]

**Minister for Finance (Deputy Michael Noonan):** I assume that the Deputy is referring to the employer PRSI charge on share based remuneration introduced by the previous Government, which I abolished as part of the recent Jobs Initiative. Following the announcement that I made on the 18 March 2011, which clarified that PRSI would only apply to share based remuneration that was subject to a written agreement entered into after 1 January 2011, it was estimated that the employer PRSI element would have yielded approximately €1.8 million in 2011. In my view, the introduction of the employer PRSI charge, by increasing costs for employers, had the potential to seriously damage the economy, particularly in terms of making Ireland less attractive for foreign direct investment, as many FDI firms use share based remuneration schemes. While it is not possible to estimate the number of jobs that will be protected, or created, as a result of the abolition of the charge, the danger of job losses or a reduction in our attractiveness for investment, far outweighed the yield that could be achieved from it.

118. **Deputy Willie O’Dea** asked the Minister for Finance the measures that have been taken to verify that the VAT reductions on certain goods and services from 13.5% to 9% have been passed on to consumers; the estimated rate of compliance by business in reducing prices in accordance with the VAT reduction and the estimated loss of revenue to the Exchequer. [25990/11]

**Minister for Finance (Deputy Michael Noonan):** As announced under the Jobs Initiative, a second reduced VAT rate of 9% was introduced on a temporary basis in respect of certain services and goods mainly related to tourism for the period 1 July 2011 to end 2013. Specifically the 9% rate applies to restaurant and catering services; hotel and holiday accommodation; various entertainment services such as admissions to cinemas, theatres, certain musical performances, museums, art gallery exhibitions and fairgrounds/amusement parks, the use of sporting facilities; hairdressing services; and printed matter such as brochures, maps, programmes, leaflets, catalogues, newspapers and magazines. The introduction of the 9% VAT rate is aimed at contributing towards boosting tourism and the creation of additional jobs in that sector. The measure has received a very positive response from the tourism sector and a recent press release from the Restaurants Association of Ireland, for example, reports the passing on of the new rate by the majority of members surveyed. Of course compliance by business in reducing prices is key to the success of the initiative and this will be kept under review and will be evaluated before end 2012 in order to determine its effectiveness in aiding the industry. If it is shown that the VAT reduction has little or no effect in aiding the industry then the measure is open to being reformed or abolished. In addition, checks on the correct operation of VAT, including the rates of VAT applied are integral parts of Revenue’s audit and compliance programmes.

The measure is estimated to cost €120 million this year and €350 million in 2012 and 2013.

### Bank Guarantee Scheme

119. **Deputy Michael McGrath** asked the Minister for Finance if he will provide details on the average value of a mortgage issued by the covered institutions in the Dublin region for each of the years 2007, 2008, 2009, 2010 and to date in 2011. [26021/11]

122. **Deputy Michael McGrath** asked the Minister for Finance if he will provide details on the number of mortgages issued by the covered institutions in the Dublin region for each of the years 2007, 2008, 2009, 2010 and to date in 2011. [26034/11]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 119 and 122 together.

Unfortunately, it has not been possible to get the information from the covered institutions in the timeframe allowed by the Question. I will write to the Deputy in the near future with information provided by the institutions. I would caution however that one institution, at this point, has responded indicating that the information requested by the Deputy is commercially sensitive and that the institution will not be in a position to provide such information.

### State Banking Sector

120. **Deputy Pearse Doherty** asked the Minister for Finance the total cost to the State of the Anglo Irish Bank and Irish Nationwide Building Society promissory notes including broken down by the interest payable on the promissory notes, the interest on borrowing to service the note and the capital payments; if he will detail the payment schedule and the date when the full debt including interest will be paid in full; and if he will make a statement on the matter. [26029/11]

**Minister for Finance (Deputy Michael Noonan):** The promissory notes were issued in various tranches with different interest rates (four tranches for Anglo and 2 tranches for INBS. The total interest cost for the State for all tranches of the Anglo and Irish Nationwide promissory notes is circa €17 billion with annual repayments of €3.1 billion per annum. These annual repayments reduce over time as the various tranches of the promissory note are repaid. The final payment on the promissory note of circa €0.1billion will be made on 31 March 2031. Set out is a detailed aggregated schedule of capital repayments and interest on the promissory notes.

€bn	Total Interest	Repayments	Total Capital Reduction
31/3/2011	0.6	3.1	2.5
31/3/2012	—	3.1	3.1
31/3/2013	0.5	3.1	2.6
31/3/2014	1.8	3.1	1.2
31/3/2015	1.7	3.1	1.3
31/3/2016	1.7	3.1	1.4
31/3/2017	1.5	3.1	1.5
31/3/2018	1.4	3.1	1.6
31/3/2019	1.3	3.1	1.7
31/3/2020	1.2	3.1	1.9
31/3/2021	1.1	3.1	2.0
31/3/2022	0.9	3.1	2.2
31/3/2023	0.7	3.1	2.3
31/3/2024	0.6	2.1	1.5
31/3/2025	0.4	0.9	0.5
31/3/2026	0.4	0.9	0.5
31/3/2027	0.3	0.9	0.6
31/3/2028	0.3	0.9	0.6
31/3/2029	0.2	0.9	0.7
31/3/2030	0.1	0.9	0.8
31/3/2031	0.0	0.1	0.0
	16.8	47.9	30.6

[Deputy Michael Noonan.]

The Deputy should be aware that the funds which become available to the State as a result of borrowing undertaken by the Exchequer are not generally assigned to one particular area of expenditure. Rather they are available, along with the funds sourced from revenues such as tax revenue, non-tax revenue and capital receipts, to fund overall expenditure. Accordingly, there was no one tranche of borrowing that was undertaken solely for the purpose of funding the Promissory Note payments to Anglo Irish Bank and Irish Nationwide Building Society. The draw downs of funds so far under the Joint EU/IMF Programme of Financial Support have been used for a range of different purposes including of course the general running of the day-to-day operations of the State. It is difficult therefore to isolate precisely the exact cost of the interest payments on the borrowing undertaken to fund the Promissory Note payments. However, for illustrative purposes, on the basis of the original 5.8% blended average interest rate which applied to borrowing under the Programme, the interest costs on borrowing of €3,060 million would be just under €180 million per annum. In light of the recently agreed reduction in interest rates on funding available under the Joint EU/IMF Programme of Financial Support however, the estimated interest cost on such borrowing reduces to approximately €115 million per annum.

### General Government Debt

121. **Deputy Pearse Doherty** asked the Minister for Finance the total Government debt in monetary terms, as a percentage of GDP and as a percentage of GNP for 2007, 2008, 2009, 2010 and 2011; if he will provide a breakdown of these figures in both monetary and percentage terms detailing the portion of the debt attributable to public expenditure and the portion attributable to spending on banks such as recapitalisation and servicing the Anglo Irish Bank and Irish Nationwide Building Society promissory note; and if he will make a statement on the matter. [26030/11]

**Minister for Finance (Deputy Michael Noonan):** The Deputy should be aware that the funds which become available to the State as a result of borrowing undertaken by the Exchequer are not generally assigned to one particular area of expenditure. Rather they are available, along with the funds sourced from revenues such as tax revenue, non-tax revenue and capital receipts, to fund overall expenditure. The figures for General Government debt for the years 2007-2010 as well as the latest published estimate for 2011 from the *April Stability Programme Update* (SPU) are set out in the table below. General Government debt is the standard measure used within the EU for comparative purposes. General Government debt is a gross measure and it does not allow for the netting off of cash balances or the value of the assets in the National Pension Reserve Fund.

My department is currently reviewing its macroeconomic and fiscal forecasts in the light of later data. These forecasts, which will include revisions of debt projections, will be published in next month's Pre-Budget Outlook. As such the information in the table for 2011 may be revised.

General Government Debt and Measures affecting debt (€bn and %) 2007-2010

		2007	2008	2009	2010	2011
1	General Government Debt	47.4	79.8	104.8	148.1	173.0
	as % of GDP	25%	44%	65%	92%	109%
	as % of GNP	29%	52%	79%	115%	137%
2	Budgetary requirement not related to banking	1.6	12.7	20.6	18.0	15.1

		2007	2008	2009	2010	2011
	as % of GDP	1%	7%	13%	11%	10%
	as % of GNP	1%	8%	16%	14%	12%
3a	recapitalisation and other direct banking measures			4.0	0.7	7.6
3b	Issue of the promissory note				30.9	0.6
	as % of GDP			2%	20%	5%
	as % of GNP			3%	25%	6%

*Notes on the table*

1. GDP and GNP for 2007-2010 are CSO estimates published in the National Income and Expenditure 2010. The GDP and GNP for 2011 are Department of Finance forecasts from the time of the SPU publication in April.

2. At the time of the SPU, it was assumed that Exchequer funding of some EUR10 billion would be required as part of the recapitalisation of the banking sector. The actual figure will be below this estimate, and while not finalised, is likely to be approximately EUR6.5 billion.

The banking measures in the above table comprise all injections into banks which affect the General Government debt. It should be noted however that capital injections that are made from the National Pensions Reserve Fund (NPRF) do not affect the debt and are not included in this note. (In 2009 there was a frontloading of the 1% of GNP Exchequer contribution to the NPRF for 2009 and 2010. This was made to part-fund the recapitalisations of Allied Irish Banks and Bank of Ireland in 2010.)

It should also be borne in mind that the fees paid over to the Exchequer from the Bank Guarantee Schemes, which totalled EUR1,333 million in 2010 and EUR599 million so far in 2011 reduces somewhat the debt level in those years.

The full EUR30.85 billion in promissory notes were added to the General Government debt in 2010. The service of the promissory note through the annual cash payment from the Exchequer in the years after 2010 does not affect the General Government debt directly. Interest due on the promissory notes, however, increases the debt and is shown in the table.

*Question No. 122 answered with Question No. 119.*

### Tax Yield

123. **Deputy Gerald Nash** asked the Minister for Finance in view of the important findings and conclusions of the internal Revenue Commissioners report, *Economics of Smoking: Modelling the Market for Cigarettes in Ireland*, which are significantly at variance with the international peer reviewed published literature on this topic, if he will arrange for the report to be peer reviewed internationally to validate its methodology and findings. [26158/11]

**Minister for Finance (Deputy Michael Noonan):** The report “*Economics of Tobacco: Modelling the Market for Cigarettes in Ireland*” is based on analysis done by Revenue’s Research and Analytics Branch. The research was conducted in 2010 and the report was published on the Revenue and Department of Finance websites in early 2011.

Neither I nor the Revenue Commissioners are aware of any suggestion that the research is significantly at variance with international peer reviewed published literature on this topic, or that any questions have been raised about the methodology. If the Deputy has information to support these views, the Revenue Commissioners would welcome it.

I am advised by the Revenue Commissioners that the report fully documents the methodology, the econometric model and the data sources used and it is therefore open to any researcher seeking to replicate or validate the results. The research follows an internationally established methodology to examine the factors determining cigarette consumption.

[Deputy Michael Noonan.]

In general, the findings are consistent with existing Irish and international literature in measuring the main influencing factors on smoker behaviour. A key difference identified is that the sensitivity of consumption of cigarettes to price changes in Ireland is found to be higher than average. However, this finding is consistent when the relatively high price of cigarettes and the level of consumption of untaxed cigarettes in Ireland are considered. This issue is examined in detail in the paper.

### **Disabled Drivers**

124. **Deputy Dan Neville** asked the Minister for Finance if he will review a matter in respect of a person (details supplied) in County Limerick; and if he will make a statement on the matter. [26164/11]

**Minister for Finance (Deputy Michael Noonan):** I am advised by the Revenue Commissioners that an application (Form DD1) under the Disabled Drivers Scheme from one of the named persons was received in the Central Repayments Office, Monaghan on 23rd September 2011. The necessary Primary Medical Certificate has also been received. The application form DD1 in question was incomplete but the applicant was contacted by telephone and has provided the additional details needed. The application has now been processed and an Exemption Notification will issue within the next five working days. The applicant can then contact his nearest NCTS Centre to register the vehicle and avail of the exemptions available under the Disabled Drivers and the Disabled Passengers [Tax Concessions] Regulations 1994.

### **Tax Reliefs**

125. **Deputy Seán Kenny** asked the Minister for Finance the expected cost to the Exchequer in 2010 or the most recent available year of property related tax schemes that are still open. [26214/11]

**Minister for Finance (Deputy Michael Noonan):** It is assumed that the Deputy is referring to the cost to the Exchequer of the following property based tax incentive schemes which remain in the tax code: certain tourism infrastructure under the Mid-Shannon Scheme (only 80% of expenditure can qualify in certain areas) and Qualifying Specialist Palliative Care Units (subject to Commencement Order).

I am informed by the Revenue Commissioners that the cost of the Mid-Shannon scheme for 2009, the latest year for which data is available, was €0.2 million. The scheme for Qualifying Specialist Palliative Care Units was not commenced and thus no cost was incurred.

All other such schemes have been abolished, subject to transitional arrangements for certain schemes where projects were already in the pipeline. However, due to their nature these reliefs continue to impose ongoing costs on the Exchequer in terms of tax foregone.

### **Banking Sector Regulation**

126. **Deputy Maureen O'Sullivan** asked the Minister for Finance when he expects the report from the Commission on Credit Unions; and his views on the restrictions the Financial Regulator is placing on lending which is causing severe difficulties for members of credit unions in some communities who may be forced to turn to money-lenders. [26219/11]

**Minister for Finance (Deputy Michael Noonan):** The Commission on Credit Unions is due to submit its interim report to me, as Minister for Finance, by 30 September 2011. This report

will make initial recommendations on strengthening the regulatory framework for credit unions. The Commission will submit its final report to me by 31 March 2012.

On the issue of lending restrictions, as Minister for Finance, my role is to ensure that the legal framework for credit unions is appropriate for the effective operation and supervision of credit unions. The Registrar of Credit Unions is responsible for administering the system of regulation and supervision of credit unions provided under the Credit Union Act 1997, with a view to the protection by each credit union of the funds of its members and the maintenance of the financial stability of credit unions generally. The role of the Registrar of Credit Unions in the regulation of credit unions is an independent one.

From time to time, the Registrar is required to act to support the prudential soundness of individual credit unions, to maintain sector stability and to protect the savings of credit union members. Such actions, including lending restrictions, are reviewed by the Registrar over time on a case by case basis. The number of restrictions imposed by the Registrar has increased over the last two years in light of the difficulties faced by parts of the credit union sector. The type of lending restrictions imposed takes account of the particular business profile and financial position of the credit unions concerned.

### **Departmental Strategy Statements**

127. **Deputy Robert Troy** asked the Minister for Finance when he will publish his four-year plan in order that persons will know the tax increases and cuts that are expected over the coming years; and if he will make a statement on the matter. [26287/11]

**Minister for Finance (Deputy Michael Noonan):** The Pre-Budget Outlook will be published in October although a precise date has not yet been set. The multi-annual fiscal projections which will be published in the Pre-Budget Outlook will cover the period 2012 to 2015.

### **General Government Debt**

128. **Deputy Michael McGrath** asked the Minister for Finance if the Government is required under the EU-IMF programme of assistance to achieve a certain primary deficit level in 2012; and if he will make a statement on the matter. [26334/11]

**Minister for Finance (Deputy Michael Noonan):** There are quarterly Exchequer primary balance targets that we are required to meet under the terms of the EU-IMF Programme of Financial Support. These are set out in the Technical Memorandum of Understanding (TMU). As they are primary balance targets, they exclude Exchequer debt interest payments. They also allow for the exclusion of expenditure related to the banking sector recapitalisations and adjust for over/under-performance in Exchequer tax revenues and PRSI receipts, compared to the targets set out in the TMU. We have adhered to the first three of those targets which were set for end-December 2010, and end-March and end-June 2011. The next target set is for end-September 2011. The July 2011 TMU also set targets for end-December 2011 and initial targets for end-March and end-June 2012. The next revised TMU (October) will then set an initial target for end-September 2012 and so on.

It is also important to note that under the revised Excessive Deficit Procedure (EDP) Recommendation issued by the ECOFIN Council in December 2010, Ireland's General Government Deficit must not exceed 8.6% of GDP in 2012.

### **Tax Yield**

129. **Deputy Pearse Doherty** asked the Minister for Finance the revenue that would be raised



[ Deputy Pearse Doherty.]

by re-introducing the income levy under last year's rates, but levied at those earning in excess of €40,000 per annum. [26351/11]

**Minister for Finance (Deputy Michael Noonan):** I am advised by the Revenue Commissioners that the estimated full year yield to the Exchequer, estimated by reference to 2012 incomes, of the re-introduction of the Income Levy at the same rates as applied in 2010 and confined to all income earners earning in excess of €40,000 per annum, with double that amount for married couples, would be of the order of €1,180 million. These figures are estimates from the Revenue tax-forecasting model using actual data for the year 2009 adjusted as necessary for income and employment trends for the year 2012. They are therefore provisional and may be revised.

### Departmental Strategy Statements

130. **Deputy Michael McGrath** asked the Minister for Finance if his Department has submitted a strategy statement to him, as specified under the 1997 Public Service Management Act; and if so, if he will publish this statement. [26394/11]

**Minister for Finance (Deputy Michael Noonan):** As specified under the Public Service Management Act 1997, my Department has submitted to me its draft Statement of Strategy for the period 2011-2014. The finalisation of the Statement of Strategy will reflect the key policy commitments of the Government including the emerging decisions in the context of the Comprehensive Review of Expenditure currently underway. It is my intention to publish the Statement of Strategy as soon as all relevant discussions and considerations on the matter have been concluded.

### Youthreach Programme

131. **Deputy Aengus Ó Snodaigh** asked the Minister for Education and Skills the changes that he plans in to Youthreach now that it has been placed under the auspices of Solas. [25979/11]

**Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon):** I chair an Implementation Group which is drawing up an Action Plan for the establishment of SOLAS, which, when established, will operate under the aegis of the Department of Education and Skills and co-ordinate and fund the wide range of further education and training programmes around the country. The nature and type of those programmes, including Youthreach, will be matters for discussion between my Department, SOLAS and Vocational Education Committees (VECs), who will ultimately be responsible for the delivery to the public in an integrated way of both further education and training programmes.

### Post-Leaving Certification Courses

132. **Deputy Aengus Ó Snodaigh** asked the Minister for Education and Skills his plans to expand the number of post-leaving certificate places available in different colleges around the country in view of the fact that it has been decided to place post-leaving certificate courses under the auspices of Solas and to need to meet increased demands for such courses. [25980/11]

**Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon):** I chair an Implementation Group which is drawing up an Action Plan for the establishment of SOLAS, which, when established, will operate under the aegis of the Department of Education and Skills and co-ordinate and fund the wide range of further education and training programmes around the country. The nature and type of those programmes will be matters for discussion

between my Department, SOLAS and Vocational Education Committees (VECs), who will ultimately be responsible for the delivery to the public in an integrated way of both further education and training programmes.

The number of approved Post Leaving Certificate (PLC) places available nationwide has increased by 2,500 in recent years to 32,688, including an additional 1,000 places made available earlier this year as part of the almost 21,000 additional education, training and work experience places made available under the Government's Jobs Initiative. In 2010/2011 PLC providers enrolled over 38,700 learners which is a commendable achievement and one which I hope can be maintained for the current academic year.

### **Departmental Programmes**

133. **Deputy John Lyons** asked the Minister for Education and Skills further to Parliamentary Question No. 76 of 15 September 2011 if he will review the case of a persons (details supplied) in Dublin 9; if an exception can be made in this case; and if there are any further supports available to assist this person [25998/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Springboard is a specific initiative to provide 6,000 part time higher education places for unemployed people who have lost jobs in sectors where employment levels will not return and who will need new qualifications and skills to re-enter employment as the economy recovers. The Springboard courses are in areas of current and future skills needs, as identified by the Expert Group on Future Skills Needs. The places being funded are at HETAC levels 6 to 9 on the National Framework of Qualifications and were selected following a competitive tender process. It is therefore not possible to include the course which is a full time programme at FETAC level 5 as part of Springboard.

I understand that the course in question is run by Teagasc and that students pursuing such programmes are eligible to apply to Teagasc for support under the Teagasc grant scheme. Further details are available from that organisation.

### **Schools Refurbishment**

134. **Deputy Timmy Dooley** asked the Minister for Education and Skills the position regarding an application for a minor works grant in respect of a school (details supplied) in County Clare; and if he will make a statement on the matter. [25645/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I assume that the Deputy is referring to an application submitted by the school in question under my Department's Emergency Works Scheme to replace a number of windows in the school.

The purpose of the Emergency Works Scheme is solely for unforeseen emergencies or to provide funding to facilitate inclusion and access for special needs pupils. An emergency is deemed to be a situation which poses an immediate risk to health, life, property or the environment which is sudden, unforeseen and requires immediate action and in the case of a school if not corrected would prevent the school or part thereof from opening.

As the scope of works for this project is outside the terms of the Emergency Works Scheme it cannot be considered for emergency funding. The school has been informed of the decision.

### **Redundancy Payments**

135. **Deputy Simon Harris** asked the Minister for Education and Skills the length of time it is taking for special needs assistants who were made redundant to receive redundancy payments

[ Deputy Simon Harris.]

from him; the terms of these redundancies; the efforts he is making to speed up the payment of such redundancies; and if he will make a statement on the matter. [25663/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Applications for redundancy / partial redundancy for Special Needs Assistants are being received by my Department on an ongoing basis. Applications are processed in date order of receipt and every effort is being made to process these applications as quickly as possible. Applications received in mid-November 2010 are currently being processed.

The priority of my Department's Payroll Division over the past 2 months has been to ensure that replacement teachers and special need assistants being appointed for the 2011/2012 school year are placed on payroll for payment. This process is now nearing completion. Over the coming weeks, extra resources will be assigned to try and ensure that special needs assistants that are made redundant will have their claims for payment processed as quickly as possible.

### Site Acquisitions

136. **Deputy Damien English** asked the Minister for Education and Skills further to Parliamentary Question No. 114 of 21 June 2011, the position regarding the acquisition of a site for a school (details supplied) in County Meath; and if he will make a statement on the matter. [25664/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The Office of Public Works, working on behalf of my Department, is negotiating with the owners of a suitable site with a view to acquiring same for the school referred to by the Deputy. Given the sensitivities associated with land acquisitions I am not in a position to comment further at this time. The acquisition of the site and the delivery of the school building project will be considered in the context of the capital budget available to my Department for school buildings generally.

### School Staffing

137. **Deputy Joe Carey** asked the Minister for Education and Skills when he expects the allocation of the 475 remaining reserve special needs assistant posts based on the priority criteria identified by the National Council for Special Education; and if he will make a statement on the matter. [25685/11]

**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.

Having considered all of the applications for SNA support received before the initial deadline for applications of 19th May 2011, from mainstream primary and post primary schools, the National Council for Special Education (NCSE) has now advised all mainstream schools of their SNA allocations for the 2011/12 school year, taking into account the number of valid applications for SNA support and the assessed care needs of the children concerned.

As not all applications for SNA support can be made in advance of the school year, in order to prudently manage this valuable but limited resource, the NCSE and my Department decided that 475 of the 10,575 posts should be retained in order to allocate them over the coming school

year in cases such as emergency, appeals, acquired injuries or new school entrants with special needs care.

In relation to special schools, the existing levels of SNA support in special schools have been maintained in the first instance, in order to assist and protect the most vulnerable children, with a review currently taking place. The 475 retained SNA posts will be used to respond to emergency case; additional needs identified arising from the outcome of the review of Special Schools and further emerging demand from schools before the end of the school year.

The NCSE expects to respond to emergency cases on hand within the coming weeks. The outcome of the special school review is expected early in the school year. Other demands from mainstream schools will be responded to up to the end of the school year. Through these arrangements it is expected that the majority of the posts will have been allocated by early in 2012.

It is expected that schools, before requesting any review of their SNA provision, will be in a position to demonstrate that they have made every effort to manage their allocation of SNA posts to best effect.

### **Telecommunications Services**

138. **Deputy Jim Daly** asked the Minister for Education and Skills the position regarding an application for broadband funding in respect of a school (details supplied) in County Cork; and if he will make a statement on the matter. [25688/11]

159. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the timescale for the roll-out of high speed broadband programme for a school (details supplied) in County Donegal; and if he will make a statement on the matter. [26138/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I propose to take Questions Nos. 138 and 159 together.

No application has been received on this matter. Any such request would be considered in light of any future decision to extend the roll out and the availability of resources.

### **Schools Building Projects**

139. **Deputy Brian Walsh** asked the Minister for Education and Skills if he will examine the feasibility of providing for the construction of a new school building in respect of a school (details supplied) in County Galway as a matter of immediate priority in view of the fact that €376,348 was spent last year on prefab rental and repairs to the existing building, which is in poor condition, and it is expected that a further €489,405 will be spent this year. [25689/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The proposed building project for the schools referred to by the Deputy was not included in the school building works programme for 2011 announced earlier this year by my predecessor.

Last year, in line with my Department's strategy to reduce the level of expenditure on rental of temporary accommodation, my Department approved the purchase of prefabs at the schools which had previously been rented on an annual basis. In addition, funds were allocated to the schools in question under the Summer Works Scheme and the Emergency Works scheme.

The progression of all large scale building projects, including this project, from initial design stage through to construction phase will continue to be considered in the context of my Department's multi-annual School Building and Modernisation Programme.

[Deputy Ruairí Quinn.]

However, in light of competing demands on the capital budget of my Department it is not possible to give an indicative timeframe, at this time, for the progression of this project to tender and construction.

140. **Deputy Peadar Tóibín** asked the Minister for Education and Skills further to Parliamentary Question No. 167 of 21 July 2011, regarding the 17 new schools promised for Dublin, the number of same that are primary and post primary where these schools will be located; when same will be built and the criteria used in reaching a decision. [25743/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** As advised in my previous answer on 21st July 2011, 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.

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, 18 will now be in the Dublin area as the new post primary school for North Dublin/South will be located in Balbriggan.

It is intended to provide 12 new primary schools and 6 new post primary schools across Dublin. Details of all the new schools to be established are available on the Department's website at [www.education.ie](http://www.education.ie). The table shows the locations of the Dublin schools for the Deputy's convenience.

A number of these new schools have opened in temporary accommodation but the majority of the schools will not need to open until at least 2014 with some of the schools not being required until 2016. Arrangements are underway to ensure that accommodation is in place for each of the schools as they are required.

New Primary Schools	New Post Primary Schools
Mulhuddart x 2	Mulhuddart
Blanchardstown West	Blanchardstown West
Carpenterstown	Rush and Lusk
Swords	North Dublin/South Louth (Balbriggan)
Tallaght x 2	Lucan/Clonburris
Ballinteer x 2	Dublin City
Firhouse/Oldbawn	
Lucan	
Sandyford/Ringsend	

### Institutes of Technology

141. **Deputy John Deasy** asked the Minister for Education and Skills the schedule for fast tracking the application of Waterford Institute of Technology to full university designation. [25744/11]

142. **Deputy John Deasy** asked the Minister for Education and Skills the process involved and criteria that have been determined in order to assess the application of Waterford Institute of Technology as a university. [25745/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I propose to take Questions Nos. 141 and 142 together.

The National Strategy for Higher Education to 2030 lays out a clear possible development pathway for amalgamated institutes of technology, which meet specified performance criteria, to seek re-designation as technological universities. A small number of new technological universities, with their own legislative framework and a distinct mission that is faithful to the ethos of the technological sector, working with existing universities, institutes of technology and other education providers, can enrich the diversity and quality of the Irish higher education landscape.

I have asked the Higher Education Authority for its formal advice on performance criteria to be used in an independent assessment process for any future applications for designation as technological universities. A consultation process on draft criteria is being undertaken by the Higher Education Authority and will be completed early next month. It is understood that the Higher Education Authority hopes to sign off its formal advice to my Department at its November meeting of the Authority. I will expedite consideration of the advice with a view to publishing the criteria before the end of December.

Once a process is in place it will be open to institutes of technology to come together to make applications for consideration for re-designation, including those in the south east. All applications will be considered under an independent assessment process.

### **Post-Leaving Certification Courses**

143. **Deputy John O'Mahony** asked the Minister for Education and Skills the number of post leaving certificate places available in County Mayo; the location of these places in County Mayo; the way this number compares with the number of places available in the years 2008, 2009 and 2010; and if he will make a statement on the matter. [25751/11]

**Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon):** Post Leaving Certificate (PLC) courses are predominately provided in VEC schools with some provision in Voluntary Secondary and Community and Comprehensive schools. In County Mayo the PLC programme operates in seven schools/colleges managed by County Mayo Vocational Educational Committee (VEC), four Voluntary Secondary schools and two Community and Comprehensive schools. Details of the location of these schools are as follows: Moyne College, Ballina; St. Brendan's College, Belmullet; Coláiste Pobail Acla, Achill Sound; St. Tiernan's College, Crossmolina; Coláiste Chomáin, Rosspport; Westport Vocational School; Castlebar College of Further Studies; Our Lady's Secondary School, Belmullet; Sancta Maria College, Louisburgh; Scoil Muire & Padraig, Swinford; Sacred Heart School, Westport; Ballyhaunis Community School and St. Louis Community School, Kiltimagh.

The number of approved PLC places in 2008, 2009, 2010, 2011, is as follows:

- 2007/2008 academic year 638
- PLC places 2008/2009 academic year 664
- PLC places 2009/2010 academic year 665
- PLC places 2010/2011 academic year 665
- PLC places 2011/2012 academic year 725
- PLC places An additional 60 PLC places were allocated to Co Mayo VEC for the current academic year as part of the recent Jobs Initiative whereby 1,000 additional PLC places were made available nationally

### Higher Education Grants

144. **Deputy Brendan Griffin** asked the Minister for Education and Skills if a change of circumstances in respect of a self employed person (details supplied) in County Kerry for 2011 will be taken into account for the processing of their application for a top up grant for their children who are higher education grant recipients; and if he will make a statement on the matter. [25754/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The decision on eligibility for a student grant is a matter for the relevant grant awarding authority.

The eligibility of an applicant, or the level of the grant awarded, may be re-assessed by the awarding authority in the event of a change of circumstances in the academic year. The applicant should in the first instance contact the relevant awarding body and notify them of the change in circumstances.

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, reckonable income, nationality and previous academic attainment, 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. Where a grant application is refused, the reason for the refusal is given by the grant awarding authority.

An applicant may appeal the decision to the relevant awarding authority. Where the grant awarding authority decides to reject the appeal, the applicant may appeal this decision to my Department or the independent appeals board as appropriate by submitting an appeal form clearly outlining the grounds for the appeal.

### Pension Provisions

145. **Deputy Noel Grealish** asked the Minister for Education and Skills the number of employees in his Department who have expressed an interest in retiring ahead of the changes to the public sector pension schemes that are to come into force in 2012. [25783/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** To date this Department has received seven applications from staff wishing to retire before 29th February 2012.

Requests for information on retirement are received in Personnel Section on an ongoing basis. Although there has been a significant increase in requests for estimates of pension entitlements from staff in the last number of months there is no way of knowing at this time how many of these requests will translate into actual retirements. Staff wishing to retire prior to 29th February 2012 have been asked to give the Department a minimum of three months notice of their intention to retire.

### Further Education and Training

146. **Deputy Catherine Murphy** asked the Minister for Education and Skills his plans to use the establishment of SOLAS as an opportunity to allow final year apprentices to complete their apprenticeships by shadowing existing tradespeople through funding supplied by the new training agency; and if he will make a statement on the matter. [25833/11]

**Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon):** In July the Government announced the establishment of SOLAS as a key element in the integration of the Further Education and Training sector. The SOLAS Implementation Group, which I am chairing, was set up to implement the changes.

The Group is preparing an Action Plan, including the area of organisational mission, which will be the subject of consultation with stakeholders before finalisation. Given the complex elements involved, including appropriate legislation, it is expected that the process of establishing SOLAS will largely be completed by the end of 2012.

In the meantime, FÁS continues to have responsibility for the apprenticeship system. In order to ensure that apprentices are given as many opportunities as possible to support the timely completion of their apprenticeship, FÁS has taken a number of initiatives to enable registered redundant apprentices, including final year apprentices, to progress and finish their apprenticeships:

- Redundant apprentices are now permitted to progress to their next Off-the-Job Phase of their apprenticeships even though they have not yet completed their previous on-the-job Phase.
- FÁS is providing a temporary Redundant Apprentice Placement Scheme whereby FÁS approved employers in the public and private sectors will provide redundant apprentices with training and assessment on-the-job including at Phase 7 of their apprenticeships. The maximum period of placement is 12 weeks at Phase 7.
- FÁS will be introducing shortly a Competency Determination Scheme for the trades of Brick & Stonelaying, Carpentry & Joinery, Electrical, Plastering and Plumbing. This scheme is for redundant apprentices who have successfully completed Phases 1 to 7 of their apprenticeships, but who do not meet the requirement of having completed the statutory 4 years (208 weeks) in employment.

Redundant apprentices who pass the competency assessment will receive an exemption from this requirement thereby enabling them to complete their apprenticeships and qualify for the award of the FETAC Advanced Certificate — Craft. Competency assessments are currently being scheduled.

- Redundant apprentices who have successfully completed Phase 1 to Phase 7 (or Phase 7 Equivalent assessments) of their apprenticeships excluding the trades of Brick & Stonelaying, Carpentry & Joinery, Electrical, Plastering and Plumbing, but who have not completed the statutory 4 years in employment as apprentices may be granted an exemption from this requirement by validating their competence under the Recognition of Prior Learning Scheme. FÁS will invite eligible redundant apprentices to submit a portfolio of evidence of trade related work experience gained at home and/or abroad and/or trade related further training and/or education undertaken during periods of redundancy. The granting of exemptions is based solely on the portfolios of evidence submitted to the Redundant Apprentice Accreditation Committee.

Redundant apprentices who are granted an exemption will be considered to have completed their Apprenticeships and thereby qualify for the award of the FETAC Advanced Certificate — Craft.

- Léargas has provided support to FÁS for apprentices to complete on-the-job training with assessment with employers in Germany and Finland. In the period 2009/2010, over 100 apprentices have undertaken this programme and FÁS has received approval for a further 43 redundant apprentice placement in 2011/2012. My Department along with FÁS will continue to explore ways to support and assist all apprentices progress and finish their apprenticeships.

### **Schools Refurbishment**

147. **Deputy Anne Ferris** asked the Minister for Education and Skills the position regarding the



[Deputy Anne Ferris.]

building of a new campus for a school (details supplied) in County Wicklow; and if he will make a statement on the matter. [25858/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The Deputy might wish to note that a site for the school campus to which she refers has been identified by Co. Wicklow VEC, however, it has not been possible to date to progress this proposed acquisition due to the complexities associated with the site identified.

The progression of all large scale building projects, including a project for this school, from initial design stage through to construction phase will be considered in the context of my Department's multi-annual School Building and Modernisation Programme with due regard to the demand for increased education provision at both primary and post primary level in the coming years.

The delivery of these new schools, together with extension projects to meet the demographic demand, will be the main focus for capital investment in schools in the coming years. 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.

### School Books

148. **Deputy Denis Naughten** asked the Minister for Education and Skills the steps he will take to reduce the demand for school books and the cost of same; and if he will make a statement on the matter. [25935/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I recently met with educational book publishers, representatives of parents' organisations and the Society of St. Vincent de Paul regarding the cost of school textbooks. Subsequently, the publishers devised a voluntary Code of Practice and, while I welcome the Code as a significant step in the right direction, I believe that more should be done to reduce the price of textbooks.

Accordingly, I have proposed to the representatives of the textbook publishers: that the cover price of the most popular textbooks should be reduced; that a significant discount should be given to schools which purchase textbooks in bulk, in line with the discounts given to retailers of textbooks; that the practice of combining a conventional textbook and workbook in a single volume should be ended to allow students to re-use a textbook; and that support materials should be provided to teachers online, to minimise ancillary printing costs. While respecting the position that educational book publishers are independent private companies not under the direct control of my Department, I intend to meet with their representatives again to progress these issues.

I am also keen to examine if there are ways to encourage schools, via the book grant scheme, to establish or maintain book rental schemes as I believe this to be one of the most effective ways of lowering the burden of the cost of school books. I have invited the National Parents Councils at primary and post-primary levels to provide me with examples of good practice of book rental schemes. Drawing on these and other examples, I intend to publish advice to schools on how best to establish and maintain textbook rental schemes in schools well in advance of the beginning of the next school year.

### School Transport

149. **Deputy Pádraig Mac Lochlainn** asked the Minister for Education and Skills the estimated cost per pupil to families in County Donegal for education at second level in terms of school transport, fund-raising, exam costs, trips and transitions year. [25967/11]

150. **Deputy Pádraig Mac Lochlainn** asked the Minister for Education and Skills the average cost of school bus transport per pupil in County Donegal each year [25968/11]

**Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon):** I propose to take Questions Nos. 149 and 150 together.

Bus Éireann, which operates the School Transport Schemes on behalf of my Department, has advised that the information you request regarding the average cost of school bus transport per pupil is not readily available on a per county basis. However, research carried out in the context of the Value for Money Review of the School Transport Schemes shows that the annual unit cost per pupil for the provision of school transport was some €1,000, €950 and €7,000 for primary, post primary and children with special educational needs (excluding escorts) respectively.

The school transport charges in respect of the 2011/12 school year are as follows: Eligible and Concessionary Post Primary Pupils; €350 subject to a family maximum of €650 Eligible post primary pupils holding a valid medical card and pupils with special educational needs are exempt from paying the charge. With regard to exam costs, entry fees for the 2012 state examinations have not yet been determined. However, the fees for the 2011 examinations for second-level students were:

Leaving Certificate (Established, LCVP and LCA) €109 Junior Certificate €103 Repeat Leaving Certificate €284 An alleviation scheme is in place whereby medical card holders and their dependents are exempt from the payment of examination fees. This exemption applies to approximately 30% of examination candidates each year. Mock examinations are not part of the State examinations system and any decision to organise and/or charge for mock examinations is made at school level. Accordingly, my Department does not have a role in the matter nor information on the cost per pupil.

My Department also does not have data regarding the cost per pupil to families in Co Donegal for the other items referred to by the Deputy.

In general, however, voluntary contributions by parents or charges for optional extras over and above what is provided for in the general school programme are permissible, provided it is made clear to parents that there is no question of compulsion to pay, and, that in making a contribution, they are doing so of their own volition. The manner in which such voluntary contributions are sought and collected is a matter for school management. However, their collection should not create a situation where parents or pupils could reasonably infer that the contributions take on a compulsory character. In addition, it should be noted that no pupil can be excluded from any activities that take place during school time, due to the fact that parents, for whatever reason, choose not to contribute to costs associated with that activity. When submitting returns of pupil enrolments, all schools in the Free Education Scheme are obliged to certify that these principles are being adhered to.

Regarding fundraising, it is a matter for school authorities to decide whether to engage in or support organised fundraising activities provided the methods employed do not affect parents or students in a way which would conflict with the principles in respect of voluntary contributions which I have already identified. It is important for schools to be sensitive to the financial pressures on families, and to use the State funds provided to optimum effect. In this regard, the Deputy should note that my Department is not in a position to make additional funds available to schools in the current economic climate.

### School Curriculum

151. **Deputy Pádraig Mac Lochlainn** asked the Minister for Education and Skills his strategy to ensure that young persons progressing from second to third level education are on the road to employment here. [25969/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** There are a number of measures currently being undertaken to prepare second level students for future employment and careers.

At Junior Cycle, the National Council for Curriculum and Assessment (NCCA) was asked to review the junior certificate and advise on the scope for reform which would provide for a more active learning experience for students, the promotion of real understanding, creativity and innovation. I expect to receive the NCCA's advice on the revised Junior Cycle shortly. At Senior Cycle, five key skills, information processing, communications, critical and creative thinking, personal effectiveness, and working with others, are being embedded in all senior cycle subjects as syllabuses are revised, and a second assessment component is also being embedded. These changes should help to prepare students for the world of work.

In addition, all post-primary schools also provide a guidance and counselling service for their students. The service includes the provision of individual guidance and counselling for students at critical stages in their education. Guidance staff in schools are teachers with a post graduate qualification in guidance. As well as their guidance qualification, guidance staff are members of the Institute of Guidance Counsellors which is funded by the Department to provide professional development supports. Guidance staff also have the support of the National Centre for Guidance in Education (NCGE) which was established to act as a national centre of excellence for guidance. The NCGE provides on-line training on planning the guidance programme in schools, as well as resources and advice and a guidance handbook.

### Departmental Expenditure

152. **Deputy Pádraig Mac Lochlainn** asked the Minister for Education and Skills the amount of funding that has been cut from the education budget on an annual basis in the past five years. [25970/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Due to changes in the structure of the Vote for my Department over the period 2007-2011, total Education Expenditure for each of the years in question is not readily comparable. These changes include:

- The transfer out of the Education and Science Vote from 1 January 2009 of funding responsibility for various functions in relation to Youth Organisations and Youth Activities to the Office of the Minister for Children and Youth Affairs;
- The transfer into the Education and Skills Vote from 1 May 2010 of responsibility for FÁS skills and training programmes (formerly funded through the Department of Enterprise, Trade and Employment).
- The transfer into the Vote from 1 January 2011 of funding in respect of the provision of nursing education (formerly funded through the Department of Health).
- The transfer out of the Vote from 1 January 2011 of funding in respect of functions of the National Education Welfare Board to the Vote of the Minister for Health and Children.

Adjusted expenditure figures to reflect the above changes are included in the attached document which shows that, on a comparable basis, overall education expenditure increased during the period 2007-2009, while expenditure was reduced during 2010 and 2011 (2011 figure is estimate). The following summary of budget measures introduced over the period 2009 to 2011 indicates the areas where expenditure adjustments were made and which gave rise to the reduced expenditure in 2010 and 2011.

## Education and Skills Vote 26 Comparable Education Expenditure 2007-2011\*

	2007 Outturn	2008 Outturn	2009 Outturn	2010 Outturn	2011 Estimate
	€million	€million	€million	€million	€million
Current	€7,796.8	€8,380.4	€8,554.3	€8,083.2	€8,172.8
Capital	€813.3	€829.6	€767.2	€696.9	€495.5
Total Expenditure	€8,610.1	€9,210.0	€9,321.5	€8,780.1	€8,668.3

Note — the above comparable figures differ from published figures of education expenditure due to changes in the structure of the Vote as outlined in the reply to the question from the Deputy.

### Extract from summary of expenditure-related measures announced in 2009 Budget

**Main Features** (note — some of these measures were moderated in subsequent budgets)

#### *Capital*

- Capital allocation of €889m is an increase of €80m on the allocation for 2008.

#### *Teachers salary and pension costs*

- The net pay bill for teachers' salaries and pensions will increase by almost €300m as a result of a combination of pay increases and the full-year costs of the salaries of teachers appointed this September.
- The budget allocation takes account of increased enrolments in primary schools and the continued growth in provision for special needs in primary and post-primary schools.
- Overall, the number of primary and post-primary teachers in schools in September 2009 is projected to be about 200 fewer in each sector compared to September 2008. This is because of a number of measures that are being taken to meet the overall budgetary requirements:
  - The mechanism used to allocate classroom teachers to primary schools is the staffing schedule and, with effect from September 2009, the enrolment bands will be based on an average of 28 pupils per class rather than the current 27 pupils per class.
  - In the case of post-primary schools, the allocation basis will be altered by one point with effect from September 2009 from the current 18 to 1 basis to a revised basis of 19 to 1.
  - In the case of fee-charging post-primary schools, there will be an additional one-point adjustment.
  - The ceiling of two on the number of language support teachers per school is being re-imposed, with some alleviation for the position of those schools where there is a significant concentration of newcomer pupils as a proportion of the overall pupil enrolment.
  - Arrangements will also be made for the withdrawal of teacher posts which have been historically provided under previous disadvantage schemes to non-DEIS schools.

- *Teacher substitution arrangements*: substitution cover will be suspended from January 2009 for absences arising from uncertified sick leave in all schools, as well as for school business absences in post-primary schools.
- *Early Retirement Scheme for Teachers*: this pilot scheme is being suspended with immediate effect.

#### *School funding*

- Improvements are being made to the rates of capitation funding available to schools. The combined value is €20m.

#### *In the case of primary schools:*

- The increased financial provision will provide for an increase of €21.42 in the standard capitation, bringing the rate to €200 per pupil. This equates to an increase of almost 12pc on the existing €178.58 grant rate.
- The ancillary grant will be increased from €151.50 per pupil to €155 per pupil.

#### *In the case of post-primary schools:*

- An increase of €14 per pupil in the capitation grant is a 4.3pc increase on 2008.
- The capitation grant will now stand at €345 per pupil.
- There will be an increase of €8 per capita in the equalisation measure payable to voluntary secondary schools, giving a total increase, when capitation and school support services grants are combined, of €22 per pupil.

#### *Abolition in 2009 of certain grants paid to schools*

#### *In the case of primary schools:*

- The separate cookery grant, resource grant for language support teachers and equipment grant for resource teachers are being abolished. The total value of these grants was €2m.
- A further €4.3m is being saved by the reduction in capitation funding for Travellers and withdrawal of certain capitation funding from schools that are not in the DEIS programme but had continued to receive top-up funding originally provided under previous disadvantage initiatives.

#### *In the case of post-primary schools:*

- A number of separate grant payments to second-level schools are being abolished. These are grants for Choirs and Orchestras, Home Economics, Physics and Chemistry, Junior Certificate Schools Programme, Leaving Certificate Applied, LCVP and Transition Year. The total saving will be €5.35m.
- A further €2m is being saved by a reduction in capitation funding for Travellers and withdrawal of certain capitation funding from schools that are not in the DEIS programme but had continued to receive top-up funding originally provided under previous disadvantage initiatives.

### In the case of *fee-charging second-level schools*:

An anomalous situation has existed whereby fee-charging schools under Catholic patronage were not in receipt of certain grants, including the support services grant, that were paid to other fee-charging schools. This position is being regularised. All fee-charging schools will be treated on a similar basis resulting in a saving of €2.8m. The Protestant block grant remains in place.

#### *Other funding reductions*

- *Aid for school books*: A saving of €7.5m will result by restricting aid for school books to DEIS schools. A fund of €7m will be available for distribution to schools in the DEIS programme.
- *Library grants*: A saving of €2.19m will result from the cessation of funding that the Department made available to local authorities to support school library services.
- *Support for summer courses in Irish colleges*: The per capita subvention by the Department to summer courses conducted in Irish colleges (in Gaeltacht areas) is being withdrawn. The saving will be €1.25m.
- *Centre for Talented Youth*: The Department has in the past provided an annual grant of €97,000 to the Centre for Talented Youth. This is being withdrawn.
- *Grant for foreign qualified teachers attending Irish courses in the Gaeltacht*: This grant is being withdrawn. The saving will be €200,000.

#### *Special needs*

- Resource teachers and special needs assistants (SNAs) will continue to be deployed to meet the needs of children with special educational needs (SEN) at primary and post-primary levels. There are just over 19,000 staff working with special needs children.
- While in the light of the financial situation it is necessary to defer the implementation of the EPSEN Act, children with SEN will continue to have their SEN met on a non-statutory basis.
- Further, provision is being made to improve these services through the allocation of an additional €10m which will fund enhanced measures for children with SEN pending the full implementation of the EPSEN Act.
- *School psychologists*: Some of this €10 million will contribute to a 33% increase in expenditure on the National Educational Psychological Service (NEPS), resulting in all schools having a service by the end of 2009.
- *SNAs*: An increase of €40 million to cover the full-year costs of additional SNAs in the system this September, provision for additional posts next September, and full-year cost of pay increases awarded.

#### *Higher education*

- The current estimates provision for higher education is €1,844m, compared with a 2008 estimate of €1,887m. The estimate allows for an increase in the student registration charge from €900 to up to €1,500 in individual institutions for the academic year

2009/2010. Third-level students entitled to a student support grant will remain exempt from paying the student registration charge.

- The estimates provision will require restrictions in the implementation of approved projects under the Strategic Innovation Fund and will involve the deferral of planned 2009 increases in medical education places. It will also involve restrictions in the volume of awards made by the two Research Councils (Irish Research Council for Science, Engineering and Technology and Irish Research Council for Humanities and Social Sciences).

#### *Adult and further education*

The non-pay grant provision for adult and further education shows a reduction of €8.5m or just under 5pc on the 2008 estimate. This will require a reduction in the provision of 500 places on the Back to Education Initiative — reducing the total number of places to 9,000. The number of places provided in Senior Traveller Training Centres will be reduced by approximately 100 — there are currently 1,084 places provided.

Allowances to participants in VTOS, Youthreach and Senior Traveller Training Centres will be increased in line with the appropriate social welfare rates or FAS trainee allowances.

#### *Youth*

Grants for youth services are being reduced by just over 8pc — from €52.6m to €48.2m.

#### *Teacher education*

The provision for teacher in-service education support is €28.8m, compared with a 2008 estimate of €33.8m. It is intended to reduce teacher secondments to in-service and, while it will be possible to continue to provide a wide range of services to teachers, the reduced allocation will mean that programmes that are not in an expansionary or prioritised phase will have to be curtailed to a degree.

#### *School transport*

- The provision for school transport is €196m, compared with a 2008 figure of €175m.
- The post-primary school transport charge is increasing from an annual fee of €168 for junior cycle children and €234 for senior cycle children (payable on a term-by-term basis) to a single annual fee of €300 for eligible post-primary children first payable in summer 2009.
- The maximum amount payable per single family, regardless of the number of children using the school transport system, will be €650 annually. Eligible children in families who hold a medical card or children with special needs are exempt from the charges.

#### *Reduction in Department's regional office service*

The 26pc reduction reflects the intention to rationalise and prioritise some services and to seek efficiencies in the operation of the Department's regional office network.

*Other current*

Fee increases will be required across the State Examinations Commission (SEC), Further Education and Training Awards Council (FETAC) and Higher Education and Training Awards Council (HETAC). SEC will increase fees by 8pc.

*Note:* The Government decided in July 2008 that the payroll costs across Government organisations should be reduced by 3pc in 2009 and other restrictions should apply in order to effect cost savings in consultancy, advertising and other administrative areas. This is the background to some of the reductions applying in the Education Estimates for 2009. The estimates provisions under a range of headings will require careful management over the course of the year with expenditure control measures across all areas and possible further tightening measures may be necessary as the year progresses.

**Extract from summary of expenditure-related measures announced in 2010 Budget***Main Features**Capital*

- Capital allocation of €715 million is being made available in 2010. In addition €79 million capital savings from 2009 will be carried forward into 2010, bringing total capital funding available for Education in 2010 to €794 million.
- The total funding available is a decrease of less than 7% compared to the allocation for 2009.

*Current*

- The current allocation for 2010 is €8.173 billion which is a reduction of 5.4% over the allocation for 2009. The reduction includes a general pay-related adjustment of €350 million in line with the Government decision to reduce public service pay rates. This accounts for 4% of the reduction. The distribution of this pay adjustment across subheads will be included in the context of the 2010 Revised Estimates Volume.

*Additional expenditure measures*

- €12 million is being provided in 2010 for the implementation of the Renewed Programme for Government commitment to provide 500 additional teachers over the next 3 years. This allocation will allow for the employment of an additional 200 teachers starting in early 2010 and a further 150 teachers commencing in September 2010.
- €14 million is being provided in 2010 for the implementation of the Renewed Programme for Government commitment to provide additional teachers from September 2010 for the 2010/11 school year to meet demographic pressures and to ensure no further increase in the PTR. This allocation will fund 600 posts in primary schools and 330 in second level schools.
- €19 million is being provided to maintain school capitation grants at current levels and to take account of increased pupil numbers. This allocation will also enable additional funding to be allocated to schools for school books and to support curricular activities as provided in the Renewed Programme for Government.



- The allocation for VTOS is being increased by €7.5 million to meet additional expenditure on allowances due to the change in profile of applicants for the scheme.
- An additional allocation of €3 million is provided for the promotion of Gaeilge in schools, as part of the new 20-year Strategy for the Irish Language.
- The provision for the National Educational Psychological Service is being increased to provide for the increase in psychologists to 210. This will allow NEPS psychologists to provide direct service to every first and second level school and an enhancement of service to special schools and units.

### *Higher Education*

- The provision for 2010 for Universities and Institutes of Technology is €1,266 million which is a 4% reduction on the 2009 provision of €1,318 million.
- The reduction in funding takes account of targeted reductions in numbers employed under an employment control framework for the sector and will also involve further non-pay cost efficiencies.
- Just under €130 million is being provided to higher education institutions next year for research activities, including capital research funding. This underlines the Government's commitment to focussed delivery of its Science, Technology and Innovation strategy. As part of this it is intended that investments under cycle 5 of PRTLTI will proceed. The assessment process for PRTLTI 5 awards will conclude in early 2010 and, in line with normal lead in times, major elements of expenditure commitments are anticipated to materialise from 2011 onwards.
- The funding available next year for projects under the Strategic Innovation Fund is €18 million a reduction of €8 million on 2009. This reduced allocation will require a further curtailment of project activity. Priority will continue to be given to projects aimed at up-skilling and re-skilling for employment.

### *Student grants and scholarships*

- A reduction of 5% is being applied to the rates of student grants and scholarships. This will provide €10 million in savings in 2010. However, the overall allocation for student support will be increased in 2010 to take account of increased numbers of students.
- The reduction will be implemented to all existing and new grant holders from January 2010. This is in line with reductions in other income maintenance payments including those for the unemployed.
- A further saving of €4 million will be made by the removal of eligibility for student support grants from people in receipt of the Back to Education Allowance and the VTOS allowances for those pursuing a PLC course. However, the cost of the student service charge and any fees payable to colleges will continue to be met by the Exchequer on their behalf. This will apply to all new grant holders in 2010 onwards.
- Support under the Millennium Partnership Fund is being withdrawn saving €2 million.

*Adult and further education*

- The number of places provided in Senior Traveller Training Centres (STTCs) will be reduced by 300 places from 984 places to 684 places. This in line with the Traveller Education Strategy. Travellers can continue to access the full range of Adult and Further Education programmes across the country.
- Allowances to participants in VTOS, Youthreach and Senior Traveller Training Centres will be reduced in line with the appropriate social welfare rates or FAS trainee allowances.

*Teacher education*

- The provision for teacher in-service education support is €29.79m, compared with a 2009 estimate of €40m. Restructuring of existing services will continue in 2010. Services will be focused on priority areas including special education needs, child protection guidelines training, implementation of new procedures for underperforming teachers and Project Maths.
- The allocation for pre-service teacher education is being reduced by €3m and will be achieved by reducing the number of post-graduate conversion places.

*Teacher Sick Leave and Substitution*

- The supply teacher scheme at primary level will cease from the start of the 2010/11 school year. Normal substitution arrangements, which apply to primary schools generally to cover teacher absences at present, will be used to cover substitution in those schools that participated in the scheme.
- From the start of the 2010/11 school year, the maximum number of uncertified sick leave days allowed in the school year for teachers in primary, secondary and community & comprehensive schools is being reduced to 7 days. This is the same amount as is available for teachers in vocational schools and community colleges.

*School transport*

The provision for school transport is €188m, compared with a 2009 estimated out-turn of €178m. While efficiencies made during 2009 will continue to yield savings in 2010, an increase of €10m is being provided which includes provision for new services as necessary.

*Reduction in allocations to Education bodies:*

- National Council for Curriculum and Assessment reduced by €0.93m
- National Council for Special Education reduced by €2.3m
- Higher Education Authority reduced by €0.562m
- Dublin Dental Hospital reduced by €0.410m.
- Dublin Institute for Advanced Studies reduced by €0.546m.
- Royal Irish Academy of Music reduced by €0.303m

- National Qualifications Framework (NQAI, FETAC, HETAC) current allocation reduced by €2.1 million.

#### *Other current*

- Further savings will be made from expenditure efficiencies in the Department's Administrative Budget (excluding NEPS) (€2.4 million).
- The allocation of €5m funding from the Dormant Accounts fund will allow for the continuation of existing schemes to counteract educational disadvantage funded from this source.
- Funding will be reduced by €1.2 million in 2010 for projects in Local Drugs Task Force areas in the Dublin city and county area. Funding provided by the Department for these projects will be phased out in 2011.

### **Extract from summary of expenditure-related measures announced in 2011 Budget**

#### *MAIN FEATURES*

##### *Overall Allocation*

- The gross overall Voted allocation for the Department for 2011 will be €8.855 billion. This compares to an allocation for 2010 of €9.002 billion, representing a reduction of 2%. In addition the Estimate includes provision for expenditure of some €362 million under the National Training Fund in 2011, which is a reduction of 14% over the allocation for 2010, due mainly to a projected significant reduction in fund income in 2011.

##### *Capital Expenditure*

- The capital allocation for 2011 will be €491 million. The figure reflects the overall medium-term reduction in capital investment announced in the National Recovery Plan.
- The capital expenditure envelope for education of almost €1.9 billion over the period of the plan will provide for meeting demographic needs in primary and post-primary schools and for some improvement in the stock of school buildings. The allocation will also provide for some prioritised investment in third-level infrastructure.

##### *Current Expenditure*

- A provision for current expenditure of €8.364 billion has been made for 2011. This is an increase of just under 1% on the equivalent 2010 allocation of €8.295 billion. A further €362 million of current expenditure is provided for under the National Training Fund. The 2011 allocation takes account of upward expenditure pressures mainly in relation to student support payments, the cost of pensions and demographic increases. It also takes account of savings of some €175 million to be secured across the education sector. More details regarding current expenditure are provided below.

##### *School Transport*

- The 2011 estimate for school transport services is €180 million compared to an allocation for 2010 of €186 million. €4.5 million in savings will be secured in 2011 (rising to €17 million in 2014), through a combination of increases in charges and the implementation of measures identified in a value for money review of the school transport scheme. With

effect from the 2011/2012 school year a transport fee of €50 per annum will be introduced for primary school pupils, with a maximum family charge of €110 applying. This charge is being introduced to ensure that school transport provided for eligible primary pupils is fully utilised. The annual charge for post-primary pupils will be increased by €50 from €300 to €350. The combined maximum overall family charge will remain at €650.

- Changes in the 2011/2012 school year arising from the value for money review will include:
  - The distance criteria will be applied to all pupils attending primary schools and the exemption under the closed school rule will cease. This means that children who reside less than 3.2 kilometres (2 miles) from the school of attendance and who are availing of free transport to that school under the closed school rule will lose their transport eligibility;
  - Services under the minimum numbers, either single services or which are part of double tripping arrangements, will be discontinued. A pick up density of pupils in a distinct locality on a particular route — increasing from the current minimum of 7 to 10 eligible children — will be required to establish or retain services.
- Further changes from the review, which will take effect from a later date, will include the following:
  - From the 2012/13 school year, eligibility based on the closed school rule (CSR) and the central school rule will cease for all new children entering primary schools. Existing primary pupils availing of transport under the CSR will retain transport eligibility for the duration of their schooling, provided the requisite distance is met;
  - From the 2012/13 school year, the use of the catchment boundary system will cease for all new post-primary children. Eligibility for all new children entering post-primary transport will be on the basis of the nearest post-primary centre or school. Existing arrangements will remain in place for existing post primary pupils for the duration of their schooling;
  - New arrangements will be put in place with Bus Éireann on a phased basis for the operation of the scheme. These will include arrangements for an increasing proportion of routes to be provided by private operators. From the 2012/13 school year, Bus Éireann will have full responsibility for the operation of the school transport system including responsibility for processing all applications for school transport or grants. Synergies between school transport, rural transport and Health Service Executive services will be further developed.

### *Schools*

- €22 million in savings will be secured in 2011 through an average 5% reduction in funding grants to schools and Vocational Educational Committees (including mainstream and ancillary grants for schools), and including grants for Adult Literacy, Community Education, School Completion Programme, Youthreach. This will reduce capitation rates to those that applied to schools between 2007 and 2008. (There will also be a similar

reduction in capitation rates payable in respect of Senior Traveller Training Centres, VTOS (Vocational Training Opportunities Scheme) and PLC (Post-Leaving Certificate) students). Details of the revised rates for each grant category will be issued to schools and VECs shortly. Reduced rates will also apply to ancillary and support services grants to reflect the reduction in pay that will apply to personnel who are paid from these grants, and who have not yet had the reduction applied to them, with effect from January 2011, e.g. school cleaners and caretakers.

- The 2011 allocation for teacher salaries of almost €3.85 billion takes account of €24 million in savings (rising to €98 million in 2014) to be achieved by reducing teacher numbers through a combination of measures. These measures will lead to a deferral of 150 extra posts and to a reduction of up to approximately 1,200 posts from September 2011 (approximately 700 primary and 500 post-primary posts) which, however, will be partly offset by the addition of an estimated 875 new posts due to demographics. The measures to reduce teacher posts include:
  - Deferral of the provision of 150 extra teachers originally planned to be allocated at primary and post-primary level in September 2011;
  - Changing the existing favourable pupil-teacher ratio (PTR) to the standard PTR for the Leaving Certificate Vocational Programme (LCVP). Currently, the allocation of teachers to the LCVP is on the basis of 1 teacher for every 17 pupils. This will be changed from September 2011 to the standard allocation basis of 1 teacher for every 19 pupils (or 1 teacher for every 20 pupils in the case of fee-charging schools). This measure will secure savings of approximately 200 posts;
  - Standardising the staffing schedule for Gaelscoileanna to the same that operates for other ordinary national schools, the estimated yield from which will be some 50 posts;
  - Withdrawal of Resource Teachers for Travellers posts at primary level so that educational teaching supports to Traveller students will now be provided on the same basis as other students in schools. Alleviation measures will be put in place for schools with a high concentration of Traveller children. At post-primary level teaching hours for Travellers will be withdrawn, again with alleviation measures for schools with high concentrations of Traveller children. This measure will secure savings of approximately 600 posts net.
  - A phased reduction of 500 over four years in the number of Language Support Teachers, through a demand driven reduction and, if necessary, a change in allocation rules over the period of the plan. A first year reduction of some 125 posts is targeted with effect from September 2011;
  - The redeployment of some 170 existing supernumerary posts in post-primary schools from September 2011;
  - The removal of 47 primary rural co-ordinator teaching posts currently allocated to DEIS rural primary schools. All of these schools, however, will continue to receive other DEIS supports including financial support, professional development supports, school meals and school books supports;

- The withdrawal from September 2011 of 42 Visiting Teachers for Travellers posts, currently assigned to the National Educational Welfare Board (NEWB). The School Support services, including the School Completion Programme and the Home School Liaison Service under the NEWB, will be adapted to undertake work with Travellers in the future.
- In line with the Traveller Education Strategy and the 2008 value for money review of Youthreach and Senior Traveller Training Centres (STTCs), integrated further education provision for Travellers will be implemented through the phasing out of STTCs by June 2012 and replacement places, prioritised for Travellers, being provided under the Back to Education Initiative (BTEI). This means there will be no new enrolments in STTCs from 1 January 2011.
- €10 million in savings will be secured from rule changes and efficiencies in relation to supervision and substitution arrangements in schools. This will include implementation of the flexibility measures provided for under the Croke Park Agreement whereby post-primary teachers will be available for an extra class period each week to cover for absent colleagues. There will also be a general tightening of the rules covering substitution.

#### *Special Needs Assistants*

- The 2011 allocation for pay for Special Needs Assistants (SNAs) will be approximately €350 million, compared to an allocation of €335 for 2010. The allocation provides for the full-year costs of SNAs appointed in 2010. While there will be no reduction in the SNA numbers in 2011 it is intended to place a cap on these numbers. The Department will in this regard work with the National Council for Special Education to develop a new system to manage SNA provision within the total numbers allocation. All schools will be advised of the new system.

#### *Further and Higher Education*

- The 2011 provision for Universities, Institutes of Technology and other higher education institutions is €1.113 billion, which represents a gross reduction of 7% on the allocation for 2010. Net of adjustments for increased income in respect of the Student Contribution Charge of €2,000, the overall 2011 reduction is 2.2% (5%, or €14 million, in the non-pay grants payable to these bodies and a 1.5% pay cost reduction).
- Further savings of €27 million will be achieved by replacing the existing €1,500 per year Student Services Charge with a flat higher education Student Contribution of €2,000 with effect from the 2011/2012 academic year. The Student Contribution will apply to all students who currently benefit under the 'free fees' scheme. Higher education institutions will be asked to consider how they could put in place arrangements under which a student may opt to pay the charge in two equal instalments of 50% in September and 50% in January in a given academic year. The contribution will be paid by the Exchequer in respect of students who qualify under the third level grant schemes. These students, who account for some 43% of all undergraduates, will not be impacted by any increase in charges. The Government is also aware of the particular financial pressures that this charge may place on families where family income is marginally in excess of current eligibility levels for maintenance grant support and on families with more than one sibling in higher education at the same time. With this in mind, the current higher education grants schemes threshold will be increased to provide for an additional eligibility cate-

gory of support qualifying for ‘50% Student Contribution’ (see detail in Appendix). In addition, arrangements will be made to provide that second and subsequent siblings from a single family will not have to bear the full increased cost of the new €2,000 charge.

- The introduction of a new €200 annual contribution for Post Leaving Certificate students will secure savings of €4 million in 2011. The cost of the charge will be met by the Exchequer on behalf of those students who are eligible under the maintenance grant scheme for students attending PLC courses. Eligible students may include those in receipt of the Back to Education Allowance provided that they meet all of the terms and conditions of the relevant student grant scheme.
- Provision of further education opportunities in 2011 will be largely the same as that in 2010, with over 173,000 participants benefiting from VEC interventions.

### *Student Support*

- The 2011 allocation for student support payments is just over €385 million. This represents an increase of some 5%, or €18 million, over the 2010 provision and reflects both increased numbers of students qualifying for grants and a greater proportion of students qualifying for higher rates of grants, which are means tested.
- The current higher education grants schemes threshold will be increased to provide for an additional eligibility category of support qualifying for ‘50% Student Contribution’.
- The 2011 allocation also takes account of savings of some €22 million (rising to some €51 million in 2014), to be achieved through implementing a range of savings measures in the student support scheme. These measures include:
  - A 4% reduction in the rate of student support grants, reflecting the reductions in rates of social protection payments announced in the Budget. This will yield savings of €8 million;
  - Changing the qualifying distance criterion for entitlement to the higher non-adjacent rate of grant (distance from home to the higher education institution) from 15 miles (24 kilometres) to 28 miles (45 kilometres). The original distance criterion was set in 1968, before the significant improvement in transport facilities and road networks which has taken place. This measure will yield €10 million of savings in 2011 (€30 million in 2014);
  - Savings of €4 million (€13 million in 2014) will be secured by reducing the automatic eligibility of mature students to the higher non-adjacent rate of payment, thereby bringing the arrangements for mature students into line with all other students.

### *Skills and Training*

- Savings of approximately €10 million will be achieved in the area of training allowances and supports. This includes a reduction, consistent with reductions in social protection rates announced in the Budget, of €8 per week in all weekly training allowances and similar support payments. The long-term unemployment bonus paid to VTOS (Vocational Training Opportunities Scheme) students and to FAS trainees will be reduced from €31.80 per week to €20 per week.
- In Budget 2011 the allocation to FÁS for training the unemployed has been decreased by €43 million or approximately 15%. This will result in an equivalent reduction of 15,410 training places that FÁS can deliver for the unemployed next year. This will imply

that FAS will deliver approximately 100,000 training places next year as opposed to the 115,000 they are delivering this year.

#### *Other current expenditure items*

- The reduced 2011 allocation of just over €18 million for the National Educational Psychological Service (NEPS) takes account of €3 million in savings to be secured through capping at 178 the number of psychologists in the service;
- A saving of €1 million in 2011, rising to €12 million in 2014, will be achieved through the impact of a 10% reduction in salary scales for new entrants to the public service, with all new entrants starting on the minimum point of the new scale.
- €16 million in savings (€39 million in 2014) will be achieved through further reductions in public service numbers on the Education and Skills Vote, including in the Non-Commercial State Agencies under the aegis of the Department. These reductions are on foot of the updated Employment Control Framework in the National Recovery Plan, to control public sector numbers.
- A further €18 million in savings will be achieved through a range of non-pay administrative savings, the management of emerging expenditure pressures and other estimating savings.
- The 2011 allocation of €78 million for the Administrative Budget subheads A1 to A8 includes an additional €1.6 million in staff costs as a result of the transfer of functions in May 2010. When account is taken of this the 2011 allocation for these subheads represents a reduction of 2% on the comparable allocation for 2010.
- The 2011 allocations to a number of bodies under the aegis of the Department reflect reductions in payroll and other administrative savings.

#### **State Examinations**

153. **Deputy Pádraig Mac Lochlainn** asked the Minister for Education and Skills his plans to minimise the cost of mock examinations to families. [25971/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Mock examinations are not part of the State examinations system. The decision to organise and/or charge for mock examinations is made at school level, and my Department does not have a role in the matter. Schools are provided with capitation and school services grants to meet their running costs. Post-primary schools receive school services grant of €201 per pupil plus a capitation grant of €328 per pupil. DEIS schools also receive additional funds for targeted interventions to improve educational outcomes for students at risk.

It is important for schools to be sensitive to the financial pressures on families, and to use the State funds provided to optimum effect. However, my Department is not in a position to make additional funds available to schools in the current climate.

Ideally, mock examinations should be marked by teachers as part of their ongoing work in schools. While schools in the Free Education Scheme may seek voluntary contributions from parents, they may not charge fees for teaching and learning activities scheduled as part of the school day, or exclude students from such services for non payment of a fee.



### Education Schemes

154. **Deputy Willie O’Dea** asked the Minister for Education and Skills the number of the announced 6,000 extra specific jobs skills training places that have been taken up to date by unemployed persons from structurally challenged industries; the number of the 3,000 back to education initiative places for people with less than leaving certificate that have been taken up to date; the number of the 5,900 third level springboard programme places that have been taken up to date; and the number of the additional 1,000 post-leaving certificate places that have been taken up to date. [25996/11]

**Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon):** The majority of the additional training, education and work experience places (15,900) for the unemployed, including young unemployed persons, contained in the Jobs Initiative which was announced in May 2011 are being delivered by my Department through the following programmes.

- 6,000 places on FÁS Specific Skills Training Courses
- 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) Arrangements for filling these places are at different stages at present:

FÁS Specific Skills Training Courses. I understand from FÁS that the additional 1,000 places for the longer Specific Skills Training Courses have been identified and scheduled with some courses already commenced and participants for the remainder currently being recruited.

FÁS are planning to commence over the next 3 months the remaining short, evening and blended learning, specific skills training courses with the additional 5,000 places. FÁS is confident that it will achieve its target in this area in 2011. Back to Education and Post Leaving Certificate Courses.

The additional 1,000 Further Education Post Leaving Certificate (PLC) and 3,000 Back to Education Initiative (BTEI) places are being prioritised for the unemployed. These additional places have been allocated to Vocational Education Committees (VECs) and other providers and are being made available to participants for the current academic year.

It is expected that the additional 1,000 learners on PLC programmes will be fully utilised by the end of September. Data on enrolments will be notified to my Department as part of the standard 30 September enrolment returns which will be available at the end of the year.

The additional BTEI places are designed to provide flexible short term programmes, with priority given to people who are unemployed and who left school prior to completing their Leaving Certificate. VECs are currently in the process of recruiting participants and initiating programmes for the Jobs Initiative. Data on the number of participants availing of these places will be submitted by VECs as part of end of year reports.

Springboard Applications for the 5,900 Springboard places opened on 25 May 2011 through the online applications facility on the *Bluebrick.ie*. web portal. It is open to applicants to submit multiple applications and to date 16,040 applications have been received from 6,736 people. 3,792 applicants have been accepted and are enrolled on courses and 2,378 applications are currently being processed.

As applications are still being submitted and processed, the overall position in relation to uptake will not be known for another few weeks. I understand that the majority of Springboard programmes will have commenced by mid October.

### Health and Safety Regulations

155. **Deputy Brendan Griffin** asked the Minister for Education and Skills his views on a most serious health and safety matter relating to schools (details supplied); and if he will make a statement on the matter. [26007/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** When a school authority receives funding from my Department to carry out refurbishment works to their school building, they are advised of their responsibilities as Client for the project under the Safety Health and Welfare at Work Act 2005 and the Safety Health and Welfare at Work (Construction) Regulations, Statutory Instrument (S.I.) 504 of 2006.

In particular school authorities are advised that they must receive written confirmation from all Consultant(s) appointed by them to assist with the delivery of their approved project that they are aware of the contents of the School's Safety File and the School's Asbestos Register. The school management authority is also required to provide written confirmation that their consultants has checked the school safety file and has taken appropriate action in relation to the removal asbestos before my Department will issue any payments in respect of the approved works. In relation to the removal of asbestos school authorities are required to engage contractors named on the OPW list of specialist asbestos removal contractors.

In addition school authorities are informed that guidelines documents on "Asbestos Management in Schools" and the "Code of Practice for Management of Asbestos Material in Schools" are available on my Department website *www.education.ie*.

### Higher Education Grants

156. **Deputy Brendan Griffin** asked the Minister for Education and Skills if there is grant aid available to Irish postgraduate students (details supplied) studying in the UK; and if he will make a statement on the matter. [26024/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Grant support is not available to students pursuing post-graduate courses outside of the island of Ireland. However, Section 473A, Taxes Consolidation Act, 1997, as amended by Section 11 of the Finance Act 2011, provides for tax relief, at the standard rate of tax, for tuition fees paid in respect of approved courses at approved colleges of higher education including certain approved undergraduate and postgraduate courses in E.U. Member States and in non-EU countries. Further details and conditions in relation to this tax relief are available from the Revenue Commissioners.

### Schools Building Projects

157. **Deputy Eamonn Maloney** asked the Minister for Education and Skills the position regarding the building project in respect of a school (details supplied) in Dublin 24. [26129/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The major building project for this school was included in the list of projects announced in January of this year to "Complete Tender Documents and Expected to Tender in 2011". The design team are currently working on stage 2(b) of architectural planning which includes the application for Planning Permission, Fire Certificate and Disability Access Certificate (DAC) and the preparation of tender documents. Upon completion of Stage 2(b) the Design Team will submit the required documentation to my Department. Subsequently 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.

### Higher Education Grants

158. **Deputy Pearse Doherty** asked the Minister for Education and Skills the grants or forms of financial assistance provided by him to Irish students studying in third level education outside the island of Ireland; and if he will make a statement on the matter. [26131/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The student grant scheme includes provision for grants to eligible students pursuing full-time undergraduate courses of at least two years duration in publicly-funded institutions in other EU Member States.

The student grant scheme is administered on behalf of my Department by local grant awarding authorities — local authorities and VECs — and students should apply to the grant awarding authority in the area where they live to have their eligibility for a grant assessed.

While the student grant scheme does not extend to postgraduate study outside of Ireland, Section 473A, Taxes Consolidation Act, 1997, as amended by Section 11 of the Finance Act 2011, provides for tax relief, at the standard rate of tax, for tuition fees paid in respect of approved courses at approved colleges of higher education including certain approved undergraduate and postgraduate courses in E.U. Member States and in non-EU countries.

*Question No. 159 answered with Question No. 138.*

### FÁS Training Programmes

160. **Deputy Peter Mathews** asked the Minister for Education and Skills his views on a matter (details supplied) regarding FÁS apprentice students; and if he will make a statement on the matter. [26155/11]

**Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon):** FÁS has introduced a number of schemes to assist redundant apprentices to progress their apprenticeships, namely: ? Redundant Apprentice Placement Scheme 2011. With the support of the social partners, FÁS is providing a temporary Redundant Apprentice Placement Scheme whereby FÁS-approved employers in the public and private sectors will provide redundant apprentices with training and assessment on-the-job at Phase 3, Phase 5 and Phase 7 of their apprenticeships. The maximum period of placement is 26 weeks at Phase 3 or 26 weeks at Phase 5 or 12 weeks at Phase 7. ? Phase 7 Equivalent Assessments Redundant apprentices in the trades of Carpentry & Joinery, Cabinet Making, Electrical, Plumbing, Brick & Stonelaying and Plastering who have successfully completed Phase 1 to Phase 6 of their apprenticeships but who have not completed on-the-job Phase 7 Assessments and are unable to obtain a FÁS-approved employer to complete Phase 7 assessments, will be scheduled by FÁS to undertake Phase 7 Equivalent Assessments over a period of 4 weeks in a FÁS Training Centre. ? Competency Determination Mechanism. I understand that FÁS is introducing a Competency Determination Scheme for the trades of Brick & Stonelaying, Carpentry & Joinery, Electrical, Plastering and Plumbing. Under this Scheme, redundant apprentices who have successfully completed Phases 1 to 7 of their apprenticeships, but who do not meet the requirement of having completed the statutory 4 years (208 weeks) in employment as apprentices, will be invited by FÁS to attend a FÁS Training Centre to have their competency assessed.

Redundant apprentices who pass the competency assessment will receive an exemption from this requirement thereby enabling them to complete their apprenticeships and qualify for the award of the FETAC Advanced Certificate — Craft. I understand that apprentices are being scheduled for competency assessments at present. ? Certificate in Craft Transferable Skills. FÁS and the HEA with the Institutes of Technology have developed a post Phase 6 programme for redundant apprentices who wish to access a programme at 3rd level in the Institutes of

Technology. Redundant Apprentices who successfully complete this programme will receive a HETAC Special Award Level 3, 30 ECTS Credits. This award should entitle apprentices to enter year 2 of a relevant Higher Certificate (level 6) and in some particular cases may gain entry to Ordinary Degree Programmes Level 7. The Certificate in Craft Transferable Skills (optional) will be offered by the Institutes of Technology in Term 1 — 2011/2012.

I would strongly advise that Redundant Apprentices should contact their FÁS Training Advisor to obtain advice and guidance in relation to the progression of their apprenticeship.

### **Schools Building Projects**

161. **Deputy Jack Wall** asked the Minister for Education and Skills the position regarding an extension to a school (details supplied) in County Kildare; and if he will make a statement on the matter. [26157/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The building project for this school was listed in the School Building Works Programme announced on 24th January 2011 to commence the design team appointment process this year. The brief and schedule of accommodation has been prepared. It is anticipated that officials from my Department will be in contact with the school authorities shortly to commence the tender process for the appointment of the design team.

### **School Transport**

162. **Deputy Michael Creed** asked the Minister for Education and Skills the reason for the delay in issuing payment for transport of a child (details supplied) in County Cork, with special needs to the parents involved; and if he will make a statement on the matter. [26167/11]

**Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon):** School Transport Section of my Department handles a large volume of grant payments at the end of each school year and it is inevitable that payment processing will take longer during this very busy period. The payment in question was issued on 20th September 2011.

### **FÁS Training Programmes**

163. **Deputy Joanna Tuffy** asked the Minister for Education and Skills if he will consider relaxing the rule that prevents an unemployed person on a FÁS course taking up a free springboard course, particularly as there may be an overlap between the time the FÁS course finishes and the springboard course begins, and the springboard course may involve a progression for the person concerned; and if he will make a statement on the matter. [26177/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** To be eligible for a place on a Springboard course an applicant must have a previous history of employment, and at the time of starting a Springboard course must be unemployed and in receipt of Jobseeker's Allowance, Jobseeker's Benefit or One Parent Family Payment or be signing for contribution credits. All applicants must be available for and actively seeking employment. In order to qualify for a place on a post-graduate course applicants must meet these requirements and also must have completed their undergraduate qualification at least three years before the date of commencement of the post-graduate course. It is open to people who have completed a FAS course to progress to a Springboard programme. People who do not fulfil the eligibility criteria for Springboard may also apply under the Department of Education and Skills Student Grant Scheme, for fee and maintenance cost support to pursue a higher education programme on a

[Deputy Ruairí Quinn.]

full-time basis. Full details regarding the Department's student grant schemes are available on [www.studentfinance.ie](http://www.studentfinance.ie).

### Teachers' Remuneration

164. **Deputy Finian McGrath** asked the Minister for Education and Skills the number of part-time teachers in special schools that have not yet been placed on the appropriate pay rate and therefore have arrears owing to them since the implementation of the Protection of Employees (Part Time Work) Act 2001. [26194/11]

165. **Deputy Finian McGrath** asked the Minister for Education and Skills the amount owing in arrears to part-time teachers in special schools who have not yet been placed in the appropriate pay rate since the implementation of the Protection of Employees (Part Time Work) Act 2001. [26195/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I propose to take Questions Nos. 164 and 165 together.

Until 31st December 2010, a grant system operated which allowed the managerial authorities of special schools to claim from my Department the funding required to pay part-time specialist subject teachers employed in their schools. The teachers were paid by the managerial authorities.

With effect from the 1st January this year, part-time specialist subject teachers are being paid on a payroll operated by my Department. Under the terms of the Protection of Employees (Part-time Work) Act, 2001, qualified eligible part-time teachers are entitled to be paid salary appropriate to their qualifications and to receive incremental credit in respect of relevant teaching service.

The arrears due to each qualified teacher are determined individually with regard to their qualifications and service. It is hoped to pay the outstanding arrears to approximately 60 qualified teachers within the current financial year. The current priority of my Department's Payroll Division is to ensure that replacement teachers and special need assistants being appointed for the 2011/2012 school year are placed on payroll for payment.

### Higher Education Grants

166. **Deputy Thomas P. Broughan** asked the Minister for Education and Skills the supports available for mature students who have been turned down for a full-time course through the CAO system and chose to then take the course part time but have to pay full fees; and if he will make a statement on the matter. [26196/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Part-time programmes are not eligible for support under the student grant or free fees scheme. However, tax relief, at the standard rate of tax, is available on third-level tuition fees paid in respect of approved courses at approved higher education institutions including certain approved undergraduate courses in E.U. member states and approved postgraduate courses in E.U. member states and in non-E.U. countries.

In addition, as part of the Government's Jobs Initiative, 6,000 part-time places are being funded through Springboard, a specific initiative targeted at unemployed people who have lost jobs in sectors where employment levels will not return and who will need new qualifications and skills. To be eligible for a place on a Springboard course an applicant must have a previous history of employment, and at the time of starting a Springboard course must be unemployed

and in receipt of Jobseeker's Allowance, Jobseeker's Benefit or One Parent Family Payment or be signing for contribution credits and be available and actively seeking employment. Full details regarding all Springboard can be found on [www.bluebrick.ie](http://www.bluebrick.ie).

### Departmental Expenditure

167. **Deputy Thomas P. Broughan** asked the Minister for Education and Skills if he will maintain critical funding for the RASP anti-drug programme in Dublin 17 for 2012; and if he will make a statement on the matter. [26197/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** My Department has provided an allocation of €138,847 to the Rehabilitation and Support Programme (RASP) in 2011 which is equal to its allocation in 2010. A decision regarding the provision of an allocation to the project in 2012 will be taken in the context of the overall budgetary process for 2012.

### Schools Building Programmes

168. **Deputy Terence Flanagan** asked the Minister for Education and Skills the position regarding a school (details supplied) in Dublin 13; and if he will make a statement on the matter. [26222/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The school referred to by the Deputy was included for appointment of a design team in the announcement in January of the school building works programme for 2011.

My Department is in the process of acquiring a site close to the current location of the school. The next step will be the appointment of a design team to design the new school building. It is my Department's intention to have the new school in place for September 2014. However, until planning permission has been secured it will not be possible to give a more precise indication of when the construction of the new school will be completed.

### Community Employment Schemes

169. **Deputy Mary Lou McDonald** asked the Minister for Education and Skills if he will explain the decision by FÁS not to continue funding for a project (details supplied) and if alternative funding can be found to keep such a vital service running. [26227/11]

**Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon):** I have been informed that the project referred to by the Deputy is not a FÁS project, but has been funded by a Community Training Centre, which itself receives funding from FÁS. Following a review of funding of CTCs, it was determined that FÁS could not continue to provide the CTC with funding for this project as the work carried out by the project does not fall within the remit of FÁS.

### Departmental Staff

170. **Deputy Anne Ferris** asked the Minister for Education and Skills notwithstanding the Civil Service circular No. 28, if he will provide a list of the current pay of each senior civil servant from higher executive officer to Secretary General in his Department broken down by grade; the pension entitlements of each and any other emoluments they are entitled to receive upon reaching retirement; and if he will make a statement on the matter. [26234/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** As there is a total of 636 staff at Higher Executive officer to Secretary General (and equivalents) in my Department I trust the

[Deputy Ruairí Quinn.]

Deputy will appreciate that to provide a list of the current pay of each individual and calculate their individual retirement entitlements in the format requested would take an inordinate amount of official time to compile.

Pension and gratuity benefits are calculated by reference to total reckonable service and pensionable remuneration on the last day of service. Where a person changes grade during their final three years of service, the salary is averaged over the last 3 years for the purposes of calculating pensionable remuneration.

#### Pension Calculation

(a) in the case of staff appointed before 6th April 1995 the pension is calculated as 1/80th of pensionable remuneration for each years service.

(b) For staff recruited after 6th April 1995 the pension is calculated as follows:

- 1/200th of pensionable remuneration below 3 1/3 times Old Age Contributory Pension (OACP)
  - Multiplied by reckonable service plus (where applicable)
  - 1/80th of pensionable remuneration in excess of 3 1/3 times OACP
  - Multiplied by reckonable service A maximum of 40 years service applies in both cases.
- Retirement Gratuity.

In the case of both categories of staff retirement gratuities are calculated as 3/80th of pensionable remuneration for each year of service subject to a maximum of 120/80th (i.e. 1 1/2 times the final annual salary).

In the case of a person having reached 40 years service their pension will be calculated as follows:

Pension = Annual Salary X Service \_\_\_\_\_ 80

Gratuity Sum = Annual Salary X 1.5

It is possible for a staff member over the age of fifty to retire and receive an actuarially reduced pension.

I have included details of the 2008 pay scales for the grades in question that are applicable to officials that retire before the 29th. February 2012. Officials that retire after this date will have their pensions calculated at the reduced salary rates that came into effect from the 1st, January 2010.

In respect of the Secretary General her current gross salary is €215,590 per annum and she has effected a voluntary waiver to bring her remuneration to €200,000. Her gross salary prior to pay reductions was €253,635 per annum. Secretaries Generals are appointed as a result of a Top Level Appointments Commission (TLAC) process and therefore, would be comprehended by the usual TLAC terms of appointment including retirement terms.

PAY SCALES 1st, September 2008

ASSISTANT SECRETARY

€131,748 €137,737 €144,225 €150,712

PRINCIPAL (HIGHER)

€92,730 €96,555 €100,392 €104,217 €107,485 €110,928<sup>1</sup> €114,366<sup>2</sup>

PRINCIPAL

€86,168 €89,819 €93,449 €97,109 €100,191 €103,389<sup>1</sup> €106,582<sup>2</sup>

## ASSISTANT PRINCIPAL (HIGHER)

€72,681 €75,448 €78,226 €80,989 €83,760 €85,375 €88,135<sup>1</sup> €90,884<sup>2</sup>

## ASSISTANT PRINCIPAL

€66,179 €68,656 €71,132 €73,609 €76,087 €77,520 €80,016<sup>1</sup> €82,520<sup>2</sup>

## ADMINISTRATIVE OFFICER STANDARD SCALE

€33,372 €36,400 €40,275 €43,226 €46,176 €49,137 €52,086 €55,030 €57,062<sup>1</sup> €59,097<sup>2</sup>

## ADMINISTRATIVE OFFICER HIGHER SCALE

€43,226 €46,176 €49,137 €52,086 €55,030 €57,062 €59,072 €61,082

## HIGHER EXECUTIVE OFFICER STANDARD SCALE

€46,558 €47,973 €49,379 €50,789 €52,200 €53,618 €55,030 €57,062<sup>1</sup> €59,097<sup>2</sup>

## HIGHER EXECUTIVE OFFICER HIGHER SCALE

€49,379 €50,789 €52,200 €53,618 €55,030 €57,062 €58,396 €59,737 €61,082

Revised pay with effect from 1 September 2008 for established officers appointed on or after the 6th April 1995 paying the Class A rate of PRSI contribution and making an employee contribution in respect of personal superannuation benefits for General Service Grades.

## ASSISTANT SECRETARY

€138,683 €144,986 €151,816 €158,644

## PRINCIPAL (HIGHER)

€97,617 €101,636 €105,675 €109,705 €113,141 €116,760<sup>1</sup> €120,382<sup>2</sup>

## PRINCIPAL

€90,702 €94,550 €98,370 €102,218 €105,463 €108,829<sup>1</sup> €112,191<sup>2</sup>

## ASSISTANT PRINCIPAL (HIGHER)

€76,510 €79,421 €82,338 €85,253 €88,169 €89,872 €92,765<sup>1</sup> €95,665<sup>2</sup>

## ASSISTANT PRINCIPAL

€69,659 €72,268 €74,871 €77,483 €80,090 €81,593 €84,225<sup>1</sup> €86,865<sup>2</sup>

## ADMINISTRATIVE OFFICER STANDARD SCALE

€35,132 €38,318 €42,397 €45,501 €48,607 €51,722 €54,828 €57,923 €60,069<sup>1</sup> €62,210<sup>2</sup>

## ADMINISTRATIVE OFFICER HIGHER SCALE

€45,501 €48,607 €51,722 €54,828 €57,923 €60,069 €62,181 €64,296

## HIGHER EXECUTIVE OFFICER STANDARD SCALE

€49,007 €50,495 €51,980 €53,464 €54,952 €56,438 €57,923 €60,069<sup>1</sup> €62,210<sup>2</sup>

## HIGHER EXECUTIVE OFFICER HIGHER SCALE

€51,980 €53,464 €54,952 €56,438 €57,923 €60,069 €61,475 €62,884 €64,296

### Special Educational Needs

171. **Deputy Thomas P. Broughan** asked the Minister for Education and Skills if he will publish his key policy document on the education of children on the autistic spectrum; if he will confirm that this policy was produced in recent years and is the basis of his current national programme for the education of citizens with autism; and if he will make a statement on the matter. [26250/11]



**Minister for Education and Skills (Deputy Ruairí Quinn):** The Deputy will be aware that policy can be expressed and manifested through a variety of forms. Explicitly, it is communicated via legislation, regulations, rulings, orders, plans, strategies, policy statements, and other forms — or through a combination of these. Therefore the Deputy will appreciate that specific policies and objectives are not always articulated in just one document.

My Department strives to ensure that a continuum of special education provision is available as required for children with special educational needs. In line with this approach the policy is to promote a child-centred approach to education of all children with special educational needs including those with autism. As each child with autism is unique they should have access to a range of different approaches to meet their individual needs.

Children with autism present with a wide range of needs. Some children are capable of being fully integrated into mainstream schools without additional teaching or care supports. Others are able to attend mainstream schools but need additional teaching and/or care assistance. Many are best enrolled in autism-specific classes where more intensive and supportive interventions are required. Some may move from one setting to another as they get older and differing needs/strengths/abilities emerge.

The preferred policy of my Department is that children with autism are educated in school settings where children may have access to individualised education programmes (IEPs), fully-qualified professional teachers, special needs assistants, the appropriate school curriculum with the option, where possible and appropriate, of full or partial integration and interaction with other pupils.

Autism classes are established with a staffing ratio of 1 teacher and a minimum of 2 Special Needs Assistants (SNAs) for every 6 children. Other SNAs may be allocated if required to meet the care needs of the children. Start-up grants are provided to the schools to enable special equipment to be purchased. Enhanced capitation is paid in respect of each child and assistive technology is funded where this is recommended.

This approach promotes the maximum level of inclusion which accords with the intent of the EPSEN Act. While some children may be able to attend a mainstream class, for others the most appropriate provision may be in a special class or unit in the school or in a special school.

My Department supports provision in mainstream schools, some 430 special classes for autism attached to mainstream and special schools and 18 special schools for children with autism throughout the State which cater for the educational needs of some 5,000 children with autism, all of which operate within the policy parameters.

This policy is based on advice received from international experts on autism, NEPS, the Inspectorate and the report of the Irish Task Force on Autism. My Department has satisfied itself that research does not support the exclusive usage of any one approach as a basis for national educational provision for children with autism. It is for this reason that my Department's preferred policy is for a child centred approach where the approach to be taken is based on the individual child's needs.

In arriving at the preferred policy which is currently in place, my Department has considered published research, including the Report of the Task Force on Autism (2001) and the Evaluation of Educational Provision for Children with Autistic Spectrum Disorders (2006), both of which are available on my Department's website has also informed the policy. My Department was also mindful of contributions of many other experts at international conferences/visits have also informed the development views.

172. **Deputy Thomas P. Broughan** asked the Minister for Education and Skills if he will report to Dáil Éireann on the home tuition and educational fees which he has provided for the

former students of a school (details supplied) in Dublin 13 which was forced to close on 29 July 2011; and if he will make a statement on the matter. [26251/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** As the Deputy is aware the centre to which he has referred submitted a proposal for an academy for children with autism to my Department for consideration. My Department took a decision not to provide funding to support the centre as the proposal submitted was not in line with my Department's policy on educational provision for children with autism. My Department had no direct funding arrangements with the group in question.

The purpose of the Home Tuition Scheme is to provide a compensatory educational service for children who, for a number of reasons such as chronic illness, are unable to attend school. The scheme was extended in recent years to facilitate tuition for children awaiting a suitable educational placement and also to provide early educational intervention for pre-school children with autism.

The National Council for Special Education (NCSE) is responsible for the provision of a range of educational services at local and national level for students with special educational needs. In particular, its network of Special Education Needs Organisers (SENOs) co-ordinates special needs education provision at local level and arranges for the delivery of special educational services. The SENOs act as single points of contact for parents of students with special educational needs. Another specific function of the SENO is to identify appropriate educational placements for children with special educational needs. SENOs are a valuable source of support to parents who are actively sourcing a placement for their children.

The NCSE have been fully engaged in securing placements for the children in question. The NCSE has advised my Department that there are placements available for all of these children. I am aware that the parents of the children have all been advised of their placement options by the NCSE.

I also wish to advise the Deputy that my Department has approved home tuition, from the commencement of the current school year, for 1 month for all of the children concerned. The purpose of this provision is to facilitate transitional arrangements for children taking up placements. My Department will consider, as an exceptional measure, extending this period further to facilitate transitional arrangements for the children once they have enrolled in the school based placements.

### **Schools Building Projects**

173. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills if he will confirm priority status of the construction of a new secondary school (details supplied) in County Kerry; and if he will make a statement on the matter. [26299/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** A major project for the school to which the Deputy refers was included on the work programme for 2011, which was announced on 24 January 2011.

The project brief has now been agreed with the School Management. The next stage involves the appointment of a Design Team and this process is expected to commence shortly. All large scale building projects, including this project, 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, it is not possible to give an indicative timeframe for the completion of the project at this time.

The current status of all projects on the school building programme, including this project, 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.

### Higher Education Grants

174. **Deputy Joe Costello** asked the Minister for Education and Skills his views on the issues in a document (details supplied) regarding the inability of mature students to continue their education to fourth level in view of the restrictive social welfare and medical card conditions; and if he will establish an interdepartmental liaison with the Department of Health and the Department of Social Protection to provide for some mitigation for mature students who find themselves in these or similar circumstances. [26312/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The Deputy will be aware that the student grant measures announced in Budget 2011 by the previous Fianna Fáil — Green Party Government began to come into effect from January this year when a reduction of 4% in the rates of grant was applied to all student grant recipients. In addition, from September 2011 the assessment of the qualifying distance criterion for the non-adjacent rate of grant was changed from 24 kilometres to 45 kilometres and mature students no longer have an automatic entitlement to the non-adjacent rate of grant.

Given the current economic circumstances I regret that I am not in a position to reverse the changes made to the entitlement for mature students. Students in exceptional financial circumstances can apply for assistance under the Student Assistance Fund. Information on the Fund is available through the access offices of third-level institutions. The access offices themselves will also continue to provide support and advice to students to enable them to continue with their studies.

The BTEA is a Department of Social Protection second-chance education opportunities scheme designed to encourage and facilitate people on certain social welfare payments to improve their skills and qualifications and therefore, their prospects of returning to the workforce. The Deputy will appreciate that eligibility for, or any extension of the BTEA scheme to accommodate postgraduate studies is primarily a matter for my colleague, the Minister for Social Protection. There has already been a substantial level of liaison between officials of my Department and those of the Department of Social Protection in relation to common issues concerning eligibility for the BTEA and student grants.

### School Transport

175. **Deputy Niall Collins** asked the Minister for Education and Skills if he will reinstate the rural school bus transport scheme for a school (details supplied) in County Cork. [26346/11]

**Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon):** Changes in the School Transport Scheme were announced by the previous Fianna Fáil-Green Party Government and derive from recommendations in the Value for Money Review of the scheme.

One of the changes announced included an increase to ten in the minimum number of eligible pupils, residing in a distinct locality, required to establish or retain an individual school transport service.

Bus Éireann, which operates the school transport schemes on behalf of my Department, has advised that in this case, the number of applications from eligible pupils did not match the above requirement and consequently the service was withdrawn from the beginning of the current school year.

This minimum number requirement has been applied to all individual school transport services nationally from the commencement of the 2011/12 school year.

As is currently the position, families of eligible pupils, for whom there is no school transport service available, may apply for a remote area grant towards the cost of making private transport arrangements.

It is essential to stress that the wider context within which this change is taking place, is a situation of the most serious financial difficulties. Under the four year recovery plan, there is a requirement to deliver savings of €17 million on the school transport budget and this measure is an integral part of this.

### **Departmental Strategy Statements**

176. **Deputy Brendan Smith** asked the Minister for Education and Skills if his Department has submitted a strategy statement to him, as specified under the 1997 Public Service Management Act; and if so, if he will publish this statement. [26406/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** A Strategy Statement has been submitted to the Minister for consideration and will be published in due course.

### **School Properties**

177. **Deputy Finian McGrath** asked the Minister for Education and Skills the position regarding tenancy entitlements in respect of a club (details supplied) in Dublin. [26422/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I wish to advise the Deputy that it is my intention to lease the entire former community school site referred to by the Deputy, including the sports complex, to the City of Dublin VEC. My Department has requested the VEC to ensure that the club referred to by the Deputy is given use of the facility following execution of the lease. I understand that the VEC has already presented a draft user agreement to the club for their consideration in anticipation of concluding legal formalities with my Department. Providing a letter of comfort to the club in relation to its future use of the sports facility is, therefore, no longer considered necessary.

### **Public Procurement**

178. **Deputy Peadar Tóibín** asked the Minister for Public Expenditure and Reform the total worth, in euros, of public procurement contracts in central and local government in 2010 and 2011; the worth of those contracts granted to Irish companies and the worth of those granted to foreign companies. [25719/11]

**Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes):** Statistics compiled by the National Procurement Service relate to total spend advertised on eTenders above EU thresholds. The information requested by the Deputy is not yet available as the statistics for 2010 are only now being compiled. It is anticipated that the exercise will be complete in December 2011.

As statistics are compiled a year in arrears, figures for 2011 will not be available until December 2012.

179. **Deputy Peadar Tóibín** asked the Minister for Public Expenditure and Reform the worth of public procurement contracts for central and local government in 2010 and 2011 that were granted to Irish companies that employ ten persons or fewer; and the worth of public contracts granted to companies that employ ten persons or more. [25720/11]

**Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes):** Statistics compiled by the National Procurement Service relate to total spend advertised on eTenders above EU thresholds. The information requested, regarding the size of Irish

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companies awarded public procurement contracts, is not available as such information in the format requested was never compiled.

My Office, in consultation with the Department of Enterprise, Jobs & Innovation, is looking at the feasibility of sourcing such information in the future.

### **Pension Provisions**

180. **Deputy Michael McCarthy** asked the Minister for Public Expenditure and Reform the projected budgetary changes to lump sums and pension arrangements in respect of public servants with 37.5 years of service; and if he will make a statement on the matter. [25845/11]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** I understand that the Deputy is interested in the ‘grace period’ and its effects. The Financial Emergency Measures in the Public Interest (No. 2) Act 2009 provided for a period within which pensions are unaffected by the pay cuts introduced in that Act. This ‘grace period’ was due to expire by the end of 2010 however it was extended to 29 February 2012 to avoid too large a number of public service retirements in 2011 and to spread the extra pension lump sum costs over a more manageable period in both 2011 and 2012.

Also, in July this year a 3 month minimum notice period for retirement was introduced for the public service. The purpose of this minimum notice period is to protect services by giving management information about the number of staff retiring in a particular area and to assist in planning how best to maintain services. I have no plans to introduce any special arrangements for public servants who do not have forty years pensionable service: in accordance with the standard pension arrangements, those who opt for retirement will receive a pension based on the service accumulated to the date of their retirement. I would point out that, generally, public servants who are aged over 50 may avail of cost neutral early retirement.

### **National Lottery Funding**

181. **Deputy Jim Daly** asked the Minister for Public Expenditure and Reform the position regarding accessing funding through the national lottery; and if he will make a statement on the matter. [25966/11]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** The surplus generated by the National Lottery is transferred annually to the Exchequer and is applied to part-fund the Exchequer allocations to a specified range of expenditure subheads across various Votes. The amount transferred to the Exchequer from the Lottery surplus, together with details of the total Exchequer allocations to the relevant lottery supported subheads are published each year in Appendix 1 of the annual *Revised Estimates for Public Services* which gives a breakdown of allocations by programme.

Individuals or organisations who wish to apply for State funding for specific projects should contact the relevant Government Department or agency in relation to the application process.

### **EU Funding**

182. **Deputy Pearse Doherty** asked the Minister for Public Expenditure and Reform if Ireland is currently in receipt of, or has applied for, any joint European support for sustainable investment in city areas funding to invest in sustainable urban development and regeneration projects. [25985/11]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** As the Deputy will be aware, Ireland was allocated a total of €901m in Structural Funding for the 2007-13 program-

ming period, with €750m assigned to the Regional Competitiveness and Employment (RCE) Objective. Ireland's National Strategic Reference Framework (NSRF) sets out the policy context through which the RCE allocation may be applied. This is implemented through three Operational Programmes: the Border, Midlands and Western (BMW) OP, the Southern and Eastern (S&E) OP — both co-funded by the European Regional Development Fund (ERDF) — and the Human Capital Investment OP, which is co-funded by the European Social Fund (ESF). The balance of €151m is for smaller Territorial Cooperation programmes including PEACE III, INTERREG IVA and the Ireland Wales programme.

The EU Commission developed four joint initiatives in co-operation with the European Investment Bank (EIB) group and other financial institutions in the framework of the 2007-2013 programming period. Two of them refer to the promotion of financial engineering instruments (JEREMIE and JESSICA). The other two (JASPERS and JASMINE) operate as technical assistance facilities.

These initiatives were examined when Ireland's ERDF Structural Programmes 2007-13 were being developed back in 2006/7. However, primarily because of the scale of operations required to secure EIB participation, the availability of credit at that time and the level of structural funds allocated to Ireland, it was not considered suited to our Structural Funds programmes.

In any case, it should be noted that as Ireland has sufficient expenditure in the ERDF funded OPs to draw down our full structural fund allocation, no additional funding would have been made available.

The regulations governing the 2014-20 round of structural funds are expected to be published shortly and I will be examining the detail to see if the use of such financial engineering instruments will be appropriate for our structural funds programmes for this period.

### Pension Provisions

183. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform the grades within the public and civil service entitled to receive a special severance gratuity payment on retirement; the number of public and civil servants that will be eligible for the special severance gratuity payment on retirement; the way the special severance gratuity payment calculated for each eligible grade; the saving to the State if it did not make the special severance gratuity payment for each grade from this date onwards; and if he will supply this data in a tabular form to include each grade accompanied by the saving. [26010/11]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** The grades in the Civil/Public Service which may potentially attract a severance (or severance type) payment at termination, subject to certain conditions, are as follows:

Grades	
Secretaries General	The lesser of:— (a) 6 months' salary, or (b) potential salary to age 65.
County Managers	The lesser of:— (a) 6 months' salary, or (b) potential salary to age 65.
Ministerial Personal Staff	The greater of:— (a) 2 months' salary, or (b) 4 weeks' salary per year of service (plus one third capped at 28 weeks, where applicable).
Oireachtas Secretarial Assistants	4 weeks' salary per year of service (plus one third capped at 28 weeks, where applicable).
CEOs of non-commercial State Bodies	Where pension is not payable immediately — (a) 4 weeks' salary per year of continuous service to a maximum of 26 weeks' salary; or (b) where pension becomes payable within 26 weeks of cessation of employment, the amount of salary which would have been payable between the date of retirement and commencement of pension.

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Grades	
Members of the Houses of the Oireachtas	Termination Allowances of:— (a) a lump sum of 2 months' salary, plus (b) a monthly payment, to a maximum of 12 payments depending on service, at the rate of 75% of salary for the first 6 months and 50% of salary for the remaining months. Allowance and pension cannot be paid simultaneously.
Officeholders (i.e. Taoiseach, Tánaiste, Minister, Attorney General, Minister of State, Ceann Comhairle, Leas Cheann Comhairle, Cathaoirleach, Leas Chathaoirleach, Leader of Seanad Éireann)	On leaving Office — a monthly payment, to a maximum of 24 payments depending on service, at the rate of 75% of salary for the first 6 months; 50% of salary for the next 12 months and 25% of salary for the remaining months. Severance and pension cannot be paid simultaneously.

Given the extent of the variables which determine entitlement to severance/severance type payments in each individual category and case, e.g. service to date, age at date of departure, potential service to age 65, appointment to another position in the Civil/Public Service, etc., it is not possible to quantify the savings to the State if no such payments were made in the future.

184. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform the grades within the public and civil service entitled to benefit from added years enabling the latter to retire before the standard pension entitlement age with full pension benefits; the number of public and civil servants that will be eligible to benefit from added years; if he will give details of the saving to the State if it did not grant added years for each grade from this date onwards; and if he will supply this data in a tabular form to include each grade accompanied by the saving. [26011/11]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** The only added years awarded in the Civil and Public Service to persons before reaching the standard pension age are to Secretaries General, County Managers, CEOs of non-commercial State Bodies and to staff in any grade who retire or are retired on health grounds before normal retirement age. There are no added years' arrangements which enable a person to retire on maximum superannuation benefits automatically before the standard pension age as suggested, as added years do not necessarily confer full pension benefits. In the cases mentioned above, the amount of pension payable is based on service already accrued plus the added years. It is not possible to state how many staff will be eligible to benefit from added years in the future, as that will depend on each individual's circumstances at retirement. If, for example, a Secretary General or CEO is re-appointed to another public service post, has reached maximum retirement age or voluntarily leaves the post before the end of his or her contract, added years are not normally awarded. It is also not possible to predict how many staff will retire on health grounds in the future.

185. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform the saving to the State if all existing public and civil service pension payments were capped at €35,930 per year. [26023/11]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** It is estimated that the imposition of a cap on pensions in the civil service, based on January 2011 data, would have resulted in an estimated saving of €43m if pensions were capped at €35,930. This takes no account of the tax and other statutory deductions foregone. Comparable data are not available for the public service as a whole.

### Capital Expenditure

186. **Deputy Seán Kenny** asked the Minister for Public Expenditure and Reform the number of construction companies to which the State awarded building contracts valued at over €8 million, in each year from 2005 to date in 2011; and the relevant number of building contracts. [26215/11]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** The details being sought by the Deputy are not held centrally in the Department of Public Expenditure and Reform. This information is held by the relevant individual contracting authorities who are involved in capital expenditure. I will seek to compile this data on the Deputy's behalf but it will take some time before I can contact him further on this.

### Bonus Payments

187. **Deputy Denis Naughten** asked the Minister for Public Expenditure and Reform, further to Parliamentary Question No. 237 of 14 September 2011, whether the input suggestion scheme by which civil servants were rewarded for bonuses as a result of proposing cost saving measures is still in operation; the savings made to date as a result of this scheme; and if he will make a statement on the matter. [25647/11]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** The Civil Service Staff Suggestion Scheme (INPUT) has not been operational on a centralised basis since 2003. Information on savings made in each Department was not collated centrally during the lifetime of the scheme.

Innovation and business process improvement is now an established discipline within Government Departments. The management of change is also a well established process within business units. In addition, there have been significant developments in the application of information technology to operational environments under the eGovernment initiative, including the move to online customer services. Other contributors to process improvement include the Quality Customer Service initiative and the Taoiseach's Public Service Excellence Awards. These initiatives ensure that continuous improvement in the effectiveness of operational activities is an integral part of the normal business planning process within Departments.

### Public Procurement

188. **Deputy Peadar Tóibín** asked the Minister for Public Expenditure and Reform the progress that has been made on amending procurement procedures to enable contracts to be broken down to allow small and medium indigenous businesses to tender for Government projects, and to include social clauses to promote the employment and training up of local labour. [25853/11]

**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



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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.

### State Property

189. **Deputy Eric Byrne** asked the Minister for Public Expenditure and Reform the Office of Public Works plan for the Kilmainham courthouse building, Dublin; and if it is envisaged that this building will be used as a public space. [25920/11]

**Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes):** The Kilmainham Courthouse building is currently in the ownership of the Courts Service. Nevertheless, some essential remedial and stabilisation works have been carried out by the Office of Public Works on behalf of the Courts Service in recent years. The Courts Service has requested the OPW to consider taking ownership of the building as it is surplus to its requirements.

The proximity of the old Courthouse to Kilmainham Gaol, which is in the care of the OPW, suggests certain development possibilities, which could well involve use as a public space. These are at a very early assessment stage by OPW and no decision has been made in this regard as yet. A critical factor in the decision-making process will be the availability of funding.

### Departmental Staff

190. **Deputy Anne Ferris** asked the Minister for Public Expenditure and Reform notwithstanding the Civil Service circular No. 28, if he will provide a list of the current pay of each senior civil servant from higher executive officer to secretary general in his Department broken down by grade; the pension entitlements of each and any other emoluments they are entitled to receive upon reaching retirement; and if he will make a statement on the matter. [26241/11]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** Under the terms of the Civil Service Superannuation Schemes, retiring staff are entitled to a lump sum payment and a retirement pension which is based on their length of service and final pensionable remuneration. Further details regarding retirement benefits for civil servants are available at [www.cspensions.gov.ie](http://www.cspensions.gov.ie)

Retiring staff receive a retirement lump sum of 3/80ths of pensionable remuneration for each year of reckonable service, subject to a maximum of 1½ times pensionable remuneration. In general, staff who were recruited prior to April 1995 and pay the modified rate of PRSI receive a pension of 1/80th of pensionable remuneration per year of reckonable service, subject to a maximum of 40 years. Staff who were recruited after April 1995, receive a pension which is integrated with the State Pension (Contributory). The formula for the calculation of the pension is 1/200th of pensionable remuneration up to 3 1/3rd times the State Pension, and 1/80th for pensionable remuneration in excess of this limit, per year of reckonable service, subject to a maximum of 40 years.

TLAC retirement terms may be applied to retiring Secretaries General, subject to certain conditions. Those terms are currently under review for future appointees.

As regards the current pay of each senior civil servant, the information is not readily available and would take an inordinate amount of time and associated cost to provide.

### Equal Opportunities Employment

191. **Deputy Michael McCarthy** asked the Minister for Public Expenditure and Reform the

vacancies available in the public sector for persons with visual impairment; and if he will make a statement on the matter. [26284/11]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** The position in relation to opportunities for employment in the Public Service generally is limited by the recruitment and promotion moratorium which was announced on the 27th March 2009. The moratorium applies, with limited exceptions, to the civil service, local authorities, non-commercial state bodies, the Garda Síochána, the Permanent Defence Forces and to certain bodies established by enactment and wholly or partly funded out of the Central Fund. The arrangements have been modulated in relation to the education and health sectors to reflect the particular needs in those sectors. In relation to the civil service, the area of the public service for which I have specific responsibility, a number of Departments and Offices are participants in the Willing Able and Mentoring Programme which is a graduate work experience programme aimed at persons with disabilities. This programme is not subject to the moratorium.

The Deputy may also wish to note that the 3 per cent target for the employment of people with disabilities in the Public Service remains in place, notwithstanding the moratorium. Reporting on compliance with this target under Part 5 of the Disability Act 2005, the National Disability Authority in their latest published report in 2009 noted that 4.2 per cent of staff employed in the civil service had disabilities. In relation to other areas of the Public Service, each Minister is responsible for compliance with and reporting on the target set in the Disability Act 2005 for the employment of persons with disabilities in public bodies under his or her aegis.

Finally, the Civil and Public Service is an equal opportunities employer and all recruitment campaigns are conducted in strict compliance with the Codes of Practice set out by the Commission for Public Service Appointments. Codes include the Code of Practice governing the External and Internal Appointments of Persons with Disabilities to Positions in the Irish Civil Service and Certain Public Bodies.

### Exchequer Expenditure

192. **Deputy Peadar Tóibín** asked the Minister for Public Expenditure and Reform the amount in euros central Government contracts were worth to private companies in the years from 2007 to 2011. [26290/11]

193. **Deputy Peadar Tóibín** asked the Minister for Public Expenditure and Reform the amount, in euro, of the public contracts agreed for 2009 and 2010 that went to small Irish companies with ten employees or less, medium companies with ten to 50 employees, and large Irish companies; and the amount, in euro, that went to non-Irish companies. [26291/11]

**Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes):** I propose to take Questions Nos. 192 and 193 together. The information requested by the Deputy is not available, as such information, in the format requested, was never compiled. My Office, in consultation with the Department of Enterprise, Jobs & Innovation, is looking at the feasibility of sourcing such information in the future.

### Public Sector Staff

194. **Deputy Michael McGrath** asked the Minister for Public Expenditure and Reform the overall number of persons currently employed in the civil and public service; and if he will provide a breakdown using appropriate overall headings. [26342/11]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** The public service numbers as reported to my Department for end June 2011 are set out in the table.

[Deputy Brendan Howlin.]

Public Service Serving Numbers for End June 2011

Functional Classification	Whole Time Equivalent
Civil Service*	37,204
Defence Sector	10,325
Education Sector	92,815
Health Sector	105,253
Justice Sector	14,567
Local Authorities	30,728
Non Commercial State Agencies	11,880
<b>Total</b>	<b>302,772</b>

\*Includes Civil Servants who work for the Oireachtas, which is directly funded by the Central Fund.

### Expenditure Reviews

195. **Deputy Michael McGrath** asked the Minister for Public Expenditure and Reform when the comprehensive spending review will be completed; and if he intends to publish same. [26343/11]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** I would point out to the Deputy that the Comprehensive Review of Expenditure is a process involving input from all Departments and their agencies as well as work on cross cutting issues being carried out by my Department. These Departmental submissions are a central part of the pre-budget deliberations of the Government and it is envisaged that the reports submitted as part of the CRE process can be made publicly available following the completion of the budgetary and Estimates process.

### Departmental Strategy Statements

196. **Deputy Sean Fleming** asked the Minister for Public Expenditure and Reform if his Department has submitted a strategy statement to him, as specified under the 1997 Public Service Management Act; and if so, if he will publish this statement. [26397/11]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** As specified under the Public Service Management Act 1997, my Department has submitted to me its draft Statement of Strategy for the period 2011-2014. The finalisation of the Statement of Strategy will reflect the key policy commitments of the Government including the emerging decisions in the context of the Comprehensive Review of Expenditure currently underway.

It is my intention to publish the Statement of Strategy as soon as all relevant discussions and considerations on the matter have been concluded.

### Export Trade

197. **Deputy Peter Mathews** asked the Minister for Jobs, Enterprise and Innovation the proportion of exports that are exported to the UK, the eurozone, the USA and the rest of the world; and if he will make a statement on the matter. [26329/11]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** Details of our Exports, both Merchandise and Services, to the markets in question are set out in the tables. These are published regularly by the Central Statistics Office and, in respect of merchandise trade, data is provided on a monthly basis.

## Ireland's Merchandise Exports in 2010

To:	€ Million	% of total exports
UK (GB + NI)	13,800	15%
USA	20,764	23%
Eurozone Countries	35,102	39%
All other countries	19,551	22%
<b>Total Exports</b>	<b>89,217</b>	

## Ireland's Services Exports for 2009 (latest year for which country-specific data is available)

To:	€ Million	% of total exports
UK (GB + NI)	13,458	20%
USA	4,200	6%
Eurozone Countries *	*24,351	*37%
All other countries *	* 23,749	*36%
18 Countries where country-specific data is unavailable*	*876	*1%
<b>Total Exports</b>	<b>66,634</b>	

\* Services Export data for a total of 18 countries, comprising four Eurozone members, (Austria, Cyprus, Greece and Malta), together with fourteen other countries, have been suppressed by the CSO for company confidentiality reasons (Generally where numbers of individual transactions are small and there is a risk that an individual company might be identified). This data is aggregated in a combined grouping above. Accordingly, the figures shown for the 'Eurozone Countries' and 'All other countries' groups above, do not include data in respect of the countries concerned. The total involved is €876m.

### Retail Sector

198. **Deputy Joe Carey** asked the Minister for Jobs, Enterprise and Innovation his plans to deal with below cost selling; and if he will make a statement on the matter. [25666/11]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** General policy in the area of prices is to allow retailers the freedom to determine the prices they charge their customers, whilst ensuring that in doing so they act in accordance with the provisions of competition law. In this regard competition law does not prohibit below cost selling as there is no reason to believe that below cost selling of itself acts against the interests of consumers or is in any sense anti-competitive. The use of aggressive pricing strategies is a perfectly legitimate marketing tool and is the normal outcome of the competitive process. Accordingly I have no plans to introduce a ban on below cost selling.

Competition law does, however, prohibit traders who hold a dominant position in the market from abusing that position. One such abuse of a dominant position is predatory pricing. Predatory pricing normally involves a dominant undertaking pricing goods or services in such a manner with the principle objective of eliminating or seriously weakening a competitor. Predatory pricing should not be confused with competitive pricing which is the result of a properly functioning market. The purpose of competitive pricing is to retain market share whereas predatory pricing is aimed at driving efficient competitors out of the market by abusing a dominant position. Persons who have concerns that undertakings may be abusing their dominance in the marketplace by engaging in predatory pricing should bring their concerns to the attention of the Competition Authority who have responsibility for investigating such matters.

### Grant Payments

199. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation further to Parliamentary Question No. 297 of 21 July 2011, if he will provide an update on same. [25667/11]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** I provided the Deputy with the material requested, in my letter dated 9 August. The information provided in that letter as to the amount of funding granted by Enterprise Ireland to companies, on a county basis, in the years 2007 to 2010 is reproduced in the tabular statement.

Enterprise Ireland grants awarded in each county from 2007 to 2010.

County	Total (Grant Payment Amount) 2007	Total (Grant Payment Amount) 2008	Total (Grant Payment Amount) 2009	Total (Grant Payment Amount) 2010
Carlow	494,218	1,485,292	2,444,782	3,399,158
Cavan	2,809,971	2,677,879	8,048,106	9,477,419
Clare	982,221	1,571,118	1,626,557	3,245,337
Cork City	1,933,864	3,227,173	6,992,667	8,470,596
Cork County	7,092,791	17,545,244	20,813,631	13,787,491
Donegal	2,359,811	2,621,725	3,385,542	5,344,954
Dublin City	12,598,970	21,376,129	31,505,071	39,268,443
Dublin Fingal	3,312,442	3,278,073	12,008,045	9,169,255
Dublin South County	2,876,036	4,245,535	11,427,212	16,460,505
Dún Laoghaire — Rathdown	6,728,556	7,182,699	9,781,270	10,461,679
Galway	7,029,858	7,211,749	7,983,610	11,993,416
Kerry	2,264,165	3,304,562	7,519,214	3,236,950
Kildare	1,906,318	3,883,900	12,310,369	7,468,423
Kilkenny	1,311,102	11,196,254	8,319,062	6,034,666
Laois	1,359,660	957,987	1,786,885	2,254,957
Leitrim	401,360	339,163	932,999	872,083
Limerick	2,653,705	5,300,120	6,368,765	8,220,724
Longford	215,221	1,715,510	2,667,185	1,822,458
Louth	1,702,552	1,986,521	5,750,297	6,411,017
Mayo	1,320,305	2,331,944	3,349,454	3,346,858
Meath	1,355,812	1,342,068	1,684,636	5,801,191
Monaghan	2,406,270	2,550,223	6,168,806	6,925,838
Offaly	916,583	4,649,888	2,086,211	2,897,868
Roscommon	705,308	727,976	589,374	2,555,324
Sligo	971,332	983,739	2,444,801	1,936,955
Tipperary North	159,520	1,870,279	3,071,381	3,179,688
Tipperary South	4,169,347	1,117,465	5,233,913	4,248,236
Waterford	743,747	1,999,554	7,452,656	9,457,798
Westmeath	1,087,255	913,868	1,836,490	3,687,049
Wexford	562,739	2,277,698	2,421,484	7,625,455
Wicklow	2,152,032	3,358,511	6,028,058	3,711,335
<b>Total</b>	<b>76,583,073</b>	<b>125,229,844</b>	<b>204,038,533</b>	<b>222,773,126</b>

(Source: cognos t: drive run 25/07/11)

### Tax Code

200. **Deputy Joan Collins** asked the Minister for Jobs, Enterprise and Innovation the total number of industrial and provident societies registered with the Registry of Friendly Societies in 2009; the number which complied with the statutory obligations with regard to filing annual returns; the number that failed to file annual returns; the action, if any, the Register of Friendly Societies has taken in respect of those societies that did not file annual returns; and if he will make a statement on the matter. [25687/11]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** The annual report of the Registrar of Friendly Societies for 2009 (published on the websites of both my Department and the Companies Registration Office) indicates a total of 1,045 Industrial and Provident Societies on the register. Annual returns in respect of these societies are outstanding in 248 cases. Advance notice of return dates, initial reminders and final reminders have issued to each relevant society from the Registry of Friendly Societies. I am informed by the Registrar that further enforcement action is now under consideration by the Registry to follow its targeted enforcement campaigns in 2010 and 2011 in relation to Friendly Societies and Trade Unions.

### Job Creation

201. **Deputy Michael McCarthy** asked the Minister for Jobs, Enterprise and Innovation the supports available from him and or Enterprise Ireland to assist the planned establishment of a business hub in Kinsale, County Cork which would provide local entrepreneurs with access to Internet, phone and office space; and if he will make a statement on the matter. [25721/11]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** This Government is committed to supporting entrepreneurs to ensure that emerging technologies and innovative business ideas with export potential become a commercial reality. A range of structures are already in place, nationally including in Cork to provide appropriate support to start-up businesses.

The establishment of business incubation centres on higher education campuses across Ireland is supported by capital investment from my Department's Vote, provided through Enterprise Ireland. Such facilities are internationally recognised as an important element of public assistance for technology-intensive start-ups. Enterprise Ireland has invested over €50m in these facilities that operate in nearly every Institute of Technology and University in the country. They typically comprise a number of incubation units, some hot-desking space for prospective entrepreneurs as well as ancillary space, such as meeting rooms and networking areas. There are currently 276 companies in the 21 facilities and the 5 bio-incubation units operational across Ireland, employing over 1,100 people and operating in a range of areas, including software, environmental technologies and digital media.

Additionally, support is provided through Enterprise Ireland for the part funding of Business Innovation Centres (BICs), which are regionally based support organisations for pre-start-up and start-up enterprises and innovative existing companies. There are four BICs located in Dublin, Galway, Cork and Waterford, all providing incubation space to assist fledgling businesses start, establish and then to move on, so that vacated space can be used for other new start-up businesses. A key feature of space managed by BICs is that the start-up company not only gets space, but often also gets free business advice and access to facilities such as meeting rooms with audio visual equipment and to shared services such as a receptionist/telephonist, shared photocopiers and printers.

Enterprise Ireland has also rolled out four schemes to support communities to develop locally owned Community Enterprise Centres (CECs) which have enabled entrepreneurs to establish,

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provide employment and to grow their businesses in their own locality, by providing a physical and human support network for emerging entrepreneurs and micro industry.

The CEC scheme was designed as a community led initiative in the form of a partnership between the local community and the State. The primary objective was to enhance the development of an enterprise climate through the provision of infrastructural facilities to support the establishment and expansion of micro enterprises through local community participation in both urban and rural locations. In Cork, a total of six towns — Cobh, Mitchelstown, Youghal, Midleton, Dunmanway and Macroom were all successful in securing approval for the establishment of CEC's, together with funding, in some cases, for the appointment of centre managers. The last call for proposals closed in 2008 and the final date for completion of these centres is April 2013.

Since the launch of this initiative €61.4m has been approved for the development of CECs across the country and has facilitated the development of 134 centres. While Enterprise Ireland will not be in a position to offer any financial assistance for a further centre in Kinsale, they will continue to work with the West Cork Enterprise Board; Cork Institute of Technology, and other relevant parties in the area to deliver supports for start-ups in Kinsale and its environs in the area of Enterprise Start Programmes; Out-reach from the Rubicon Centre in CIT; or 1 to 1 supports for groups interested in establishing businesses in the area.

### **Pension Provisions**

202. **Deputy Noel Grealish** asked the Minister for Jobs, Enterprise and Innovation the number of employees in his Department who have expressed an interest in retiring ahead of the changes to the public sector pension schemes that are to come into force in 2012; and if he will make a statement on the matter. [25787/11]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** To date in 2011, 12 staff members have retired from my Department and 16 more have indicated their intention to retire before the end of February 2012. A number of other staff have made enquiries about retiring, however they have not indicated their intentions at this stage.

### **Job Creation**

203. **Deputy Willie O'Dea** asked the Minister for Jobs, Enterprise and Innovation the number of companies that have expressed an interest in investing here or further developing existing facilities due to the amended research and development credit scheme announced in May. [25988/11]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** Investments in Research, Development and Innovation play a significant role in building Ireland's Smart Economy. RD&I investments not only embed existing operations and employment but pave the way for future investment and Job creation. 2010 saw IDA win a number of high-value RD&I projects for Ireland with over €500million in new RD&I investment secured. RD&I plays a strategic roles as part of Ireland's FDI landscape embedding existing employment and setting the groundwork for increased future employment.

I am informed by IDA that the R&D Tax Credit Scheme continues to be of interest to companies considering undertaking R&D activities. However, specific expressions of interest are not tracked in relation to any specific amendment to that Scheme. While IDA RD&I grants works to stimulate research, development and Innovation in the economy, a further significant advantage in this area is the productive collaboration between industry, academia and govern-

ment agencies. All stakeholders work together, building a national team to consolidate Ireland's position as a knowledge-based economy and as a primary location for RD&I.

### Grant Payments

204. **Deputy Ciara Conway** asked the Minister for Jobs, Enterprise and Innovation if he will provide a breakdown on a county basis of the companies that have received Industrial Development Agency grants for services and manufacturing over the past decade in Munster, in tabular form; if this breakdown will specify the amount received by each company that has benefitted; and if he will make a statement on the matter. [26173/11]

205. **Deputy Ciara Conway** asked the Minister for Jobs, Enterprise and Innovation if he will provide a breakdown, on a county basis, of the companies that have received Industrial Development Agency grants for services and manufacturing over the past decade in Leinster in tabular form; if this breakdown will specify the amount received by each company that has benefitted; and if he will make a statement on the matter. [26174/11]

206. **Deputy Ciara Conway** asked the Minister for Jobs, Enterprise and Innovation if he will provide a breakdown, on a county basis, of the companies that have received Industrial Development Agency grants for services and manufacturing over the past decade in the border, midland and western region; if this breakdown will specify the amount received by each company that has benefitted; and if he will make a statement on the matter. [26175/11]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** I propose to take Questions Nos. 204 to 206, inclusive, together.

I have been informed by IDA Ireland, that in the time available, it is not possible to provide the information sought which requires search and retrieval of extensive records over a ten year period. I have asked the Agency to forward the information directly to the Deputy, when it becomes available.

### Enterprise Support Services

207. **Deputy Ciara Conway** asked the Minister for Jobs, Enterprise and Innovation if he will supply a breakdown, showing the amount of money the Industrial Development Agency has given to TalkTalk plc in Waterford since its inception, in tabular form; the purpose for which this aid was given; if any criteria had to be fulfilled in order to qualify for this funding; and if he will make a statement on the matter. [26176/11]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** TalkTalk acquired the UK Broadband business of AOL including the Waterford site in 2007. Employment Grants totalling €2,020,200 were paid by IDA Ireland to the company to assist it in creating jobs (€1,638,000 was paid on 14 May 2008 and €382,200 was paid on 5 May 2009). The criteria for receiving grant payments was that jobs had to be in place in order to qualify for draw down of grants.

### Work Permits

208. **Deputy Seán Kenny** asked the Minister for Jobs, Enterprise and Innovation the number of work permits granted by him for the years 2009-10 and to date in 2011 broken down by sector and nationality; and if he will make a statement on the matter. [26207/11]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** My Department processes applications in respect of the different types of employment permits and all appli-



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cations are processed in line with the Employment Permits Act 2006. 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 recognized scarcity of workers of a particular type or qualification.

I set out hereunder the numbers of employment permits issued in 2009, 2010 and to-date in 2011. Detailed statistics on the numbers of permits issued over the last few years, broken down by sector and nationality can be found on my Department's website at <http://www.djei.ie/labour/workpermits/statistics.htm>.

Employment Permits issued 2009 — 2011

Year	New*	Renewal	Total
2011	2,509	1,659	4,168
2010	3,777	4,133	7,491
2009	4,134	3,976	7,511

\* Includes new employment permits in relation to non-EEA nationals already in the State on valid employment permits who are changing employer.

### Departmental Staff

209. **Deputy Anne Ferris** asked the Minister for Jobs, Enterprise and Innovation notwithstanding the Civil Service circular No. 28, if he will provide a list of the current pay of each senior civil servant from higher executive officer to Secretary General in his Department broken down by grade; the pension entitlements of each and any other emoluments they are entitled to receive upon reaching retirement; and if he will make a statement on the matter.

[26239/11]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** The table outlines the current number of civil servants in my Department, from higher executive officer to secretary general, broken down by grade and pay scale.

	Full time Equivalents	Pay Scale
Secretary General	1	€215,590 <sup>[1]</sup>
Assistant Secretary	5	€127,796 — €146,191 (Class B)* €134,523 — €153,885 (Class A)**
Principal Officer	28	€80,051 — €- €105,429 (Class B) €84,132 — €110,844 (Class A)
Assistant Principal	72.10	€61,966 — €84,296 (Class B) €65,185 — €88,598 (Class A)
Administrative Officer	7	€31,619 — €57,251 (Class B) €33,247 — €60,224 (Class A)
Higher Executive Officer	125.33	€43,816 — €57,251 (Class B) €46,081 — €60,224 (Class A)

\*Class B rate of PRSI contributions — staff appointed before 6th April 1995

\*\*Class A 1 rate of PRSI contributions — staff appointed on or after 6th April 1995

<sup>[1]</sup>The Secretary General has voluntarily reduced this amount by €765.62 per fortnight.

### *Pensions*

Pension entitlements are calculated at the point of retirement. Calculation depends on the date of recruitment. A member of the Civil Service Superannuation Scheme must have at least two years actual pensionable service to be eligible for pension and lump sum payments. The main features of the Scheme are outlined below.

#### *Pre 1995 — Class B PRSI (“modified PRSI”) Non-Contributory Members*

Maximum retirement age is 65. Minimum retirement age is 60. Pensions are calculated at 1/80th of final pensionable remuneration per year of reckonable service subject to a maximum of 40/80ths. Lump sums are calculated at 3/80ths of final pensionable remuneration per year of reckonable service, subject to a maximum of 120/80ths.

#### *Post 1995 Class A PRSI Contributory Members*

Maximum retirement age is 65. Minimum retirement age is 60. Pension Benefits for people who are fully insured for Social Welfare purposes accrue at the rate of 1/200 of final pensionable remuneration per year of service if salary is below or equal to 3 and 1/3rd (three and a third) times the current rate of Contributory State Pension (currently €40,056.83). If salary is in excess of €40,056.83, pension is calculated at the rate of 1/200 of final pensionable remuneration per year of service on €40,056.83, plus 1/80th of the balance of salary per year of reckonable service. Lump sums are not integrated and accrue at 3/80ths of final pensionable remuneration per year of reckonable service, subject to a maximum of 120/80ths.

#### *Post 2004*

Minimum retirement age is 65. There is no maximum retirement age. Pensions benefits are calculated using the integration method as with Post 1995 Contributory Members above. Lump sums are not integrated and accrue at 3/80ths of final pensionable remuneration per year of reckonable service, subject to a maximum of 120/80ths

#### *Early Retirement*

Staff may opt, at the discretion of the Department, to retire at an actuarially reduced cost to themselves between the ages of 50 and 60. The lump sum and pension are reduced to make them the equivalent, in actuarial terms, of preserved benefits. The actuarially reduced rate applies throughout the lifetime of the payment of a pension subject to adjustments in line with Civil Service pension increases/cuts, as appropriate.

#### *Special Terms*

In addition to pension and lump sum calculated as per formula above, a Secretary General appointed for a term of Office of not more than 7 years who is required to retire at age 60 or after age 60 but before 65, should qualify for:

(a) a special severance gratuity of one half of annual salary and

(b) added years of service for superannuation purposes not exceeding the number of extra years he/she would have served if he/she had been allowed to serve to age 65 subject to maximum service of 40 years.

#### *Professional Added Years for Professional and Technical Grades*

Entitlement to professional added years are assessed under the terms of Circular 12/97 *Revised Scheme for the award of professional technical and specialist added years to certain civil servants*, and is dependent on entitlements under the Social Welfare system, prior employments and/or criteria specified in the original competition for the post.

### Industrial Relations

210. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation the contact there has been between the Industrial Development Agency, or any other State agency and Aviva; if so, the content of the meeting; and if he will make a statement on the matter. [26288/11]

211. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation if he will meet with both the management and representatives of employees at Aviva with a view to playing a constructive role in the current cost cutting review and ensuring there are no redundancies. [26289/11]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** I propose to take Questions Nos. 210 and 211 together.

I have been in contact with Aviva and they advise me that the company is undertaking a comprehensive review of its business operations in Ireland arriving from loss of business volumes in the last two years. Aviva has stated it is committed fully to Ireland and is currently in discussions with unions representing staff about the review. Until this review has been completed, it would be premature to speculate about the outcome. I think it is pertinent that the Government allows the unions to engage with Aviva to see where that process might go.

As for the role of the IDA, it supports multinational companies predominantly trading outside Ireland or internationally. As part of its business in working to attract international activities into Ireland from multinational companies, the IDA has been in contact with Aviva at both corporate and local levels. I have asked the IDA, given its knowledge of the company, to continue to work with it to mitigate any possible negative outcomes. Consequently, the IDA has been active in this regard.

### Job Creation

212. **Deputy Willie O’Dea** asked the Minister for Jobs, Enterprise and Innovation if he will provide a list of jobs creation announcements, in the Dublin region, since 1 January 2011, by the respective job creation organisations under his auspices; the date of those announcements and the number of jobs being announced. [26352/11]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** Several announcements have been made this year on jobs to be created in companies supported by Enterprise Ireland and IDA Ireland and on jobs to be created through expansion of agency-supported client companies, in the Dublin Region. However, it should be noted that, for a variety of reasons, some companies do not announce their job creation or expansion plans.

Details of jobs announced by Enterprise Ireland and IDA Ireland are set out in the table accompanying this reply and further information may be obtained from the agencies’ websites. Figures in respect of jobs created by companies assisted by the four County and City Enterprise Boards operating in the Dublin Region are compiled on an annualised basis. Details concerning jobs created during 2011 will be available in the early part of 2012.

Job Announcements in respect of Enterprise Agency-assisted Companies in Dublin since 1 January 2011

Date	Company	Agency	Location	No. of Jobs
10/01/2011	Murex	IDA Ireland	Dublin	30
16/02/2011	PayPal	IDA Ireland	Dublin	150
30/03/2011	LinkedIn	IDA Ireland	Dublin	100

Date	Company	Agency	Location	No. of Jobs
06/04/2011	Asset Control	IDA Ireland	Dublin	50
18/04/11	Apex Fund Services	Enterprise Ireland	Dublin	50
19/04/2011	Gilt Groupe	IDA Ireland	Limerick and Dublin	100-200
30/05/2011	Marketo	IDA Ireland	Dublin	125
02/06/2011	2PDS Gaming Ltd	Enterprise Ireland	Dublin	15
02/06/2011	Rose Hill Insurances	Enterprise Ireland	Dublin	50
02/06/2011	Innopharma Labs Ltd	Enterprise Ireland	Dublin	To be confirmed
02/06/2011	Fifth Province Ventures Ltd	Enterprise Ireland	Dublin	To be confirmed
02/06/2011	Trade Facilitate Ltd	Enterprise Ireland	Dublin	To be confirmed
02/06/2011	Sotextme Ltd	Enterprise Ireland	Dublin	To be confirmed
02/06/2011	Mutebutton Ltd	Enterprise Ireland	Dublin	To be confirmed
7/06/2011	Dell	IDA Ireland	Dublin /Limerick	150
10/06/2011	Zynga	IDA Ireland	Dublin	To be confirmed
15/06/2011	BNY Mellon	IDA Ireland	Dublin	50
21/06/2011	Symantec	IDA Ireland	Dublin	60
23/06/2011	Butterfield	IDA Ireland	Dublin	60
17/07/2011	SAP	IDA Ireland	Dublin	100
21/07/2011	BSB	IDA Ireland	Dublin	120
21/07/2011	Allianz	IDA Ireland	Dublin	50
21/07/2011	Wolters Kluwer	IDA Ireland	Dublin	13
04/08/2011	EADS/ Eurocopter	IDA Ireland	Dublin	To be confirmed
09/08/2011	PayPal	IDA Ireland	Dublin	200
10/08/2011	AskMoby Ltd	Enterprise Ireland	Clare & Dublin	10
10/08/2011	Biocroi Ltd	Enterprise Ireland	Dublin	10
10/08/2011	Biometric Technology Solutions Ltd	Enterprise Ireland	Dublin	34
10/08/2011	DOCOSoft	Enterprise Ireland	Dublin	14
10/08/2011	Effective Software	Enterprise Ireland	Dublin	9
10/08/2011	Glanta	Enterprise Ireland	Dublin	20
10/08/2011	Handle Hygiene Ltd	Enterprise Ireland	Dublin	13
10/08/2011	Kjaya Holdings Ltd	Enterprise Ireland	Dublin	37
10/08/2011	Mi-Zone Technology Ireland Ltd	Enterprise Ireland	Dublin	16
10/08/2011	Working Analytics Ltd	Enterprise Ireland	Dublin	10
10/08/2011	XI (Research & Development) Ltd	Enterprise Ireland	Dublin	24
31/08/2011	Citrix	IDA Ireland	Dublin	50
02/09/11	Fort Technologies	Enterprise Ireland	Dublin	10
20/09/2011	Pfizer	IDA Ireland	Dublin	400
20/09/2011	HCL	IDA Ireland	Dublin	80
21/09/2011	Arvato	IDA Ireland	Dublin	150

213. **Deputy Willie O’Dea** asked the Minister for Jobs, Enterprise and Innovation if he will provide a list of the announced job losses, in the Dublin region, since 1 January 2011, by the respective job creation organisations under his auspices; the date of those announcements and the number of job losses being announced. [26353/11]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** The figures for jobs lost in companies assisted by the Enterprise Development agencies which operate under the auspices of my Department and the County and City Enterprise Boards are compiled on an annualised basis, therefore, the figures in respect of 2011, will not be available until the early part of 2012.

### Departmental Strategy Statements

214. **Deputy Willie O’Dea** asked the Minister for Jobs, Enterprise and Innovation if the Department has submitted a strategy statement to him, as specified under the 1997 Public Service Management Act and if so, will he publish the statement. [26392/11]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** In accordance with the provisions of the Public Service Management Act 1997, my Department has recently prepared and submitted a draft Statement of Strategy for the period 2011 — 2014. I am currently reviewing the draft and will, at the earliest possible opportunity, arrange for my Department to publish the Strategy Statement.

### Pension Provisions

215. **Deputy Olivia Mitchell** asked the Minister for Social Protection in view of plans to raise the retirement age for State employees, if private sector workers, who are obliged to retire at age 65, will continue to be eligible for the State pension from their retirement age or will they have to wait until the older retirement age applicable to public servants; and if she will make a statement on the matter. [25650/11]

**Minister for Social Protection (Deputy Joan Burton):** Public sector pension rules, including in relation to retirement age, are a matter for my colleague the Minister for Public Expenditure and Reform. My Department is responsible for State pensions and I will outline the position in this regard. State pension (transition) (SPT) is currently paid to people aged 65 who have a minimum yearly average of 24 social insurance contributions and who have retired from work. Currently it ceases at age 66 when the claimant transfers to State pension (contributory) (SPC).

As a result of legislation introduced this year, State pension age will be increased gradually to 68 years. This will begin in 2014 with the abolition of SPT and the standardisation of State pension age at 66. State pension age will be increased to 67 years in 2021 and to 68 in 2028. It is worth noting that, until the early 1970s, the qualifying age for State pension (contributory) was 70 years of age. By gradually increasing the qualifying age for State pension, people will be further encouraged to remain in employment beyond 65 years of age.

The Quarterly National Household Survey Q4 2010 showed that the numbers currently at work drop dramatically at 65 years of age. While 77.2 per cent of people aged 45-54 years are in employment, this drops to 64.3 per cent for 55-64 year-olds and to just 8.7 per cent for people aged 65 years or older. It is clear, therefore, that the challenges facing the Irish pension system are significant. Increases in life expectancy mean that more people are living to pension age and living longer in retirement. While this is to be welcomed, this has obvious and significant implications in relation to the future costs of State pension provision. The fundamental principle that people need to participate in the workforce for longer needs to be emphasised and they need to contribute more towards their pensions if they are to achieve the income they expect or would like to have in retirement.

People who have retired before State pension age may be entitled to apply for another social welfare payment, as is the current position.

### Money Advice and Budgeting Service

216. **Deputy Brendan Griffin** asked the Minister for Social Protection her plans to introduce new legislation to enhance the role of the Money Advice and Budgeting Service; and if she will make a statement on the matter. [25677/11]

**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. The Social Welfare (Miscellaneous Provisions) Act 2008 provided for the transfer of responsibility for MABS to the Citizens Information Board (CIB), under the aegis of my Department, in July 2009 in order to provide strong management support to the local voluntary MABS companies.

The future role of MABS is currently under consideration in line with commitments in the Programme for Government and recommendations contained in the reports of the Law Reform Commission on Personal Debt Management and Debt Enforcement, and the Expert Group on Mortgage Arrears and Personal Debt. In addition, my Department is contributing to the Economic Management Council mortgage arrears working group, chaired by the Department of Finance, which is due to report shortly. Further to the outcomes of these deliberations, the introduction or amendment of legislation in respect of MABS will be examined, as necessary, to support any enhanced role which may emerge.

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.

*Question No. 217 withdrawn.*

### Departmental Funding

218. **Deputy Eric Byrne** asked the Minister for Social Protection the reason behind the decision to cut funding to the return to education programme; and if this programme will be re-instated in the lifetime of the current Government. [25837/11]

**Minister for Social Protection (Deputy Joan Burton):** The Return to Education Programme is a joint initiative between FÁS and Vocational Education Committees (VEC) for participants on community employment (CE) to support their basic literacy skills. Participants are released from their CE work for nine hours per week over the thirty week duration of the initiative. The initiative aims to provide help for participants to achieve significant improvement in their reading and writing skills, to further enhance their opportunities in seeking employment and/or pursuing further education and training opportunities. I am advised by FÁS that the same level of funding is available to participants as in previous years. Nearly €11 million has been allocated by FÁS to support training for CE participants in 2011.

As a result changes to the method of procurement and contracting, FÁS no longer arranges training on behalf of CE projects. CE sponsors now contract for all training for participants in line with the requirements of the Qualification (Education & Training) Act 1999 and best practice in obtaining value for money.

### Social Insurance

219. **Deputy Willie O’Dea** asked the Minister for Social Protection the estimated loss of revenue to the Exchequer from the halving of the lower rate of PRSI and the estimated job creation resulting from same. [25994/11]

**Minister for Social Protection (Deputy Joan Burton):** It is estimated that the 2011 reduction in income to the Social Insurance Fund as a result of the halving of the lower rate of employers' PRSI from 8.5% to 4.25% for those earning €356 or less, will be in the region of €85m in 2011. This is based on implementation of the measure from the beginning of July 2011. The 2012 reduction in income to the Fund is estimated to be €190m. It is not possible to estimate the number of jobs directly attributable to this measure as the cost of employment is only one of the factors affecting job creation, albeit an important one.

### **Community Services Programme**

220. **Deputy Michael Creed** asked the Minister for Social Protection the steps she will take to protect the services delivered under the community services programme as previously administered by Meitheal Forbartha na Gaeltachta; the progress being made to bring about a comprehensive resolution to the problem arising from the liquidation of MFG; and if she will make a statement on the matter. [26184/11]

**Minister for Social Protection (Deputy Joan Burton):** Meitheal Forbartha na Gaeltachta Teoranta (MFG) is an independent company with its own board of management which has responsibility under company law for the proper stewardship of the company. My Department has no role in the internal operations of this company and, therefore, does not have a role in relation to staff matters, or determining its approach to resolving its current difficulties. These matters are for the Board of the company to manage.

The Department of Social Protection was informed that MFG has decided to cease trading with effect of 7 September 2011. MFG holds contracts with Pobal, on behalf of this Department, to manage and fund three services under the Community Services Programme. The decision of MFG to cease trading has implications for the staff employed and for the communities in Gaeltacht areas benefiting from these services.

My understanding is that the Department of the Environment, Community and Local Government and Pobal are working with representatives of the MFG Board and management to resolve a range of financial, legal and employment issues. As the contract holder for the Community Services Programme, it is open to the MFG Board to propose alternative arrangements for the delivery of services. This Department will work constructively with the MFG Board to find workable resolution in support of the staff members and communities affected.

### **Tax Code**

221. **Deputy Timmy Dooley** asked the Minister for Social Protection if she will provide a breakdown of the numbers applying for the housing mortgage interest supplement on 1 March 2011 and on 1 September 2011, by social welfare office, and the number of those applications which were accepted. [26643/11]

299. **Deputy Barry Cowen** asked the Minister for Social Protection if she will provide a breakdown of the numbers applying for the housing mortgage interest supplement on 1 March 2011 and on 1 September 2011, by social welfare office; and the number of those applications which were accepted. [26356/11]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 221 and 299 together.

Statistics are not available on the number of individuals who applied for a mortgage interest supplement payment on 1 March 2011 and on 1 September 2011. The tabular statement shows

the number of mortgage interest supplement claims registered and awarded in the week ending 4 March 2011 and week ending 2 September 2011 by HSE area.

HSE Area	4 March 2011		2 September 2011	
	Claim Registered	Claims Awarded	Claim Registered	Claims Awarded
Eastern	98	74	126	101
Midland	21	16	19	15
Mid Western	31	21	17	8
North Eastern	48	41	26	18
North Western	17	8	11	4
South Eastern	56	29	47	30
Southern	43	25	29	24
Western	36	23	25	19
Total	350	237	300	219

#### Notes

- Claims registered may include
  - claims not pursued by the applicant and
  - re-applications.
- Claim details are recorded electronically where it is established that mortgage interest supplement is payable. Where an appeal has been lodged, claim details are also recorded electronically.
- Given the pressure on the community welfare service, claim details are not always recorded on the system where no entitlement has been established to mortgage interest supplement.
- The difference between claims registered and claims awarded is not necessarily a refusal rate, for the reasons outlined above.
- In these circumstances, fully reliable statistics are not available on the total number of people who applied for and were refused mortgage interest supplement.

#### Social Welfare Benefits

222. **Deputy Bernard J. Durkan** asked the Minister for Social Protection further to Parliamentary Question No. 409 of 14 September 2011, wherein the information sought was deemed to fall within the remit of the Data Protection Act and consequently not available, if in the event of payment being made to a person now known not to have provided care, any issue exists whereby she should make the necessary inquiries to ensure that payment, if any, was made on foot of a legitimate claim provided by the person to whom the payment was made in view of the fact that in this particular case care was actually provided by a different person who did not receive payment of carer's allowance from her; and if she will make a statement on the matter. [25634/11]

**Minister for Social Protection (Deputy Joan Burton):** If the deputy or the person on whose behalf the deputy is enquiring will provide my department with details and evidence of their allegation of wrongful receipt of carer's allowance along with sufficient information to identify the parties allegedly involved, I will have the original claim re-investigated.



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Comprehensive administrative procedures are in place in my department to assess and ensure that the qualifying conditions for carer's allowance are met by both the carer and the care recipient. Application for carer's allowance includes a declaration by the applicant that the information they are providing is true and accurate and that they will inform the department should there be any change in circumstances. Additionally, the care recipient must sign a statutory declaration to state that the person who is applying is providing them with the full time care and attention that they require.

Furthermore, if there is another person who claims to have been providing full time care and attention to a care recipient in respect of whom another person was receiving carer's allowance, it is open to that person to submit their own application for carer's allowance, providing full details of the circumstances. In that event, their entitlement to carer's allowance will be investigated and a decision made.

### **Social Welfare Code**

223. **Deputy Timmy Dooley** asked the Minister for Social Protection if, in view of the widespread belief that many self-employed tradesmen are claiming welfare, any analysis of same has taken place; if any pilot analysis has been examined covering any suburban or geographic area; if any analysis of persons claiming social welfare but also driving commercially taxed vehicles has taken place; the income a tradesman is permitted to earn on a part time basis while still claiming social welfare; and if she will make a statement on the matter. [25636/11]

**Minister for Social Protection (Deputy Joan Burton):** Self-employed people can apply for the means-tested Jobseeker's Allowance if their business ceases or if they are on low income as a result of a downturn in demand for their services. Self-employed customers do not have to de-register as self-employed persons in order to claim Jobseeker's Allowance.

Legislation provides for the assessment of 'all income in cash and any non-cash benefits which the person or his or her spouse may reasonably expect to receive during the succeeding year'. The means assessment guidelines state that where the income in the coming 12 months is not ascertainable otherwise, the income for the last 12 months should be taken as a guide, allowing for any factors which it is known will vary.

If the means of the family are equal to or in excess of the family rate payable on jobseeker's allowance then the claim is disallowed.

If a self-employed person's situation changes after they have made an initial claim for Jobseeker's Allowance, they can apply to have their means reviewed in the light of their changed circumstances. In addition it is open to the individual if he or she is dissatisfied with the means assessed to appeal to the Social Welfare Appeals Office.

My Department has a wide ranging programme to combat social welfare fraud and abuse. A new strategic fraud initiative was launched by me earlier this month. This initiative takes a revised and renewed approach to the challenges posed by social welfare fraud. The ambition is to ensure that the public have confidence and trust in this Government's response to combating fraud and abuse in the social welfare system. It is designed to ensure a targeted response to high risk sectors and to ensure an integrated approach to the prevention, deterrence and detection of social welfare abuse across the Department's services.

The emphasis of the Department's control activities is on direct intervention and engagement. High visibility operations by the Departments' Special Investigation Unit (SIU) are regularly and systematically undertaken. The effectiveness and cost-benefit of these operations and projects are continuously analysed and operational experience critically informs whether to

continue, escalate, or terminate the specific projects. New control projects will be developed and introduced, where appropriate. In the context of self employed trades people who may be engaged in social welfare fraud specific activities being undertaken in the context of this plan include:

- The active policing of the hidden economy sector where there is a prevalence of social welfare and abuse. Investigations are undertaken through Joint Investigation Units with the Office of the Revenue Commissioners.
- Where intelligence or reliable reports are received about persons engaged in concurrent working and claiming or under declaration of income, reviews of eligibility are immediately undertaken.
- A series of high visibility site visits and employer inspections are systematically conducted to detect incidences of social welfare fraud. These visits and inspections are undertaken in those sectors where the risk of fraud is most prevalent.
- Multi agency checkpoints are undertaken with the Garda Traffic Unit and Revenue. Persons driving commercially taxed vehicles are interviewed as part of these projects.
- A number of high visibility operations are being jointly conducted by SIU and local authority environmental officers to identify environmental offences and simultaneously detect incidences of social welfare fraud.
- Reviews of persons employed on a casual basis and claiming jobseeker's payment are being undertaken. These are aimed at ensuring persons are not engaged in any incorrect certification or claiming of social welfare payments.

The Department has not at this juncture undertaken specific analysis of persons driving commercial vehicles.

### **Employment Support Schemes**

224. **Deputy Olivia Mitchell** asked the Minister for Social Protection the status of the Gradlink programme in view of the fact that the national internship scheme, JobBridge, is not geared to graduates and in most cases they are not eligible to avail of the new scheme; and if she will make a statement on the matter. [25637/11]

**Minister for Social Protection (Deputy Joan Burton):** The Gradlink programme was a programme operated by IBEC, which aimed to offer graduates work experience, while they retained their social welfare entitlements. I understand that given the similar aims of JobBridge, the National Internship Scheme, IBEC decided to close the Gradlink programme.

However, in advance of the launch of JobBridge, IBEC participated in a Stakeholders Group which advised my Department on the design of the JobBridge scheme. On foot of their experience with Gradlink, IBEC was able to provide an important and valuable input into this process.

In addition, individuals participating in Gradlink were facilitated to transfer their work placement into an internship under the JobBridge scheme provided that both they and their host organisation met the eligibility criteria of JobBridge.

JobBridge is available to all individuals, on the Live Register who have been signing on for at least 3 out of the last 6 months, including graduates. It should also be noted that the Job-

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Bridge eligibility criteria is the same as that used for participants on Gradlink who wished to retain their social welfare entitlements.

Very recent graduates who may not currently meet the eligibility criteria of JobBridge should, if they wish to qualify for the scheme, sign on to the Live Register.

### **Pension Provisions**

225. **Deputy Eric Byrne** asked the Minister for Social Protection the reciprocal pension agreements that exist between Ireland and Bulgaria. [25643/11]

**Minister for Social Protection (Deputy Joan Burton):** There are no bilateral agreements in relation to pensions operating between Ireland and Bulgaria. However, EU regulations on the coordination of social security systems, and Directive 2003/41/EC on the activities and supervision of institutions for occupational retirement provision (IORP Directive) are applied by both countries.

In relation to social welfare pensions, these are governed by EU Regulations 883/04 and 987/09. The Regulations co-ordinate social security systems and are designed to ensure that people are not disadvantaged by moving within the EU to take up work. These arrangements also extend to EEA countries and Switzerland.

The Regulations set out the rules as to which State's social security system a person will pay contributions to when they move from one Member State to another to take up work, or where they live in one State and work in another. In addition, the legislation also sets out the rules as to which State will pay benefit in the event of the usual contingencies arising, e.g. unemployment, sickness, old-age etc. In relation to pensions, contributions made in both countries are aggregated for the purposes of determining eligibility and payments made by each country are determined by amount of contributions made in each.

Article 20 of the IORPs Directive allows pension schemes to operate 'cross-border'. This means that a pension scheme can be established in one EU Member State which provides benefits to employees working in one or more other Member States. Part XII of the Pensions Act provides for the transposition of Article 20 of this Directive. The key provisions of this legislation are that the pension scheme must be registered with a competent authority (Pensions Board) and must fulfil a number of minimum conditions, such as being run by people of good repute who have appropriate qualifications and having properly constituted rules. The Pension Act also provides that member protection provisions of the Pensions Act are to be applied to Irish-based members of overseas schemes and these include requirements in relation to the preservation of benefits and the jurisdiction of the Pensions Ombudsman.

### **Social Welfare Benefits**

226. **Deputy Olivia Mitchell** asked the Minister for Social Protection the reason a person (details supplied) in Dublin 14 has been told they may not receive further supplementary welfare allowance payments despite having no income or any means of support; and if she will make a statement on the matter. [25644/11]

**Minister for Social Protection (Deputy Joan Burton):** The supplementary welfare allowance scheme (SWA) is administered on behalf of the Department by the community welfare division of the Health Service Executive (HSE). Apart from a number of excluded categories, anyone in the State who satisfies a habitual residency condition and a means test, has registered for employment, unless they have a physical or mental disability, and can prove unemployment may qualify for a weekly payment of SWA.

The person concerned is currently in receipt of a payment of SWA from the Department pending a decision regarding her application for a main social welfare payment. The person concerned should continue to receive SWA on an interim basis until a decision is made regarding her other social welfare entitlements, and while she continues to satisfy the relevant criteria in order to qualify for a payment of SWA.

### Social Welfare Appeals

227. **Deputy Patrick O'Donovan** asked the Minister for Social Protection the position regarding an application for carer's allowance in respect of a person (details supplied) in County Donegal. [25678/11]

**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 19th 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 4th August 2011 and the appeal will be assigned an Appeals Officer who, in due course, 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.

### Community Employment Schemes

228. **Deputy Dominic Hannigan** asked the Minister for Social Protection her plans to reform the community employment scheme; and if she will make a statement on the matter. [25705/11]

**Minister for Social Protection (Deputy Joan Burton):** The community employment programme makes an important contribution to the delivery of local services to communities across the country and provides significant employment and training opportunities for those engaged. I do not envisage any change that would impact on the nature or range of services delivered.

As the Deputy will be aware, the Programme for Government contains a commitment to reform local government including consideration of moving many of the functions currently being performed by agencies — such as community employment and enterprise supports — back to local government and any future consideration will have regard to that commitment. As with all programmes and schemes, community employment will be considered in the context of the Comprehensive Expenditure Review which is currently being finalised and may be affected by decisions made by the Government in its determination of the conclusion of that review. Additionally, I have already indicated that I will be looking at all programmes and schemes supporting those who are unemployed to see if they can be made more responsive to the needs of the individual in preparing them for a return to the labour market generally.

### Social Welfare Appeals

229. **Deputy John O'Mahony** asked the Minister for Social Protection when a decision will issue for a domiciliary care allowance in respect of a person (details supplied) in County Mayo; and if she will make a statement on the matter. [25706/11]

**Minister for Social Protection (Deputy Joan Burton):** An application for domiciliary care allowance was received from the person concerned on 14th June 2011. This application was

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referred to one of the Department's Medical Assessors who found that the child was not medically eligible for the allowance. A letter issued on 26th August 2011 advising the person concerned of the decision.

In the case of an application which is refused on medical grounds, the applicant may submit additional information and/or ask for the case to be reviewed or they may appeal the decision directly to the Social Welfare Appeals Office. The person concerned submitted further information and notice of her appeal was forwarded to the Social Welfare Appeals Office on 16th September 2011. As part of the appeals process, this additional information will shortly be reviewed by a Medical Assessor.

### Social Welfare Benefits

230. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the position regarding an application for invalidity pension in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [25708/11]

**Minister for Social Protection (Deputy Joan Burton):** Invalidity pension is a payment for people who are permanently incapable of work because of illness or incapacity and who satisfy the contribution conditions.

On 12 September 2011 an application for invalidity pension was received from the person concerned. While the person concerned satisfies the contribution conditions for invalidity pension, his suitability on medical grounds has yet to be decided. Additionally, further information is required in order to determine his entitlement to fuel allowance.

A request has issued to the person concerned to submit medical evidence in support of his application, together with a request for further information with regard to his entitlement to fuel allowance. Upon receipt and examination of all the requested information, an opinion on medical suitability will be provided to the deciding officer by the department's chief medical advisor, a decision regarding entitlement to invalidity pension will be made and the person in question will be notified directly of the outcome.

The person concerned is currently in receipt of illness benefit from my department.

Illness benefit is a short-term payment for people who are incapable for work for medical reasons and who satisfy the contribution conditions.

### Social Welfare Benefits

231. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if jobseeker's allowance is payable in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [25709/11]

**Minister for Social Protection (Deputy Joan Burton):** It will be necessary for the person concerned to submit a completed Jobseeker's application form (UP1) to his local social welfare office in Newbridge so that his entitlement to jobseeker's benefit or jobseeker's allowance can be established.

The UP1 form is available from the Newbridge office or may be downloaded from the Department's website [www.welfare.ie](http://www.welfare.ie).

### Social Welfare Appeals

232. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the reason one

parent family payment has not been restored in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [25710/11]

**Minister for Social Protection (Deputy Joan Burton):** Following the decision of the Social Welfare Appeals Officer one parent family payment has been restored to the person concerned and weekly payments are continuing pending a review of her efforts to obtain maintenance from her spouse.

### Social Welfare Benefits

233. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the correct level of rent allowance to be paid in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [25711/11]

**Minister for Social Protection (Deputy Joan Burton):** The Health Service Executive (HSE) has advised that the person concerned has been awarded rent supplement of €337.40 per month which is his full entitlement based on his personal circumstances.

234. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if and when payment will issue in respect of an application for rent allowance in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [25712/11]

**Minister for Social Protection (Deputy Joan Burton):** The Health Service Executive (HSE) has advised that the person concerned has been awarded rent supplement from the effective date of 1 August 2011. A payment of €972, covering the period from 1 August to 30 September, will be issued on 29 September.

### Community Employment Schemes

235. **Deputy Kevin Humphreys** asked the Minister for Social Protection if she will arrange to have the child dependent half rate payment for a person (details supplied) in Dublin 4 back dated to the start of their current community employment programme. [25727/11]

**Minister for Social Protection (Deputy Joan Burton):** FÁS funding of Community Employment (CE) participants is based on the Department of Social Protection's (DSP) confirmation of an individual's welfare entitlement. The person concerned commenced on Community Employment on 1 June 2009. From 1 June 2009, he was paid the standard CE participant rate with no child dependent allowance as confirmed by the Department. On 12 July 2011, FÁS received confirmation that the participant was entitled to a child dependent payment of half rate at €14.90 per week. This rate was paid by FÁS from 14 July 2011.

Where there is an entitlement to a back-payment, my Department will provide the necessary confirmation to enable reimbursement.

### Social Welfare Benefits

236. **Deputy John Halligan** asked the Minister for Social Protection if her attention has been drawn to the fact that there is no notice given where jobseeker's benefit is finishing and job seeker's allowance needs to be applied for; and if she will make a statement on the matter. [25729/11]

**Minister for Social Protection (Deputy Joan Burton):** An automated notification is issued to customers in receipt of jobseeker's benefit which informs them that their benefit is running out and that they can apply for jobseeker's allowance or jobseeker's credits. The notification

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includes the application form for jobseeker's allowance and issues 10 weeks prior to their expected last day of entitlement to jobseeker's benefit. A reminder issues 6 weeks later if no correspondence has been received back from the customer.

There are certain categories which are excluded from the automated process for operational reasons, such as casual workers, as it is not possible to predict the exact date on which their benefit will run out. These claimants are contacted through a manual process before their jobseeker's benefit expires.

### **Supplementary Welfare Allowance**

237. **Deputy David Stanton** asked the Minister for Social Protection if there have been any changes recently to the way community welfare officers calculate rates of supplementary welfare allowance mortgage interest supplement; and if she will make a statement on the matter. [25730/11]

**Minister for Social Protection (Deputy Joan Burton):** There have been no changes made to the rules concerning the assessment of mortgage interest supplement recently.

238. **Deputy David Stanton** asked the Minister for Social Protection the way in which a supplementary welfare allowance mortgage interest supplement rate was calculated for a person (details supplied) in County Cork; the reason this payment was recently reduced; and if she will make a statement on the matter. [25731/11]

**Minister for Social Protection (Deputy Joan Burton):** The Health Service Executive (HSE) has advised that the person concerned has been awarded mortgage interest supplement of €35.90 per week which is the full amount payable based on the household income which is comprised of One-parent Family Payment and maintenance received.

239. **Deputy David Stanton** asked the Minister for Social Protection the way in which a supplementary welfare allowance mortgage interest supplement rate was calculated for a person (details supplied) in County Cork; the reasons this payment was recently reduced in view of the fact that there was no change in the family income; and if she will make a statement on the matter. [25732/11]

**Minister for Social Protection (Deputy Joan Burton):** The Health Service Executive (HSE) has advised that the person concerned has been awarded mortgage interest supplement of €23.80 per week which is the full amount payable based on the household income from earnings, Jobseekers Allowance and Carers Allowance.

### **Money Advice and Budgeting Service**

240. **Deputy Brendan Griffin** asked the Minister for Social Protection if a money advice and budgeting service office will be opened to service Killarney and South Kerry; and if she will make a statement on the matter. [25740/11]

**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.

Currently a MABS office is located at Edward Court, Edward Street, Tralee, Co. Kerry, providing money advice and budgeting services to Co Kerry as a whole. In addition, outreach

services are provided in Killarney town, as well as in Listowel. The current staff compliment consists of 7 full-time and 1 part-time staff.

The Citizens Information Board, who has responsibility for MABS on behalf of my Department, has received a proposal to establish a joint Citizens Information Centre (CIC) and MABS office in Killarney. This proposal is currently being considered in the context of maximising resources to deliver a more efficient service within existing funding allocations and decisions in this regard will be made in due course.

I am satisfied that Kerry MABS will continue to provide a high quality personal service to assist people in overcoming their indebtedness and managing their finances.

### **Social Welfare Benefits**

241. **Deputy John O'Mahony** asked the Minister for Social Protection when a person (details supplied) in County Mayo will receive a decision on their application for a back to school allowance; and if she will make a statement on the matter. [25752/11]

**Minister for Social Protection (Deputy Joan Burton):** The Back to School Clothing and Footwear Allowance (BSCFA) scheme operates from the beginning of June until the end of September each year.

The administrative arrangements for the 2011 BSCFA scheme differ from those that applied in previous years. For this year, the majority of BSCFA entitlements were fully automated with no application form required from customers. 127,000 households in respect of over 250,000 children received their payment automatically in June.

Those customers who did not receive an automated payment are required to complete and return an application form to the Department. The timescale for determining applications for Back to School Clothing and Footwear Allowance claims is dependent on a number of factors including: the number of applications received, when the application is lodged, the availability of the required information such as details of the applicant's income, bank statements and other relevant information regarding an individual's application.

In addition, some aspects of the applications are inevitably time consuming and delays can occur where further investigations or third party evidence is required. Delays can also arise if the applicant is slow to respond to requests for additional information.

Staff are working as quickly as possible on clearing the large volume of manual application claims received. Based on the current volume of applications it could take up to seven weeks from date of receipt to process claims. Departmental records show that an application form was received from the person concerned on 8 August 2011 and it is expected she will be notified of the outcome of the claim shortly.

### **Social Welfare Appeals**

242. **Deputy Dan Neville** asked the Minister for Social Protection if an appeal for carer's allowance will be dealt with as soon as possible in respect of a person (details supplied) in County Limerick; and if she will make a statement on the matter. [25755/11]

**Minister for Social Protection (Deputy Joan Burton):** The person concerned was refused carers allowance on the grounds that the Department's Medical Assessor expressed the opinion that the care recipient is not so disabled as to require full time care and attention as prescribed in regulations. She was notified of this decision, the reasons for it and of her right of review or appeal. Additional medical evidence was received and forwarded to the Department's Medical



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Assessor for consideration. However, this information did not alter the opinion of the Medical Assessor and the decision remained unchanged.

She appealed this decision to the Social Welfare Appeals Office. Following an oral hearing in July 2011, her appeal was disallowed and the appellant was notified accordingly.

### **Social Welfare Benefits**

243. **Deputy Paul J. Connaughton** asked the Minister for Social Protection if an application for back to school allowance has been received in relation to a person (details supplied) in County Galway; when same will be processed; and if she will make a statement on the matter. [25761/11]

**Minister for Social Protection (Deputy Joan Burton):** The person concerned has been awarded a back to school clothing and footwear allowance and a payment issued to her nominated account on 17 September 2011.

### **Tax Code**

244. **Deputy Paul J. Connaughton** asked the Minister for Social Protection if farmers with very small farms, who currently do not pay any taxes, are obliged to provide professional farm accounts or statements from revenue in relation to their income when applying for the back to school allowance; the evidence of income needed in such cases; and if she will make a statement on the matter. [25762/11]

**Minister for Social Protection (Deputy Joan Burton):** The Back to School Clothing and Footwear Allowance (BSCFA) scheme operates from the beginning of June until the end of September each year.

The administrative arrangements for the 2011 BSCFA scheme differ from those that applied in previous years. For this year, the majority of BSCFA entitlements were fully automated with no application form required from customers, 127,000 households in respect of over 250,000 children received their payment automatically in June.

Those customers who did not receive an automated payment are required to complete and return an application form to the Department. The timescale for determining applications for Back to School Clothing and Footwear Allowance claims is dependent on a number of factors including: the number of applications received, when the application is lodged, the availability of the required information such as details of the applicant's income, bank statements and other relevant information regarding an individual's application. In addition, some aspects of the applications are inevitably time consuming and delays can occur where further investigations or third party evidence is required. Delays can also arise if the applicant is slow to respond to requests for additional information.

To qualify for BSCFA a person must meet a number of conditions namely:

- Be in receipt of a qualifying payment and getting an increase in that payment for the qualified child
- Have total household income below a specific level for the family composition
- The child/student must be aged between 2 and 22 on or before 30 September of the year of application (and for children aged 18-22 they must be in full-time education at a recognised school or college).

A BSCFA payment is only awarded in cases where the scheme criteria are satisfied including an assessment of means. Depending on the circumstances of the claim, the deciding officer may request any additional information from claimants, including farm accounts or statements from the Office of the Revenue Commissioners in relation to income if these are required in order to make an assessment of entitlements.

### Social Welfare Benefits

245. **Deputy David Stanton** asked the Minister for Social Protection the reason supplementary welfare allowance payment, rent allowance, has ceased in respect of a person (details supplied) in County Cork; and if she will make a statement on the matter. [25775/11]

**Minister for Social Protection (Deputy Joan Burton):** The Health Service Executive (HSE) has advised that the person concerned is in receipt of rent supplement of €20.50 per week which is her full entitlement based on her personal circumstances.

### Social Welfare Code

246. **Deputy Terence Flanagan** asked the Minister for Social Protection her views regarding the reduction of social protection entitlements; and if she will make a statement on the matter. [25776/11]

**Minister for Social Protection (Deputy Joan Burton):** The appropriate level of overall expenditure by my Department in the years ahead will be considered in the context of Budget 2012 and subsequent Budgets. This consideration will be informed by the commitment in the Programme for Government to maintain social welfare rates.

Sustainable public finances are a prerequisite for future economic stability and growth. To this end, the State must pursue a determined deficit reduction strategy. Accordingly, there will be an on-going requirement to curtail expenditure in 2012 and in later years.

There are considerable challenges ahead including the need to protect, as far as possible, the key income supports and services operated by my Department. This process will be informed by the Comprehensive Review of Expenditure, with the key decisions being made in the context of framing the Budget for 2012.

### Departmental Staff

247. **Deputy Noel Grealish** asked the Minister for Social Protection the number of employees in her Department who have expressed an interest in retiring ahead of the changes to the public sector pension schemes that are to come into force in 2012; and if she will make a statement on the matter. [25789/11]

**Minister for Social Protection (Deputy Joan Burton):** To date 39 officers in my Department have applied to retire in the period up to 29th February 2012. There is no indication, at this stage, of the final number of officers who may apply to retire. However, for the last number of months an average of 50 pension estimates have been requested each week so I do expect an increase in the number of retirements in the period up to 29th February 2012.

The three-month minimum notice period for retirement that has been introduced in the Civil Service, provides that anyone who wishes to retire by 29th February 2012 should give notice by the end of November 2011.

### Social Welfare Code

248. **Deputy Barry Cowen** asked the Minister for Social Protection the position regarding an

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application for back to school clothing and footwear allowance in respect of a person (details supplied) in County Offaly; and when a decision will issue. [25800/11]

**Minister for Social Protection (Deputy Joan Burton):** The Back to School Clothing and Footwear Allowance (BSCFA) scheme operates from the beginning of June until the end of September each year.

The administrative arrangements for the 2011 BSCFA scheme differ from those that applied in previous years. For this year, the majority of BSCFA entitlements were fully automated with no application form required from customers. 127,000 households in respect of over 250,000 children received their payment automatically in June.

Those customers who did not receive an automated payment are required to complete and return an application form to the Department. The timescale for determining applications for Back to School Clothing and Footwear Allowance claims is dependent on a number of factors including: the number of applications received, when the application is lodged, the availability of the required information such as details of the applicant's income, bank statements and other relevant information regarding an individual's application.

In addition, some aspects of the applications are inevitably time consuming and delays can occur where further investigations or third party evidence is required. Delays can also arise if the applicant is slow to respond to requests for additional information. Staff are working as quickly as possible on clearing the large volume of manual application claims received. Based on the current volume of applications it could take up to 7 weeks from date of receipt to process claims. Departmental records show that an application form was received from the person concerned on 8th August 2011 and she will be notified of the outcome of her claim when an assessment of her entitlements are made.

249. **Deputy Barry Cowen** asked the Minister for Social Protection when a decision on an application for carer's allowance will issue in respect of a person (details supplied) in County Offaly. [25804/11]

**Minister for Social Protection (Deputy Joan Burton):** An application was received from the person concerned on 15 April 2011. All the necessary investigations relating to her claim have been made and a decision will be completed shortly. The person concerned will be notified directly of the outcome.

250. **Deputy Barry Cowen** asked the Minister for Social Protection when a decision on back to school clothing and footwear allowance will issue in respect of a person (details supplied) in County Offaly. [25807/11]

**Minister for Social Protection (Deputy Joan Burton):** Departmental records show that a Back to School Clothing and Footwear Allowance payment issued to the nominated account of the person concerned on the 17th September 2011.

### **Social Welfare Appeals**

251. **Deputy Barry Cowen** asked the Minister for Social Protection when a decision on an appeal for invalidity pension will issue in respect of a person (details supplied) in County Offaly. [25809/11]

**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 4th 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.

252. **Deputy Barry Cowen** asked the Minister for Social Protection when a decision on an appeal for invalidity pension will issue in respect of a person (details supplied) in County Offaly. [25810/11]

**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 17th September 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 Code**

253. **Deputy Barry Cowen** asked the Minister for Social Protection when a decision on an application for carer's allowance will issue in respect of a person (details supplied) in County Offaly. [25813/11]

**Minister for Social Protection (Deputy Joan Burton):** An application was received from the person concerned on 23 May 2011. All the necessary investigations relating to his claim have been made and a decision will be completed shortly. The person concerned will be notified directly of the outcome.

#### **Social Welfare Appeals**

254. **Deputy Barry Cowen** asked the Minister for Social Protection when a decision on an appeal for State pension non- contributory will issue in respect of a person (details supplied) in County Offaly. [25817/11]

261. **Deputy Barry Cowen** asked the Minister for Social Protection when a decision on an application for State pension (non- contributory) will issue in respect of a person (details supplied) in County Offaly. [25887/11]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 254 and 261 together.

I am advised by the Social Welfare Appeals Office that the appeal from the person concerned has been referred to an Appeals Officer who proposes to hold an oral hearing on 28th September 2011. The person concerned has been notified of the arrangements.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

### Social Welfare Code

255. **Deputy Niall Collins** asked the Minister for Social Protection if she would reconsider granting the back to school allowance to a person (details supplied) in County Cork. [25831/11]

**Minister for Social Protection (Deputy Joan Burton):** The Back to School Clothing and Footwear Allowance (BSCFA) scheme operates from the beginning of June until the end of September each year.

Those customers who did not receive an automated payment are required to complete and return an application form to the Department. 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 is outlined to customers.

The person concerned was refused BSCFA as her means are in excess of the allowable limits for her family size. The person concerned can request a review by contacting the BSCFA Review Section in Letterkenny. Details on how to request a review are available on the Department's website at [www.welfare.ie](http://www.welfare.ie) or on the refusal letter that has been provided to the applicant.

### Social Welfare Appeals

256. **Deputy Aodhán Ó Ríordáin** asked the Minister for Social Protection the reason an application for supplementary welfare allowance was denied in respect of a person (details supplied) in Dublin 3; and if she will make a statement on the matter. [25838/11]

**Minister for Social Protection (Deputy Joan Burton):** Under the Supplementary Welfare Allowance (SWA) scheme, the Community Welfare division of the Health Service Executive (HSE) may make a single payment to meet an exceptional need to people on social welfare or HSE payments.

The principal consideration in making a single payment of SWA to address a particular need is that the need to be met must be exceptional. Payments should arise only under abnormal conditions and should not become a regular or standard practice. Thus, an exceptional needs payment should be a single payment to meet an unforeseen and/or special need which cannot be met from a client's basic income.

The person concerned has recently received a number of ENPs from the HSE, however in one instance a payment was refused due to the nature of the particular application. The person concerned has been advised of his right to appeal the decision to refuse the ENP in this instance.

257. **Deputy Joe Costello** asked the Minister for Social Protection if she will reconsider her decision to refuse carer's allowance respect of a person (details supplied) in Dublin 7; and if she will make a statement on the matter. [25852/11]

**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 4th 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. These papers were received in the Social Welfare Appeals Office on 21st July 2011 and the appeal was assigned to an Appeals Officer on 21st September 2011 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 Code

258. **Deputy Barry Cowen** asked the Minister for Social Protection when a decision on an application for carer's allowance will issue in respect of a person (details supplied) in County Offaly. [25874/11]

**Minister for Social Protection (Deputy Joan Burton):** An application was received from the person concerned on 15 April 2011. All the necessary investigations relating to her claim have been made and a decision will be completed shortly. The person concerned will be notified directly of the outcome.

259. **Deputy Barry Cowen** asked the Minister for Social Protection when a decision on an application for carer's allowance will issue in respect of a person (details supplied) in County Offaly. [25883/11]

**Minister for Social Protection (Deputy Joan Burton):** Part 3 of the Social Welfare and Pension Act 2010 provides for the full transfer of the employment services and community services programmes of FÁS to the Minister for Social Protection and for the integration of FÁS staff managing these programmes into the Department of Social Protection. That process of integration is currently underway. SOLAS has been announced by the Minister for Education and Skills as the new State training agency to take over the skills development and training programmes currently delivered by FÁS. The training component, and associated budget, of the community employment programme will remain with the Department of Social Protection.

As with all programmes and schemes, community employment will be considered in the context of the Comprehensive Expenditure Review which is currently being finalised and may be affected by decisions made by the Government in its determination of the conclusion of that review. Additionally, I have already indicated that I will be looking at all programmes and schemes supporting those who are unemployed to see if they can be made more responsive to the needs of the individual in preparing them for a return to the labour market generally.

*Question No. 260 withdrawn.*

*Question No. 261 answered with Question No. 254.*

### Social Welfare Appeals

262. **Deputy Dan Neville** asked the Minister for Social Protection if he will urgently review an application in respect of a person (details supplied) in County Limerick; and if she will make a statement on the matter. [25900/11]

**Minister for Social Protection (Deputy Joan Burton):** The Health Service Executive (HSE) has advised that there is no record of an application for mortgage interest supplement from the person concerned. The HSE has posted an application form for mortgage interest supplement to the person concerned. The person concerned should complete and return the application form to the community welfare officer at their local health centre.

The HSE further advised that an Exceptional Needs Payment of €300 issued to the person concerned on 22 September.

### Social Welfare Benefits

263. **Deputy Bernard J. Durkan** asked the Minister for Social Protection when payment will issue in respect of an application for disability allowance in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [25915/11]

**Minister for Social Protection (Deputy Joan Burton):** The person concerned applied for disability allowance on 11 July 2011. His claim is being referred to one of the Department's medical assessors for an opinion as to his medical suitability for disability allowance.

When the deciding officer receives the medical assessor's opinion, and taking account of the deciding officer's assessment of his means, the person's entitlement to disability allowance will be determined. The person will be notified in writing of this decision.

### Family Support Services

264. **Deputy Brian Walsh** asked the Minister for Social Protection the position regarding an application by a family (details supplied) in County Galway to relocate from a dwelling destroyed by the flooding of November 2009; and when a decision is likely to be made regarding their application. [25922/11]

**Minister for Social Protection (Deputy Joan Burton):** The Government has provided various types of support to people affected by the November 2009 flooding. Humanitarian Aid payments were made, both in the immediate aftermath of the flooding and subsequently to enable eligible households to resume living at their home. Flood relief works were also undertaken in some of the affected areas and other works are at an advanced state of preparation. Discussions also took place with representatives of the insurance industry regarding giving households access to appropriate house insurance at a reasonable cost.

Subject to certain conditions the Government also decided to provide support to a small number of families who are continuing to experience significant housing problems as a result of the November 2009 flooding and are considering the possibility of relocating rather than resuming living at their original home.

The household of the persons concerned has been visited by an official from the Department and a report of their circumstances has been completed. The Department has received a report from the Office of Public Works in relation to the house of the person concerned and expects to be in a position to make a decision on the case shortly.

### Social Welfare Appeals

265. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Social Protection when the social welfare appeals office will make a decision on the pension application of a person (details supplied) in County Monaghan. [25950/11]

**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 16th August 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.

### Departmental Schemes

266. **Deputy Terence Flanagan** asked the Minister for Social Protection if she will deal with a matter (details supplied) regarding the Jobbridge — national internship programme; and if she will make a statement on the matter. [25953/11]

**Minister for Social Protection (Deputy Joan Burton):** The National Internship Scheme provides internship opportunities of either 6 or 9 months for unemployed individuals on the Live Register. The scheme is limited to individuals who are currently on the Live Register and have been in receipt of Jobseekers Allowance/Benefit or are signing on for credits for at least 3 of the last 6 months.

The overall objective of labour market policy is to ensure a pathway to appropriate employment, training and education opportunities for those on the Live Register so that as employment opportunities become available they are taken up by those on the Live Register.

Given the scale of the unemployment crisis, it is imperative to keep those on the Live Register close to the labour market and prevent the drift into long-term unemployment. This will ensure that those availing of activation measures such as the National Internship Scheme will gain work experience and so be in a better position to avail of employment opportunities as the economy improves.

For these reasons, the eligibility for the scheme is confined to those on the Live Register and in receipt of unemployment payments or signing for credits for 3 months. In so designing the scheme, the policy objective is to prioritise scarce resources on those on the Live Register so as to increase their chances of leaving it and ensure a reduction in Exchequer costs over time.

In the particular case highlighted by the Deputy such an individual may avail of the FÁS Work Placement Programme, which provides individuals with the opportunity to gain work experience. An individual may qualify for the Work Placement Programme immediately if they do not wish to receive a social welfare payment from the State. Further information on the Work Placement Programme is available on the FÁS website.

### Social Welfare Appeals

267. **Deputy Maureen O'Sullivan** asked the Minister for Social Protection the steps she is taking to shorten the length of time it is taking when dealing with appeals regarding social welfare payments. [25957/11]

**Minister for Social Protection (Deputy Joan Burton):** I am informed by the Social Welfare Appeals Office that the number of appeals waiting to be processed at present is 17,992 (a reduction of some 2,809 (since September 2010), of which 1,578 refer to carer's allowance.

These figures must be seen against a background where there has been a very significant increase in the number of appeals received in the Social Welfare Appeals Office since 2007 when the intake was 14,070 to 32,432 in 2010. Current indications are that, while there now appears to be a slight drop in the number of appeals being received in 2011, the annual intake is still likely to be close to 30,000 for the year.

In an effort to reduce the backlog of appeals, the Department made 9 additional appointments to the office earlier this year. These assignments augment the 3 appointments made to the Office in 2010, bringing the total number of Appeals Officers serving in the office to 29.

Some 3,000 cases, registered prior to 31/12/10, have been ring fenced and a team of 10 of the Office's most experienced Appeals Officers have been freed from all other work in the Office and will concentrate on clearing this backlog. This project commenced on July 1st.



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In addition to these measures, more emphasis is now placed on dealing with appeals on a summary basis so as to increase productivity. As a result, the number of appeals dealt with by way of oral hearing was reduced from 42% for the first 6 months of 2010 to just over 30% for the same period in 2011.

As a result of the various initiatives taken, 22,226 decisions were made by Appeals Officers in the first eight months of 2011, in comparison to 17,184 for the same period in 2010.

Overall, it is expected that the increase in the number of decisions being made by Appeals Officers will continue and this, combined with the slight reduction in the numbers received should lead to on-going reductions in the backlog of appeals.

### **Social Welfare Benefits**

268. **Deputy Pádraig Mac Lochlainn** asked the Minister for Social Protection if he will ensure that the exceptional needs payment is available to persons on the local authority housing list who are offered a home under a long-term lease agreement. [25972/11]

**Minister for Social Protection (Deputy Joan Burton):** Under the supplementary welfare allowance (SWA) scheme, the Health Service Executive (HSE) may make a single payment to help meet essential, once-off, exceptional expenditure, which a person could not reasonably be expected to meet out of their weekly income. Those who qualify are normally in receipt of a social welfare or HSE payment.

The principal consideration in making a single payment of SWA to address a particular need is that the need to be met must be 'exceptional'. Payments should arise only under abnormal conditions and should not become a regular or standard practice. Thus, an exceptional needs payment should be a single payment to meet an unforeseen and/or special need which cannot be met from a client's basic income. The use of ENPs and every such decision must be based on the careful consideration of all the circumstances of an individual case.

However, it is not considered appropriate that ENPs should be paid towards the costs of furnishing private rented accommodation. In this regard, my Department has advised the Department of the Environment, Community and Local Government that local authorities should not seek to have long term leased properties furnished by way of ENPs.

### **Community Employment Schemes**

269. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection when she will confirm whether the training component, and associated budget, of community employment schemes will lie with SOLAS or with her Department; and her plans regarding the need to enhance the budget and training opportunities available for CE participants to reflect the greater need in the current economic situation to ensure greatest possible training outcomes for those same participants having completed their CE placement. [25978/11]

**Minister for Social Protection (Deputy Joan Burton):** Part 3 of the Social Welfare and Pension Act 2010 provides for the full transfer of the employment services and community services programmes of FÁS to the Minister for Social Protection and for the integration of FÁS staff managing these programmes into the Department of Social Protection. That process of integration is currently underway. SOLAS has been announced by the Minister for Education and Skills as the new State training agency to take over the skills development and training prog-

rammes currently delivered by FÁS. The training component, and associated budget, of the community employment programme will remain with the Department of Social Protection.

As with all programmes and schemes, community employment will be considered in the context of the Comprehensive Expenditure Review which is currently being finalised and may be affected by decisions made by the Government in its determination of the conclusion of that review. Additionally, I have already indicated that I will be looking at all programmes and schemes supporting those who are unemployed to see if they can be made more responsive to the needs of the individual in preparing them for a return to the labour market generally.

270. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection if there have been any changes to the policy or criteria governing the approval of community employment scheme extensions up to three, four, five, six and seven years, respectively. [25981/11]

**Minister for Social Protection (Deputy Joan Burton):** The primary aim of community employment is to facilitate re-entry to the active workforce. This is achieved by breaking the cycle of unemployment, opening up training and educational opportunities, providing work experience and work routines and utilising the skills sets.

Operationally, community employment has two options with different eligibility rules and conditions. The part-time integration option is designed to help participants find a job or enter full time training or education normally after one year on community employment. In certain circumstances, an extension of one year can be granted under this option. A person who is aged 35 or over and is claiming a jobseeker's payment for three years or more can qualify for the part-time job option. With this option, a person can work up for up to three years in recognition of the need to provide access to a part-time job for extended periods for persons in this eligibility category. Persons in receipt of any disability-linked Social Protection payments may be eligible for one additional year's participation. Lifetime participation on CE is capped at three years for those aged under 55 years and six years for those aged 55 years and over. The criteria for the consideration of extensions has not changed and my Department is not considering any proposals at this time.

As with all programmes and schemes, community employment will be considered in the context of the Comprehensive Expenditure Review which is currently being finalised and may be affected by decisions made by the Government in its determination of the conclusion of that review. Additionally, I have already indicated that I will be looking at all programmes and schemes supporting those who are unemployed to see if they can be made more responsive to the needs of the individual in preparing them for a return to the labour market generally.

The Deputy should note that day-to-day administration of community employment is a matter for FÁS as part of its responsibility under the Labour Services Act, 1987, as amended by Part 3 of the Social Welfare (Miscellaneous Provisions) Act, 2010. The Minister of the day has no role in respect of any administrative matter.

271. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection the number of persons refused an extension of their community employment scheme for a second or third year, respectively, in 2005, 2006, 2007, 2008, 2009, 2010 and to date in 2011. [25982/11]

272. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection the number of persons granted an extension of their community employment scheme for a second or third year, respectively, in 2005, 2006, 2007, 2008, 2009, 2010 and to date in 2011. [25983/11]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 271 and 272 together.

Responsibility for the day to day administration of community employment is a matter for FÁS as part of its responsibilities under the Labour Services Act 1987 as amended by Part 3 of the Social Welfare (Miscellaneous Provisions) Act 2010. As Minister, I do not have a role in respect of any administrative matter relating to community employment.

I have been informed that FÁS does not collect or hold information on the number of community employment participants applying for extensions of their work placement on community employment. Neither is information collected or held on the number of participants approved or refused extensions. FÁS holds records on how long a person participates on community employment and other information in respect of a person's progression to training, further education or work.

### **Employment Support Services**

273. **Deputy Willie O'Dea** asked the Minister for Social Protection the steps that she has taken to deepen engagement with those on the live register. [25995/11]

**Minister for Social Protection (Deputy Joan Burton):** The Department of Social Protection supports 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 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 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 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 complemented 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. 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 above 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.

### **Departmental Schemes**

274. **Deputy Willie O’Dea** asked the Minister for Social Protection the number of the 5,000 places on the national internship scheme that have been taken up to date; and the amount in total that she has spent on this scheme. [25997/11]

**Minister for Social Protection (Deputy Joan Burton):** As of Friday 23rd September a total of 2,346 internship opportunities with host organisations were approved and were available on the JobBridge website to be filled. In addition, to date 1,430 interns have commenced an internship under the JobBridge scheme. Of these, 599 individuals have converted their Work Placement Programme placement into a JobBridge internship.

In relation to the cost of the JobBridge scheme it changes on a daily basis as the number of people participating in the scheme increases. However as of the 23rd September the additional cost of the €50 weekly top-up for the 1,430 participants on the JobBridge equates to a weekly cost of €71,500.

### **Social Welfare Benefits**

275. **Deputy Pearse Doherty** asked the Minister for Social Protection if there is any discretion available to her to award the back to education allowance to Irish students accessing postgraduate courses in England, Scotland or Wales; and if she will make a statement on the matter. [26132/11]

276. **Deputy Pearse Doherty** asked the Minister for Social Protection if her attention has been drawn to any form of financial assistance similar to the back to education allowance available to Irish students studying in other EU member states and paid for by the Government of that member state; and if she will make a statement on the matter. [26133/11]

277. **Deputy Pearse Doherty** asked the Minister for Social Protection the reason for restricting the payment of the back to education allowance to Irish students studying in Irish universities and excluding any Irish students studying in England, Scotland and Wales. [26135/11]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 275 to 277, inclusive, together.

The back to education allowance (BTEA) scheme is a second chance education opportunities scheme designed to remove the barriers to participation in second and third level education by enabling eligible people on social welfare to continue to receive a payment while pursuing an approved full-time education course that leads to a higher qualification than that already held.

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A person wishing to pursue back to education allowance (BTEA) scheme will have to satisfy a number of conditions such as being a certain age, in receipt of a prescribed social welfare payment for a specified time period, pursuing a full time course of study leading to a recognised qualification in a recognised college and progressing in the level of education held by the client with reference to the national framework of qualifications among others.

The BTEA scheme covers a large range of full-time courses of education in approved colleges spanning basic foundation courses to third level courses across all disciplines. The BTEA guidelines are in the main in line with the mechanisms in place for student support type schemes administered by the Department of Education and Skills (DES).

The student grant scheme administered by DES includes provision for grants to eligible students pursuing certain full-time undergraduate courses of at least two years duration in other EU member states provided they satisfy the terms and conditions of the grant scheme including those relating to residency, means, nationality and previous academic attainment. Eligible full-time day undergraduate courses in other EU member states which are recognised by the DES for student grant purposes may be considered for the BTEA.

The student grant scheme does not extend to postgraduate study outside of the island of Ireland; this is also the position with regard to the BTEA and is outlined in the scheme guidelines. However it should be noted that Section 473A, Taxes Consolidation Act, 1997, as amended by Section 11 of the Finance Act 2011, provides for tax relief, at the standard rate of tax, for tuition fees paid in respect of approved courses at approved colleges of higher education including certain approved undergraduate and postgraduate courses in E.U. Member States.

My Department is not aware of a scheme similar to BTEA available to Irish students studying in other EU states and paid for by the Government of that member state. Member states offer a multiplicity of supports and interventions that are administered and funded by various bodies which are often particular to the varying governmental structures and imperatives of member states.

The BTEA, in conjunction with other employment support schemes, will be monitored on an ongoing basis to ensure that it continues to meet its objectives.

**278. Deputy Patrick O'Donovan** asked the Minister for Social Protection the position regarding a carer's allowance application in respect of a person (details supplied) in County Wexford; when a decision will issue on same; and if she will make a statement on the matter. [26151/11]

**Minister for Social Protection (Deputy Joan Burton):** An application for carer's allowance was received from the above named in respect of a second care recipient on 12 May 2011. On completion of the necessary investigations relating to all aspects of his claim a decision will be made as soon as possible. The person concerned will be notified directly of the outcome in due course.

### **Social Welfare Appeals**

**279. Deputy Bernard J. Durkan** asked the Minister for Social Protection when an oral hearing will take place on an application for disability allowance in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [26152/11]

**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 12th January

2011. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. These papers were received in the Social Welfare Appeals Office on 30th May 2011 and the appeal was assigned to an Appeals Officer on 24th August 2011 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**

280. **Deputy Joanna Tuffy** asked the Minister for Social Protection the reason for late payment of rent supplement in respect of a person (details supplied) in County Dublin; and if she will make a statement on the matter. [26161/11]

**Minister for Social Protection (Deputy Joan Burton):** The Health Service Executive (HSE) has advised that payment of rent supplement to the person concerned ceased as his primary social welfare payment was closed and the person concerned did not inform the HSE of any change in his circumstances.

The HSE further advised that they have requested documentation verifying his change of circumstances and that a decision will be made on reinstating his rent supplement when the documentation has been provided.

281. **Deputy Seán Kenny** asked the Minister for Social Protection when an application for disability allowance will be processed in respect of a person (details supplied) in Dublin 5; and if she will make a statement on the matter. [26171/11]

**Minister for Social Protection (Deputy Joan Burton):** The person concerned applied for disability allowance on 15 July 2011. His claim is being referred to one of the Department's medical assessors for an opinion as to his medical suitability for disability allowance.

When the deciding officer receives the medical assessor's opinion, and taking account of the deciding officer's assessment of his means, the person's entitlement to disability allowance will be determined. The person will be notified in writing of this decision.

282. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if and when invalidity pension will be granted in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [26181/11]

**Minister for Social Protection (Deputy Joan Burton):** Invalidity pension is a payment for people who are permanently incapable of work because of illness or incapacity and who satisfy the contribution conditions.

An invalidity pension claim in respect of the person concerned has been disallowed on the grounds that he is not considered to be permanently incapable of work. He was notified of this decision on 23rd September 2011.

283. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if and when payment will issue in respect of an application for mortgage interest supplement in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [26182/11]

**Minister for Social Protection (Deputy Joan Burton):** The Health Service Executive (HSE) has advised that the person concerned was refused mortgage interest supplement on the grounds that she had overstated her income when obtaining the mortgage and that she would not have been able to maintain the repayments.

The HSE has further advised that the person concerned has submitted an appeal against this decision and it is currently awaiting decision.

### **Private Rented Accommodation**

284. **Deputy Jim Daly** asked the Minister for Social Protection her plans to put in place protection for landlords who accept rent allowance and are left with tenants not paying the rent allowance; and if she will make a statement on the matter. [26183/11]

**Minister for Social Protection (Deputy Joan Burton):** The purpose of rent supplement is to provide short-term support to eligible people living in private rented accommodation, whose means are insufficient to meet their accommodation costs and who do not have accommodation available to them from any other source.

Under the legislative provisions governing rent supplement, the Department's relationship is with the tenant; the tenant makes the application for rent supplement and payment is made to the tenant. Rent supplement is specifically for the benefit of tenants to assist them with their accommodation needs. There is no direct relationship between the landlord and the Department in the administration of the scheme.

Current legislation already provides for the making of a rent supplement payment to another person (e.g. a relative, a landlord or landlord's agent) on behalf of the recipient, at the tenant's request and is subject to the consent of the HSE. Approximately 20% of rent supplement payments are currently paid to a person other than the tenant.

It is open to the landlord to bring to the attention of the HSE any instance where a tenant is receiving rent supplement but is not paying their rent. Where a Community Welfare Officer becomes aware that a person receiving rent supplement is not using that supplement to meet housing costs, payment of the supplement is suspended and the matter is investigated. Any overpayment of rent supplement incurred in circumstances of this kind may be recoverable from the tenant.

Where a landlord has a grievance in relation to the non-payment of rent by a tenant, s/he may apply to the Private Residential Tenancies Board to have the dispute resolved through the Board's dispute resolution process.

### **Social Welfare Benefits**

285. **Deputy Michael Creed** asked the Minister for Social Protection if a person (details supplied) in County Cork is entitled to mortgage supplement; and if she will make a statement on the matter. [26185/11]

**Minister for Social Protection (Deputy Joan Burton):** The Health Service Executive (HSE) has advised that the person concerned has been in receipt of mortgage interest supplement since 2007. The HSE has further advised that her entitlement to mortgage interest supplement will be reviewed when her appeal against a decision to refuse carer's allowance is decided.

286. **Deputy John Lyons** asked the Minister for Social Protection if she will expedite a decision on an application for back to school clothing and footwear allowance in respect of a person (details supplied) in County Louth. [26188/11]

**Minister for Social Protection (Deputy Joan Burton):** The Back to School Clothing and Footwear Allowance (BSCFA) scheme operates from the beginning of June until the end of September each year.

The administrative arrangements for the 2011 BSCFA scheme differ from those that applied in previous years. For this year, the majority of BSCFA entitlements were fully automated with no application form required from customers. 127,000 households in respect of over 250,000 children received their payment automatically in June.

Those customers who did not receive an automated payment are required to complete and return an application form to the Department. The timescale for determining applications for Back to School Clothing and Footwear Allowance claims is dependent on a number of factors including: the number of applications received, when the application is lodged, the availability of the required information such as details of the applicant's income, bank statements and other relevant information regarding an individual's application.

In addition, some aspects of the applications are inevitably time consuming and delays can occur where further investigations or third party evidence is required. Delays can also arise if the applicant is slow to respond to requests for additional information. Staff are working as quickly as possible on clearing the large volume of manual application claims received. Based on the current volume of applications it could take up to 7 weeks from date of receipt to process claims. Departmental records show that an application form was received from the person concerned on 13th September 2011 and she will be notified of the outcome of her claim when an assessment of her entitlements are made.

287. **Deputy Joe Carey** asked the Minister for Social Protection if it is possible for persons from outside the EU to enter Ireland for the period October to April and draw special welfare payments; and if she will make a statement on the matter. [26190/11]

**Minister for Social Protection (Deputy Joan Burton):** There are no special arrangements in place with regard to eligibility for social welfare benefits for persons coming to Ireland from countries which are outside the EEA. Such persons will have their eligibility for benefits assessed under our domestic legislation. A decision to award or reject any claim for benefits depends on the circumstances of the individual concerned and the qualifying conditions for the scheme under which the benefit is claimed.

288. **Deputy Jerry Buttimer** asked the Minister for Social Protection the estimated waiting time to transfer from carer's benefit to carer's allowance in respect of a person (details supplied) in County Sligo. [26221/11]

**Minister for Social Protection (Deputy Joan Burton):** I confirm that that an application for carer's allowance was received from the above named person on 9 August 2011. On completion of the necessary investigations relating to all aspects of her claim a decision will be made and the person concerned will be notified directly of the outcome.

The average time to award a claim for carer's allowance is currently 17 weeks. Entitlement to carer's allowance is based on satisfying medical, means and residency conditions. In determining entitlement to the allowance there are, in certain cases, unavoidable time lags involved in making the necessary investigations and inquiries to enable accurate decisions to be made. Delays can also arise if people applying for the allowance are not in a position to supply all the necessary information in support of their claim.



### Departmental Staff

289. **Deputy Anne Ferris** asked the Minister for Social Protection notwithstanding the Civil Service circular No. 28, if she will provide a list of the current pay of each senior civil servant from higher executive officer to Secretary General in her Department broken down by grade; the pension entitlements of each and any other emoluments they are entitled to receive upon reaching retirement; and if she will make a statement on the matter. [26242/11]

**Minister for Social Protection (Deputy Joan Burton):** The information requested is not readily available and given the pressure of work in my Department and the volume of staff involved, it would not be possible to give the information requested for each individual member of staff.

The following table provides a breakdown of the number of staff in each grade from Higher Executive Officer to Secretary General. The pay scale appropriate to each officer is in line with the officer's service and the terms and conditions of employment as provided for in Department of Finance Circular 28/2009.

Grade	Number of Posts at Grade (1 September 2011)	Payscale for Grade
Higher Executive Officer	632.33	Class B (appointed before 6/4/1995) (Higher) from €46,426 to €57,251 p.a. (Standard) from €43,816 to €55,415 p.a. Class A (appointed on or after 6/4/1995) (Higher) from €48,831 to €60,224 p.a. (Standard) from €46,081 to €58,294 p.a.
Administrative Officer	12.4	Class B (Higher) from €40,734 to €57,251 p.a. (Standard) from €31,619 to €55,415 p.a. Class A (Higher) from €42,838 to €60,224 p.a. (Standard) from €33,247 to €58,294 p.a.
Assistant Principal	201.3	Class B (Higher) from €67,913 to €84,296 p.a. (Standard) from €61,966 to €76,768 p.a. Class A (Higher) from €71,359 to €88,598 p.a. (Standard) from €65,185 to €80,678 p.a.
Principal	39.4	Class B (Higher) from €85,957 to €105,429 p.a. (Standard) from €80,051 to €98,424 p.a. Class A (Higher) from €90,355 to €110,844 p.a. (Standard) from €84,132 to €103,472 p.a.
Medical Assessor	25	Class B (Higher) from €85,957 to €105,429 p.a. (Standard) from €80,051 to €98,424 p.a. Class A (Higher) from €90,355 to €110,844 p.a. (Standard) from €84,132 to €103,472 p.a.
Deputy Chief Appeals Officer	1	From €80,051 to €98,424 p.a.
Chief Appeals Officer	1	From €85,957 to €105,429 p.a.
Chief Medical Advisor	1	From €93,197 to €113,503 p.a.
Assistant Secretary	7	Class B From €127,796 to €146,191 p.a. Class A From €134,523 to €153,885 p.a.

Grade	Number of Posts at Grade (1 September 2011)	Payscale for Grade
Deputy Secretary	1	€168,000 p.a.
Secretary General	1	€191,417 p.a.

Pension entitlements are calculated as follows:

*Pension Calculation for staff recruited before 6 April 1995:*

The method of calculation of pension for pre-6 April 95 staff (who pay the modified rate of PRSI) is 1/80th of pensionable remuneration per year of reckonable service, subject to a maximum of 40 years.

*Pension Calculation for staff recruited after 5 April 1995:*

The method of calculating Main Scheme pension for officers recruited on or after 6 April 1995 who qualify for benefits on or after 1 January 2004 is:

(a) For that part of the officer's pensionable remuneration which is less than or equal to 3 and one third times the current rate of Contributory State Pension (CSP), 1/200th of pensionable remuneration multiplied by the number of years of reckonable service plus

(b) For any part of the officer's Pensionable Remuneration which exceeds 3 and one third times CSP, 1/80th of pensionable remuneration multiplied by the number of years of reckonable service. A multiplier of 3.333333 (i.e. 6 decimal places) is used to calculate 3 and one third times CSP. The maximum number of years of reckonable service is 40. The CSP rate is the maximum CSP payable by the Department of Social and Family Affairs to a single person without dependants on the last day of the officer's pensionable service.

*Retirement Lump Sum Calculation:*

Retirement lump sum is 3/80ths of pensionable remuneration for each year of reckonable service, subject to a maximum of 1.5 times pensionable remuneration.

Emoluments payable to officers on their retirement are dealt with as follows:

*Pensionable Emoluments* Emoluments are benefits in cash or in kind which are additional to basic salary. Pensionable emoluments are the average annual amount of an officer's emoluments. The *pensionable allowances are the best three consecutive years in the last ten.*

Generally speaking, pensionable emoluments are:

(a) allowances for the performance of work done (e.g. higher duties allowance, Private Secretaries' allowance);

(b) allowances for the conditions under which work is done (e.g. shift premia, unsocial hours allowances);

(c) in certain exceptional cases, specifically approved by the Department of Finance, payments for compulsory, regular and rostered extra attendance which forms an inherent part of the conditions of service for certain posts and where such attendance is considered to be the most effective and economical means of carrying out the work involved;

(d) the value (as determined by the Department of Finance) of certain perquisites provided free as part of an officer's conditions of employment (e.g. house, quarters, fuel and light, board and lodgings, uniforms).

### Social Welfare Benefits

290. **Deputy Patrick O'Donovan** asked the Minister for Social Protection further to Parliamentary Question No. 316 of 14 September 2011, if she will provide a breakdown of the funding allocated between children making their first holy communion, those making their confirmation and those who received funding for other religious ceremonies. [26246/11]

**Minister for Social Protection (Deputy Joan Burton):** Under the Supplementary Welfare Allowance (SWA) scheme, the Community Welfare division of the Health Service Executive (HSE) may make a single payment to meet an exceptional need to people on social welfare or HSE payments. These payments are known as Exceptional Needs Payments (ENPs) and may be made towards communion and confirmation costs and other religious ceremonies. These specific payments are recorded under the same payment category on the Department's payments system, and there is no individual breakdown for each of these sub-categories.

### Redundancy Payments

291. **Deputy Michael McGrath** asked the Minister for Social Protection the number of employers involved and the total amount of money currently owed to the social insurance fund in respect of the employer's 40% liability relating to redundancy payments; and if she will make a statement on the matter. [26303/11]

295. **Deputy Michael McGrath** asked the Minister for Social Protection the number of applications for redundancy received by her from employees whose employer has refused or was unable to pay the redundancy using the form RP50 for 2007, 2008, 2009, 2010 and each month to date in 2011. [26332/11]

296. **Deputy Michael McGrath** asked the Minister for Social Protection the number of RP50 forms received by her in 2008, 2009, 2010 and for each month to date in 2011 from employers accompanied by a letter from an accountant or solicitor stating the employer is unable to pay redundancy to an employee. [26338/11]

297. **Deputy Michael McGrath** asked the Minister for Social Protection the number of redundancies notified to her for each of the years 2008, 2009, 2010 and for each month to date in 2011. [26339/11]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 291 and 295 to 297, inclusive, together.

I will arrange to have the information requested compiled and made available to the Deputy shortly.

### Social Welfare Benefits

292. **Deputy Bernard J. Durkan** asked the Minister for Social Protection, further to Parliamentary Question No. 383 of 14 September 2011, the medical criteria to be satisfied in order to qualify for disability allowance in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [26328/11]

**Minister for Social Protection (Deputy Joan Burton):** In order to satisfy the medical conditions for receipt of disability allowance a person must be suffering from an injury, disease, congenital deformity or physical or mental illness or defect which has continued or may reasonably be expected to continue for a period of at least a year and as a result of the condition the

person is substantially restricted in undertaking work which would otherwise be suitable having regard to the person's age, experience and qualifications. When conducting an assessment, the medical assessor does not dispute the existence of the certified cause of incapacity but rather s/he assesses the duration of the illness and the degree to which the loss of function in work-related activities, resulting from the disease or injury, affects the person's ability to perform either their own job or alternative types of work.

In this case the person concerned applied for disability allowance on 4 February 2011. Her claim was referred to one of the department's medical assessors who was of the opinion, based on the information furnished by the person's doctor on the application form, that the person was not medically suitable for disability allowance. The deciding officer accepted this opinion and the claim was refused and the person was notified in writing of this decision on 9 May 2011. Further medical evidence was received and referred to a medical assessor who again expressed the opinion that the person was not medically suitable for disability allowance. Accordingly, the original decision to refuse the claim was confirmed by the deciding officer and the person was notified in writing of this on 23 August 2011.

### **Social Welfare Appeals**

293. **Deputy Dessie Ellis** asked the Minister for Social Protection if she will review the waiting lists for disability allowance hearings in view of the fact that there is a 14 month waiting list. [26330/11]

**Minister for Social Protection (Deputy Joan Burton):** I am informed by the Social Welfare Appeals Office that the number of appeals waiting to be processed at present is 17,992 (a reduction of some 2,809 (since September 2010), of which 3,128 refer to disability allowance. These figures must be seen against a background where there has been a very significant increase in the number of appeals received in the Social Welfare Appeals Office since 2007 when the intake was 14,070 to 32,432 in 2010. Current indications are that, while there now appears to be a slight drop in the number of appeals being received in 2011, the annual intake is still likely to be close to 30,000 for the year.

In an effort to reduce the backlog of appeals, the Department made 9 additional appointments to the office earlier this year. These assignments augment the 3 appointments made to the Office in 2010, bringing the total number of Appeals Officers serving in the office to 29. Some 3,000 cases, registered prior to 31/12/10, have been ring fenced and a team of 10 of the Office's most experienced Appeals Officers have been freed from all other work in the Office and will concentrate on clearing this backlog. This project commenced on July 1st.

In addition to these measures, more emphasis is now placed on dealing with appeals on a summary basis so as to increase productivity. As a result, the number of appeals dealt with by way of oral hearing was reduced from 42% for the first 6 months of 2010 to just over 30% for the same period in 2011. As a result of the various initiatives taken, 22,226 decisions were made by Appeals Officers in the first eight months of 2011, in comparison to 17,184 for the same period in 2010. Overall, it is expected that the increase in the number of decisions being made by Appeals Officers will continue and this, combined with the slight reduction in the numbers received should lead to on-going reductions in the backlog of appeals.

The Deputy asks about two cases as an addendum to his question; one case received on 18 January 2011 is listed for an oral hearing since 6 August 2011 and there is no appeal registered for the other. In relation to the first person mentioned in your Parliamentary Question, following a review of his continued entitlement to disability allowance, his payment was stopped as

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he was deemed to be no longer medically suitable for disability allowance. He subsequently appealed this decision to the Social Welfare Appeals Office.

In relation to the second person mentioned in your Parliamentary Question, this lady applied for disability allowance on 4 February 2011. Her 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 her claim was refused and the person was notified in writing of this decision on 15 July 2011. Further medical evidence has now been received in this case and has been referred to one of the department's medical assessors for their opinion. The person concerned will be notified shortly of the outcome of the review.

### Social Welfare Benefits

294. **Deputy Michael Creed** asked the Minister for Social Protection the reason a person (details supplied) in County Cork has been refused the back to school clothing and footwear allowance; and if she will make a statement on the matter. [26331/11]

**Minister for Social Protection (Deputy Joan Burton):** The Back to School Clothing and Footwear Allowance (BSCFA) scheme operates from the beginning of June until the end of September each year. Those customers who did not receive an automated payment are required to complete and return an application form to the Department. 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 is outlined to customers.

The person concerned was refused BSCFA as he does not have a qualifying payment. The person concerned can request a review by contacting the BSCFA review section in Letterkenny. Details on how to request a review are available on the Department's website at [www.welfare.ie](http://www.welfare.ie) or on the refusal letter that has been provided to the applicant.

*Questions Nos. 295 to 297, inclusive, answered with Question No. 291.*

### Social Welfare Appeals

298. **Deputy Pat Breen** asked the Minister for Social Protection when a decision will issue to a person (details supplied) in County Clare; and if she will make a statement on the matter. [26344/11]

**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 28 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 19 September 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.

*Question No. 299 answered with Question No. 221.*

### Flood Relief

300. **Deputy Seán Kyne** asked the Minister for Social Protection if she has received a file from the Office of Public Works in relation to the relocation request of a person (details supplied) in County Galway whose home was damaged through flooding in 2009, has since been at serious risk of further flooding and who has been unable to obtain a reasonably priced quote for home insurance or any insurance at all to cover flooding; and when a decision will issue on the relocation of said person. [26366/11]

**Minister for Social Protection (Deputy Joan Burton):** The Government has provided various types of support to people affected by the November 2009 flooding. Humanitarian Aid payments were made, both in the immediate aftermath of the flooding and subsequently to enable eligible households to resume living at their home. Flood relief works were also undertaken in some of the affected areas and other works are at an advanced state of preparation. Discussions also took place with representatives of the insurance industry regarding giving households access to appropriate house insurance at a reasonable cost.

Subject to certain conditions the Government also decided to provide support to a small number of families who are continuing to experience significant housing problems as a result of the November 2009 flooding and are considering the possibility of relocating rather than resuming living at their original home. The household of the person concerned and all of the other households have been visited by officials from the Department and reports of their individual circumstances have been completed. The Department has received a report from the Office of Public Works in relation to the house of the person concerned and expects to be in a position to make a decision on the case shortly.

### Social Welfare Benefits

301. **Deputy Barry Cowen** asked the Minister for Social Protection the reason for the 15 week waiting list for the processing of family income supplement applications by her and the steps being taken by her to reduce this waiting period. [26371/11]

**Minister for Social Protection (Deputy Joan Burton):** The Department is committed to providing a quality service to all its customers. This includes ensuring that applications are processed and that decisions on entitlement are made as quickly as possible. The average waiting time for new family income supplement (FIS) claims at the end of August is 18 weeks. The waiting time for renewal FIS claims is currently between 4-5 weeks. The volume of FIS claims on hands and the delays in processing are a consequence of continued strong claim intake.

The Department has introduced a number of measures to address the efficiency of claim processing for FIS in light of the current waiting times:

- Existing processes and procedures are reviewed on an ongoing basis with the explicit objective of reducing delays in claim processing;
- Priority is being given to renewal claims to preserve continuity of payment;
- The ongoing staffing requirement is being kept under review in light of the continued strong claim intake;
- Additional temporary staff have been recruited to help reduce the backlog;
- Overtime working is being applied where feasible;

These measures are aimed at reducing the number of claims on hand and the average waiting time for a decision. The position is being closely monitored and kept under review by the Department.

### Departmental Strategy Statements

302. **Deputy Barry Cowen** asked the Minister for Social Protection if the Department has submitted a strategy statement to her, as specified under the 1997 Public Service Management Act and, if so, will she publish the statement. [26402/11]

**Minister for Social Protection (Deputy Joan Burton):** On September 8th 2011 a draft Statement of Strategy was submitted to me as required under the 1997 Public Service Management Act. The Statement of Strategy is currently being finalised and will be published in accordance with the provisions of that Act.

### Civil Registration Act

303. **Deputy Anthony Lawlor** asked the Minister for Social Protection when she expects the general review of the provisions of the Civil Registration Act 2004 to be completed, which will address the current situation whereby Irish citizens who die abroad cannot have their deaths registered in Ireland; and if she will make a statement on the matter. [26426/11]

**Minister for Social Protection (Deputy Joan Burton):** A general review of the provisions of the Civil Registration Act, 2004 is on-going and is expected to be completed later this year. Usually, when an Irish citizen dies abroad, the death is registered by the civil authorities of the place where the death occurred, and a certified copy of the death registration is obtainable. This certificate, translated if necessary, is normally sufficient for all legal and administrative purposes here and for these reasons alone there is no necessity for the death to be registered in the State.

Any broadening of the current provisions will require careful consideration. It will be appreciated that the number of people who live and die in other countries and who have or are entitled to have Irish citizenship is very large. This would have implications both for the registration process itself and for the vital statistics relating to deaths which are derived from registered events.

A death certificate is readily available in the overwhelming majority of these cases. However, I do appreciate that many families of the deceased feel strongly that by registration of the death, the person's death is given recognition in his/her own country and also that this fact would assist during a period of considerable grief. My Department will therefore have this matter reviewed in the context of future amendments to the Civil Registration Act, 2004.

### Architectural Heritage

304. **Deputy Gerald Nash** asked the Minister for Arts, Heritage and the Gaeltacht if his attention has been drawn to the state of disrepair of the historic Castleblayney courthouse building; if his attention has been drawn to any plans by Monaghan County Council to restore this building with a view to turning it into a facility for community use; and if he will make a statement on the matter. [26308/11]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** Under Part IV of the Planning and Development Acts 2000-2010, statutory protection of the architectural heritage is primarily a matter for each planning authority. As part of this Act, the Minister for Arts, Heritage and the Gaeltacht is a statutory consultee on any proposed development that may have an impact on the built or natural heritage. However, final decisions on development applications are a matter for the relevant planning authority or An Bord Pleanála on appeal.

In November 2006, under the 2000 Act, Castleblayney Town Council referred a planning application for works at the courthouse building to my Department. In January 2007 the Town

Council granted permission for the proposed works with a number of conditions. It appears that Monaghan County Council has yet to commence works on foot of the permission granted.

Castleblayney Courthouse is included on the Record of Protected Structures provided for under the Act and is owned by Monaghan County Council but is located in the area under the planning remit of Castleblayney Town Council. Accordingly both Councils as owner and planning authority have responsibilities for the protection of the building. I understand that an application for funding for Castleblayney Courthouse was submitted to the Heritage Council by Monaghan County Council under the Heritage Managements Grants Scheme in 2011, but was not successful. The Heritage Council will shortly be accepting applications under the Heritage Management Grants Scheme for 2012.

### Departmental Staff

305. **Deputy Noel Grealish** asked the Minister for Arts, Heritage and the Gaeltacht the number of employees in his Department who have expressed an interest in retiring ahead of the changes to the public sector pension schemes that are to come into force in 2012. [25779/11]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** I am advised that, to date, thirteen employees of my Department have formally expressed an interest in retiring before the end of February 2012. While I understand that a number of other staff have made preliminary enquiries about retirement, my Department does not maintain records of such cases. As the Deputy will appreciate, enquiries of that nature may not necessarily result in retirements taking place during the period in question.

### National Monuments

306. **Deputy Gerald Nash** asked the Minister for Arts, Heritage and the Gaeltacht if he will clarify his plans for the national record of monuments and places in view of the reported suggestion that all post-1700 archeological and historical structures and sites be delisted; and if he will make a statement on the matter. [25948/11]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** I can assure the Deputy that there are no proposals to remove the protection of the National Monuments Acts from any category of monument. My Department's National Monuments Service is reviewing the policy for including monuments in the Record of Monuments and Places (RMP) because the current RMP, drawn up more than 10 years ago, is not consistent across all counties, where post-1700 AD monuments are concerned.

The objective of this current review is to bring about greater consistency across the board. This is only one element of a wider strategy to improve the management, protection, presentation and appreciation of Ireland's unique archaeological heritage. We are working to provide high quality, accurate and accessible information through our dedicated website *www.archaeology.ie*. A comprehensive new Monuments Bill is also being drafted to consolidate, modernise and improve the legislative code for the protection and regulation of our archaeological heritage. In addition, we are developing detailed guidance on archaeological best practice and procedure based on comprehensive recommendations from an expert review group that has been engaged in an intensive examination of practice over a number of years.

There are obviously issues that will arise as to how, and under which legislation, certain structures should be best protected. There is no question, however, of the current Record of Monuments and Places being revised until we have completed the review. When draft policy and criteria for updating the RMP have been developed, the Department of Arts, Heritage and the Gaeltacht will consult with interested parties before any decisions are made.



### Departmental Staff

307. **Deputy Anne Ferris** asked the Minister for Arts, Heritage and the Gaeltacht notwithstanding the Civil Service circular No. 28, if he will provide a list of the current pay of each senior civil servant from higher executive officer to Secretary General in his Department broken down by grade; the pension entitlements of each and any other emoluments they are entitled to receive upon reaching retirement; and if he will make a statement on the matter. [26230/11]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** Civil servants in my Department are recruited and paid in accordance with Civil Service norms and it is not the practice to provide details of individuals' remuneration. The breakdown of staff in my Department at the grades described by the Deputy is set out below:

Grade	
HEO, AO and equivalent Professional & Technical Grades:	153
APO and equivalent Professional & Technical Grades:	89
PO and equivalent Professional & Technical Grades:	17
Director:	2
Assistant Secretary:	3
Secretary General:	1

Individual salaries are in accordance with the appropriate point of the relevant pay scale for each staff member, depending on whether they joined the Civil Service before or after 5 April 1995. Under the terms of the Civil Service Superannuation Schemes, retiring staff are entitled to a lump sum payment and a retirement pension which is based on their length of service and final pensionable remuneration. Further details regarding retirement benefits for civil servants are available at [www.cspensions.gov.ie](http://www.cspensions.gov.ie).

Retiring staff receive a retirement lump sum of 3/80ths of pensionable remuneration for each year of reckonable service, subject to a maximum of  $1\frac{1}{2}$  times pensionable remuneration. In general, staff who were recruited prior to April 1995 and pay the modified rate of PRSI receive a pension of 1/80th of pensionable remuneration per year of reckonable service, subject to a maximum of 40 years. Staff who were recruited after April 1995, receive a pension which is integrated with the State Pension (Contributory). The formula for the calculation of the pension is 1/200th of pensionable remuneration up to 31/3rd times the State Pension, and 1/80th for pensionable remuneration in excess of this limit, per year of reckonable service, subject to a maximum of 40 years.

TLAC retirement terms may be applied to retiring Secretaries General, subject to certain conditions. I understand that those terms are currently under review for future appointees.

### Departmental Strategy Statements

308. **Deputy Robert Troy** asked the Minister for Arts, Heritage and the Gaeltacht if his Department has submitted a strategy statement to him, as specified under the 1997 Public Service Management Act; and if so, if he will publish this statement. [26405/11]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** A draft Statement of Strategy 2011-2014 for my Department, which has been prepared in accordance with the requirements of the Public Service Management Act 1997 and the Guidelines on Strategy

Statements issued by the Department of the Taoiseach, has been submitted to me. As required under the Act, it sets out my Department's proposed strategies, outputs and objectives in its key policy areas for the next three years. The draft Strategy Statement was prepared following a publicly advertised consultation process, as well as consultation with other Government Departments, key stakeholders and customers. The Statement of Strategy will be published on my Department's website in due course, following its approval.

### **National Library**

309. **Deputy Seán Kyne** asked the Minister for Arts, Heritage and the Gaeltacht if, following the meeting with an organisation (details supplied) on 7 September 2011, he will confirm if the National Library will be undertaking centralised responsibility for genealogical data collection and digitisation. [26417/11]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** I refer the Deputy to my reply on 14th September, 2011 on this matter. I held a full day seminar on 7th September with representatives from a wide range of organisations with an interest in genealogy matters. A representative from the Family History Centres in each county was invited, the majority of which attended on the day. Each organisation which attended was given an opportunity to make a presentation that outlined their views on the issue of digitising genealogical records and maximising the potential of roots tourism. This involved some 30 presentations being made over the course of the day. I am still considering the views of the various organisations on this important issue.

### **Transport Fuels**

310. **Deputy Peter Mathews** asked the Minister for Communications, Energy and Natural Resources if bio-fuel is available at petrol pumps here for private use; and if he will make a statement on the matter. [26153/11]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** The Statutory Biofuel Obligation Scheme was introduced in 2010 in order to deliver on the mandatory EU target of 10% renewable energy in transport by 2020. This scheme requires suppliers of road transport fuels to include a certain percentage of biofuel across their general fuel mix. This percentage is currently set at 4 per cent. Since the biofuels obligation came in to force on 1 July 2010, industry figures show that the obligation level has been met and slightly exceeded by industry, across all retail petrol outlets.

### **Onshore Exploration**

311. **Deputy Tony McLoughlin** asked the Minister for Communications, Energy and Natural Resources his views on whether there is no integrated approach to monitoring or regulation of any onshore gas extraction process, for example, hydraulic fracturing, under current legislation, and if licences are granted in the future to proceed to exploration stage, if he will become proactive rather than reactive; and his plans to set up a working group to explore the impact of such a proposal on the landscape of the north west. [26419/11]

312. **Deputy Tony McLoughlin** asked the Minister for Communications, Energy and Natural Resources his views on whether there is at present no integrated approach to monitoring or regulation of any onshore gas extraction process, for example, hydraulic fracturing, under current planning or environmental legislation. [26421/11]

329. **Deputy Tony McLoughlin** asked the Minister for Communications, Energy and Natural Resources his views on whether there is no integrated approach to monitoring or regulation of any onshore gas extraction process, for example, hydraulic fracturing, under current legislation; and if he will now become proactive rather than reactive if licences are granted in the future to proceed to exploration stage. [26418/11]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** I propose to take Questions Nos. 311, 312 and 329 together.

I can inform the Deputy that my Department has not received applications for, nor licensed the use of exploration drilling or hydraulic fracturing in the Irish onshore and accordingly the monitoring of this activity does not arise at this time. Earlier this year, my Department granted onshore Licensing Options to three companies over parts of the North West Carboniferous Basin and the Clare Basin. The Licensing Options are designed to allow the companies assess the natural gas potential of the acreage largely based on studies of existing data from previous exploration activity. This work is largely office/desktop based and does not involve exploration drilling or hydraulic fracturing.

By the end of the Option period in February 2013, the companies will have to decide whether to apply for a follow-on exploration licence or relinquish the acreage. I have made it clear that in the event any of the companies involved decide to apply for an exploration licence that proposed the use of hydraulic fracturing, the application would have to be set out in detail and be supported by an environmental impact statement. The application would then be the subject of an environmental impact assessment which would include a public consultation phase.

The environmental impact assessment would be broad and consider a range of potential impacts including an assessment of the potential visual impact of the proposed works on the landscape. My Department would also consult with other relevant statutory authorities such as the Environmental Protection Authority, the National Parks and Wildlife Service and local authorities before reaching any decision. In the event of a commercial discovery, the principal authorisations required from my Department for a gas production project would be a Petroleum Lease and approval of a Plan of Development. The Plan of Development would set out the basis for the project and the rationale for the selection of the appropriate development option.

The Plan of Development would also be subject to an Environmental Impact Assessment, including a public consultation phase. A future petroleum production project would also likely involve consents from other statutory authorities including the Commission for Energy Regulation, the Environmental Protection Agency and the planning authorities. This consent framework provides for a comprehensive assessment of such a project.

### **Telecommunications Services**

313. **Deputy Patrick O'Donovan** asked the Minister for Communications, Energy and Natural Resources the position regarding the uptake of the rural broadband initiative; and if he will make a statement on the matter. [25638/11]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** The Application Phase of the Rural Broadband Scheme closed on 29 July 2011. Almost 5,000 applications have been received. My Department is currently processing approximately 1,200 of these applications where address details need to be clarified — this is a time consuming exercise but the aim is to clear these applications over the coming weeks.

The next step in the scheme is the Verification Phase, in which the Department will give internet service providers the opportunity to serve the applicants under normal commercial terms. Subject to agreement with the companies concerned, the Verification Phase should be carried out over the period October-January 2012. We would expect that some of the applicants under the Scheme will be offered a service by these companies during this phase.

The procurement process is expected to commence in parallel to select a service provider to offer a service to remaining applicants once the Verification Phase has been completed. My Department expects to identify the preferred supplier by the end of January 2012 and pending contract negotiations a service provider will be appointed by mid-February 2012. Roll out of the service under the Scheme is expected to be completed by the end of 2012.

### **Onshore Exploration**

314. **Deputy Maureen O’Sullivan** asked the Minister for Communications, Energy and Natural Resources the position regarding the licences granted to companies to explore for methane gas using the process of hydraulic fracturing; the consultation process for residents and communities and public representatives; the situation regarding planning permission and his views regarding the problems experienced internationally with this process. [25658/11]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** I can inform the Deputy that no company currently holds an exploration authorisation that permits exploration drilling onshore, including exploration drilling that would involve hydraulic fracturing.

In February of this year, my Department granted onshore Licensing Options to three companies over parts of the North West Carboniferous (Lough Allen) and Clare Basins. The Licensing Options are for a two year period from March 2011 to the end of February 2013.

The Licensing Options are preliminary authorisations and are different to exploration licences. The purpose of these authorisations is to allow the companies assess the natural gas potential of the acreage largely based on studies of existing data from previous petroleum exploration activity. This work is mainly office/desktop based and does not involve exploration drilling or hydraulic fracturing.

By the end of the Option period in February 2013, the companies will have to decide whether to apply for a follow-on exploration licences or relinquish their acreage. In the event that any of the companies involved decide to apply for an exploration licence that proposed the use of hydraulic fracturing, the application would have to be set out in detail and be supported by an environmental impact statement.

My Department would then undertake a full assessment of the application, including an environmental impact assessment with a public consultation phase. My Department would also consult with other relevant statutory authorities such as the EPA, NPWS, Local Authorities in reaching any decision.

Work under these Licensing Options is at an early stage and it is too soon to conclude whether or not these authorisations will proceed to the exploration licence stage let alone to anticipate a petroleum project that would require planning permission. I am aware of environmental concerns relating to hydraulic fracturing and have made clear that any future application proposing the use of this technology will be subject to an environmental impact assessment before any decision is made.

### Alternative Energy Projects

315. **Deputy Maureen O’Sullivan** asked the Minister for Communications, Energy and Natural Resources the basis on which he intends to extend the REFIT scheme; if he will facilitate discussion on this matter; and if he will make a statement on the matter. [25660/11]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** The renewable energy feed in tariff scheme known as REFIT is a scheme to support new renewable generation.

State Aid applications have been submitted to the European Commission to continue to offer REFIT for existing renewable energy categories and to extend the scheme to cover additional biomass categories. It is intended that REFIT will be available for up to 310MW of new generation in the biomass categories including biomass CHP and Anaerobic Digestion, which is intended to stimulate renewable generation in that sector.

State Aid approval for up to 4000MW in the onshore wind, hydro and landfill gas categories is being sought. This amount is sufficient to cover new Gate 3 renewable generation projects which are necessary for the achievement of Ireland’s legally binding renewable energy target.

My Department will advise the renewable energy sectors of the terms and conditions approved by the Commission for the REFIT schemes as soon as the State Aid application is approved.

### Transport Fuels

316. **Deputy Noel Harrington** asked the Minister for Communications, Energy and Natural Resources if his attention has been drawn to the increased reports of excessive wear and damage to motor and agricultural vehicles engines being linked to the components of the bio-fuels being added to diesel fuel products; and if he will make a statement on the matter. [25707/11]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** The only function I have in regard to biofuels relates to the Statutory Biofuel Obligation Scheme. The biofuel obligation applies to fuel for road transport only and does not apply to diesel used for “off-road” motor vehicles such as those used in the agricultural sector. Issues relating to fuel quality in the context of minimising our pollution emissions are a matter for the Minister for the Environment, Community and Local Government.

The National biofuel obligation level is currently set at 4 per cent on average for road transport fuel. This level is set to ensure that the fuel is fully compliant with the European EN590 standard for diesel and the European standard EN228 for petrol. These fuel standards are accepted by all makes and models of on-road vehicles.

### Proposed Legislation

317. **Deputy John Deasy** asked the Minister for Communications, Energy and Natural Resources his plans to amend the Broadcasting Act 2009 to allow independent music driven stations more flexibility in relation to the minimum provision for news and current affairs. [25746/11]

318. **Deputy John Deasy** asked the Minister for Communications, Energy and Natural Resources if his attention has been drawn to the fact that independent music radio stations feel

penalised by the Broadcasting Act 2009 in relation to the provision of current affairs and news content in view of the fact that the national broadcaster can divide the provision over a number of stations and therefore has an unfair advantage; and if he will make a statement on the matter. [25747/11]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** I propose to take Questions Nos. 317 and 318 together.

As the Deputy will be aware, the Broadcasting Act 2009 places specific news and current affairs requirements on sound broadcasters. The Act requires all broadcasters to devote at least 20% of the broadcast day to news and current affairs programming. There are also additional requirements relating to the provision of such programming in peak time. The statutory News and Current Affairs requirements make an important contribution to the achievement of diversity and plurality for Irish audiences.

No amendment to the Broadcasting Act 2009 of the type suggested by the Deputy is required as the Act permits the Broadcasting Authority of Ireland (BAI) to agree to a derogation from these requirements, whereby the broadcaster can provide less news and current affairs content than that required by the Act. In doing so, the BAI must have regard to the interests of the audience. In light of the flexibility that this approach provides for the commercial broadcasters, I do not believe that the legislation puts them at any disadvantage in comparison to RTÉ in this regard. Finally the Deputy should be aware that the BAI recently published their draft Broadcasting Services Strategy (Consultation Document), which is available on the Authority's website [www.bai.ie](http://www.bai.ie). This consultation document suggests a more nuanced approach to considering derogations should be adopted by the Authority. All interested parties were invited to submit views on the Broadcasting Services Strategy by the closing date of 23 September 2011. These views will be taken into consideration by the Authority.

### Departmental Staff

319. **Deputy Noel Grealish** asked the Minister for Communications, Energy and Natural Resources the number of employees in his Department who have expressed an interest in retiring ahead of the changes to the public sector pension schemes that are to come into force in 2012; and if he will make a statement on the matter. [25781/11]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** One employee in my Department will be required to retire before 1 March 2012 upon reaching their compulsory retirement age of 65 while others may retire upon reaching their minimum retirement age of 60 years of age or on actuarially reduced pension terms if they are within ten years of minimum retirement age. Since 11 July 2011, all staff in the civil service who intend to retire on or before 29 February 2012 are required to give 3 months notice of their date of retirement. Accordingly, in advance of the cut-off date of 30 November 2011 and taking account of the many factors that might determine an employee's decision to retire or not, it is not possible to accurately reflect, at this juncture, the number of employees in the Department who will submit a formal notification of retirement.

### Grant Payments

320. **Deputy Clare Daly** asked the Minister for Communications, Energy and Natural Resources the number of persons that have been granted the solar heating grant despite not meeting application deadlines set by SEAI because of extenuating circumstances. [25792/11]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** The Sustainable Energy Authority of Ireland (SEAI) launched the Greener Homes Scheme in March 2006 to support homeowners who wished to install renewable heating technology in their homes. The technologies supported included Biomass, Heat Pumps and Solar Thermal systems.

The scheme closed for applications in May 2011 when solar thermal technology transitioned across to Better Energy: Homes. At that time, just over 29,500 applications for solar technology had been approved. The total number of appeals received from home owners, since the inception of the Scheme in 2006 is 641, which represents less than 2% of applications processed. Of these, 521 appeals were successful.

Under Better Energy: Homes applications can be made online and, for eligible homes, approval is immediate with the homeowner having six months to complete the required work and submit payment documentation. Grants are not paid in cases where the homeowner does not meet the terms and conditions of the scheme.

A further 2,100 solar grant applications have been approved since the launch of Better Energy in May. SEAI advises that it is not yet possible to identify how many applicants have been subsequently awarded a solar heating grant on appeal as the six month deadline for completion of works under the new arrangements has not yet expired. If the Deputy has details of a specific case she wishes to raise, I would suggest that the details are forwarded to the SEAI.

### **Telecommunications Services**

321. **Deputy Michael Creed** asked the Minister for Communications, Energy and Natural Resources his views on the level of Internet service in an area (details supplied) in County Cork; the way this service can be improved in the near future; and if he will make a statement on the matter. [25836/11]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** The provision of electronic communications services is, in the first instance, a matter for private sector service providers operating in Ireland's fully liberalised telecommunications market, regulated by the independent regulator, the Commission for Communications Regulation (ComReg). Broadband services are provided by a number of private service providers over various platforms including DSL (i.e. over telephone lines), fixed wireless, mobile, cable, fibre and satellite.

The Government has undertaken a number of initiatives to bring broadband to those parts of the country where operators have been unable to offer services on a commercial basis. In the case of one such intervention, namely the National Broadband Scheme (NBS), broadband services are available from "3", in all of the 1,028 Electoral Divisions (ED) designated to be covered under the Scheme. This includes the area of Ballydesmond which is located in Williamstown ED.

My Department and its external consultants actively monitor coverage within the NBS areas. The NBS contract guarantees service levels and imposes a service credit regime on "3" with financial consequences in the event that minimum specification service levels are not met. Any NBS customer experiencing problems with the NBS service can contact 3's customer care centre 24 hours a day 7 days a week by phone at 1913 (free of charge). Additionally, a team of field engineers has been established to address NBS specific maintenance issues at customer's premises. My Department has a role when customers have fully utilised the established complaints process. It operates a dedicated NBS mailbox, which NBS customers can contact by

email (nationalbroadbandscheme@nbs.ie ) with any comments or complaints they may have about their NBS service.

As regards future broadband initiatives, 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 customer access to every home and business in the State. In June of this year I convened the Next Generation Broadband Taskforce which I chair and which also comprises the Minister of State with responsibility for NewERA, Mr. 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. I expect that the Taskforce will help to identify the optimal policy to deliver wider customer access to high-speed broadband generally, including in areas in county Cork, and thereby assist in delivering on the commitment in the Programme for Government.

### **Mobile Telephony**

322. **Deputy Pearse Doherty** asked the Minister for Communications, Energy and Natural Resources the number of mobile phone masts here. [25987/11]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** Authorisation to operate wireless equipment in the provision of communications services to the public is a matter for the Commission for Communications Regulation (ComReg). ComReg has advised me that the authorisation process does not distinguish between wireless equipment located on buildings and equipment located on telecommunications masts. In addition, in the case of telecommunications masts, these may be shared by two or more authorised service providers. ComReg is not in a position, therefore, to calculate the number of telecommunications masts in any region. Additionally, where the construction of telecommunications masts requires planning permission, such matters are appropriate to the planning authorities. I have no function in either of these processes.

### **EU Directives**

323. **Deputy Mary Lou McDonald** asked the Minister for Communications, Energy and Natural Resources if he has applied to the EU for a derogation from the EU Electricity Directive. [26006/11]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** My Department is currently finalising the necessary legislation to transpose the transmission network unbundling provisions of Directive 2009/72/EC.

In line with the recent Government Decision and as provided for in the Directive, it will be the responsibility of the Commissioner for Energy Regulation to progress with the European Commission the certification and verification arrangements under Article 9.9 and 9.10 of the Directive which provide, in effect, for a derogation from the transmission system operator unbundling options under the Directive.

### **Telecommunications Services**

324. **Deputy Charlie McConalogue** asked the Minister for Communications, Energy and Natural Resources the timescale for the roll-out of high speed broadband programme for a school (details supplied) in County Donegal; and if he will make a statement on the matter. [26137/11]



**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** The provision of broadband services in schools is in general a matter for my colleague the Minister for Education & Skills. I do, however, recognise the key role that high speed broadband services can play in achieving the objective of a knowledge society.

My Department, in conjunction with the Department of Education & Skills, has successfully implemented a pilot project of 100mbps high speed broadband to 78 second level schools. I am currently engaged with the Minister for Education & Skills on how a phased roll-out of high speed broadband to all second level schools can be implemented.

As the Deputy will appreciate, availability of resources is a key element in the delivery of this goal. It is my objective that in the context of the forthcoming Budget, an agreed programme for a phased roll-out can be put in place. The timescale for individual schools is of course dependent on such a programme being put in place.

### **Departmental Staff**

325. **Deputy Anne Ferris** asked the Minister for Communications, Energy and Natural Resources notwithstanding the Civil Service circular No. 28, if he will provide a list of the current pay of each senior civil servant from higher executive officer to Secretary General in his Department broken down by grade; the pension entitlements of each and any other emoluments they are entitled to receive upon reaching retirement; and if he will make a statement on the matter. [26232/11]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** Under the terms of the Civil Service Superannuation Schemes, retiring staff are entitled to a lump sum payment and a retirement pension which is based on their length of service and final pensionable remuneration. Further details regarding retirement benefits for civil servants are available at [www.cspensions.gov.ie](http://www.cspensions.gov.ie).

Retiring staff receive a retirement lump sum of 3/80ths of pensionable remuneration for each year of reckonable service, subject to a maximum of 1½ times pensionable remuneration. In general, staff who were recruited prior to April 1995 and pay the modified rate of PRSI receive a pension of 1/80th of pensionable remuneration per year of reckonable service, subject to a maximum of 40 years. Staff who were recruited after April 1995, receive a pension which is integrated with the State Pension (Contributory). The formula for the calculation of the pension is 1/200th of pensionable remuneration up to 3 1/3rd times the State Pension, and 1/80th for pensionable remuneration in excess of this limit, per year of reckonable service, subject to a maximum of 40 years .

TLAC retirement terms may be applied to retiring Secretaries General, subject to certain conditions. Those terms are currently under review for future appointees.

As regards the current pay of each civil servant as referred to in the question, the information is not readily available and would take an inordinate amount of time and associated cost to provide.

### **Broadcasting Services**

326. **Deputy Catherine Murphy** asked the Minister for Communications, Energy and Natural Resources his plans to reduce the licensing rates for programme making and special events users of the channel 38 spectrum to help radio microphone users in theatrical productions; and if he will make a statement on the matter. [26368/11]

327. **Deputy Catherine Murphy** asked the Minister for Communications, Energy and Natural Resources his plans to introduce a compensation programme for radio microphone owners to help offset the cost in updating their stock of equipment as they transfer from channel 69 to the new allocated frequency range in channel 38; and if he will make a statement on the matter. [26369/11]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** I propose to take Questions Nos. 326 and 327 together.

The licensing of radio microphones is a matter for the Commission for Communications Regulation (Comreg). I understand that there are currently 49 channels (channels 21 to 69) available for radio microphone use in Ireland in the 470-862 MHz band with the majority of assignments made in channel 69. These channels are made available on a non-exclusive basis and are subject to sharing with existing broadcasting services in this band.

At the International Telecommunication Union World Radiocommunication Conference in 2007 it was agreed that channels 61 to 69 would be made available for mobile services. Subsequently the European Commission in its Recommendation 2009/848/EC recommended that analogue terrestrial TV services switch off in 2012, and that the above channels should be used for electronic communications services. This switchover will facilitate the roll out of high speed mobile broadband to communities across Europe. In complying with this Recommendation channel 69 will no longer therefore be available for radio microphone use. As the Deputy may be aware Ireland's national digital switchover strategy provides for a move to all digital TV services by the end of 2012, with the existing services in the 800 MHz band (including channel 61-69) being switched off at that stage.

I understand that radio microphone manufacturers and suppliers have been aware of the fact that channel 69 would no longer be available for wireless microphone use from the end of 2012. In addition ComReg conducted a public consultation on this matter in April 2010.

The consultation highlighted a number of issues including that in June 2009, the UK Communications Regulator (Ofcom) confirmed Channel 38 (606-614 MHz) as a replacement for Channel 69 (854-862 MHz). In light of the Ofcom decision, and noting that Ireland is a small and open economy and the potential for economies of scale of equipment manufacture and roaming of services, ComReg considered that spectrum for radio microphones should be aligned with spectrum available for radio microphones in larger European markets.

Following consideration of responses received to its consultation, ComReg's view is that it would be appropriate to use a replacement channel aligned with the UK's channel for wireless microphones and it therefore announced in September 2010 that it would make Channel 38 available on an exclusive basis for radio microphone use in Ireland.

I am advised that there will be no increase in the associated licence fees. The current cost of a licence for the possession and use of programme making and special events equipment, including radio microphones, for an event is a €12 administration fee and €12 per piece of equipment. This licence fee was established in 1986 and has remained unchanged since that time. As the Deputy will be aware ComReg is obliged to recover its administrative costs for the management of such licensing schemes. Comreg has no remit in relation to compensation and my Department has no funds for a compensation programme as suggested in the Deputy's question.

### Departmental Strategy Statements

328. **Deputy Éamon Ó Cuív** asked the Minister for Communications, Energy and Natural Resources if the Department has submitted a strategy statement to him, as specified under the 1997 Public Service Management Act and if so, will he publish the statement. [26403/11]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** My Department submitted a draft Strategy Statement for the period 2011-2014 to me recently within the specified statutory timescale.

It is my intention to publish the Strategy Statement in due course, in accordance with the provisions of the Public Service Management Act 1997.

*Question No. 329 answered with Question No. 311.*

### Enterprise Support Services

330. **Deputy Michael McCarthy** asked the Minister for the Environment, Community and Local Government if there are any financial supports available from him to assist in the setting-up of a shared kitchen scheme whereby artisan food producers would have the use of a shared kitchen to assist in producing food; and if he will make a statement on the matter. [25722/11]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The Rural Development Programme 2007-2013 is divided into 4 Axes. Axis 1 deals with competitiveness of the agricultural sector, Axis 2 aims to improve the countryside and environment and the objectives of Axis 3 are to support the diversification of the rural economy and improve the quality of life in rural areas. Axis 4 or the LEADER Axis provides support for the use of a “bottom up” approach to development which ensures that local people are involved in the decision making thereby facilitating sustainable development in a more inclusive way. In Ireland the LEADER approach is used to implement Axis 3 measures.

Funding of €427m is available under Axis 3&4 of the RDP for allocation to qualifying projects up to the end of 2013. The programme provides support to start up enterprises in rural areas and in this context support for shared kitchen facilities could be provided under the Axis 3 measure for Business Creation and Development.

However, the output of such facilities must be compliant with the EU regulations on support for the processing of agricultural products. Basic Agricultural products are listed in Annex 1 to the EC Treaty and are commonly called Annex 1 products. Under the main rural development regulation 1698/2005 support/grant aid for adding value to Annex 1 products is facilitated under Axis 1 of the programme. Therefore any outputs of such shared facilities supported under Axis 3 of the RDP would be required to be non-Annex 1 products.

### Dormant Accounts Fund

331. **Deputy Jim Daly** asked the Minister for the Environment, Community and Local Government the position regarding accessing funding through the dormant accounts; and if he will make a statement on the matter. [25966/11]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The surplus generated by the National Lottery is transferred annually to the Exchequer and is applied to part-fund the Exchequer allocations to a specified range of expenditure subheads across various Votes.

The amount transferred to the Exchequer from the Lottery surplus, together with details of the total Exchequer allocations to the relevant lottery supported subheads are published each year in Appendix 1 of the annual *Revised Estimates for Public Services* which gives a breakdown of allocations by programme.

Individuals or organisations who wish to apply for State funding for specific projects should contact the relevant Government Department or agency in relation to the application process.

### Tax Code

332. **Deputy Paul J. Connaughton** asked the Minister for the Environment, Community and Local Government if a homeowner whose parent has a right of residence in the house until their death is liable to pay the non-principal private residence charge when the home is not a holiday home and is not available for rental; and if he will make a statement on the matter.

[26206/11]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The Local Government (Charges) Act 2009 gives effect to the €200 charge on non-principal private residences. The most important exemption under the Act is for principal private residences. If a person owns a property other than one that they reside in as their principal private residence, then it may be liable for the charge.

The Act defines “owner” at section 1 as “a person . . . who . . . is entitled to receive the rent of the property, or where the property is not let, would be so entitled if it were so let”.

Where a property is willed or gifted to an individual and a right of residence is retained by the original owner or occupier, I have been advised that liability to pay the charge depends on whether the right of residence is exclusive. If the right of residence is exclusive and the owner does not have an entitlement to seek or receive rent, he or she is not an “owner” within the meaning of the Act until that right ceases to affect the property. In such a case, there would be no liability for the charge.

### Community Development

333. **Deputy Maureen O’Sullivan** asked the Minister for the Environment, Community and Local Government the person in the Government who provides political oversight and co-ordination to the work of the area based partnerships in Dublin city in particular and in the greater Dublin area generally; the mechanisms in place to deliver on that oversight and co-ordination; his vision for the work of the area based partnerships in the greater Dublin area over the coming years; and if he will make a statement on the matter. [25653/11]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I assume the Question is referring to Local Development Companies, formerly known as area based partnerships. My Department has no role in relation to the provision of political oversight or in directing the business of Local Development Companies, which are private limited companies. My Department has a role in relation to the provision of guidance on corporate governance arrangements for those companies as well as in ensuring adherence to contractual funding agreements. With regard to corporate governance, Guidelines on the Governance of Integrated Local Development Companies and Urban Based Partnerships were issued by the then Department of Community, Rural and Gaeltacht Affairs, to all companies on 1 October 2007 (with an addendum to the guidelines issued in June 2009). The guidelines were designed to assist the companies with the establishment of the company board structure (including the

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relevant sectors and pillars), and with the prescribed requirements of the Department to enable each Company to ensure eligibility for Departmental and European funding. In addition, the guidelines provided a model Memorandum and Articles of Association, along with a model of Corporate Governance Policy which were adaptable to meet individual requirements. In accordance with commitments in the Programme for Government, the Department has commenced work on aligning local government and local development functions with a view to reducing the duplication of services, providing more efficient and cost effective services for the citizen, and ensuring greater democratic accountability in decision making at a local level. All Local Development Companies, including those serving the Dublin City and greater Dublin areas, will form part of that process.

### **Pyrite Contamination**

334. **Deputy Alan Farrell** asked the Minister for the Environment, Community and Local Government the process in which resident groups will be able to communicate and influence the established panel on pyrite; and if he will make a statement on the matter. [25673/11]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The panel which I have set up to facilitate a resolution on the issue of pyrite contamination in private housing will itself determine an appropriate process of engagement with parties concerned. I am satisfied that every effort will be made, through engagement with the parties, to identify a way forward, and my Department will provide technical and administrative support to the panel.

### **Departmental Funding**

335. **Deputy Seán Ó Fearghail** asked the Minister for the Environment, Community and Local Government the total funding available under the capital loan assistance scheme; the extent to which this fund is committed for 2011; if new projects are envisaged; his plans to continue the scheme in 2012; and if he will make a statement on the matter. [25676/11]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose):** Under my Department's Capital Loan and Subsidy Scheme (CLSS), mortgage finance is provided to approved housing bodies by way of loans from the Housing Finance Agency (HFA) to meet the cost of providing social rented accommodation for low-income families.

Following detailed consideration of the range of social housing supply options available under my Department's Social Housing Investment Programme, and taking account of the recommendations contained in the Report of the Special Group on Public Service Numbers and Expenditure Programmes and in the report on the Strategic Review of the Capital Funding Schemes for Voluntary and Co-operative Housing carried out by independent consultants, a decision was taken in 2009 to wind down the CLSS scheme by end 2011.

Loan finance will be provided by the HFA in 2011 to meet commitments in respect of projects which are currently underway. Current funding of €71 million is being provided this year to meet local authority loan repayments to the HFA and the payment of the annual management and maintenance subsidy to approved housing bodies in respect of projects completed under the CLSS.

As the CLSS has been terminated, local authorities no longer accept applications for new projects. However, certain approved housing bodies may now borrow directly from the HFA for the purposes of providing additional housing units to meet the accommodation needs of persons on local authority housing waiting lists.

Capital funding of up to 100% of the approved cost of projects will continue to be provided to approved housing bodies under my Department's Capital Assistance Scheme for the provision of accommodation for groups with specific categories of housing need such as older people, people with a physical, intellectual or a mental health disability, and homeless persons.

### **Local Authority Loans**

336. **Deputy Olivia Mitchell** asked the Minister for the Environment, Community and Local Government if any release from repayment commitments has or will be granted to persons who took out high fixed interest loans from local authorities back in the 1980s and who are still struggling with repayments though in many cases they have repaid many times a multiple of the original loan; and if he will make a statement on the matter. [25679/11]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose):** I refer to the reply to Questions Nos. 176 and 183 of 22 September, 2011 which sets out the position in this matter.

### **Water and Sewerage Schemes**

337. **Deputy Brendan Griffin** asked the Minister for the Environment, Community and Local Government the position regarding lands required for a sewerage scheme (details supplied) in County Kerry; and if he will make a statement on the matter. [25736/11]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** Kerry County Council, as the relevant local authority, is responsible for the planning and construction of new water and wastewater infrastructure, including the design and locations of all components of a scheme. I have no function in the matter.

### **Community Development**

338. **Deputy Dara Calleary** asked the Minister for the Environment, Community and Local Government if all contracted moneys from Meitheal Forbartha Na Gaeltachta Teo for community projects already completed will be paid; and if he will make a statement on the matter. [25742/11]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** Meitheal Forbartha na Gaeltachta (MFG) was contracted by my Department to deliver the Rural Development Programme (RDP) as well as implementing other programmes on behalf of my and other Departments.

There are complex legal and contractual issues to be resolved and my Department is currently working on both long and short term solutions to ensure the continued delivery of the Rural Development Programme and other programmes in Gaeltacht Areas. My intention is to find a solution that will be efficient and effective and applied at the earliest possible opportunity.

### Departmental Staff

339. **Deputy Noel Grealish** asked the Minister for the Environment, Community and Local Government the number of employees in his Department who have expressed an interest in retiring ahead of the changes to the public sector pension schemes that are to come into force in 2012; and if he will make a statement on the matter. [25784/11]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** To date 8 officials in my Department have expressed an interest in retiring before 29 February 2012.

### Proposed Legislation

340. **Deputy Eric Byrne** asked the Minister for the Environment, Community and Local Government in relation to climate change, if it is envisaged that there will be domestic climate change legislation brought before Dáil Éireann during the lifetime of this Government. [25901/11]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I refer to the reply to Question No. 592 of 14 September 2011 which sets out the position in this matter.

### Planning Issues

341. **Deputy Niall Collins** asked the Minister for the Environment, Community and Local Government the reason persons who have received outline planning permission for which they carried out a test for waste water treatment are now being forced to carry out another water waste treatment test before they can receive full planning permission for their property. [25917/11]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** Article 24 of the Planning and Development Regulations 2001 (as amended) states that an outline application shall, in addition to the requirements of article 22(2), be accompanied only by such plans and particulars as are necessary to enable the planning authority to make a decision in relation to the siting, layout or other proposals for development in respect of which a decision is sought. Article 22(2)(c) requests evidence of site suitability where it is proposed to dispose of wastewater other than into a public sewer.

Where an application for permission is made to a planning authority consequent on the grant of outline permission, the planning authority cannot refuse to grant permission on the basis of any matter which had been decided in the grant of outline permission, provided that the authority is satisfied that the proposed development is within the terms of the outline permission. However, an outline permission does not operate to authorise the carrying out of any development to which the outline permission relates until a subsequent permission has been granted.

My Department will shortly be writing to all Planning Authorities to clarify that, where at outline stage an applicant has carried out a site suitability test which is in compliance with the EPA code of practice, there should be no requirement to carry out a further test at the consequent permission stage.

### Water and Sewerage Schemes

342. **Deputy Niall Collins** asked the Minister for the Environment; Community and Local

Government if there will be a re-registration of septic tanks after the initial registration; and will there be a charge to households for this re-registration. [25958/11]

343. **Deputy Niall Collins** asked the Minister for the Environment; Community and Local Government the overall cost of the septic tank charge on rural Ireland. [25959/11]

345. **Deputy Niall Collins** asked the Minister for the Environment; Community and Local Government if he will introduce a retrofit scheme for septic tanks to assist households with grant aid; and if he has any proposals for such a scheme. [25961/11]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I propose to take Questions Nos. 342, 343 and 345 together.

I refer to the reply to Questions Nos. 1, 2, 6, 8, 15, 28, 38, 44 and 113 of 15 September 2011 which sets out the position in these matters.

344. **Deputy Niall Collins** asked the Minister for the Environment, Community and Local Government if he will propose a review of the 2009 Environmental Protection Agency septic tank code of practice and ensure that a standard is proposed that allows rural people in counties Roscommon, Leitrim, Sligo, Kerry, Galway, Mayo and Limerick to live in their own community. [25960/11]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** Appropriate measures to ensure that waste, which includes wastewater from septic tanks and proprietary waste systems, is recovered or disposed of without endangering human health and without using processes that could harm the environment, have been taken by my Department to address a recent ECJ judgment (C188/08) which found that Ireland was in breach of Article 4 of the EU Waste Directive (2006/12/EC). Implementation of the Environmental Protection Agency's (EPA) new Code of Practice on Wastewater Treatment and Disposal Systems Serving Single Houses which was published in October 2009 is a key measure in this regard.

The Code of Practice sets out comprehensive requirements in relation to the design, installation and maintenance of on-site wastewater systems. My Department issued a circular letter to planning authorities in January 2010 regarding implementation of the EPA's new Code of Practice.

Elements of the Code of Practice relevant to building control have also been provided for in the recently published Technical Guidance Document to Part H (Drainage and Waste Water Disposal) of the Building Regulations as amended by the Building Regulations (Part H Amendment) Regulations 2010 (S.I. No. 561 of 2010).

In this regard, the EPA Code of Practice lays down the technical standards to comply with Ireland's duty of care under Article 4 of the Waste Directive, but in particular to ensure that the disposal of waste via wastewater systems for single dwellings does not give rise to public nuisance, health risk or damage to the environment.

While the Code of Practice may pose engineering and planning challenges in certain parts of the country where soil and geological conditions create very difficult drainage conditions, it also sets out a number of potential technical solutions. These include innovative designs of proprietary wastewater treatment systems, and the consideration of discharges other than to sodden or otherwise unsuitable ground conditions, that can be used to ensure that development on suitable sites can proceed while protecting the environment.



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My Department will therefore continue to work proactively with local authorities in ensuring that the planning system takes proper account of river basin management plans, water quality legislation and new technology in assessing the on-site wastewater treatment and disposal system aspect of proposals for housing to meet the needs of rural communities.

*Question No. 345 answered with Question No. 342.*

346. **Deputy Niall Collins** asked the Minister for the Environment, Community and Local Government in view of the fact that Cavan County Council complied with the European Court of Justice ruling under the waste directive in relation to septic tanks, if he will confirm that persons in County Cavan will be free from the registration and inspections charges; and if persons in County Cavan will be subject to the monitoring scheme. [25962/11]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** My Department, together with the Office of the Attorney General, is finalising the preparation of a Bill to establish a system of inspection of septic tanks and other on-site systems. I expect to bring the Bill to Government in the coming weeks seeking approval for its publication. There are no plans for any exemptions from the requirement for all owners of septic tanks and other on-site wastewater treatment systems to register their systems with the relevant local authority, and to operate and maintain them correctly. There will be a proportionate and risk-based approach to inspections and it is intended that inspections will be targeted to areas where drinking water sources or habitats are likely to be, or have been, impacted upon by septic tank discharges.

### **Local Authority Rates**

347. **Deputy Jim Daly** asked the Minister for the Environment, Community and Local Government if his attention has been drawn to the difficulty that businesses are experiencing in reletting premises that have rates arrears attached from previous tenants which automatically transfer; if the county manager has any discretion in such cases when the arrears are clearly preventing a new tenant from leasing a premises which ultimately leads to an increasing number of vacant units and decreasing revenue streams for the local authorities; and if he will make a statement on the matter. [25977/11]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** Local authorities are under a statutory obligation to levy rates on any property used for commercial purposes in accordance with the details entered in the valuation lists prepared by the independent Commissioner of Valuation under the Valuation Act 2001. The levying and collection of rates are matters for each individual local authority.

Under the 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.

I recognise that these are difficult economic times for many businesses and my Department continues to keep all matters relating to commercial rates under regular review.

### **Water and Sewerage Schemes**

348. **Deputy Brendan Griffin** asked the Minister for the Environment, Community and Local Government further to Parliamentary Question No. 336 of 20 September 2011, when funding will be handed over to Kerry County Council to start work on this project; and if he will make a statement on the matter. [26022/11]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** Kerry County Council has completed its countywide Watermains Rehabilitation Strategy required as part of its water conservation programme. This Strategy identifies specific defective water supply networks requiring rehabilitation and/or replacement. The Council is also identifying works to be included in the Countywide Watermains Rehabilitation Project Phase 1 contract to be progressed and funded under my Department's Water Services Investment Programme 2010-2012 at an estimated cost of €18m.

In July 2011, Kerry County Council submitted an advanced works proposal for watermains replacement to be carried out by direct labour in areas of Killarney. My Department recently approved funding for the advance works in Killarney which are estimated to cost just over €1.8m. It is a matter for the Council to progress these works and I understand that the works have commenced.

### **Alternative Energy Projects**

349. **Deputy Peter Mathews** asked the Minister for the Environment, Community and Local Government his plans to encourage and stimulate the production and use of Irish produced bio-fuels in place of imported petroleum products; and if he will make a statement on the matter. [26102/11]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** My Department has responsibility for fuel quality standards from the perspective of environmental specifications which may be put in place to reduce the polluting effect that certain substances have on the environment when they are emitted into the air. Policy issues concerning energy supply, including the use of domestically produced biofuels, fall outside the remit of my Department.

### **Fire Stations**

350. **Deputy Pearse Doherty** asked the Minister for the Environment, Community and Local Government the progress made to date on advancing the proposed fire station for Bundoran, County Donegal; and if he will make a statement on the matter. [26140/11]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The provision of fire services in local authority areas, including the establishment and maintenance of fire brigades, the assessment of fire cover needs and the provision of premises, is a statutory function of the individual fire authorities under the provisions of the Fire Services Act 1981. My Department supports the fire authorities through setting general policy, providing a central training programme, issuing guidance on operational and other related matters and capital funding for priority infrastructural projects.

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Given the current constraints on public finances, further support from my Department's fire services capital programme to replace Bundoran fire station will have regard to the county council's priorities, the extent of previous investment in Donegal fire services, the location of existing facilities and the value for money offered by proposals, and the totality of requests from fire authorities countrywide.

Continued investment in the fire appliance fleet has been identified as a key national priority for the available capital funds. In that context, I have approved a new programme of joint procurement of 17 fire appliances which will involve fire authorities working together to aggregate demand and provide value for money.

### **Water and Sewerage Schemes**

351. **Deputy Billy Timmins** asked the Minister for the Environment, Community and Local Government the position regarding the Arklow main drainage and sewerage scheme now that the Supreme Court has given the go-ahead for this scheme; and if he will make a statement on the matter. [26142/11]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I refer to the reply to Question No. 570 of 14 September 2011, which outlines the current position on this scheme.

### **EU Directives**

352. **Deputy Pádraig Mac Lochlainn** asked the Minister for the Environment, Community and Local Government if he is concerned that planning applications continue to be adjudicated and decided on since the European Court of Justice ruling, Judgement C/50/09, about Ireland's transposition and implementation of the Environmental Impact Assessment Directive. [26156/11]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose):** On 3 March 2011, the European Court of Justice (ECJ) found against Ireland on all three elements of Case C-50/09 to the effect that Ireland had:

(1) not fully transposed Article 3 of Council Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment, as amended (commonly referred to as the Environmental Impact Assessment (EIA) Directive);

(2) excluded demolition works from the scope of Irish legislation transposing the EIA Directive; and

(3) not fully met its decision-making obligations pursuant to the EIA Directive in relation to projects involving both a land use consent and a pollution control consent.

In respect of (1) above, this issue has been addressed through sections 53 and 54 of the Planning and Development (Amendment) Act 2010, which directly transpose Article 3 of the EIA Directive into Irish planning legislation. Having regard to the wider applicability of Article 3 of the EIA Directive to other consent systems provided for in Irish law, my Department, in consultation with other Departments, is currently in the process of identifying other EIA Directive-relevant legislative consent processes outside the planning system to ensure full and correct transposition of Article 3 in these codes.

In respect of (2) above, building on the legislative amendments contained in the Planning and Development Regulations 2008, the Planning and Development (Amendment) (No. 2) Regulations 2011 provide that the category of ‘works of demolition’ now requires EIA.

In respect of (3) above, my Department is currently examining options for secondary legislation which would prohibit an applicant from submitting a stand-alone environmental licence application to the Environmental Protection Agency (EPA) in certain cases unless it is clearly established that mandatory or sub-threshold EIA is not required in respect of the proposed activity. Alternatively, if EIA is necessary, the applicant would be required to submit a planning application and an Environmental Impact Statement simultaneously with, or in advance of, the environmental licence application.

In the interim, for certain environmental licence applications on hand, an administratively based analysis of such cases is being carried out jointly by the EPA and An Bord Pleanála to identify any situations that would require assessment under the EIA Directive.

Accordingly, I am satisfied that the implications for Ireland of the ECJ Judgement in Case C-50/09 are being properly and expeditiously dealt with so as to ensure full compliance with the EIA Directive.

### **Regeneration Programmes**

353. **Deputy Willie O’Dea** asked the Minister for the Environment, Community and Local Government if he has received proposals from Limerick City Council concerning alterations to the regeneration master plan; when he expects to be in a position to revert to the council on this matter; and if he is treating this as urgent. [26163/11]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose):** The Limerick Regeneration Agencies in conjunction with Limerick City Council are at present finalising the detailed and costed plans for the implementation of Phase 1 of the Limerick Regeneration Programme. These plans, which are currently being considered in draft form by my Department, are the next and necessary step towards delivering meaningful regeneration across the City, providing a road map for achieving the vision for regeneration as set out in the original masterplan. My Department is in contact on an ongoing basis with both the Agencies and the City Council in finalising these plans.

In the interim, the Agencies and City Council are continuing to build on the achievements of the last four years through ongoing support for the programme of social interventions including specific measures to address anti-social behaviour, enterprise promotion initiatives and through the acquisition of land and sites for future regeneration projects. The Agencies recently oversaw the commencement of the first housing construction project at Cliona Park and are working with the City Council to progress a number of other projects over the coming months. The City Council is also delivering an ambitious house upgrading programme which has significantly improved the energy efficiency of almost 400 houses this year. It is hoped to begin a further phase of refurbishments later this year.

### **Election Management System**

354. **Deputy Joe Carey** asked the Minister for the Environment, Community and Local Government his plans to change the system of employing presiding officers and polling clerks for polling stations along the lines of recruitment for census enumerators; and if he will make a statement on the matter. [26189/11]

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

The primary role of my Department in electoral matters is to provide an appropriate policy and legislative framework for a modern and efficient electoral system. Within that framework, local returning officers are responsible for all matters in connection with the actual conduct of elections and referendums, including the selection, appointment and training of polling station and count staff in accordance with the relevant provisions of electoral law.

To assist returning officers, my Department issues guidance to them in advance of each election and referendum. The guidance emphasises that the smooth conduct of polls is dependent on maintaining a cadre of sufficiently skilled and experienced people. Having regard to that overall objective, returning officers are advised to employ competent and efficient persons as polling staff and asked to give consideration, where possible, to employing suitable persons who are unemployed.

**Proposed Legislation**

355. **Deputy Ciarán Lynch** asked the Minister for the Environment, Community and Local Government his plans to amend or review the Building Control Act 2007 to take account of persons who have long practised as architects but who do not meet the requirements of the Act; his plans to provide for an independent investigation into the appropriateness and fairness of the Act as it applies to such persons; and if he will make a statement on the matter. [26220/11]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I refer to the reply to Question No 58 of 24 March 2011 which comprehensively addressed the issues regarding the registration of the title of Architect.

I have recently approved the schedule of fees applicable in respect of the registration of Architects in accordance with the Building Control Act 2007. The fee in relation to candidates who apply for registration under the Technical Assessment route has now been set at €4,500. This is a significant reduction on the figure originally proposed.

I have no plans to review or amend the arrangements for the registration of Architects, as set down under Part 3 of the Building Control Act 2007, along the lines suggested. The Act sought to provide for the registration of the title of Architect in order to protect consumers. There is no question of persons who fail to register through one of the routes to registration provided for in Part 3 of the Act being allowed to use the title of Architect.

**Departmental Staff**

356. **Deputy Anne Ferris** asked the Minister for the Environment, Community and Local Government notwithstanding the Civil Service circular No. 28, if he will provide a list of the current pay of each senior civil servant from higher executive officer to Secretary General in his Department broken down by grade; the pension entitlements of each and any other emoluments they are entitled to receive upon reaching retirement; and if he will make a statement on the matter. [26235/11]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The following table sets out the number of staff serving in my Department from Higher Executive Officer to Secretary General broken down by grade and PRSI Contribution class. The figures include staff who are paid salaries equivalent to that of Higher Executive Officers and

above in my Department, such as architectural inspectors, planning advisers, meteorological officers etc.

Grade	Class of PRSI	Number of Staff Serving
Secretary General	Class B	1
Assistant Secretary and equivalents	Class B	8
Principal Officer and equivalents	Class A	12
	Class B	52
Assistant Principal Officer and equivalents	Class A	74
	Class B	126
Administrative Officer and equivalents	Class A	18
	Class B	11
Higher Executive Officer and equivalents	Class A	83
	Class B	116

The salary scales for these grades are set out in Department of Finance Circular 28/2009, which is available on the Department of Public Expenditure and Reform website — [www.per.gov.ie](http://www.per.gov.ie)

Under the terms of the Civil Service Superannuation Schemes, retiring staff are entitled to a lump sum payment and a retirement pension which is based on their length of service and final pensionable remuneration. Further details regarding retirement benefits for civil servants are available at [www.cspensions.gov.ie](http://www.cspensions.gov.ie). The calculation of individual pension entitlements would take an inordinate amount of time and associated cost to compile and would require assumptions about the potential future retirement decisions of individuals.

TLAC retirement terms may be applied to retiring Secretaries General, subject to certain conditions. Those terms are currently under review for future appointees.

### Remedial Works

357. **Deputy Thomas P. Broughan** asked the Minister for the Environment, Community and Local Government the reason Home Bond is refusing to carry out remedial works at a project (details supplied) in Dublin 15; the reason commitment of 13 October 2010 to carry out these works is not being honoured; and if he will make a statement on the matter. [26249/11]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** HomeBond is a private company providing structural defect insurance cover for new homes and I have no function in relation to the operation of, or decisions made by, the Company.

### Public Contracts

358. **Deputy Peadar Tóibín** asked the Minister for the Environment, Community and Local Government the amount in euro local government contracts were worth to private companies in the years from 2007 to 2011. [26292/11]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The information requested is not available in my Department. It is a matter for each local authority to determine its own spending priorities in the context of the annual budgetary process having regard to locally identified needs and available resources.

359. **Deputy Peadar Tóibín** asked the Minister for the Environment, Community and Local Government the amount, in euro, of the public contracts agreed for 2009 and 2010 that went to small Irish companies ten employees or less, medium 10-50 employees and large Irish companies; and the amount, in euros, that went to non Irish companies.. [26293/11]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** Information requested is being compiled in my Department and will be forwarded to the Deputy as soon as possible.

#### **Local Authority Staff**

360. **Deputy Joan Collins** asked the Minister for the Environment, Community and Local Government the severance lump sum paid to county managers when they retire; the amount of added years of service included when calculating the retirement package for county managers; if other local authority employees are treated in the same manner; and if he will make a statement on the matter. [26294/11]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** There are 5 levels of remuneration for city and county managers ranging from €132,511 for counties such as Carlow and Cavan to €189,301 for Dublin City. These were revised in January 2010 in accordance with Government policy on pay.

Section 147 of the Local Government Act, 2001 deals with the tenure of office of county and city managers. At present, a manager's tenure, at appointment, is for seven years with the possibility of a three year extension if he/she seeks such extension by way of notification to the council in the fifth year of tenure. The retirement age for managers is 65 years.

The pension entitlements of city and county managers are provided for in article 78 of the Local Government (Superannuation) (Consolidation) Scheme 1998.

A manager is entitled to a pension calculated at a rate of 1/80 of pensionable salary per year of service, capped at half of pensionable remuneration and a retirement lump sum calculated at a rate of 3/80 of pensionable salary per year of service, capped at 1½ times pensionable salary.

Where a manager ceases to hold office before the age of 65, and is not re-employed in a local authority, he/she may, depending on his/her length of service, be entitled to added years of between 5 and 10 years. However, most managers tend to have long service records. The added years cannot bring a managers service beyond 40 years in total and cannot add years beyond the service he or she would have gained had they stayed in office to age 65.

In cases where a manager's tenure expires before he/she reaches retirement age a severance payment of the lesser of half of his/her annual salary on the date of cesser of office or potential earnings had he/she remained in Office to 65 is payable.

Where a manager extends his/her contract by the 3 years but does not serve the full extended period, the special added years and severance gratuity provided for under Article 78 are not applicable.

The provisions of Article 78 only apply to managers; however, certain other local authority grades may have an entitlement to added years under Article 66 of the Local Government (Superannuation) (Consolidation) Scheme 1998.

361. **Deputy Joan Collins** asked the Minister for the Environment, Community and Local Government the year in which the current contract for each of the 34 city and county managers will expire; and if he will make a statement on the matter. [26295/11]

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

Section 147 of the Local Government Act, 2001 deals with the tenure of office of county and city managers. At present, a manager's tenure, at appointment, is for seven years with the possibility of a three year extension if he/she seeks such extension by way of notification to the council in the fifth year of tenure. The retirement age for managers is 65 years.

The information requested regarding the expiry of current contracts for county and city managers is provided in the table.

Local Authority	Expiry date of Manager's contract
Cork City	01/09/2017
Dublin City	06/09/2013
Galway City	Temporary Manager in place
Limerick City	13/04/2013
Waterford City	05/11/2014
Carlow	13/01/2015
Cavan	03/05/2014
Clare	19/04/2016
Cork	18/02/2014
Donegal	07/07/2017
Dún Laoghaire / Rathdown	29/01/2016
Fingal	13/11/2013
Galway	04/07/2014
Kerry	17/06/2014
Kildare	15/04/2014
Kilkenny	19/08/2014
Laois	31/01/2015
Leitrim	05/06/2016
Limerick	08/04/2012
Longford	06/03/2016
Louth	02/09/2014
Mayo	13/05/2017
Meath	03/09/2012
Monaghan	Temporary Manager in place
Offaly	25/02/2014
Roscommon	08/03/2016
Sligo	03/11/2013
South Dublin	02/04/2012
Tipperary North	16/08/2017
Tipperary South	Temporary Manager in place
Waterford	Temporary Manager in place
Westmeath	19/03/2016
Wexford	11/07/2013
Wicklow	07/04/2015

**Waste Disposal**

362. **Deputy Joan Collins** asked the Minister for the Environment, Community and Local Government if his attention has been drawn to the fact that commercial waste collectors have,



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from the 1 September 2011, increased the charge to domestic customers for the collection of 240 litre general waste bins by approximately 15%; if his further attention has been drawn to the fact that commercial waste collectors are claiming the increase is due to the increase in the landfill levy; his plans to alleviate the costs for families and persons on low incomes; and if he will make a statement on the matter. [26296/11]

363. **Deputy Emmet Stagg** asked the Minister for the Environment, Community and Local Government arising from the increase in the landfill levy from €30 to €50 per tonne, whom he envisages paying the additional charge, the customers or waste collection firms. [26302/11]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I propose to take Questions Nos. 362 and 363 together.

Our current reliance on landfill as the primary waste treatment method is unsustainable. Ireland must comply with challenging targets under the EU Landfill Directive with regard to the diversion of biodegradable municipal waste from landfill.

The landfill levy is chargeable on waste presented for disposal at landfill facilities. The increase in the levy to €50 per tonne which I recently introduced is intended to send a strong price signal to the producers, collectors and managers of waste, to deter against unsustainable behaviour and to encourage a shift away from landfill to waste management practices which are more closely aligned with the waste hierarchy. Further increases in the levy are also planned, to €65 per tonne in 2012 and €75 per tonne in 2013. I hope to see significantly improved levels of prevention, recovery, recycling and reuse of waste as a consequence of these increases. Assistance to both householders and businesses in reducing their generation of waste is available through the National Waste Prevention Programme, administered by the Environmental Protection Agency. The latest available data from the Environmental Protection Agency's National Waste Report 2009 state that in that year 0.24 tonnes of household waste per person was sent to landfill. This equates to 0.672 tonnes per household (based on the average Irish household size of 2.8 persons), which would indicate an average increased cost per household of approximately €13.44 per annum due to the change in the landfill levy rate. However, this does not take account of the dissuasive effect of the levy increase referred to above, the intention of which is to encourage prevention and recycling and therefore decrease the amount of waste generated per household which falls subject to the levy, and reduce the impact of the levy increase on waste charges.

As the waste collection market is currently structured, the pricing schemes used by private waste collectors are a matter for determination as between the service providers and consumers of the service, subject, of course, to a service provider's collection permit and other legal responsibilities being complied with. Any consumer who is dissatisfied with the service currently provided to them may consider switching to an alternative service provider, although this may not always be a realistic option in certain areas. The Programme for Government includes a commitment to introduce competitive tendering for household waste collection, under which service providers will bid to provide waste collection services in a given area, for a given period of time and to a guaranteed level of service. Such a system has been associated with reduced costs to householders. A public consultation on the issues involved, designed to inform the policy development process, has recently concluded. The responses received are being examined and I intend to bring policy proposals to Government before the end of the year.

An objective of any such policy will be to help ensure that households and service providers are incentivised to behave in a sustainable fashion — pricing structures more closely aligned with the polluter pays principle are one such method of driving improved environmental performance. The question of how best to meet the needs of low income households will be amongst the principal issues to be considered in finalising household waste collection policy.

### **Private Rented Accommodation**

364. **Deputy Joe Costello** asked the Minister for the Environment, Community and Local Government if his attention has been drawn to reports that certain landlords who have multiple units in houses are reported to be registering fewer tenancies than the actual number of units rented; if the Private Residential Tenancies Board have any means of investigating these reports; if the PRTB are proactive in determining the number of units in houses which are subdivided; and if the PRTB has an established liaison or information sharing procedures with the local authorities to ensure payment of non principle private residence tax. [26311/11]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose):** While 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, I am supportive of the body's efforts to ensure compliance with tenancy registration requirements. My Department has not received any specific reports regarding the matter referred to.

It is a matter for the PRTB to enforce tenancies' registration requirements in accordance with the provisions of the Act, 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. Under section 9 of the Act, a person guilty of an offence is liable on summary conviction to a fine not exceeding €3,000 or imprisonment for a term not exceeding 6 months or both, and daily fines of €250.

The Act makes provision for the exchange of information between the PRTB and the Department of Social Protection, the Revenue Commissioners and local authorities. In the latter instance, the PRTB provides information on a regular basis to local authorities which is used to assist them in the implementation of the charge in respect of Non-Principal Private Residences.

The registration enforcement activities of the PRTB are informed by a variety of information sources including reports from local authorities and members of the public, as well by cross-referencing of PRTB records with those held by the Department of Social Protection regarding landlords in respect of whom rent supplement payments are made.

### **Grant Payments**

365. **Deputy Éamon Ó Cuív** asked the Minister for the Environment, Community and Local Government the arrangement made to issue grant payments approved by Meitheal Forbartha na Gaeltachta to an applicant (details supplied) in County Galway; and if he will make a statement on the matter. [26333/11]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** Meitheal Forbartha na Gaeltachta (MFG) was contracted by my Department to deliver the Rural Development Programme (RDP) as well as implementing other programmes on behalf

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of my and other Departments. I can confirm that both of the applications for funding referred to in the Question relate to the RDP and are at an advanced stage in the application process.

There are complex legal and contractual issues to be resolved and my Department is currently working on both long and short term solutions to ensure the continued delivery of the Rural Development Programme and other programmes in Gaeltacht Areas. My intention is to find a solution that will be efficient and effective and applied at the earliest possible opportunity.

### Local Authority Housing

366. **Deputy Michael McGrath** asked the Minister for the Environment, Community and Local Government if he has compiled information on the level of rent arrears owed by tenants to local authorities around the country; and if he will make this information available.

[26341/11]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose):** My Department has since 2008 collected data on rent arrears owing to local authorities and these data are set out in the table below. Data for 2010 are not yet finalised but it is intended that they will be published on my Department's website, *www.environment.ie*, in due course along with the previous years' data supplied with this response.

Local Authorities	Rent arrears at date specified	
	1st Jan 2008	1st Jan 2009
County Councils		
Carlow	84,873	109,471
Cavan <sup>1</sup>	0	214,556
Clare	375,379	363,279
Cork North	11,238	14,772
Cork South	391,776	397,744
Cork West	210,491	134,063
Donegal	803,777	789,230
Dún Laoghaire Rathdown	1,410,295	2,162,803
Fingal	797,918	787,066
Galway	549,116	526,352
Kerry	234,710	418,520
Kildare	863,458	896,353
Kilkenny	431,555	435,078
Laois	433,205	315,346
Leitrim	113,177	89,067
Limerick <sup>1</sup>	0	442,504
Longford	0	400,275
Louth	90,060	168,595
Mayo	1,022,451	921,180
Meath	640,766	473,250
Monaghan	72,748	70,222
North Tipperary	27,222	20,803
Offaly	278,932	276,969
Roscommon	380,884	370,022
Sligo	220,504	123,418

Local Authorities	Rent arrears at date specified	
County Councils	1st Jan 2008	1st Jan 2009
South Dublin	127,613	5,384,977
South Tipperary	168,869	84,964
Waterford	127,613	135,404
Westmeath	297,438	604,557
Wexford	657,534	675,753
Wicklow	289,913	365,289
<b>TOTAL (1)</b>	<b>11,113,517</b>	<b>16,912,251</b>

Local Authorities	Rent arrears at date specified	
City Councils	1st Jan 2008	1st Jan 2009
Cork	1,428,656	1,558,922
Dublin	14,272,333	13,939,639
Galway	1,342,782	1,567,429
Limerick	770,987	737,000
Waterford	627,790	786,367
<b>TOTAL (2)</b>	<b>18,442,548</b>	<b>18,589,357</b>

Local Authorities	Rent arrears at date specified	
Town Councils	1st Jan 2008	1st Jan 2009
Arklow	66,899	57,843
Athlone	132,946	132,946
Athy	52,908	608,577
Ballina	156,344	135,342
Ballinasloe	24,069	31,343
Birr	9,629	5,932
Bray	81,737	109,950
Buncrana	21,433	38,769
Bundoran	7,279	8,586
Carlow <sup>1</sup>	0	20,268
Carrickmacross	2,968	7,204
Carrick-on-Suir	31,155	40,522
Cashel	26,325	11,294
Castlebar	24,791	19,037
Castleblaney	5,483	9,210
Cavan	231,005	241,787
Clonakilty <sup>1</sup>	0	46,874
Clones	5,490	8,943
Clonmel	23,687	46,962
Cobh	40,292	46,184
Drogheda <sup>1</sup>	0	340,156
Dundalk	359,079	372,057
Dungarvan	154,584	114,083

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Local Authorities	Rent arrears at date specified	
Town Councils	1st Jan 2008	1st Jan 2009
Ennis	46,486	33,720
Enniscorthy	131,646	125,037
Fermoy	21,890	21,098
Kells <sup>2</sup>	0	0
Kilkenny	136,058	131,850
Killarney	9,650	8,721
Kilrush	21,803	19,873
Kinsale	49,776	46,420
Letterkenny	39,012	37,825
Listowel	24,126	29,035
Longford	200,000	130,483
Macroom	3,955	3,732
Mallow	30,665	49,476
Midleton	26,586	18,282
Monaghan	64,419	54,460
Naas	35,176	90,066
Navan <sup>2</sup>	0	0
Nenagh	9,252	13,538
New Ross <sup>1</sup>	0	42,346
Skibbereen	21,311	19,945
Sligo	188,342	219,839
Templemore	2,264	14,388
Thurles	38,663	28,366
Tipperary	18,216	2,000
Tralee	232,562	249,877
Trim <sup>2</sup>	0	0
Tullamore	225,178	278,839
Westport <sup>3</sup>	0	0
Wexford	236,181	199,520
Wicklow	26,489	11,916
Youghal <sup>3</sup>	0	0
TOTAL (3)	3,297,810	4,025,998
TOTALS (1+2+3)	32,853,875	39,527,605

### Departmental Strategy Statements

367. **Deputy Michael McGrath** asked the Minister for the Environment, Community and Local Government if his Department has submitted a strategy statement to him, as specified under the 1997 Public Service Management Act and if so, will he publish the statement. [26396/11]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** As specified under the Public Service Management Act 1997, my Department has submitted to me its draft Statement of Strategy for the period 2011-2014. The finalisation of the Statement

of Strategy will reflect the key policy commitments of the Government including the emerging decisions in the context of the Comprehensive Review of Expenditure currently underway.

It is my intention to publish the Statement of Strategy as soon as all relevant discussions and considerations on the matter have been concluded.

### **Refugee Status**

368. **Deputy Maureen O’Sullivan** asked the Minister for Justice and Equality the position regarding an application for refugee status in respect of a person (details supplied) [25916/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** 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 me on whether such status should be granted. If an application for asylum has been made by the person concerned the Deputy will of course be aware that it is not the practice to comment on asylum applications that are pending.

### **Road Traffic Offences**

369. **Deputy Catherine Murphy** asked the Minister for Justice and Equality his views on whether it is appropriate for private camera speed operators to show a preference for hiring former gardaí to staff their vans; if they should be encouraged to open up the hiring process to make it fairer and more transparent; and if he will make a statement on the matter. [26217/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am informed by the Garda authorities that, in accordance with the provisions of the service agreement for the provision and operation of safety cameras, the service provider is responsible for the recruitment and selection of personnel, ensuring they are qualified to undertake the role assigned to them and providing remedial or renewal training as necessary. An Garda Síochána does not have a direct role in the recruitment and selection process. However, the service agreement provides that the service provider and all sub-contractors must comply with relevant employment legislation and employment regulations.

The service provider undertakes, within the terms of the agreement, to use appropriately experienced, qualified, skilled and trained personnel in the performance and provision of services in accordance with industry standards and applicable laws.

370. **Deputy Catherine Murphy** asked the Minister for Justice and Equality his plans to close the loophole whereby private camera operators are permitted to send summonses by ordinary post, thereby opening up the possibility that a person might claim never to have received the summons in the first place; and if he will make a statement on the matter. [26218/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am informed by the Garda authorities that An Garda Síochána apply to the Courts Service for the issue of summonses, which are served in accordance with the Courts Acts and the District Court Rules. The service provider does not apply for the issue of summonses.

However, An Garda Síochána is also responsible for the issue and service of fixed charge notices for road traffic offences. Currently ordinary post is utilised to serve fixed charge notices, as provided for in section 25 of the Interpretation Act 2005. Where a fixed charge notice is not

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paid, proceedings are instituted for the fixed charge offence by the issue of a summons, which may be by hand, personal service or registered post.

Section 103(10) of the Road Traffic Act 1961 (as substituted) provides that in a prosecution for a fixed charge offence it shall be presumed until the contrary is shown that the relevant fixed charge notice has been served or caused to be served and that a payment pursuant to the relevant notice has not been made.

A number of legislative changes are contained in the Road Traffic Act 2010, which is under the aegis of my colleague the Minister for Transport, Tourism and Sport, relating to the service of a fixed charge notice. These include section 44, which provides that a person who is served with a summons in respect of a fixed charge notice may pay a fixed charge, of an amount 100% greater than the original fixed charge, not later than seven days before the date of the court on which the charge is to be heard. If the person pays the fixed charge, proceedings in respect of the alleged offence will be discontinued and the person need not attend court on the day. The section also provides that where a summons is served in respect of a fixed charge offence evidence the fixed charge notice was not served shall not be a defence to the alleged offence.

### **Violence Against Women**

371. **Deputy Ciara Conway** asked the Minister for Justice and Equality if he will sign the Council of Europe Convention on preventing and combating violence against women and domestic violence European Convention on Preventing Violence Against Women; when same might happen; and if he will make a statement on the matter. [26286/11]

**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.

### **Garda Vetting of Personnel**

372. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the progress made to date in the compilation of the national vetting bureau; and if he will make a statement on the matter. [26322/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** On 27 July, I published the Scheme of a National Vetting Bureau Bill which will provide for the vetting of persons working with children or vulnerable adults. The Bill will provide a statutory basis for the existing system of vetting provided by the Central Vetting Unit of the Garda Síochána. In addition, and in line with the recommendation of the Joint Oireachtas Committee on the Constitutional Amendment on Children, the Bill will also provide for the disclosure of so-called “soft information” for the purpose of the protection of children and other vulnerable persons.

The drafting of the Bill is ongoing with publication expected during the current Dáil session.

### **Citizenship Applications**

373. **Deputy Sean Fleming** asked the Minister for Justice and Equality if an application for

naturalisation will be examined with a view to finalising it at an early date in respect of a person (details supplied) in County Kerry. [25639/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am advised by the Citizenship Division of the Irish Naturalisation and Immigration Service (INIS) that a valid application for a certificate of naturalisation was received from the person referred to by the Deputy in August 2009.

The application is currently being processed with a view to establishing whether the applicant meets the statutory conditions for the granting of naturalisation and will be submitted to me for decision as expeditiously as possible.

The granting of Irish citizenship through naturalisation is a privilege and an honour which confers certain rights and entitlements not only within the State but also at European Union level and it is important that appropriate procedures are in place to preserve the integrity of the process.

I should remind the Deputy that queries in relation to the status of individual Immigration cases may be made direct to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

### **Prison Committals**

374. **Deputy Joanna Tuffy** asked the Minister for Justice and Equality the position regarding a person (details supplied); and if he will make a statement on the matter. [25649/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am informed by the Irish Prison Service that the person referred to by the Deputy has been in custody in the Dóchas Centre, Women's Prison, Mountjoy since 13th September 2011 for being held in Contempt of Court.

The Deputy will appreciate that in such cases the ongoing detention of the person is a matter for the Courts. Consequently it is not open to me to intervene in this matter.

### **Garda Equipment**

375. **Deputy Maureen O'Sullivan** asked the Minister for Justice and Equality if he will report on the arrangement, structures and review processes in place in An Garda Síochána to ensure that value for money is achieved in all areas of Garda procurement; and if he will make a statement on the matter. [25651/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am informed by the Garda authorities that An Garda Síochána adopts a strategic approach to the procurement of goods and services consistent with its Procurement Strategy 2011 — 2012 policy document. The key goals of the strategy are;

- The development of a procurement planning framework
- Maximising the opportunities for entering formalised contracting arrangements
- Participating in wider public sector procurement initiatives
- Developing procurement staff capacity and skills
- Maximising the opportunity to develop and advance e-procurement initiatives.



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The Procurement Section in Garda Headquarters is responsible for procurement of high value/high risk goods and services while local Divisional Procurement Committees are responsible for the procurement of other services such as cleaning, towing and waste management. Furthermore, The Garda Síochána purchases goods and services (e.g. furniture, stationary office equipment, fuel, vehicles and other goods and services) from contracts put in place by the National Procurement Service. The Garda Síochána also participates in joint procurement initiatives with other public bodies e.g. for gas and electricity and maximises the use of the Government e-tenders website to advertise for goods and services.

Garda procurement guidelines and tender documentation ensure a consistent approach to procurement and maximise opportunities for small and medium enterprises to bid for goods and services. The Garda authorities also work closely with officials of my Department and the Department of Public Expenditure and Reform to ensure their approach is consistent with public procurement guidelines and achieves value for money.

### Tribunals of Inquiry

376. **Deputy Michelle Mulherin** asked the Minister for Justice and Equality the details of all tribunals of enquiry commissioned by Government in the past 20 years including for each tribunal, the date of commencement, the date of conclusion, a summary of the terms of reference, the cost to the State in legal and other costs and details of all prosecutions arising in the course of the said tribunals and or arising out of the findings of the tribunals; and if he will make a statement on the matter. [25657/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** I presume that the Deputy is referring to the Tribunals of Enquiry under the Tribunal of Inquiry (Evidence) Act 1921.

As I stated in response to Parliamentary Question No. 384 of 20 September 2011, I can confirm to the Deputy that as Minister for Justice and Equality, “I do not have a role in overseeing or coordinating inquiries undertaken by other Government Departments. Government operates as a collective entity. When significant issues of coordination arise, it is generally agreed at Cabinet which Minister or Department should undertake an oversight or leadership role”.

The information required by the Deputy in relation to Tribunals of Enquiry that have recently come under the remit of my Department is set out in the table:

	Terms of Reference		Date of Commencement	Date of Completion/Projected.
Morris Tribunal	Tribunal of Enquiry into complaints concerning some Gardaí of the Donegal Division.	€59.14 million to end of August 2011.(of which €41.82 million relates to legal costs.	24 April 2002	December, 2008

	Terms of Reference		Date of Commencement	Date of Completion/Projected.
Smithwick Tribunal of Inquiry	To inquire into suggestions that members of the Garda Síochána or other employees of the State colluded in the fatal shooting of RUC Chief Superintendent Harry Breen and RUC Superintendent Robert Buchanan on 20 March, 1989.	€8.84 million including legal costs.	May, 2005	The Tribunal is currently sitting, however, the Terms of Reference were amended in June, 2011 requiring inter alia that the Tribunal conclude it's work and present a final report to the Clerk of the Dáil no later than 30 November, 2011.
Barr Tribunal of Inquiry	To inquire into the facts and circumstances surrounding the fatal shooting of John Carthy at Abbeylara, Co. Longford on 20 April, 2000.	€20.7 million including legal costs.	July 2002	July 2006

The Deputy should note that prosecutions cannot be taken on foot of evidence given in a Tribunal of Enquiry and are a matter for the Director of Public Prosecutions. The Deputy should also note that Tribunals of Enquiry are established by resolution of the Houses of the Oireachtas and the commencement date and the terms of reference are a matter for the Oireachtas and not my Department. The date of conclusion of a Tribunal of Enquiry is a matter for the Tribunal of Enquiry.

### Departmental Funding

377. **Deputy Anne Ferris** asked the Minister for Justice and Equality the amount of State funding the Law Library receives per year; if he will provide a breakdown for the past ten years; and if he will make a statement on the matter. [25668/11]

378. **Deputy Anne Ferris** asked the Minister for Justice and Equality the amount of State funding the Bar Council receives; if he will provide a breakdown of funding for the past ten years; and if he will make a statement on the matter. [25672/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** I propose to take Questions Nos. 377 and 378 together.

I must inform the Deputy that neither the Bar Council nor the Law Library receives State funding.

### Citizenship Applications

379. **Deputy Jim Daly** asked the Minister for Justice and Equality the reason he will not certify a copy of a passport held by him for a prolonged period forming part of an application for naturalisation in order to allow the applicant progress with a driving licence application; and if he will make a statement on the matter. [25683/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** At the outset I would like to advise the Deputy that documents submitted by an applicant as evidence of identity or nationality, or in support of a case to remain in the State, can only be returned to that applicant once the case has had a definitive outcome.

Inssofar as the case referred to by the Deputy is concerned, a copy of a passport submitted by the person concerned during the course of her asylum application was sent to her legal representative on 27th April, 2011. As a matter of policy my Department does not certify such documentation.

The Deputy should note that as the person concerned has not established a right of legal residency in the State, the issue of an application for naturalisation does not arise at this time.

I should remind the Deputy that queries in relation to the status of individual immigration cases may be made directly to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

### **Prison Accommodation**

380. **Deputy Mary Lou McDonald** asked the Minister for Justice and Equality if the recent judicial inquiry recommendations into conditions at Mountjoy Jail, Dublin, with respect to the installation of proper toilet facilities before Christmas will be implemented; and his views on the recent finding that the slopping out practice has been adjudged a violation of the European Convention on Human Rights by the Strasbourg Court. [25704/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am aware of the European Convention on Human Rights finding which relates to a Scottish case. However I have no knowledge of any recent judicial enquiry recommendations on conditions in Mountjoy Prison.

I can assure the Deputy however that the Government is committed to the elimination of slopping out in all prisons and places of detention. The Programme for Government, includes the objective to provide in-cell sanitation to all prisons, and in so far as resources permit, to upgrade prison facilities where possible.

As things stand, I am informed by the Irish Prison Service that 72% of prisoner accommodation has in-cell sanitation at present. This will rise to in excess of 80% when the extension currently under construction in the Midlands Prison is opened in 2012.

A refurbishment project is also nearing completion in the basement of the C-wing at Mountjoy Prison which will result in an additional 36 cells with in-cell sanitation coming on stream by October, 2011. In addition, work has commenced on a project to provide in-cell sanitation in the remaining 74 cells on the same wing which is expected to be completed by the end of the October, 2011. Depending on the findings of a post project appraisal, the Irish Prison Service will consider installing in-cell sanitation facilities in the remaining cells of Mountjoy and indeed to other facilities that do not have in-cell sanitation.

The Irish Prison Service also has toilet patrols in operation until late evening in Mountjoy, Cork and Limerick Prisons with staff rostered to provide this function after final lock in the evenings. Prisoners requesting to use toilet facilities after these times are accommodated where possible. The possibility of extending toilet patrols is being further examined by the Irish Prison Service.

### **Garda Stations**

381. **Deputy Robert Troy** asked the Minister for Justice and Equality the Garda station in Counties Longford Westmeath that he plans to close. [25758/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** I can assure the Deputy and the House that it is a priority for this Government to maintain frontline services at the highest level possible.

I have been advised that the Commissioner is currently carrying out a review of the entire Garda organisation in the context of ensuring that the Force will be in a position to match the deployment of resources to its policing commitments as effectively as possible.

Clearly, an examination of the opening hours and in some cases the viability of Garda stations will form part of this. The issue of the closure of some Garda stations will be a question the Garda Commissioner will have to consider as part of this process. He may have to consider in appropriate cases whether a better policing service could be delivered to a local community by having Gardaí out on patrol instead of in a station.

I look forward to receiving the Commissioner's proposals, which will be aimed at maximising the efficiency of the Garda Síochána, and prioritising the resources available to operational front-line policing services.

### **Departmental Staff**

382. **Deputy Noel Grealish** asked the Minister for Justice and Equality the number of employees in his Department who have expressed an interest in retiring ahead of the changes to the public sector pension schemes that are to come into force in 2012; and if he will make a statement on the matter. [25788/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** As at the current date my Department has received sixteen confirmed notifications of retirement on or before the 29 February 2012 deadline for payment of retirement benefits based on pre-1 January 2010 salary scales. This figure includes three staff who will reach the compulsory retirement age of 65 on or before that date.

Staff in my Department have access to a personal Pension Service Statement (PSS) which facilitates estimation of pension entitlements, without reference to Human Resources Division, by way of the Civil Service Pensions Modeller.

### **Garda Strength**

383. **Deputy Noel Grealish** asked the Minister for Justice and Equality the number of employees in An Garda Síochána who have expressed an interest in retiring ahead of changes to public sector pension schemes that are to come into force next year; and if he will make a statement on the matter. [25791/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** As of Friday, 23 September 2011, 399 members of An Garda Síochána had either left the force or declared their intention to leave the force in 2011. Of this number, 167 are intending to leave in the months of October, November or December. The Garda Code requires that Members intending to retire must give three months notice of doing so and therefore we will have a clearer idea of the final figure for this year's retirements by the end of this month. Similarly, by the end of November of this

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year, we will have a clearer idea of the number of retirements to be taken before the end of February 2012. In addition to the foregoing, 60 civilian staff have already retired this year and five staff have indicated their intention to leave by 29 February 2012. The three month notice period also applies to civil servants and the situation regarding final numbers will become clearer in the coming months.

### Garda Operations

384. **Deputy Dominic Hannigan** asked the Minister for Justice and Equality the average response times for callouts by the gardaí in each district within the Meath division; and if he will make a statement on the matter. [25841/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am informed by the Garda authorities that statistics relating to Garda response times for call-outs in the Meath Division are not readily available as incidents referred to the Divisional Control Room are currently manually recorded.

I have been advised by the Garda authorities that the highest importance is given to emergency calls in the Meath Division and that they are responded to on a priority basis.

The Garda authorities have also informed me that the system for dealing with emergency calls in the Meath Division is kept under on-going review and that they are satisfied that the current service is effective in delivering efficient arrangements to the community.

### Garda Strength

385. **Deputy Charlie McConalogue** asked the Minister for Justice and Equality the total number of garda employed in the Garda Síochána for each year of the past 15 years; the number of Garda stations providing a service in the country in each of the same years; and if he will make a statement on the matter. [25854/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am informed by the Garda authorities that the personnel strength of An Garda Síochána as at 31 December 1997 — 31 December 2010 and 31 August 2011 was as set out in the following table:

Year	Strength
1997	10,968
1998	11,235
1999	11,458
2000	11,640
2001	11,815
2002	11,895
2003	12,017
2004	12,209
2005	12,264
2006	12,954
2007	13,755
2008	14,412
2009	14,547
2010	14,377
2011	14,162

I have been informed by the Commissioner that currently there are 703 Garda stations. The number of Garda stations throughout the country in each of the last fifteen years is not readily available and as soon as the information becomes available, I will contact the Deputy directly.

386. **Deputy Charlie McConalogue** asked the Minister for Justice and Equality the total number of garda employed in the Garda Síochána in County Donegal for each year of the past 15 years; the number of garda stations providing a service in the county in each of the same years; and if he will make a statement on the matter. [25855/11]

387. **Deputy Charlie McConalogue** asked the Minister for Justice and Equality the number of gardaí currently employed in each Garda district in the Donegal Division; and if he will make a statement on the matter. [25856/11]

388. **Deputy Charlie McConalogue** asked the Minister for Justice and Equality the names of those Garda stations currently providing some level of service in each garda district in the Donegal division; the number of garda officers attached to each station; and if he will make a statement on the matter. [25857/11]

389. **Deputy Charlie McConalogue** asked the Minister for Justice and Equality the current opening times for garda public offices in each Garda station within the Donegal North East Dáil constituency or for stations within Garda districts which operate within the Donegal north east constituency; and if he will make a statement on the matter. [25863/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** I propose to take Questions Nos. 386 to 389, inclusive, together.

I am informed by the Garda authorities that the name of each Garda Station, together with its allocated personnel strength, in the Donegal Garda Division as at 31 December 1997 — 31 December 2010 and 31 August 2011 is set out in the following table. The current opening times for the Garda public offices are also listed.

District/Station	'97	'98	'99	'00	'01	'02	'03	'04	'05	'06	'07	'08	'09	'10	'11
<i>Letterkenny</i>															
Letterkenny	90	96	92	93	92	92	101	94	97	119	129	132	123	114	109
Carrigans	12	11	9	8	9	8	7	6	5	5	5	5	5	5	5
Castlefin	18	17	14	10	5	4	4	4	3	3	4	4	4	4	4
Brocach	2	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Newtown-cunningham	3	3	3	3	3	3	3	3	3	2	2	4	4	4	3
Raphoe	5	6	9	9	7	7	6	4	6	4	4	4	4	2	3
Lifford	22	22	19	19	17	15	17	15	14	15	15	13	13	16	16
Ballybofey	20	23	22	20	23	24	23	24	21	21	22	25	23	25	25
Convoy	2	1	2	3	4	4	4	3	3	3	4	3	4	4	4
Total	174	180	171	166	161	158	166	154	153	173	186	191	181	175	170
<i>Buncrana</i>															
Buncrana	36	37	34	33	37	34	35	38	41	51	48	50	49	57	53
Burnfoot	21	19	21	22	19	18	15	13	11	12	14	15	15	5	6
Carndonagh	5	5	5	5	5	5	4	5	6	5	6	5	5	3	4
Clonmany	2	2	3	3	3	3	3	3	3	2	2	1	1	2	2
Malin	2	3	3	3	3	3	3	3	2	3	7	5	4	4	4
Culdaff	1	1	1	1	0	1	1	1	0	0	1	1	0	0	0
Moville	9	10	10	10	9	9	9	8	9	9	9	10	6	6	7
Muff	2	3	2	2	3	4	4	4	6	4	3	4	4	4	4
Total	78	80	79	79	79	77	74	75	78	86	90	91	84	81	80
<i>Milford</i>															
Milford	18	19	20	19	17	20	23	23	23	24	27	31	28	27	28
Carrigart	3	2	3	3	3	3	3	2	3	3	3	3	3	3	3

District/Station	'97	'98	'99	'00	'01	'02	'03	'04	'05	'06	'07	'08	'09	'10	'11
Kerrykeel	3	3	3	3	3	3	3	2	2	2	3	3	4	4	4
Kilmacrennan	2	2	2	3	2	2	2	1	2	2	2	2	2	2	2
Churchill	1	1	1	1	1	1	0	1	1	1	1	1	1	1	1
Dunfanaghy	2	2	2	1	2	2	3	4	3	4	4	4	3	3	3
Craosloch	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Falcarragh	6	6	5	6	7	6	6	6	7	6	6	6	9	8	9
Ramelton	3	4	4	4	4	4	4	4	4	4	4	4	4	4	4
Rathmullen	1	1	1	1	1	1	1	1	1	1	1	1	0	1	1
Total	40	41	42	42	41	43	46	45	47	48	52	56	55	54	56
<i>Glenties</i>															
Glenties	19	20	19	20	18	21	24	24	21	22	27	28	26	29	25
Annagry	1	1	1	2	2	2	2	2	2	2	2	2	1	1	1
Ardara	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
Bunbeag	6	6	6	7	7	5	6	6	6	7	8	7	8	11	12
Burtonport	3	3	2	2	2	2	2	2	3	1	2	2	2	1	1
Clougher	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Doochary	1	1	1	1	1	1	1	0	0	0	0	0	0	0	0
Dungloe	5	4	6	6	6	6	5	6	7	9	8	11	12	9	9
Carrick	2	2	2	2	2	2	1	1	2	2	2	2	2	2	2
Glean Cholmcille	1	1	1	1	2	2	1	1	1	1	1	1	1	0	1
Total	42	42	42	45	42	45	46	46	46	48	54	57	56	57	55
<i>Ballyshannon</i>															
Ballyshannon	35	38	37	35	34	31	32	33	34	36	35	35	35	47	47
Ballintra	3	2	2	2	2	1	1	2	2	2	2	2	2	2	2
Bundoran	14	14	16	15	14	12	11	11	12	12	12	12	10	8	6
Donegal Town	29	29	27	27	34	34	34	33	34	32	34	34	37	34	34



District/Station	'97	'98	'99	'00	'01	'02	'03	'04	'05	'06	'07	'08	'09	'10	'11
Pettigo	13	13	13	12	4	4	2	2	1	1	1	1	1	1	0
Dunkineely	3	2	1	2	2	2	2	1	1	1	1	1	0	0	0
Na Cealla Beaga	6	6	6	6	6	6	7	8	7	7	7	6	6	6	6
Mountcharles	3	3	3	3	3	3	3	2	2	2	2	2	1	1	1
<b>TOTAL</b>	<b>106</b>	<b>107</b>	<b>105</b>	<b>102</b>	<b>99</b>	<b>93</b>	<b>92</b>	<b>92</b>	<b>93</b>	<b>93</b>	<b>94</b>	<b>93</b>	<b>92</b>	<b>99</b>	<b>96</b>
<b>Divisional Totals</b>	<b>440</b>	<b>449</b>	<b>449</b>	<b>436</b>	<b>424</b>	<b>416</b>	<b>424</b>	<b>412</b>	<b>417</b>	<b>448</b>	<b>476</b>	<b>488</b>	<b>468</b>	<b>466</b>	<b>457</b>

District/Station	Mon-Fri	Sat	Sun
Letterkenny	24hr	24hr	24hr
Carrigans	10am-1pm	10am-1pm	10am-1pm
Castlefin	10am-1pm	10am-1pm	10am-1pm
Brocach	10am-1pm	10am-1pm	10am-1pm
Newtown-cunningham	10am-1pm	10am-1pm	10am-1pm
Raphoe	10am-1pm	10am-1pm	10am-1pm
Lifford	10am-1pm	10am-1pm	10am-1pm
Ballybofey	10am-6pm	10am-6pm	closed
Convoy	10am-1pm	10am-1pm	10am-1pm
Buncrana	24hr	24hr	24hr
Burnfoot	10am-1pm	10am-1pm	10am-1pm
Carndonagh	9am-3pm	10am-1pm	closed
Clonmany	7pm-8pm	closed	closed
Malin	6pm-7pm	closed	closed
Culdaff	8pm-9pm	closed	closed
Moville	10am-1pm	10am-1pm	10am-1pm
Muff	10am-1pm	10am-1pm	10am-1pm
Milford	24hr	24hr	24hr
Carrigart	10am-1pm	10am-1pm	10am-1pm
Kerrykeel	10am-1pm	10am-1pm	10am-1pm
Kilmacrennan	10am-1pm	10am-1pm	10am-1pm
Churchill	11am-1pm	11am-1pm	11am-1pm
Dunfanaghy	10am-1pm	10am-1pm	10am-1pm
Craosloch	11am-1pm	11am-1pm	11am-1pm
Falcarragh	10am-1pm	10am-1pm	10am-1pm
Ramelton	10am-1pm	10am-1pm	10am-1pm
Rathmullen	11am-1pm	11am-1pm	11am-1pm
Glenties	24hr	24hr	24hr
Annagry	10am-1pm	10am-1pm	10am-1pm
Ardara	10am-1pm	10am-1pm	10am-1pm
Bunbeag	10am-1pm	10am-1pm	10am-1pm
Burtonport	10am-1pm	10am-1pm	10am-1pm
Clougher	10am-1pm	10am-1pm	10am-1pm
Doochary	10am-1pm	10am-1pm	10am-1pm
Dungloe	10am-1pm	10am-1pm	10am-1pm
Carrick	10am-1pm	10am-1pm	10am-1pm
Glean Cholmcille	10am-1pm	10am-1pm	10am-1pm
Ballyshannon	24hr	24hr	24hr
Ballintra	10am-1pm	10am-1pm	10am-1pm
Bundoran	10am-1pm, 7pm-8pm	10am-1pm, 7pm-8pm	10am-1pm, 7pm-8pm
Donegal Town	24hr	24hr	24hr
Pettigo	10am-1pm	10am-1pm	10am-1pm
Dunkineely	10am-1pm	10am-1pm	10am-1pm
Na Cealla Beaga	10am-1pm	10am-1pm	10am-1pm
Mountcharles	10am-1pm	10am-1pm	10am-1pm

### Illegal Immigrants

390. **Deputy Denis Naughten** asked the Minister for Justice and Equality the scale of undocumented illegal migrants residing here; the steps being taken to address this problem; and if he will make a statement on the matter. [25918/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** A foreign national who is present in the State without permission or in contravention of the terms of a permission is in breach of Irish immigration law. In general, such persons may have entered the State either through covert means or through the use of false documentation at a port of entry or they may have entered lawfully but remained beyond the duration of a permission or have breached the conditions of their permission.

By its nature illegal immigration is clandestine and covert and since illegal immigrants may go to extreme lengths to avoid contact with the immigration authorities, it is extremely difficult to accurately estimate the number of such persons in the State at any given time. Ireland is no different in this regard to any other jurisdiction.

The Irish Naturalisation and Immigration Service in conjunction with the Garda National Immigration Bureau, which is responsible for enforcing immigration law, controlling the States borders and carrying out investigations into illegal immigration and human trafficking, investigates all known instances of illegal migration and as necessary targeted measures to deal with such activity are implemented at both a policy and operational level.

### Asylum Applications

391. **Deputy Robert Dowds** asked the Minister for Justice and Equality the position regarding leave to remain in this country in respect of a person (details supplied). [25919/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** As the name and reference number supplied by the Deputy do not match, it is not possible to definitively identify the person to whom the Deputy is referring to in his Question. However, if the Deputy wishes to contact my Department with the correct details a substantive response will be provided.

In that context, I should remind the Deputy that queries in relation to the status of individual immigration cases may be made directly to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

### Legal Aid Service

392. **Deputy Michelle Mulherin** asked the Minister for Justice and Equality in relation to the persons currently on the waiting list for legal services provided by the Legal Aid Board in each county, the average waiting period for each county; the nature of the cases and the average waiting period for each year since 2006. [25936/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** The Legal Aid Board is a statutory, independent body in accordance with the Civil Legal Aid Act, 1995. The matters raised by the Deputy are a matter for the Board. However, in order to be helpful to the Deputy I have had enquiries made with the Board.

The past three or four years has seen a considerable increase in demand to the Board for legal services and this coincides with the downturn in the economy. In 2007, just over 10,164 persons sought legal services from the Board in relation to general civil (non asylum) matters.

This figure increased to 17,175 in 2010 and I am informed that the number of applicants in the first six months of this year was almost the same as the total number of applicants in 2007. Inevitably, this has created huge pressures for the Board's law centres and its capacity to deliver legal services within a reasonable period of time. As of 1 September 2011 the waiting time in 17 of the Board's 29 law centres was greater than four months. In six of those centres the waiting time was greater than six months. As of 1 September 2011 there were just under 4,500 persons waiting for a first appointment with a solicitor. This compares to 3,153 on 1 January 2011, 2,335 on 1 January 2010 and 1,681 on 1 January 2009.

The Board is committed to ensuring that applicants for legal services receive a substantive appointment with a solicitor within a maximum period of four months. This is consistent with the view expressed by the High Court in the O'Donoghue case. This has been difficult to achieve in a number of the Board's law centres recently. Certain types of case are deemed by their nature to merit the provision of an immediate or near immediate service. Priority cases include those where there are allegations of violence, child custody matters and where statutory deadlines are fast approaching when clients make their first contact with law centres. These comprise some 15% of all applications to law centres. A considerable number of other applications are referred speedily to private practitioners. Thus, up to 40% of all cases receive a very speedy service. In addition, because the Refugee Legal Service operates to strict statutory deadlines every asylum case processed by the Board is a "priority" case by reference to the speed of response from the organisation.

I wish to inform the Deputy that waiting times in each law centre as of 31 December can be found in the Board's annual reports. The most recent published report is for 2009. Waiting times fluctuate depending on demand and the capacity of the law centre or board to offer appointments to new clients at a particular point in time. Waiting times in each law centre as of 31 December can be found in the Board's annual reports. The most recent published report is for 2009.

The following table shows details of the number of persons who are waiting for a first appointment with a solicitor at each of its law centres as of 1 September 2011. The table also, shows the waiting times for each law centre as of 31 December 2010 and 31 August 2011.

Law Centre	Numbers Waiting 01/09/2011	Waiting Times 31/12/2010	Waiting Times 31/08/2011
Blanchardstown	76	6	4
Brunswick St.	206	4	5
Clondalkin	200	5	7
Finglas	125	5	5
Gardiner Street	159	5	6
Tallaght	199	9	11
Popes Quay	285	3	4
South Mall	276	7	6
Cavan	128	5	8
Clare	140	2	2
Donegal	109	3	2
Galway	111	3	3
Kerry	78	4	3
Kildare	233	7	9
Kilkenny	280	3	5
Laois	217	5	7

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Law Centre	Numbers Waiting 01/09/2011	Waiting Times 31/12/2010	Waiting Times 31/08/2011
Limerick	86	3	2
Longford	94	5	5
Louth	0	0	0
Mayo	119	5	5
Meath	139	4	4
Monaghan	105	4	4
Offaly	97	6	4
Sligo	105	5	5
Tipperary	201	7	9
Waterford	134	3	4
Westmeath	136	6	5
Wexford	256	3	5
Wicklow	172	5	5
Total	4,482		

The 2009 annual report indicates that, of the new clients seen in that year 49% sought services in relation to general family law matters including maintenance, custody, access, domestic violence etc, 19% sought legal services in relation to separation / divorce matters, 4% sought legal services where there was a risk of children being taken into State care, 17% sought legal services in relation to asylum and the remaining 11% sought legal services in relation to general civil matters.

The Board has taken a range of measures with a view to addressing the increasing demand for services in a resource constrained environment. These include:

- Increasing the number of cases referred to private solicitors for the purpose of providing a service.
- An advice-only service which facilitates an earlier, brief, meeting with a solicitor where applicants are likely to have to wait in excess of four months for a substantive appointment.
- An integration of the delivery of all services with a view to ensuring the most effective deployment of resources.
- The recent introduction of a pilot integrated mediation initiative in Dublin involving the Board co-locating and co-operating with the Family Mediation Service and the Courts Service. The purpose of the initiative is to offer applicants for legal services alternatives to litigation in the Courts as a better (and from the State's point of view) a more cost-effective means of resolving family law disputes.
- The creation of specialist units for medical negligence and child care services.
- The current development of a new legal case management system that is likely to improve the efficiency of service delivery, the management of risk in the organisation and provide for on-line applications.

The Board has also made use of a very limited exemption from the moratorium in relation to a small number of temporary front-line service delivery positions.

393. **Deputy Michelle Mulherin** asked the Minister for Justice and Equality the amount spent on free legal aid in criminal and civil cases per annum since 2006; and the number of persons availing of same for each year. [25937/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** I wish to inform the Deputy that the Legal Aid Board provides legal aid and advice in civil matters and is a body that is independent from the Minister for Justice and Equality by statute. I am informed that the amount spent on civil legal aid in each year is published in the Legal Aid Board's annual reports, which are laid before the Houses of the Oireachtas and are available to the Deputy in the Dáil library. The 2010 annual report, which is due to be published shortly, shows that the Board received a grant in aid of €24.225 million towards the provision of civil legal aid in 2010, along with funding of €7.967 million for the provision of legal aid in asylum matters. The remainder of the Board's operating expenditure comes from client contributions and costs recovered, which amounted to €1.766 million in total in 2010.

The following table indicates the number of new clients seen in each of the years requested in non-asylum civil legal aid cases, whether by the Board's own solicitors or those engaged on its Private Practitioner panels.

Number of new clients seen	2006	2007	2008	2009	2010
In law centres	5,935	5,743	6,479	7,240	7,069
By private solicitors	1,719	2,306	2,983	4,012	5,279
Total	7,654	8,049	9,462	11,252	12,348

I further wish to inform the Deputy that for criminal legal aid, expenditure in each of the years 2006 to 2011 is as set out in the following table. I am informed that information regarding the number of persons to whom criminal legal aid was granted is not readily available and would necessitate a disproportionate expenditure of staff time and resources to provide. However, to be helpful to the Deputy, the number of certificates granted by the courts in each of the years in question is included.

Year	Expenditure on Criminal Legal Aid € (000)	Number of Certificates Granted
2011 (to 31 July)	34,993	33,225
2010	56,544	55,412
2009	60,338	55,664
2008	55,297	55,265
2007	46,365	46,620
2006	42,093	41,582

394. **Deputy Michelle Mulherin** asked the Minister for Justice and Equality if he will provide a breakdown of the type of civil cases being handled by the law centres for each county for each year since 2006 and in the matter of family law cases if he will distinguish between the numbers of domestic violence, custody and access, maintenance, separation and divorce cases. [25938/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** The Legal Aid Board is a statutory, independent body in accordance with the Civil Legal Aid Act, 1995. The matters raised by the

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Deputy are a matter for the Board. However, in order to be helpful to the Deputy I have had enquiries made with the Board.

I am informed that the Legal Aid Board does not prepare on an ongoing basis, detailed breakdowns on a county by county basis of the types of civil cases being handled by the law centres. I am further advised by the Board that, as this information is not readily available, it would necessitate a disproportionate expenditure of staff time and resources to provide. However, to be helpful to the Deputy I would draw her attention to the fact that the Board's annual reports give information in relation to the different types of cases that the Board deals with. The most recently published annual report is the 2009 report however the 2010 report will be published shortly. It is clear from these Reports that in the Board's experience the types of problems presenting at different law centres are very similar, save that certain work presents in Dublin, because the Superior Courts are, by and large, based there.

Under the Government's value for money and policy review initiative, the Board has recently been the subject of a review conducted by my Department in co-operation with the Department of Public Expenditure and Reform. The review undertook a level of analysis of the different types of cases in the different law centres. The review is completed and is currently under consideration in my Department. It will be published in due course.

### **Garda Stations**

395. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality if he will give an assurance that no Garda stations will be closed in County Donegal following national media reports that 24 Garda stations in County Donegal have been submitted to the Garda Commissioner as possibilities for closure. [25984/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** I can assure the Deputy and the House that it is a priority for this Government to maintain front-line services at the highest level possible. I have been advised by the Garda authorities that the Commissioner is currently carrying out a review of the entire Garda organisation in the context of ensuring that the Force will be in a position to match the deployment of resources to its policing commitments as effectively as possible. I look forward to the outcome of the Commissioner's review and I understand that it should be available in the next couple of months.

### **International Agreements**

396. **Deputy Willie O'Dea** asked the Minister for Justice and Equality the position regarding his announcement on a common visa agreement with the UK to allow visitors to the UK to use the same visa to travel here; and if this measure indicates any change in the his position on the Schengen convention visa arrangements. [25993/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** The deputy refers in his question to the recently announced Visa Waiver Programme for the holders of certain types of UK short stay visas from sixteen selected countries. This pilot programme allows persons who are in possession of the relevant type of UK visa and who have been granted permission to enter the UK on foot of that visa to also travel to Ireland without the need to apply for an Irish visa. The programme, which was announced as part of the Government's Jobs Initiative, is mainly targeted at those travelling to the UK on short stays who might wish to include a short visit to Ireland as part of their overall journey. Recent indications are that the number of tourists entering Ireland has increased this year. This is very much to be welcomed and, while it is difficult to know exactly what proportion of this increase may be attributable to the Visa

Waiver Programme, the response from the industry as a whole to the programme has been overwhelmingly very positive.

It should be borne in mind by the Deputy that the Visa Waiver Programme is not a reciprocal arrangement and there is not a common visa regime between Ireland and the UK. The Visa Waiver Programme is solely an Irish government initiative, but it benefits from and requires the very valuable support and cooperation of the UK immigration authorities. This initiative is not indicative of a change in the position of the Government with regard to the Schengen Acquis. In fact, any such change in attitude would be likely to place in jeopardy the necessary support of the UK authorities for the Visa Waiver Programme. The cooperation of the UK authorities with the programme is extended to Ireland in the context of the continuing operation of the Common Travel Area (CTA) between the two jurisdictions which remains an important priority for the Irish Government. The CTA could not, for all intents and purposes, continue to operate if Ireland were to remove border checks with the Schengen states while the United Kingdom did not.

### **Garda Recruitment**

397. **Deputy Niall Collins** asked the Minister for Justice and Equality the position regarding Garda and Garda Reserve recruitment; if there are any proposals to transfer existing Garda Reserve members to the Garda; and if he will make a statement on the matter. [26032/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** The moratorium on Public Service Recruitment continues to apply to An Garda Síochána and no date has been fixed for future intakes into the Garda College or for the commencement of a recruitment competition of full time members. A decision on when recruitment will re-commence will take into account the rate of retirement in the Garda Síochána and Government targets for reductions in public service numbers. The moratorium on Public Service Recruitment does not apply to the Garda Reserve, and recruitment to the Reserve is ongoing. To date, some 40 members of the Garda Reserve have joined An Garda Síochána as full time members. The Garda Síochána (Admissions and Appointments) (Amendment) Regulations 2006 already allow the Public Appointments Service to give due recognition to any satisfactory service by a person as a reserve member of the Garda Síochána.

### **Court Procedures**

398. **Deputy Finian McGrath** asked the Minister for Justice and Equality if his attention has been drawn to the fact that in other countries courts are allowed make *pro bono* costs orders when a winning party is represented by a *pro bono* legal team and the costs then go to a suitable charity; if he will examine the introduction of such costs orders in this State; and if he will make a statement on the matter. [26106/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** Under the law as it stands the costs that must be paid to the winning party to an action are calculated on the basis of what is necessarily and properly incurred for the conduct of the case. I have noted the Deputy's suggestion and will bear it in mind in the context of my development of proposals for reform of the law on legal costs.

### **Proposed Legislation**

399. **Deputy Finian McGrath** asked the Minister for Justice and Equality if he has considered the report into determination of life sentences by the Irish Human Rights Commission in which they suggest that it is necessary to place the parole board on a statutory footing and assigning



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to it the function of determining applications for temporary release in order to comply with Ireland's international obligations; if he has any such proposals; and if he will make a statement on the matter. [26107/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** I recently announced my intention to enact legislation to place the interim Parole Board on a statutory footing. I believe this will help to strengthen and improve its functions and, while it may not be possible to introduce the relevant legislation this year, it is my hope to do so next year. In that context I will be considering exactly what role it will play and what powers it should have.

As regards the Irish Human Rights Commission report, I can advise the Deputy that it was previously considered by my Department. The recommendation referred to is however based on the premise that our existing law on the temporary release of prisoners sentenced to life imprisonment is incompatible with the European Convention on Human Rights. There has been no finding of a court to this effect. I have no reason to believe that our existing law is incompatible with the European Convention on Human Rights or the jurisprudence of the European Court of Human Rights. Indeed, the Irish Courts have found that the management of prison sentences is a matter for the Executive and under current legislation I, as Minister for Justice and Equality, am entrusted with the power to grant temporary release to a sentenced prisoner. The Criminal Justice (Temporary Release of Prisoners) Act, 2003 provides a clear legislative basis for the power to grant temporary release by setting down the principles which apply to the exercise of this power and provides a clear and transparent basis, as well as the necessary safeguards required, for the operation of the system of temporary release. The power of release is retained by me under the Act.

The interim Parole Board, which replaced the Sentence Review Group, was established on an administrative basis in April, 2001. The Board's principal function is to advise me on the administration of long term prison sentences. The Board, by way of recommendation to me, advises of the prisoner's progress to date, the degree to which the prisoner has engaged with the various therapeutic services and how best to proceed with the future administration of the sentence. I consider in full all recommendations when making the final decision on sentence management.

### **Prisoner Releases**

400. **Deputy Finian McGrath** asked the Minister for Justice and Equality the number of persons who have been convicted of murder and who are out on parole up to 31 August 2011; the average length of time a life prisoner is currently serving before being released on parole; his views on whether this period is adequate; the channels that exist for the views of victims to be heard by the parole board prior to recommending their release; if he will appoint a representative organisation of victims to the parole board; and if he will make a statement on the matter. [26108/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** I can advise the Deputy there were 274 persons in custody serving life sentences for murder on 31 August, 2011. In addition, there were 61 persons serving life sentences for murder under the supervision of the Probation Service on extended temporary release subject to strict conditions as are specified. Some of these persons were first released into the community over 30 years ago.

Of the 61 persons referred to, 15 of these were granted temporary release during the time period 2005 to 31 August 2011. The average time spent in custody by these persons over this 6 year period is slightly in excess of 17 years. This compares to an average of just over 7.5 years

for releases dating from 1975 to 1984, just under 12 years for the period dating from 1985 to 1994, and just under 14 years for the period dating from 1995 to 2004. The Deputy will understand that a life sentence is mandatory in the case of a conviction for murder and such persons remain subject to that sentence for their life even where granted temporary release. Specific legislation enacted by the Oireachtas; the Criminal Justice Act, 1960 and the Criminal Justice (Temporary Release of Prisoners) Act, 2003, provides a mechanism whereby the Minister for Justice and Equality may release prisoners on temporary release for such period of time and subject to strict conditions as may be specified. Temporary release may be granted on a range of grounds including humanitarian or where the Minister is of the view that the person has worked with all available services to aid his/her rehabilitation and reintegration back to the community. However, before any such decision is reached matters such as the gravity of the offence, the period of imprisonment served, the overall conduct of the prisoner during imprisonment and the potential threat to the safety and security of the public are considered. Prisoners who are deemed to continue to pose a threat to the community if released continue to remain in prison and indeed there are some prisoners who have remained in custody for over 30 years.

All prisoners serving a life sentence are eligible to have their case reviewed by the interim Parole Board when they have served seven years into the life sentence. The Board's principal function is to advise me on the administration of long term prison sentences. The Board, by way of recommendation to me, advises of the prisoner's progress to date, the degree to which the prisoner has engaged with the various therapeutic services and how best to proceed with the future administration of the sentence. I consider in full all recommendations when making the final decision on sentence management.

The Irish Prison Service provides a Victim Liaison Service to keep victims of crime informed of significant developments in the sentence management of certain offenders. Any victims or their relatives, once they have opted to avail of this scheme, will be informed as a matter of course in advance of the Board's review of the prisoner. The victims are given the opportunity to make a submission to the Board, either via the Prison Service Victim Liaison Officer, or directly to the Board. The Board, as it has acknowledged on a number of occasions, will take into consideration the views of victims and the impact on their lives prior to making any recommendations to myself. Several victims and families have made submissions to the Parole Board in recent years and the Victim Liaison Officer also advises the family of any decisions arising out of each review.

I have already announced my intention to place the interim Board on a statutory footing. While it may not be possible to introduce the relevant legislation this year, it is my hope to do so next year and, in that context, I will bear the Deputy's suggestion of victim representation in mind.

### **Garda Vetting of Personnel**

401. **Deputy Dessie Ellis** asked the Minister for Justice and Equality the reason there is a 12 to 16 week waiting list for Garda clearance to enable a person (details supplied) in Dublin 11 to take up a job that she was appointed to more than three months ago. [26143/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am informed by the Garda authorities that two vetting applications were received by the Garda Central Vetting Unit in respect of the person to whom the Deputy refers. A response to the first application was returned to the registered organisation involved on 9 August 2011. The second application is currently being processed and it is anticipated that a response will issue shortly.

### **Citizenship Applications**

402. **Deputy Jack Wall** asked the Minister for Justice and Equality the position regarding the legal status of parents of children born here; and if he will make a statement on the matter. [26144/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** The Irish Nationality and Citizenship Act 1956, as amended, sets out the position as to which persons born in this State can claim an automatic entitlement to Irish citizenship by virtue of their place of birth. Essentially, any child born in the State seeking to claim an entitlement to Irish citizenship must have a parent who is an Irish citizen or, if not, one of the two parents must have been legally resident in the State for three of the four years preceding the child's birth.

In the event that the Deputy is referring to the position in the State of third country national parents of Irish born minor citizen children in light of the European Court of Justice Judgment in the Zambrano case, the position is as follows. The ECJ Judgment provides that EU Member States, Ireland included, are precluded from refusing a third country national upon whom his minor children, who are European Union citizens, are dependent, a right of residence in the Member State of residence and nationality of those children, and from refusing to grant a work permit to that third country national, in so far as such decisions would deprive those children of the genuine enjoyment of the substance of the rights attaching to the status of European Union citizen. In Ireland, this Judgment applies to the non-EEA national parents of Irish born minor citizen children.

### **Illicit Trade in Tobacco**

403. **Deputy Gerald Nash** asked the Minister for Justice and Equality in view of the past behaviour of the tobacco industry and their continued opposition to public health measures brought forward by successive Governments to prevent death and disability from tobacco, and our obligations under section 5.3 of the World Health Organisation Framework Convention on Tobacco Control, his views whether it is appropriate for the Garda Commissioner to be contributing to a tobacco industry report on tobacco smuggling; and if he will make a statement on the matter. [26159/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** It is a well recognised crime trend across many jurisdictions that the practice of tobacco smuggling is widely used by organised crime groups as a means of generating large amounts of criminal gains. This situation applies equally in this jurisdiction. I understand that the contribution of the Garda Commissioner to the report in question on tobacco smuggling relates exclusively to tobacco smuggling from a law enforcement perspective and is one of a number of contributions from persons involved in law enforcement. It is, of course, a matter for the Garda Commissioner to take whatever measures he believes will assist in the efforts to counteract organised crime and I do not accept that the contribution in question gives rise to the type of issues outlined by the Deputy.

### **Citizenship Applications**

404. **Deputy Michelle Mulherin** asked the Minister for Justice and Equality the position regarding an application for naturalisation in respect of a person (details supplied) in County Mayo. [26187/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am advised by the Citizenship Division of the Irish Naturalisation and Immigration Service (INIS) that a valid application for a certificate of naturalisation was received from the person referred to by the Deputy in May,

2011. The application is currently being processed with a view to establishing whether the applicant meets the statutory conditions for the granting of naturalisation and will be submitted to me for decision as expeditiously as possible. The granting of Irish citizenship through naturalisation is a privilege and an honour which confers certain rights and entitlements not only within the State but also at European Union level and it is important that appropriate procedures are in place to preserve the integrity of the process.

I should remind the Deputy that queries in relation to the status of individual Immigration cases may be made direct to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

### **Garda Transport**

405. **Deputy Seán Kenny** asked the Minister for Justice and Equality the number of helicopters and other aircraft in the Garda air support unit; his plans to increase same; and if he will make a statement on the matter. [26210/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** I have been informed by the Garda authorities that the Garda Air Support Unit currently consists of one fixed wing Britten Norman Defender aircraft and two EC135 helicopters. The allocation of Garda resources is a matter for the Garda Commissioner and I am advised that there are no plans to expand the Unit at present.

### **Garda Operations**

406. **Deputy Seán Kenny** asked the Minister for Justice and Equality the number of dogs in the Garda dog unit; his plans to increase same; and if he will make a statement on the matter. [26211/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** I have been informed by the Garda authorities that there are currently twenty-six dogs attached to the Garda Dog Units. The allocation of Garda resources is a matter for the Garda Commissioner and I am advised that there are no plans to expand the Units at present.

407. **Deputy Seán Kenny** asked the Minister for Justice and Equality the number of horses in the Garda mounted unit; his plans to increase same; and if he will make a statement on the matter. [26212/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** I have been informed by the Garda authorities that there are currently fourteen horses attached to the Garda Mounted Unit. The allocation of Garda resources is a matter for the Garda Commissioner and I am advised that there are no plans to expand the Unit at present.

408. **Deputy Seán Kenny** asked the Minister for Justice and Equality if he will increase the number of Garda mounted bikes allocated to the R and J districts of the Dublin region; and if he will make a statement on the matter. [26213/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** The detailed allocation of Garda resources, including mountain bikes, is a matter for the Garda Commissioner in the context of his identified operational requirements and priorities. I am advised by the Garda authorities that the current mountain bike stock is sufficient to meet policing requirements in the Districts

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referred to by the Deputy and that there are currently no plans to increase the number of bikes in either District. This situation will be kept under on-going review.

### **Garda Stations**

409. **Deputy Tony McLoughlin** asked the Minister for Justice and Equality the plans being considered for the closure of small rural Garda stations in the Sligo-north Leitrim area and in view of any review of such small stations, if he, in co-operation with the Garda Commissioner, is considering any changes to the administration of the force on a county basis following the setting up of the joint policing committees. [26216/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** I can assure the Deputy and the House that it is a priority for this Government to maintain frontline services at the highest level possible. I have been advised by the Garda authorities that the Commissioner is currently carrying out a review of the entire Garda organisation in the context of ensuring that the Force will be in a position to match the deployment of resources to its policing commitments as effectively as possible. I look forward to the outcome of the Commissioner's review and I understand that it should be available in the next couple of months.

410. **Deputy Robert Dowds** asked the Minister for Justice and Equality if he will consider permitting the use of members of the Garda Reserve to keep local Garda stations open when it is desirable to deploy all available gardaí on street duties; and if he will make a statement on the matter. [26224/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** Responsibility for the allocation of resources, including personnel, within the Force and for determining the powers and duties of members of the Garda Reserve rests with the Garda Commissioner, in consultation with his senior management team. I have been advised that the Commissioner is currently carrying out a review of the entire Garda organisation in the context of ensuring that the Force will be in a position to match the deployment of resources to its policing commitments as effectively as possible. Clearly, an examination of the opening hours and in some cases the viability of Garda stations will form part of this. The issue of the closure of some Garda stations will be a question the Garda Commissioner will have to consider as part of this process. He may have to consider in appropriate cases whether a better policing service could be delivered to a local community by having Gardaí out on patrol instead of in a station. I look forward to receiving the Commissioner's proposals, which will be aimed at maximising the efficiency of the Garda Síochána, and prioritising the resources available to operational front-line policing services.

### **Departmental Staff**

411. **Deputy Anne Ferris** asked the Minister for Justice and Equality notwithstanding the Civil Service circular No. 28, if he will provide a list of the current pay of each senior civil servant from higher executive officer to Secretary General in his Department broken down by grade; the pension entitlements of each and any other emoluments they are entitled to receive upon reaching retirement; and if he will make a statement on the matter. [26240/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am advised by my officials that to provide the Deputy with the information requested in the form she has sought would require a detailed examination of almost 900 files of staff in general service and equivalent grades in my Department. In addition, to provide a breakdown of the pension entitlements of each staff member would require personalised pension entitlement statements to be prepared which

would have to make certain assumptions as to the date of retirement, length of service and grade or salary point at which staff will retire. The compilation of this information would require a disproportionate use of available resources. Full details of the pay scales currently applicable in the Civil Service are set out in Circular 28/2009 with which the Deputy is familiar.

### **Private Rented Accommodation**

412. **Deputy Joe Costello** asked the Minister for Justice and Equality if landlords who consistently rent to tenants engaging in anti-social and criminal behaviour can be held legally responsibly for the action of their tenants; and if he will make a statement on the matter. [26313/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** The Deputy will appreciate that it is not a matter for me to interpret the application of the law in particular circumstances. However, the following general information relating to anti-social behaviour by tenants may be helpful. I am informed that in the case of private rented dwellings landlords are responsible for enforcing the obligations that apply to their tenants under the Residential Tenancies Act 2004, which is under the aegis of my colleague the Minister for the Environment, Community and Local Government. The Act inter alia prohibits a tenant in a private residential tenancy from engaging in anti-social behaviour in, or in the vicinity of, a dwelling to which the Act applies. It allows a landlord to terminate any tenancy where the tenant is engaging in or allowing others to engage in such behaviour, subject to a notice period of only seven days in the case of serious anti-social behaviour or 28 days in the case of less serious but persistent behaviour.

The Act also provides that a third party directly and adversely affected by anti-social behaviour may, subject to certain conditions, refer a complaint to the Private Residential Tenancies Board against a landlord who has failed to enforce tenant obligations. A specific condition is that the third party complainant must have taken reasonable steps to resolve the matter by communicating or attempting to communicate with the parties to the tenancy concerned. Section 23 of the Multi-Unit Developments Act 2011 provides that an owners' management company may make house rules for the effective operation and maintenance of the multi-unit development. The rules must be consistent with any covenants or conditions contained in the documents of title and have the objective of advancing the quiet enjoyment of the unit owners and achieving a fair balancing of the rights of such owners. The section also provides that where a unit is let it shall be a term of the letting that it is subject to the observance of the house rules by the tenants. A summary of the relevant conditions and covenants together with a copy of any house rules must be incorporated into the letting agreement relating to the unit concerned. Where a person, who is obliged to comply with house rules, commits a material breach of the rules, the Act provides that the owners' management company of the development concerned may recover the reasonable costs of remedying the breach from the person and those costs may be recovered as a simple contract debt in a court of competent jurisdiction.

Local authorities are required by law to adopt anti-social behaviour strategies for the prevention and reduction of anti-social behaviour in housing provided by them. The Housing Acts 1966 to 2009, which are also under the aegis of my colleague the Minister for the Environment, Community and Local Government, include a range of measures to assist housing authorities to give effect to their strategies, including the power to refuse to allocate, or to defer the allocation of, a dwelling to a person engaged in anti-social behaviour or where an allocation to that person would not be in the interest of good estate management. Other powers available to housing authorities include application for civil excluding orders prohibiting a person engaged in anti-social behaviour from entering a specific local authority house and/or neighbourhood and, in extreme cases, eviction of a household engaged in anti-social behaviour.

### Garda Deployment

413. **Deputy Dara Calleary** asked the Minister for Justice and Equality if he will provide a breakdown, by grade and by station, of Garda staffing levels in the Dublin metropolitan area on 1 March 2011 and on 1 September 2011. [26354/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am informed by the Garda authorities, that the personnel strength of each Garda station in the Dublin Metropolitan Region on 28 February and 31 August 2011 was as set out in the following table:

28 February 2011

Division	C/SUPT	SUPT	INSP	SGT	GDA	Total
<i>DMR South Central</i>						
Donnybrook		1	3	13	113	130
Irishtown	—	—	1	7	43	51
Kevin Street		1	6	13	138	158
Kilmainham	—	—	—	16	65	81
Harcourt Terrace	—	—	—	11	71	82
Pearse Street	1	2	7	31	220	261
<i>DMR Southern</i>						
Crumlin	1	2	5	17	82	107
Sundrive	—	—	—	11	65	76
Rathmines	—	—	—	9	60	69
Terenure	—	1	6	16	82	105
Rathfarnham	—	—	—	8	67	75
Tallaght	—	1	5	19	174	199
<i>DMR Northern</i>						
Balbriggan	—	1	3	6	59	69
Garristown	—	—	—	1	2	3
Lusk	—	—	—	1	6	7
Rush	—	—	—	1	4	5
Skerries	—	—	—	1	10	11
Ballymun	1	1	2	23	99	126
Dublin Airport	—	—	—	4	18	22
Santry	—	—	3	9	70	82
Whitehall	—	—	2	5	37	44
Coolock	—	1	5	13	100	119
Malahide	—	—	—	5	32	37
Swords	—	—	1	11	73	85
Clontarf	—	—	1	10	68	79
Howth	—	—	1	5	32	38
Raheny	—	1	3	8	63	75
<i>DMR West</i>						
Blanchardstown	1	2	4	31	157	195
Cabra	—	—	—	8	62	70
Finglas	—	—	3	14	104	121
Ballyfermot	—	—	2	13	85	100
Clondalkin	—	1	3	13	83	100
Rathcoole	—	—	—	2	26	28

Division	C/SUPT	SUPT	INSP	SGT	GDA	Total
Lucan	—	1	3	9	67	80
Ronanstown	—	—	1	14	80	95
<i>DMR North Central</i>						
Bridewell	—	1	7	31	136	175
Fitzgibbon Street	—	1	4	14	96	115
Mountjoy	—	—	—	11	89	100
Immigration D/Docks	—	—	—	1	7	8
Store Street	1	2	5	32	244	284
<i>DMR Eastern</i>						
Blackrock	—	—	4	12	82	98
Dundrum	—	—	1	9	65	75
Stepaside	—	—	—	3	27	30
Cabinteely	—	—	1	5	33	39
Dalkey	—	—	—	2	29	31
Dún Laoghaire	1	2	3	19	83	108
Kill-O-Grange	—	—	—	2	27	29
Shankill	—	—	1	11	47	59

31 August 2011

Division	C/SUPT	SUPT	INSP	SGT	GDA	Total
<i>DMR South Central</i>						
Donnybrook		1	3	13	113	130
Irishtown	—	—	1	7	42	50
Kevin Street		1	6	11	135	153
Kilmainham	—	—	—	16	60	76
Harcourt Terrace	—	—	—	11	69	80
Pearse Street	1	2	7	30	217	257
<i>DMR Southern</i>						
Crumlin	1	2	5	17	79	104
Sundrive	—	—	—	11	63	74
Rathmines	—	—	—	7	59	66
Terenure	—	1	6	15	78	100
Rathfarnham	—	—	—	8	65	73
Tallaght	—	1	5	20	172	198
<i>DMR Northern</i>						
Balbriggan	—	1	3	5	62	71
Garristown	—	—	—	1	2	3
Lusk	—	—	—	1	6	7
Rush	—	—	—	1	3	4
Skerries	—	—	—	1	9	10
Ballymun	1	1	2	18	94	116
Dublin Airport	—	—	—	6	20	26
Santry	—	—	3	10	70	83
Whitehall	—	—	2	7	38	47
Coolock	—	1	5	13	100	119
Malahide	—	—	—	4	32	36



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Division	C/SUPT	SUPT	INSP	SGT	GDA	Total
Swords	—	—	1	10	70	81
Clontarf	—	—	1	10	66	77
Howth	—	—	—	6	34	40
Raheny	—	1	3	6	61	71
<i>DMR West</i>						
Blanchardstown	1	2	4	27	160	194
Cabra	—	—	—	8	61	69
Finglas	—	—	3	16	101	120
Ballyfermot	—	—	2	12	83	97
Clondalkin	—	1	3	13	81	98
Rathcoole	—	—	—	2	26	28
Lucan	—	1	4	9	65	79
Ronanstown	—	—	1	15	82	98
<i>DMR North Central</i>						
Bridewell	—	1	6	30	133	170
Fitzgibbon Street	—	1	4	14	95	114
Mountjoy	—	—	—	11	89	100
Immigration D/Docks	—	—	—	1	7	8
Store Street	1	2	6	32	240	281
<i>DMR Eastern</i>						
Blackrock	—	1	4	11	78	94
Dundrum	—	—	1	9	64	74
Stepaside	—	—	—	3	27	30
Cabinteely	—	—	1	5	32	38
Dalkey	—	—	—	2	29	31
Dun Laoghaire	1	2	3	18	82	106
Kill-O-Grange	—	—	—	2	27	29
Shankill	—	—	1	9	50	60

### Visa Applications

414. **Deputy Paul J. Connaughton** asked the Minister for Justice and Equality if applications for holiday visas have been received in respect of persons (details supplied); the position regarding their applications; if all necessary documentation has been provided; when a decision will issue; and if he will make a statement on the matter. [26370/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** The visa applications referred to by the Deputy were received in the Visa Office, Dublin on the 5 September 2011. Following consideration by a Visa Officer both applications were refused on the 23 September 2011 for the following reason: It was the opinion on the Visa Officer that the applicants did not have sufficient obligations to return to their country of origin and that they may not observe the conditions of a visa where one was granted. It is open to the persons concerned to submit an appeal within two months of the date of refusal, in this instance, before the 23 November 2011. Guidelines on the visa appeals process is available on the website of the Irish Naturalisation and Immigration Service ([www.inis.gov.ie](http://www.inis.gov.ie)). I should remind the Deputy that queries in relation to the status of individual Immigration cases may also be made direct to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service

enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

### Departmental Strategy Statements

415. **Deputy Dara Calleary** asked the Minister for Justice and Equality if his Department has submitted a strategy statement to him, as specified under the Public Service Management Act 1997 and if so, whether he will publish the statement. [26398/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** My Department has submitted a Strategy Statement for the period 2011-2014 to me recently. It is my intention to publish it in due course in accordance with the provisions of the Public Service Management Act 1997.

### Garda Stations

416. **Deputy Michael Healy-Rae** asked the Minister for Justice and Equality the impact the proposed cuts in budget 2012 have in regard to the Garda force in County Kerry; if any station will face closure; if so, the location of same; the way rural areas will be policed if we have the anticipated retirement of many gardaí who will want to retire before February 2012; and if he will make a statement on the matter. [26408/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** I can assure the Deputy and the House that it is a priority for this Government to maintain frontline services at the highest level possible. I have been advised by the Garda authorities that the Commissioner is currently carrying out a review of the entire Garda organisation in the context of ensuring that the Force will be in a position to match the deployment of resources to its policing commitments as effectively as possible. I look forward to the outcome of the Commissioner's review and I understand that it should be available in the next couple of months.

### Citizenship Applications

417. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current or expected position with respect to an application for residency or citizenship in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [26414/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** An application for a certificate of naturalisation from the individual referred to in the Deputy's Question was received in the Citizenship Section of my Department in August 2005 and my predecessor decided in his absolute discretion to refuse the application. The person concerned was informed of that decision in a letter issued, via her solicitor, on 31 March 2009. The person concerned has taken judicial review proceedings and, as the matter is sub judice, it would not be appropriate for me to comment further on the specific case.

### Judicial Reviews

418. **Deputy Anthony Lawlor** asked the Minister for Justice and Equality if proposals are in place to alter the manner in which judicial reviews in District and Circuit Courts are recorded which will allow all parties involved in the case to be named; and if he will make a statement on the matter. [26425/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** Under the provisions of the Courts Service Act 1998, the management and administration of the courts including responsibility for maintaining and publishing court statistics is a function of the Courts Service.

[Deputy Alan Shatter.]

However, in order to be of assistance to the Deputy, I have had enquiries made and the Courts Service has informed me that the parties to a judicial review involving District or Circuit Court cases are to be found in the High Court record; the only persons who are not identified are those whose identities are required to be protected by law, for example, the victim or perpetrator in alleged sexual assault cases.

### **Defence Forces Recruitment**

419. **Deputy Brian Walsh** asked the Minister for Defence if he will consider changing the upper age limit for recruitment to the Defence Forces; and if he will make a statement on the matter. [25648/11]

**Minister for Defence (Deputy Alan Shatter):** The 2000 White Paper on Defence and the earlier Defence Force Review Implementation Plan both identified the requirement to address the age profile in the Defence Forces. The key element in military life is the need for personnel to maintain a level of fitness for combat readiness. This requirement must be balanced with the need to retain experience and expertise, particularly at managerial level in the Defence Forces.

The upper age limit for enlistment in the Army is under 25 years of age on the date of enlistment and for the Naval Service it is under 27 years of age on the date of enlistment. These limits are determined on the basis that the essential functions of the Permanent Defence Force require that its members be composed of able-bodied personnel of an age which is commensurate with the functional requirements of the organisation.

While increasing the upper age may increase the quantity of suitable candidates, the Defence Forces are endeavouring to reduce the average age of serving personnel. Moreover, recruitment to the Defence Forces is heavily oversubscribed with excellent candidates so the current age requirements are not an impediment to recruitment. Other factors such as return on training investment must also be considered.

I am satisfied that the existing age requirements for recruitment to the Permanent Defence Force are appropriate and I do not propose to make any changes in this area at this time.

### **Military Barracks**

420. **Deputy Robert Troy** asked the Minister for Defence his plans for Columb Barracks, Mullingar, County Westmeath; and if he will make a statement on the matter. [25757/11]

**Minister for Defence (Deputy Alan Shatter):** As of now no decision has been made in relation to the future of any particular military installation. However various commissions, reports and studies back to the 1990s identified barrack closure as a fundamental requirement towards improving military effectiveness and efficiency. Since then there has been a number of consolidation programmes which has seen the number of barracks occupied by the Permanent Defence Force reduced from 34 to 23 today. The dispersal of Defence Forces personnel over an extended number of locations continues to be a major impediment to essential collective training and to releasing personnel for operational duties.

I have made it clear that I cannot give a commitment that there will not be further programmes of barrack consolidation.

### **Departmental Staff**

421. **Deputy Noel Grealish** asked the Minister for Defence the number of employees in his Department who have expressed an interest in retiring ahead of the changes to the public

sector pension schemes that are to come into force in 2012; and if he will make a statement on the matter. [25782/11]

**Minister for Defence (Deputy Alan Shatter):** The Department of Public Expenditure and Reform has introduced a temporary three month minimum notice period for retirement from the Civil Service, following the extension of the “Grace Period” to 29 February 2012, i.e. the period during which the calculation of public service pensions is unaffected by the pay reductions applied under the “*Financial Emergency Measures in the Public Interest (No. 2) Act 2009.*” The last date for staff to notify of their intention to retire during the extended Grace Period is 30 November 2011. It is therefore not yet possible to indicate the number of staff who intend to retire ahead of the changes to public sector pensions.

While a number of staff of this Department have made enquiries regarding their pension entitlements should they avail of the opportunity to retire during the Grace Period, it would be premature to consider these as expressions of interest in advance of formal notification of their intention to retire.

### White Paper on Defence

422. **Deputy David Stanton** asked the Minister for Defence when he expects the White Paper on Defence to be published; and if he will make a statement on the matter. [25835/11]

**Minister for Defence (Deputy Alan Shatter):** The first White Paper on Defence was published in February 2000 and was intended to encompass the period to end 2010. Whilst preliminary work on the preparation of a new White Paper had been ongoing, I decided to expand the planned consultative process by initiating the preparation of a Green Paper on Defence. This discussion paper will act as a catalyst to ensure an appropriate level of debate on Defence and inform the development of the new White Paper. I hope to have the Green Paper finalised and published by early 2012.

*Question No. 423 withdrawn.*

### Departmental Staff

424. **Deputy Anne Ferris** asked the Minister for Defence, notwithstanding the Civil Service circular No. 28, if he will provide a list of the current pay of each senior civil servant from higher executive officer to Secretary General in his Department broken down by grade; the pension entitlements of each and any other emoluments they are entitled to receive upon reaching retirement; and if he will make a statement on the matter. [26233/11]

**Minister for Defence (Deputy Alan Shatter):** The current payscales for civil servants from Secretary General to Higher Executive Officer is set out as follows.

Pay Scales for Established Officers Appointed pre 6 April 1995

Grade	No. of Staff	Current Salary Scale €
Secretary General	1	188,640
Assistant Secretary	2	127,796-146,191
PO Higher Scale	2	85,957-99,236
PO Standard	12	80,051-92,672
AP Higher Scale	7	67,913-79,337
AP Standard	27	61,966-72,268
AO Higher Scale	2	40,734-57,251

[Deputy Alan Shatter.]

Grade	No. of Staff	Current Salary Scale €
HEO Higher Scale	23	46,426-57,251
HEO Standard	33	43,816-51,653

## Pay Scales for Established Officers Appointed post 6 April 1995

Grade	No. of Staff	Current Salary Scale €
PO Standard	1	84,132-97,417
Professional Accountant(Grade 1)	1	68,553-79,319
Technical Officer II	1	57,765-68,260
HEO Standard	3	46,081-54,329

All established civil servants are members of either the Non-contributory Pension Scheme for Established State Employees (officers appointed before 6 April 1995) or the Contributory Pension Scheme (officers appointed on or after 6 April 1995), with an associated contributory Spouses' and Children's Scheme.

These superannuation schemes are defined benefit occupational pension schemes and provide for an automatic lump sum and index-linked income after two years service. An officer's pension entitlement is determined by total reckonable service and reckonable remuneration on the last day of service.

It is not possible to provide exact figures to the Deputy for the pension entitlements and other emoluments upon reaching retirement as this would require a disproportionate and inordinate amount of staff time and effort and could not be justified in current circumstances where there are other significant demands on resources.

### Military Barracks

425. **Deputy Gerald Nash** asked the Minister for Defence if he will provide details of his plans for the future of Dun Uí Neil Barracks, County Cavan; and if he will make a statement on the matter. [26310/11]

**Minister for Defence (Deputy Alan Shatter):** As of now no decision has been made in relation to the future of any particular military installation. However various commissions, reports and studies back to the 1990s identified barrack closure as a fundamental requirement towards improving military effectiveness and efficiency. Since then there has been a number of consolidation programmes which has seen the number of barracks occupied by the Permanent Defence Force reduced from 34 to 23 today. The dispersal of Defence Forces personnel over an extended number of locations continues to be a major impediment to essential collective training and to releasing personnel for operational duties.

I have made it clear that I cannot give a commitment that there will not be further programmes of barrack consolidation.

### Departmental Strategy Statements

426. **Deputy Dara Calleary** asked the Minister for Defence if his Department has submitted a strategy statement to him, as specified under the 1997 Public Service Management Act, and if so, will he publish the statement. [26399/11]

**Minister for Defence (Deputy Alan Shatter):** A draft Strategy Statement for the period 2011-2014 was submitted to me in accordance with the provisions of the Public Service Management Act, 1997. The Government is currently undertaking a Comprehensive Review of Expenditure. The outcome from this process may further influence the content of the Strategy Statement, which will be finalised and published in due course.

### **Tourism Promotion**

427. **Deputy Seán Kenny** asked the Minister for Agriculture, Fisheries and Food if steps can be taken to provide for a tourism remit at Howth Harbour in order to increase the potential for tourism at the harbour, while not undermining the harbour as a working area; and if he will make a statement on the matter. [25908/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** Howth Fishery Harbour Centre is one of the six Fishery Harbour Centres as set out in the Fishery Harbour Centres Act 1968 (as amended). The Act identifies the promotion and development of Sea Fishing as the core function of each of the Fishery Harbour Centres.

I am however mindful of the importance of the tourist industry and can confirm that tourism in common with other non fishing activities will continue to be facilitated and supported at Howth Fishery Harbour Centre subject of course to the necessary prioritisation of the needs of the fishing industry.

### **Grant Payments**

428. **Deputy Bernard J. Durkan** asked the Minister for Agriculture, Fisheries and Food further to Parliamentary Questions Nos. 783 and 784 of 14 September 2011, the basis on which it was decided that no registration of the herd number should take place pending clarification of the issue of ownership of the land and the cattle thereon; the action that followed, if any, by way of such clarification in view of the fact that the land in question was not in the ownership of the previous herd number owner since 1998; if all animals known to be on the holding were inspected as indicated on 27 January 2010; and if he will make a statement on the matter. [25635/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** As outlined in my reply to a question from the Deputy on 20th July 2011, a copy of the death certificate of the person in whose name the herdnumber was registered was received by my Department on 9th December 2009. In accordance with standard procedures in such circumstances, the herdnumber was then registered under the personal representatives of the deceased person.

An application was received on 4 January 2010 from the personal representatives of the deceased person to register details of the herdnumber in the name of the son of the deceased person. The application was accompanied by a copy of Probate of the Will of the deceased person.

An on-farm inspection was carried out by the DVO on 27 January 2010 and all of the cattle present on the holding were inspected and found to be in order. However, the DVO was aware that there was a dispute over the ownership of the land and it was decided that no change in registration of the herdnumber should take place pending clarification of this issue. In the meantime, the herd keeper role, which assigns responsibility for the care and maintenance of the cattle to a nominated person, was assigned to the son of the deceased person in whose name the request for transfer of the herdnumber had been received. Further action on the registration of herdowner cannot take place until evidence has been provided to the DVO that the land ownership issue has been resolved.

429. **Deputy Paul J. Connaughton** asked the Minister for Agriculture, Fisheries and Food the overpayment now due to his Department for all the relevant years in relation to the single farm payment scheme in respect of a person (details supplied) in County Galway; and if he will make a statement on the matter. [25682/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** Under the provisions of the governing EU Regulations, payments under the Single Farm Payment may be made only in respect of eligible land. Applicants under the Scheme are obliged annually to declare the land parcels available to them; said details of the eligible areas of the land parcels are then recorded onto LPIS (Land Parcel Identification System), my Department's computerised database of all land parcels declared, which currently contains details of in excess of one million individual land parcels. Applicants are obliged to identify and exclude all ineligible features, such as scrub, roadways, etc. Therefore, the LPIS database has to be amended on an ongoing basis to reflect any permanent changes, such as parcel boundary changes, addition of new parcels, etc. In the vast majority of cases, while the various ineligible areas had not been mapped out of LPIS, applicants were making sufficient deductions for the ineligible features and, therefore, there were no over-payments in these cases.

The case of the person named was subject to LPIS review and I can confirm that, while the person named was initially identified as having over-claimed on a specific land parcel, following consideration of his written appeal, I can confirm that it has been found that no such over-claim arose. Given this successful appeal, the necessary arrangements are now being made to make the necessary refund due to the person named.

430. **Deputy John Deasy** asked the Minister for Agriculture, Fisheries and Food the reason for the delay in paying the 2010 balancing payment of the REP scheme; and the number of applicants that have yet to receive this payment. [25748/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** REPS 4 is a measure under the Rural Development Programme, 2007-13 and is subject to EU Regulations which require that detailed administrative checks on all applications to be completed before payments can issue.

These administrative checks in respect of 2010 claims have been completed and of the 30,300 farmers who are due payments, approximately 660 applications are currently awaiting their initial 75% for the year. This is due to queries which have arisen during the administrative checks. Outstanding queries are being rectified on an ongoing basis, including through correspondence with the applicants, and payments issue as soon as the queries are resolved.

My Department is also currently making arrangements to process the outstanding 25% payments in respect of 2010 to farmers in instances where penalties have been imposed. I now expect that these outstanding payments will commence in October to approximately 2,300 farmers with penalties.

Arrangements are also well advanced to issue payments in respect of 2011 and I expect that these payments will commence in November.

431. **Deputy John Deasy** asked the Minister for Agriculture, Fisheries and Food the reason for the delay in payment of the balance of the 2010 REP scheme to a person (details supplied) in County Waterford; and if he will expedite payment. [25749/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** The person named commenced REPS 4 in January 2010 and 75% of the first year payment issued for the amount of €10,416.57 on 31st March 2011.

An area based discrepancy was subsequently discovered following a cross check between the Single Payment Scheme application for 2010 from the person named and the REPS agri-environmental plan. This discrepancy has resulted in the imposition of a penalty and a delay in processing the final 25% payment under REPS 4 for 2010.

My Department is currently making arrangements to process outstanding payments to farmers of the 25% due in respect of 2010 in the cases where penalties were incurred and I expect payments to commence in these cases in October.

### **Animal Breeding Regulations**

432. **Deputy Brendan Griffin** asked the Minister for Agriculture, Fisheries and Food further to Parliamentary Question No. 763 of 14 September 2011, if regulations governing scrapie will be eased; and if he will make a statement on the matter. [25756/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** Regulation (EC) 999/2001 as amended by regulation (EC) 727/2007 requires the annual testing of both sheep presented for human consumption and fallen sheep over 18 months of age.

In 2007 the Commission adopted a level of testing for future years at a minimum annual sample of 10,000 sheep slaughtered for human consumption and 10,000 fallen sheep aged over 18 months.

This testing regime was directed at Countries where the population of ewes and ewe lambs put to the ram exceeds 750,000. This change substantially reduced the testing requirement from previous years when 41,677 and 26,970 healthy sheep were tested respectively in 2006 and 2007.

The testing requirements as set down by the EU are kept under review.

The scrapie surveillance programme is financed by my Department. In turn this expenditure is recouped almost in its entirety from the EU.

### **Grant Payments**

433. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Fisheries and Food his views on the concern that farmers have when picking a reference year for entitlements (details supplied); and if he will make a statement on the matter. [25770/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** There are as yet no official proposals from the European Commission on the CAP post 2013 arrangements. It is expected that a first draft of a legal text will be available in mid October following which protracted negotiations will take place at the Council of Agriculture Ministers. In the absence of written proposals, it would be inappropriate therefore to comment at this stage on what might transpire in the future.

### **Departmental Staff**

434. **Deputy Noel Grealish** asked the Minister for Agriculture, Fisheries and Food the number of employees in his Department who have expressed an interest in retiring ahead of the changes to the public sector pension schemes that are to come into force in 2012; and if he will make a statement on the matter. [25778/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** To date over 400 requests for estimates of retirement benefits have been received in the Pensions Section of my Department since early January 2011. Approximately, 63 staff under 65 years have retired or will retire in 2011. To date, a further 12 staff have formally indicated their intention of retiring



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in January 2012 and February 2012. These numbers do not include a number of staff retiring on age regulations.

### **Industrial Relations**

435. **Deputy Paul J. Connaughton** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) will be paid in relation to a Labour Court finding; and if he will make a statement on the matter. [25850/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** The question deals with matters relating to the day-to-day functioning of Teagasc and is one in which I have no direct responsibility. Teagasc has advised that they are reviewing the case file and they will inform the person concerned of their deliberations in due course.

### **Food Exports**

436. **Deputy Dominic Hannigan** asked the Minister for Agriculture, Fisheries and Food his plans to increase the amount of exports of Irish produce (details supplied) to the BRIC countries; and if he will make a statement on the matter. [25910/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** I would inform the Deputy that there has already been a substantial increase in the value of agricultural exports to BRICs countries over the past two years. Total exports of agricultural products to BRICs in 2009 were valued at €87.8 million. This rose by almost 35% in value terms in 2010 to €118.3 million and the value of these exports for the first six months of 2011 stands at €101.4 million — well above the total for the full year of 2009.

Against that background I am very conscious of the valuable opportunities these markets present for increased trade in Irish agricultural products, notably those identified by the Deputy. It is an essential element of the Food Harvest 2020 strategy to increase Irish production of these products in order to grow agricultural exports and contribute to our national economic recovery. The Chinese market, in particular, represents a huge opportunity. I hosted a visit by the Chinese Vice Minister for Agriculture earlier this year and it is my intention to follow up on this contact by an official visit China later this year. We have established a series of High Level Working Groups to progress mutual co-operation on a number of fronts including a group on “*cooperation between China and Ireland in the Agri and Seafood areas*”.

As to India, Russia and Brazil, I and my Department are working closely with industry, other Government Departments, the agencies such as Bord Bia and Enterprise Ireland and the Irish Embassies in these countries to identify opportunities to grow and develop the trade.

### **Grant Payments**

437. **Deputy Dara Calleary** asked the Minister for Agriculture, Fisheries and Food the reason area based payments have not been paid to a person (details supplied) in County Mayo. [25932/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** Payments under the 2011 Disadvantaged Areas Scheme began issuing on 22 September 2011 and I am pleased to note that the application of the person named has been fully processed and that payment has issued directly to the nominated bank account of the person named.

438. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Fisheries and Food when will the first applicants who have applied for grant aid in respect of sheep fencing and mobile handling units receive payment in view of the many applicants that have applied; and if he will make a statement on the matter. [25945/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** The process of issuing approvals to all eligible applicants under the Sheep Fencing/Handling Scheme is now well-advanced within my Department. Under the terms of the Scheme, farmers have a period of two years from the date of issue of approval to complete the investment works concerned and submit a payment claim to my Department. Payments to farmers are dependent on the period taken by each applicant to complete the works concerned and to submit a valid payment claim.

My Department will endeavour to process all payment claims received as quickly as possible. An allocation of €1.7 million has been provided in this year's Estimates for the Scheme.

### Sea Fisheries Control

439. **Deputy Noel Harrington** asked the Minister for Agriculture, Fisheries and Food if he has plans to amend the rules regarding the transport of pelagic fish more than 100 km; if these will be replaced by a system in which a Sea Fisheries Protection Authority officer would inspect and seal at the landing port for transport by bulk container or tanker to the processing unit for the seal to be opened by a SFPA officer; if he has any other plans to amend the rules regarding the transport of pelagic fish; and if he will make a statement on the matter. [25946/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** Operational aspects in relation to sea fisheries control operations are a matter for the Sea Fisheries Protection Authority (SFPA). I have asked the SFPA to respond directly to the Deputy.

### Grant Payments

440. **Deputy Denis Naughten** asked the Minister for Agriculture, Fisheries and Food if a payment under the disadvantaged grassland sheep scheme to a person (details supplied) in Roscommon will be based on 2005 numbers or depleted 2009 numbers; the reason for this decision; and if he will make a statement on the matter. [25949/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** Applicants under the Grassland Sheep Scheme are required, inter alia, to submit an appropriately completed Sheep Census to my Department, payment being confined to the breeding ewes held by the applicant. Furthermore, my Department is obliged to conduct field inspections in respect of a proportion of those applications made under the Scheme. In this particular case, the person named declared 145 breeding ewes on their Sheep Census and, having been selected for field inspection, the inspector confirmed this figure. Accordingly, the payment made to the person named was calculated on the basis of 145 breeding ewes. However, given the position regarding the restriction on the flock of the person named, as outlined, I have had arrangements made to have the case of the person named fully reviewed, following which the person named will be advised, in writing, of the outcome.

### EU Directives

441. **Deputy Pádraig Mac Lochlainn** asked the Minister for Agriculture, Fisheries and Food if he will accede to requests from the Irish Farmers' Association that he does not allow Ireland's compliance with EU directives on wetlands to introduce new unworkable levels of bureaucracy and additional financial burdens on farmers [25963/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** The European Court of Justice in 2006 found that Ireland was non-compliant in the manner that the Environmental Impact Assessment (EIA) Directive (85/337/EEC), as amended, was transposed into Irish law.

The court deemed that Ireland was over-reliant on size thresholds in implementing the Directive and did not take other relevant criteria, such as the cumulative impacts of development, the location of the development or activity relative to sensitive sites etc, into account. Ireland was notified that very significant penalties would apply for continued failure to implement the Directive and two sets of Regulations have been introduced to address the findings of the European Court of Justice ruling against Ireland.

The drainage and reclamation of wetlands is the responsibility of my Ministerial colleague, the Minister for the Environment, Community and Local Government and remain within the planning system. The Minister introduced the Planning and Development (Amendment) (No.2) Regulations 2011 on 8 September 2011 to address this element of the Court judgement.

Three specific areas covered by the EIA Directive are now regulated by my Department under legislation I signed into law on 8 September 2011, i.e. the European Communities (Environmental Impact Assessment) (Agriculture) Regulations 2011 (S.I. No. 456 of 2011) and these are—

- restructuring of rural land holdings,
- the use of uncultivated land or semi-natural areas for intensive agriculture, and
- land drainage works on lands used for agriculture

My Department's Regulations provide for a screening and consent system that will not only satisfy the requirements of the Directive but will also provide a practical and workable solution that will minimise the administrative burden on farmers. There will be no application fee involved in the screening process and each application will be adjudicated upon on a case by case basis in a timely manner, taking into account the relevant criteria outlined in the Directive.

Mandatory Environmental Impact Assessments will only be required for larger projects which are above specific thresholds set out in the Regulations.

The Regulations will be underpinned by a comprehensive guidance document and a draft of this document is now available on my Department's website and all relevant stakeholders are invited to comment on this guidance during the consultation period which will close on Friday the 21 October 2011.

### **Veterinary Laboratories**

442. **Deputy Pádraig Mac Lochlainn** asked the Minister for Agriculture, Fisheries and Food the way he will subsidise farmers in County Donegal availing of laboratory facilities in the Six Counties as is the case for farmers based in the Six Counties [25964/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** My Department's Regional Veterinary Laboratory in Sligo offers a subsidised veterinary laboratory diagnostic service to the farming community of the North West — any herdowner in Co Donegal is entitled to avail of this service — carcasses of animals that have died on farm and clinical specimens collected from live animals can be referred via the private veterinary practitioner attending the herd in question; laboratory findings are reported to the referring practice and the practice is invoiced for the testing fees.

The Agri-Food and Biosciences Institute (AFBI), a non-departmental public body sponsored by the Department of Agriculture and Rural Development in Northern Ireland offers a similar range of diagnostic services and on the same basis to the farming community in Northern

Ireland from two centres, one located in Omagh and the other at Stormont. AFBI have two separate price-lists for diagnostic services, one for veterinary practices (herdowners) in Northern Ireland and the other for practices sending samples from outside Northern Ireland.

For comparative purposes AFBI currently charge veterinary practices in Northern Ireland £84 for post mortem examination of cattle over 18 months old whereas my Department charge veterinary practices in Ireland €25.35 for same.

Further details on the diagnostic services provided by DAFF and AFBI may be obtained in a recently launched joint report which is available to download from the Department's website at: <http://www.agriculture.gov.ie/press/pressreleases/2011/september/title,58251,en.html>

### **Animal Welfare**

443. **Deputy Maureen O'Sullivan** asked the Minister for Agriculture, Fisheries and Food when he will ban fur factory farming. [26141/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** It is my intention to publish an Animal Health and Welfare Bill this year. However, as the Deputy will be aware the Bill is a complex one and will require extensive work in conjunction with the Office of the Parliamentary Counsel to complete the required legal drafting. Once a complete draft is available I intend to publish the Bill. The issue of fur farming is being examined in the context of the ongoing drafting of the Bill.

### **Grant Payments**

444. **Deputy Paul J. Connaughton** asked the Minister for Agriculture, Fisheries and Food if an application for the transfer of entitlements has been processed in respect of a person (details supplied) in County Galway; and if he will make a statement on the matter. [26160/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** The person named became the registered owner of her late mother's herd number on 8 January 2010. However she did not submit an application to transfer the Single Payment entitlements held by her late mother and consequently no payment has issued on these entitlements.

The closing date for receipt of completed applications to transfer entitlements was the 17 May 2010. However due to the *force majeure* circumstances outlined, an official from my Department recently made contact with the person named, outlining the position. It is understood that an application to transfer entitlements together with testamentary documentation will now be forwarded to my Department.

The application will be processed as soon as it is received.

### **Bovine Disease Controls**

445. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Fisheries and Food if he will review a matter (details supplied) regarding farm to farm permits. [26170/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** The position is that certain bovine animals are required to have a blood test for brucellosis within the 60 day period prior to movement.

A certificate of compliance (farm to farm movement cert) is issued in cases where it is intended to move the animal within a shorter period and therefore the maximum validity period for a certificate of compliance is 30 days.

[Deputy Simon Coveney.]

There are no plans to extend the validity period of compliance certificates beyond the current 30-day limit.

### Grant Payments

446. **Deputy Michael Creed** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) in County Cork will be paid the balance of their 2009 suckler cow welfare grant; and if he will make a statement on the matter. [26186/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** The person named registered 33 animals under the 2009 Suckler Welfare Scheme. Payment has not issued as information has not been received in respect of the measures required to be carried out under this Scheme. The person named was advised of this by letter dated 26 August 2011 and was requested to return the required information by 5 September 2011. To date, no information has been received and therefore the present position is that the person named is ineligible for the Suckler Welfare Scheme for 2009 and subsequent years.

447. **Deputy Paul J. Connaughton** asked the Minister for Agriculture, Fisheries and Food when payment for area aid for 2011 will issue to a person (details supplied) in County Galway; and if he will make a statement on the matter. [26192/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** The application under the 2011 Single Payment Scheme/Disadvantaged Areas Scheme was received from the person named on 12 April 2011 has been fully processed. Payment under the Disadvantaged Areas Scheme issued on 26 September 2011, directly to the nominated bank account of the person named. The 50% advance payments under the Single Payment Scheme are scheduled to commence issuing on 16 October 2011.

448. **Deputy John O'Mahony** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) in County Mayo will receive their disadvantaged area aid payment for 2011; and if he will make a statement on the matter. [26193/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** An application under the Single Payment Scheme/Disadvantaged Areas Scheme was received from the person named on 14 May 2011. This application was selected for and was the subject of a Ground Eligibility Inspection. The inspection process is complete and the results are now being processed.

Under EU regulations governing the Disadvantaged Areas Scheme and the Single Payment Scheme, all Ground Eligibility Inspections must be completed before any payment can issue to any applicant under either scheme, including those not selected for a Ground Eligibility Inspection.

In the vast majority of cases that were inspected amendments have had to be made to the maps in order that the Land Parcel Identification System that is used for making payments to farmers is kept up-to-date. Processing of these changes is continuing with priority being given to applications that were the subject of a Ground Eligibility Inspection.

### Departmental Staff

449. **Deputy Anne Ferris** asked the Minister for Agriculture, Fisheries and Food notwithstanding the Civil Service circular No. 28, if he will provide a list of the current pay of each senior civil servant from higher executive officer to Secretary General in his Department broken down by grade; the pension entitlements of each and any other emoluments they are

entitled to receive upon reaching retirement; and if he will make a statement on the matter. [26229/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** There are 459 civil servants employed in my Department from Higher Executive Officer to Secretary General. Detailed below is a breakdown of those grades, giving the numbers per grade and the salary pay scale for each grade. A number of Higher Executive Officers and Assistant Principal Officers currently avail of the Civil Service Worksharing Scheme and their salary is reduced on a pro rata basis.

Grade	Number	Pay Scale
Secretary General	1	€200,000 *
Assistant Secretary General	5	€127,796 — €146,191
Director	1	€101,470
Principal Officer — Standard Scale	18	€80,051 — €98,424
Principal Officer — PPC Scale	1	€84,132 — €103,472
Principal Officer Higher Scale — Standard	10	€85,957 — €105,429
Principal Officer Higher Scale — PPC	1	€90,355 — €110,844
Assistant Principal Officer — Standard Scale	94	€61,966 — €76,768
Assistant Principal Officer — PPC Scale	9	€65,185 — €80,678
Assistant Principal Officer Higher Scale — Standard	23	€67,913 — €84,296
Administrative Officer — Standard Scale	1	€31,619 — €55,415
Administrative Officer — PPC Scale	21	€33,247 — €58,294
Administrative Officer Higher Scale — PPC	3	€42,838 — €60,224
Higher Executive Officer — Standard Scale	122	€43,816 — €51,415
Higher Executive Officer — PPC Scale	62	€46,081 — €58,294
Higher Executive Officer Higher Scale — Standard	86	€46,426 — €57,251
Higher Executive Officer Higher Scale — PPC	1	€48,831 — €60,224

\*based on voluntary waiver.

Under the terms of the Civil Service Superannuation Schemes, retiring staff are entitled to a lump sum payment and a retirement pension which is based on their length of service and final pensionable remuneration. Further details regarding retirement benefits for civil servants are available at [www.cspensions.gov.ie](http://www.cspensions.gov.ie)

Retiring staff receive a retirement lump sum of 3/80ths of pensionable remuneration for each year of reckonable service, subject to a maximum of 1½ times pensionable remuneration. In general, staff who were recruited prior to April 1995 and pay the modified rate of PRSI receive a pension of 1/80th of pensionable remuneration per year of reckonable service, subject to a maximum of 40 years. Staff who were recruited after April 1995, receive a pension which is integrated with the State Pension (Contributory). The formula for the calculation of the pension is 1/200th of pensionable remuneration up to 3 1/3rd times the State Pension, and 1/80th for pensionable remuneration in excess of this limit, per year of reckonable service, subject to a maximum of 40 years.

### Grant Payments

450. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Fisheries and Food the reason single farm payment has not issued in respect of persons (details supplied); and if he will make a statement on the matter. [26297/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** An application under the 2010 Single Payment Scheme was received from the person named on 12 May 2010. Payments under the Single Payment Scheme issued to the person named on 9 November 2010 (advance payment) and 1 December 2010 (balancing payment) on the clear eligible area. However, the person named subsequently appealed a reduction applied to the eligible area on a Commonage parcel declared on their application. Following a review by my Department, the appeal was upheld, as a result of which arrangements are now being made to have the balance of the payment due issued directly to the nominated bank account of the person named.

451. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Fisheries and Food the reason headage payment for sheep has not issued in respect of a person (details supplied); and if he will make a statement on the matter. [26298/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** Applicants under the Grassland Sheep Scheme are required, *inter alia*, to submit an appropriately completed Sheep Census to my Department, payment being confined to the breeding ewes held by the applicant. Although an application under the 2010 Single Payment Scheme/Grassland Sheep Scheme was received from the person named on the 12 May 2010, it was found, following validation, that while the person named had returned the Sheep Census, as required, no breeding ewes had been declared. Therefore, no payment is due under the Grassland Sheep Scheme to the person named.

452. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Fisheries and Food the reason for the delay in the single farm payment in respect of a person (details supplied); and if he will make a statement on the matter. [26300/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** An application under the Single Payment Scheme/Disadvantaged Areas Scheme was received from the person named on the 16 May 2011. The 50% advance payment under the 2011 Single Payment Scheme is not due to issue until 16 October 2011. Payment under the Disadvantaged Areas Scheme commenced on 22 September.

This application was selected for and was the subject of a Ground Eligibility Inspection. The inspection process is complete and the results are now being processed.

Under EU regulations governing the Disadvantaged Areas Scheme and the Single Payment Scheme, all Ground Eligibility Inspections must be completed before any payment can issue to any applicant under either scheme, including those not selected for a Ground Eligibility Inspection.

In the vast majority of cases that were inspected amendments have had to be made to the maps in order that the Land Parcel Identification System that is used for making payments to farmers is kept up-to-date. Processing of these changes is continuing with priority being given to applications that were the subject of a Ground Eligibility Inspection.

### Grant Payments

453. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Fisheries and Food when payment of the 2010 agri-environment option scheme will issue in respect of a person (details supplied); and if he will make a statement on the matter. [26301/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** The person named has been approved for participation in the AEOS scheme with effect from the 1st December 2010.

Under the EU Regulations governing the 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. A discrepancy has arisen in respect of one parcel listed on the application.

My Department will be in contact with the person named and payment will issue when the query has been resolved.

### Íocaíocht Deontais

454. **D'fhiafraigh Éamon Ó Cuív** den Aire Talmhaíochta, Iascaigh agus Bia cén uair a dhéanfar cinneadh maidir le híocaíocht REPS 2010 do dhuine i mo dháilcheantar (sonraí leis seo); agus an ndéanfaidh sé ráiteas ina thaobh. [26314/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** Thosaigh an duine ainmnithe Scéim um Chaomhnú an Chomhshaoil faoin Tuath 4 (REPS 4) i mí an Mheithimh 2009 agus fuair sé íocaíocht iomlán don chéad bhliain dá chonartha. Eisíodh 75% den íocaíocht de €1921.05 ar 16 Feabhra 2010 agus eisíodh an chuid eile den íocaíocht de 25% de €640.34 ar 23 Márta 2010.

Tar éis cros-seiceáil a dhéanamh idir an t-iarratas don Scéim Íocaíochta Aonair do 2010 ón duine ainmnithe agus plean agra-chomhshaoil an REPS fuarthas amach nár dearbhaíodh cuid de na tailte coimíneachta a dearbhaíodh ar na hiarratais d'Íocaíocht Aonair Feirme do na cúig bliana roimhe. Is riachtanas é do gach coimíneacht a tharraingítear anuas faoin REPS 4 gur gá do na tailte a bheith dearbhaithe ar iarratas d'Íocaíocht Aonair do na cúig bliana roimhe. Sa chás seo níor comhlíonadh an riachtanas seo de bharr agóide dlí ina bhfuil cúrsaí úinéireachta i gceist.

Tá iniúchadh á dhéanamh ag an Roinn ar an gcás seo faoi láthair.

### Grant Payments

455. **Deputy Brendan Griffin** asked the Minister for Agriculture, Fisheries and Food the reason for delay in rectifying a single farm payment in respect of a person (details supplied); if the matter will be dealt with now as a priority; and if he will make a statement on the matter. [26335/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** An application under the 2011 Single Payment Scheme/Disadvantaged Areas Scheme was received from the person named on 12 April 2011. During the processing of the application an over-claim was identified on one of the parcels declared, which necessitated writing to the person named, in order to resolve the issue. This issue is now resolved and the application has been fully processed and is clear for payment; payment under the Disadvantaged Areas Scheme issued today, directly to the nominated bank account of the person named, while the 50% advance payments under the Single Payment Scheme are scheduled to commence issuing as and from 16 October 2011.

456. **Deputy Niall Collins** asked the Minister for Agriculture, Fisheries and Food when the remainder of the REP scheme payment will issue to a person (details supplied) in County Cork. [26345/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** The person named commenced REPS 4 in June 2009 and has received full payment for the first year of their contract. In addition, 75% of the second year payment issued for the amount of €6131.10 on 23rd February 2011. An area based discrepancy was subsequently discovered following a cross



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check between the Single Payment Scheme application for 2010 from the person named and the REPS agri-environmental plan.

My Department is currently making arrangements to process outstanding payments to farmers of the 25% due in respect of 2010 in the cases where penalties were incurred and I expect payments to commence in these cases in October.

457. **Deputy Niall Collins** asked the Minister for Agriculture, Fisheries and Food if he will approve a late payment under the 2009 suckler welfare scheme to a person (details supplied) in County Cork. [26347/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** The person named registered 13 beef breed animals in 2009. One animal is not eligible for payment as the dam was slaughtered before the required measures were carried out on the calf. Payment in respect of the remaining 12 animals issued on 23 September 2011.

### **Milk Quota**

458. **Deputy Pat Breen** asked the Minister for Agriculture, Fisheries and Food the position regarding an application in respect of a person (details supplied) in County Clare; and if he will make a statement on the matter. [26349/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** Allocations of milk quota from the National Reserve are granted on the basis of recommendations from the Milk Quota Appeals Tribunal. The Tribunal examines and makes recommendations on applications for additional quota from individual producers. The named person submitted an application to the Tribunal seeking an allocation of additional quota under the Hardship category. This application was examined on 25th August 2011 and an allocation of 5,000 litres of additional milk quota was made from the National Reserve. The named person and his Co-op have been notified in this regard.

459. **Deputy Pat Breen** asked the Minister for Agriculture, Fisheries and Food the position regarding an application in respect of a person (details supplied) in County Clare; and if he will make a statement on the matter. [26350/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** Allocations of milk quota from the National Reserve are granted on the basis of recommendations from the Milk Quota Appeals Tribunal. The Tribunal examines and makes recommendations on applications for additional quota from individual producers. The named person submitted an application to the Tribunal seeking an allocation of additional quota under the Hardship category. This application was examined on 1st September 2011 and an allocation of 5,000 litres of additional milk quota was made from the National Reserve. The named person and his Co-op have been notified in this regard.

### **Disadvantaged Areas Scheme**

460. **Deputy Michael P. Kitt** asked the Minister for Agriculture, Fisheries and Food the reason overpayments are now requested from a person (details supplied) in County Galway over a two year period; if there is commonage lands involved; if his attention has been drawn to the fact that the commonage was declared initially; and if he will make a statement on the matter. [26367/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** The person named claims on a number of commonage parcels; as part of the ongoing review of eligible areas, all commonages in the country have been examined, with a view to identifying and removing ineligible areas. While the removal of these ineligible areas did not impact on the Single Payment of the person named, as the person named still had enough eligible area to fulfil his Single Payment requirements, the deductions did reduce the area designated as Disadvantaged, thereby resulting in an overpayment under the Disadvantaged Areas Scheme for the years 2009 and 2010.

### Departmental Strategy Statements

461. **Deputy Dara Calleary** asked the Minister for Agriculture, Fisheries and Food if his Department has submitted a strategy statement to him, as specified under the 1997 Public Service Management Act and if so, will he publish the statement. [26400/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** As required under the Public Service Management Act, 1997, my Department has submitted to me a Strategy Statement for the period 2011-2014.

Once the Strategy Statement has been submitted to Government, it will be laid before the Houses of the Oireachtas, circulated to the Joint Committee on Agriculture, Fisheries and Food and will also be publically available on the Department's website.

### Onshore Exploration

462. **Deputy Tony McLoughlin** asked the Minister for Agriculture, Fisheries and Food if he will allow gas exploration companies to utilise Coillte Teoranta lands in the north-west. [26421/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** Coillte Teoranta was established as a private commercial company under the Forestry Act, 1988 and day-to-day operational matters, such as the management and utilisation of its lands, are the responsibility of the company.

### Bovine Disease Controls

463. **Deputy Anthony Lawlor** asked the Minister for Agriculture, Fisheries and Food the cost to the State since the introduction of schemes to eradicate TB and brucellosis; if he is satisfied that these schemes are effective; and if he will make a statement on the matter. [26427/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** The information sought by the Deputy is not readily available and it would place excessive demands on scarce staff resources in the Department to compile this data.

I should explain, however, that the cost of the Bovine TB and Brucellosis programmes has declined considerably over the past 10 years or so arising from the effective eradication of Brucellosis from the country and the substantial reduction in the incidence of TB. For example, the cost of the two eradication schemes (excluding staff costs) has fallen from almost €82m in 1999 to just over €40m in 2010. A significant element of the costs relates to the payment of compensation to farmers and payments to private veterinarians for herd tests.

With regard to Brucellosis, the eradication scheme has been extremely effective and has enabled this country to be declared officially free of Brucellosis by the European Community in 2009. Following the achievement of this status, my Department has gradually scaled down

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the testing regime, with the result that the number of blood tests carried out annually has declined from 4.7m in 2008 to 2.9m last year. The cost of the programme in 2010 is estimated at €4.2m compared with €6.5m in 2008 and €35m in 1999. The changes made to the testing regime will result in significant savings for Irish farmers in terms of reduced testing costs. I will take a decision before the end of the year on the testing arrangements for 2012 following consultation with the farming organisations. My decision will be risk based and will take account of the continuing existence of disease in Northern Ireland, on the one hand, and the desirability of removing costs both for farmers and the Department, on the other.

With regard to TB, my Department's eradication programme includes a comprehensive range of measures, including the mandatory annual testing of all cattle in the national herd, the restriction of holdings where reactors are disclosed, risk-based testing of herds contiguous to infected herds, the early removal of reactors, a wildlife programme involving the targeted removal of badgers where they are implicated in a TB outbreak, the use of the gamma interferon test in problem herds, the depopulation of infected herds, where appropriate, and the payment of compensation to farmers whose herds are affected by disease.

Bovine TB is a much more intractable disease than Brucellosis, partly because of the presence of TB infection in wildlife. Nevertheless, there has been a significant improvement in the incidence of this disease over the last few years. For example, herd incidence has fallen from 7.7% in 1999 to 4.6% last year and reactor numbers in 2010 were, at 20,200, the lowest recorded since the commencement of the programme in the 1950's. The cost of the programme has declined from €47m in 1999 to €36.2m last year, largely as a result of the reduction in the incidence of the disease.

Reactor numbers and herd incidence have continued to fall in 2011 and it is likely that reactor numbers will fall below 20,000 this year, which will represent a new record low. If reactor numbers remain below 20,000 this year, we will have seen 3 years of very low disease levels and I am hopeful that the incidence of this disease will continue into the future. Notwithstanding the difficulty in attributing trends to a single factor and the cyclical nature of the disease, my Department believes that much of the improvement in the disease situation is due the badger removal programme.

The TB eradication programme in Ireland, which implements many of the provisions of EU trade Directive 64/432/EEC, is necessary for the continued export of live cattle and beef to other Member States and, in effect, has underpinned the growth of the Irish cattle and beef industry, which is worth over €2 billion per year, by creating and enhancing export opportunities. There are also public health benefits from implementing the programme. The cost of the eradication programme has to be seen in this context.

My Department will continue to monitor and review the effectiveness and efficiency of the TB eradication programme on an on-going basis with a view to the eventual eradication of this disease in all areas.

### **Youth Services**

464. **Deputy Mary Lou McDonald** asked the Minister for Children and Youth Affairs in view of his commitment that frontline services will not be affected by depleted public sector numbers, the reason the Health Service Executive has decided not to replace a retiring neighbourhood youth project 1 project leader in the north inner city. [25703/11]

465. **Deputy Joe Costello** asked the Minister for Children and Youth Affairs if she will ensure that the present project leader of a project (details supplied) in Dublin 1, who is retiring will be replaced; and if she will make a statement on the matter. [25724/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** I propose to take Questions Nos. 464 and 465 together.

As this is a service matter it has been referred to the HSE for direct reply.

### **Departmental Funding**

466. **Deputy Brendan Griffin** asked the Minister for Children and Youth Affairs if she will fund a charity (details supplied) in County Kerry; and if she will make a statement on the matter. [26005/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** My Department has received an application for funding from the 2011 National Lottery allocation from the organisation in question. The Deputy might note that this is one of a large number currently being assessed by my Department and I will keep him informed of the outcome of the application as soon as a decision has been made.

### **Departmental Staff**

467. **Deputy Noel Grealish** asked the Minister for Children and Youth Affairs the number of employees in her Department who have expressed an interest in retiring ahead of the changes to the public sector pension schemes that are to come into force in 2012 [25780/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** To date 13 people in my Department have expressed an interest in retiring ahead of the changes to the public sector pension schemes that are to come into force on 1 March 2012.

Of these 13 employees only one person has formally decided to retire.

### **Child Care Services**

468. **Deputy Catherine Murphy** asked the Minister for Children and Youth Affairs if the cost of child care is a priority for her; the initiatives she will take on this matter; the discussions she has held with other Departments regarding same; the outcome of those discussions; and if she will make a statement on the matter. [26018/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** I have responsibility for implementing a number of programmes to support parents with the cost of childcare.

The Early Childhood Care and Education (ECCE) programme, which was introduced in January 2010, provides for a free pre-school year for children aged more than 3 years 2 months and less than 4 years 7 months at 1st September in the relevant year. Under this programme, in return for providing the free pre-school year to eligible children, a pre-school service will be paid an annual capitation for each eligible child enrolled. The standard capitation rate is €2,450 per annum and a higher capitation rate of €2,850 per annum is payable to services with more highly qualified staff.

The Childcare Education and Training Support (CETS) programme which was introduced in September 2010 provides free childcare places to qualifying trainees attending certain FAS and VEC courses. Under this programme qualifying students and trainees can avail of childcare places free of charge, with my Department paying providers a weekly capitation rate of €170 for each full-time childcare place contracted in their service, €95 for each half day care place and €50 for an after school place.

Funding is also provided by my Department to support the Community Childcare Subvention (CCS) programme which enables community childcare services to provide childcare at reduced

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rates to disadvantaged and low income families. These not-for-profit facilities provide childcare at cost price with reductions to qualifying parents based on the level of subvention they are entitled to under the programme.

The above childcare programmes represent an overall investment in the region of €220 million in childcare supports in 2011.

### Preschool Services

469. **Deputy David Stanton** asked the Minister for Children and Youth Affairs the number of children who enrolled in preschool education in September, 2011 under the free preschool year; the percentage of all eligible children participating in this scheme; and if she will make a statement on the matter. [26103/11]

470. **Deputy David Stanton** asked the Minister for Children and Youth Affairs the number of preschool services who are providing the free preschool year to children in September 2011; the percentage of all preschool services participating in this scheme; and if she will make a statement on the matter. [26104/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** I have responsibility for implementing the free pre-school year in Early Childhood Care and Education (ECCE) programme which was introduced in January 2010, and provides a free pre-school year to all eligible children in the year before commencing primary school.

Almost every pre-school service in the State is participating in the programme ensuring that it is available to children in all areas. All services participating in the programme are required to return information to my Department at the start of each academic year in relation to the number of qualifying children attending, as services are funded on this basis.

Services had to make their 2011 returns by last week, and these are currently being processed, but I regret it is not possible at this stage to say what the participation rate will be in 2011/12.

The number of pre-school services participating in the programme has been estimated as 95%.

### Health Services

471. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Children and Youth Affairs the number of children placed and an indicative range of cost for a full year placement in each setting for the most recent available year in foster care, in Health Service Executive residential care excluding high support, in HSE high support care, placed by the HSE in other care arrangements in the State, placed outside the state [26105/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** As this is a service matter it has been referred to the HSE for direct reply.

### Health Service Staff

472. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Children and Youth Affairs the amount of funding earmarked for child protection posts for each year since 2001; and the matters on which the earmarked funding was spent. [26110/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** As this is a service matter it has been referred to the HSE for direct reply.

### Children in Care

473. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Children and Youth Affairs if she has factored the increased number of children in care into the figures for optimal ratio of social worker to child. [26111/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** As this is a service matter it has been referred to the HSE for direct reply.

### Child Abuse

474. **Deputy Micheál Martin** asked the Minister for Children and Youth Affairs her plans to meet the leadership of the Catholic Church or any of the religious orders following the publication of the Cloyne report. [21420/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** Prior to the launch of the Cloyne Report, I met with the Chairman and Chief Executive of the Catholic Church's National Board for Safeguarding Children to discuss a range of issues. The HSE's National Director for Children and Family Services, Mr. Gordon Jeyes, was also in attendance. Mr. Jeyes is at my request engaging directly with the Board on a programme of action designed to ensure that the Catholic Church is responding properly and comprehensively to all child protection concerns. He will report formally to me on progress in this regard.

Separately the HSE is finalising a national audit of child protection policies, procedures and practices in each Catholic diocese. I am advised that the report of this audit is at an advanced stage and that the HSE hopes to submit the report to me by the end of October. The need for follow-up action involving the Church authorities will be informed by the findings of the national audit.

### Departmental Staff

475. **Deputy Anne Ferris** asked the Minister for Children and Youth Affairs notwithstanding the Civil Service circular No. 28, if she will provide a list of the current pay of each senior civil servant from higher executive officer to Secretary General in her Department broken down by grade; the pension entitlements of each and any other emoluments they are entitled to receive upon reaching retirement; and if she will make a statement on the matter. [26231/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** There are two salary scales for Civil Servants depending on their date of recruitment. These are often referred to as non Personal Pensions Contribution 1995 and Personal Pension Contribution 1995 scales. The difference is to compensate for the personal contributions made towards their pensions. This affects Civil Servants recruitment after April 1995. The attached table shows numbers serving in each grade from HEO upwards in my Department at end August 2011. While the table shows minimum and maximum of each scale the exact salary scales for each grade is publically available on the internet at [www.personnelcode.gov.ie](http://www.personnelcode.gov.ie).

All of these officers are members of the relevant superannuation scheme. Entitlements under these schemes are complex and depend on a number of factors such as date of recruitment, level of reckonable service and reason for retirement.

The exact details of each scheme are too complex to set out here, but are also publically available on the Civil Service Pensions website at [www.cspensions.gov.ie](http://www.cspensions.gov.ie).

In addition, certain severance provisions apply to Secretary Generals depending on their date of appointment.

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Grade	Number	Salary Scale	
		Min	Max
Higher Executive Officer & Equivalent Grades	15	43,816	55,415
Higher Executive Officer (Higher) & Equivalent Grades	6	40,734	57,251
Assistant Principal Officer & Equivalent Grades	10	61,966	76,768
Assistant Principal Officer (Higher) & Equivalent Grades	6	67,913	84,296
Principal Officer & Equivalent Grades	2	80,051	98,424
Principal Officer (Higher) & Equivalent Grades	5	85,957	105,429
Deputy Secretary	1	168,000	
Secretary General	1	180,000	

### Child Abuse

476. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the total number of reported incidents of child sex or other abuse of children reported in each of the past five years and to date in 2011; the extent to which prosecutions have been taken or are pending; and if she will make a statement on the matter. [26317/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** As this is a service matter it has been referred to the HSE for direct reply.

### Youth Services

477. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs her preferred options for the delivery of youth services with particular reference to identifying specific requirements of an urgent nature; and if she will make a statement on the matter. [26318/11]

478. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the extent, if any, to which an assessment has been done to identify modern requirements in terms of youth support services at local regional and national level with particular reference to meeting the emerging needs of the young population; and if she will make a statement on the matter. [26321/11]

480. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the extent to which a co-ordinated youth support service exist throughout the country; her plans to address such issues; and if she will make a statement on the matter. [26324/11]

481. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs her plans for a fully integrated and co-ordinated children and youth service throughout the country with particular reference to the necessary back up services required such as social workers and or those with responsibility to directly assist in cases of need; and if she will make a statement on the matter. [26326/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** I propose to take Questions Nos. 477, 478, 480 and 481 together.

As Minister for Children and Youth Affairs, I am committed to the development of a new youth policy framework which my Department is currently progressing. Through this work a

clear policy framework will emerge that will aim to enhance the development, participation and support of young people.

I intend that the policy framework will also facilitate and promote co-ordination and coherence across departments and services and will set out the priorities, rationale and criteria for future funding programmes. It will also accommodate issues relevant to young people within the 10-24 age range in informal or out-of-school settings that fall within the remit of my Department. The overall aim will be to clarify and enhance coherence, connectivity, coordination and delivery in youth services and related out-of-schools services for young people and to ensure such provision is both quality and outcomes based.

As part of this approach my Department is in the process of commissioning a review of international best practice in the area of youth development and youth support. The findings from this work will inform my Department's policy objectives and future funding provision with the aim of ensuring that young people engaging in youth services derive maximum benefit.

One of my key aims for youth policy development will be to ensure optimum use of all the financial and human resources available. Accordingly, the development of my Department's policy in relation to young people will focus specifically on ensuring greater coherence, coordination and impact in youth policy and provision so as to ensure quality outcomes for all.

### Children in Care

479. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the total number of children in care in each of the past five years and to date in 2011; the numbers that have had their requirements fully met; the number deemed to have dropped out or remained pending; and if she will make a statement on the matter. [26323/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The HSE compiles monthly performance reports which provide an overall analysis of key performance data from finance, HR, hospital and primary and community services. These reports include statistics in relation to children in care. Monthly performance reports for the period from 2008-July 2011 are available at [www.hse.ie/eng/services/Publications/corporate/performance-reports/MonthlyPRs.html](http://www.hse.ie/eng/services/Publications/corporate/performance-reports/MonthlyPRs.html). The report at end December 2008 includes comparable data in 2007.

*Questions Nos. 480 and 481 answered with Question No. 477.*

### Departmental Strategy Statements

482. **Deputy Michael McGrath** asked the Minister for Children and Youth Affairs if the Department has submitted a strategy statement to her, as specified under the 1997 Public Service Management Act and if so, will she publish the statement. [26395/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** My Department is currently in the process of devising a Strategy Statement for 2011-2014.

It is my intention to publish the Strategy Statement following the completion of the Statutory Process with regard to same.

### Health Service Staff

483. **Deputy Derek Keating** asked the Minister for Children and Youth Affairs if she will consider accepting registered social care workers to assist and support professionally qualified social workers in dealing with family support, child bereavement and other circumstances such as school attendance and minor behavioural problems; if her attention has been drawn to the fact that this is the practice in some parts of the United Kingdom; and if she will make a statement on the matter. [26423/11]



**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** Social care workers currently work in partnership with other professionals to support people who experience marginalisation, disadvantage or who have special needs. While they are not subject to statutory registration at present, they will be registered under the Health and Social Care Professionals Act 2005 when this legislation is commenced. Social care workers are currently employed in family support services and in residential care, including special care. Additionally, they work alongside social workers in providing services to vulnerable children and to children at risk.

484. **Deputy Derek Keating** asked the Minister for Children and Youth Affairs the number of child protection social workers employed by the Health Service Executive to cover Clondalkin, Rathcoole, Newcastle, Saggart, Palmerstown and Lucan; if she is satisfied that there are adequate numbers to deal with these presenting with disclosures of abuse and wilful neglect; if she will confirm that the Health Service Executive has cut the community-based social workers assigned to care of the elderly duties in the HSE area 5 and reassigned them to child protection services; if she will confirm that there is no recruitment embargo on professionally qualified social workers; and if she will make a statement on the matter. [26424/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The approved Employment Control Framework for the HSE exempts social worker posts from the current moratorium on recruitment and the filling of vacancies. I have requested the information sought by the Deputy from the HSE and I will be in further contact with the Deputy on receipt of this information.

### National Drugs Strategy

485. **Deputy Maureen O'Sullivan** asked the Minister for Health the mechanisms in place to deliver on the oversight and co-ordination of the drugs task forces in the greater Dublin area; his vision for the work of the drug task forces in the greater Dublin area over the coming years; and if he will make a statement on the matter. [25652/11]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** The institutional arrangements to support cross agency working, advise on operational and policy matters, assess progress across the National Drugs Strategy and address any operational difficulties include the Drugs Advisory Group and the Oversight Forum on Drugs. The Drugs Advisory Group has a specific mandate to oversee and support the work of the Drugs Task Forces.

Drugs Task Forces play a key role in assessing the extent and nature of the drug problem in their areas and co-ordinating action at local level so that there is a targeted response to the drug problem in local communities. With a view to strengthening their effectiveness, I am initiating a review which will focus on the role of Task Forces and their funding and accountability arrangements. I also plan to review the role, composition and national structures under which Task Forces operate.

### Mental Health Services

486. **Deputy Bernard J. Durkan** asked the Minister for Health the full extent and availability of child psychiatric services throughout the country; the extent to which out of hours services are available; the degree to which such services are deficient; his plans to address any such issues; and if he will make a statement on the matter. [26319/11]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** *A Vision for Change* identified mental health services for children and young people as a priority area for development. The HSE has therefore placed a particular emphasis on developing child and adolescent mental health teams, improving inpatient access and addressing waiting times for

assessment and progress has been made in recent years. The Government is committed to reforming our model of healthcare delivery so that more care is delivered in the community; access to modern mental health services in the community will therefore be significantly improved. It is proposed to ringfence €35m annually from within the health budget to develop community mental health teams and services to ensure early access to more appropriate services for both adults and children. There are now 61 multidisciplinary Child and Adolescent Mental Health teams nationally and further teams will be developed in line with the recommendations of *A Vision for Change*.

In terms of child and adolescent mental health infrastructure, two new purpose built units opened earlier this year at Bessboro, Cork and Merlin Park, Galway, increasing the total bed capacity to 36 beds, with a further increase to 52 beds expected before the end of 2011. It is also proposed to provide further beds in the Dublin region and, in this regard, work is due to commence later this year on the second phase of the Child and Adolescent Unit at St. Vincent's Hospital, Fairview which will increase capacity from 6 to 12 beds, and on the development of an 8 bedded facility at St Loman's, Palmerstown. In addition, work on the Linn Dara Child and Adolescent Mental Health Day Facility in Cherry Orchard, Dublin is close to completion.

Where an emergency situation arises for a young person, an assessment is arranged within 24 hours. Recent cases have arisen where there have been difficulties for some individuals under 18 years in accessing a psychiatric assessment. The Executive Clinical Directors have considered the issue and have committed to ensuring that in all such cases, an immediate assessment will be provided by the general adult mental health service in the catchment area.

487. **Deputy Bernard J. Durkan** asked the Minister for Health the extent to which adequate resources are available to provide the necessary services when there is suspicion of self-harm or injury; and if he will make a statement on the matter. [26320/11]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** Where there is suspicion of self harm or injury the most appropriate course is to advise the individual to seek help from their GP, who can then make a referral to other services such as the mental health or addiction service, if the self harm is drug or alcohol related. In an emergency the individuals should be referred or taken to the nearest hospital emergency department for a medical assessment, treatment and if necessary referral to other services. The HSE Clinical Care national lead on mental health is working with key stakeholders to develop a uniform approach to self harm assessments in emergency departments so that all those who present will receive the most appropriate care and treatment. In addition a pilot project is now underway in the Cork Hospital Group to train all appropriate clinical staff in self harm/suicide management and it is planned that in due course this will be rolled-out to other hospitals.

The HSE National Office for Suicide Prevention has funded a number of community SCAN (Suicide Community Assessment Nurses) who work directly with primary care to avoid admission to hospital. These projects are currently being evaluated. A number of voluntary organisations also provide services to those who self harm.

Dealing with the current high levels of suicide and deliberate self harm is a priority for this Government. The total funding available nationally through the HSE for suicide prevention is about €9 million of which €4.2 million is available to the National Office for Suicide Prevention (NOSP) and approximately €5 million is available regionally to fund Resource Officers for Suicide Prevention, Self-Harm Liaison Nurses in Hospital Emergency Departments and local suicide prevention initiatives including crisis awareness groups. The funding provided in this area this year includes a special allocation of €1 million specifically to target initiatives to address the increasing incidence of suicide and deliberate self harm.

### Hospital Services

488. **Deputy John McGuinness** asked the Minister for Health if an operation, which was cancelled, will be rescheduled as a matter of urgency in respect of a person (details supplied) in County Kilkenny. [25633/11]

**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.

### Health Services

489. **Deputy Gerald Nash** asked the Minister for Health the reason for the delay in appointing an additional methadone dispensing general practitioner in Drogheda, County Louth; when the appointment will be made; and if he will make a statement on the matter. [25646/11]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** I have sought an update from the Health Service Executive on the position regarding the appointment of an additional methadone dispensing General Practitioner in Drogheda and I will forward the information to the Deputy as soon as possible.

### Hospital Waiting Lists

490. **Deputy Pearse Doherty** asked the Minister for Health if he will provide an explanation for the cancellation of an operation in respect of a person (details supplied) in Dublin 22; if following this cancellation the person has been placed at the end of the waiting list for the required operation; when the person may expect the required operation; his views that such treatment of patients is appropriate and acceptable; and if he will make a statement on the matter. [25656/11]

**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

491. **Deputy Jim Daly** asked the Minister for Health if he is in receipt of a proposal for cost saving initiative with the implementation of flexible working hours and career break schemes from the Association of Chartered Physiotherapy; and if he will make a statement on the matter. [25662/11]

**Minister for Health (Deputy James Reilly):** The Employment Control Framework (ECF) for the Health Sector exempts a number of grades, including Physiotherapists, from the moratorium on recruitment to maintain essential services. While decisions on individuals applications on career breaks and flexible working remain a local staff management issue, the measures proposed by the Association are broadly permissible given the exemption in the Employment Control Framework. Since December 2009, there has been a net increase of 61 wholetime equivalents in the number of physiotherapists to August 2011 in the public health services.

In July 2011, the HSE made the decision to pause recruitment in order to assist in addressing its difficult financial situation. Notwithstanding this pause, exceptions are still being made address critical service risk.

### Departmental Strategy Statements

492. **Deputy Billy Kelleher** asked the Minister for Health when he expects to publish his statement of strategy 2011-2014 following submissions from interested parties; his plans to retain the task force structure as well as making the necessary resources available; and if he will make a statement on the matter. [25665/11]

**Minister for Health (Deputy James Reilly):** My Department submitted a draft Statement of Strategy for the period 2011-2014 to me recently. It is my intention to publish the Statement of Strategy in due course, in accordance with the provisions of the Public Service Management Act 1997.

Drugs Task Forces play a key role in assessing the extent and nature of the drug problem in their areas and co-ordinating action at local level so that there is a targeted response to the drug problem in local communities. With a view to strengthening their effectiveness, I am initiating a review which will focus on the role of Task Forces and their funding and accountability arrangements. I also plan to review the role, composition and national structures under which Task Forces operate. The question of resources for Drugs Task Forces will be examined in the context of the Estimates for 2012, taking account of the need to protect front line services.

### Hospital Services

493. **Deputy Tom Hayes** asked the Minister for Health if an appointment for bypass surgery in respect of a person (details supplied) in County Tipperary can be brought forward due a deterioration in the person's medical condition. [25669/11]

**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.

### Health Services

494. **Deputy Finian McGrath** asked the Minister for Health if his attention has been drawn to a report submitted to the Health Service Executive in 2009 (details supplied) and a subsequent review submitted in early 2011; and when a reply will issue to the questions posed in the review. [25675/11]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** The Health Service Executive has advised me that the report referred to consisted of two strands. Firstly, serious allegations were made concerning patient care which were investigated and found to have no basis. Secondly, certain HR issues were raised and the review into these matters is nearing completion. The HSE has advised that they expect this review to be completed within weeks, at which point the complainant will be contacted.

495. **Deputy Billy Timmins** asked the Minister for Health the position regarding health care in respect of a person (details supplied); and if he will make a statement on the matter. [25686/11]

**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.

### Health Service Staff

496. **Deputy Gerald Nash** asked the Minister for Health the total amount paid in each of the years 2008, 2009 and 2010 by the Health Service Executive to private employment agencies to engage staff in the health services both on a long term and contract basis in tabular form; and if he will make a statement on the matter. [25690/11]

497. **Deputy Gerald Nash** asked the Minister for Health the number of doctors engaged by the Health Service Executive through private employment agencies in each of the years 2008, 2009 and 2010; the average commission paid to such agencies per doctor engaged through those agencies in those specific years in tabular form; and if he will make a statement on the matter. [25691/11]

498. **Deputy Gerald Nash** asked the Minister for Health the number of nurses engaged by the Health Service Executive through private employment agencies in each of the years 2008, 2009 and 2010; the average commission paid to such agencies per nurse engaged through those agencies in those specific years in tabular form; and if he will make a statement on the matter. [25692/11]

499. **Deputy Gerald Nash** asked the Minister for Health the number of radiographers engaged by the Health Service Executive through private employment agencies in each of the years 2008, 2009 and 2010; the average commission paid to such agencies per radiographer engaged through those agencies in those specific years in tabular form; and if he will make a statement on the matter. [25693/11]

500. **Deputy Gerald Nash** asked the Minister for Health the number of physiotherapists engaged by the Health Service Executive through private employment agencies in each of the years 2008, 2009 and 2010; the average commission paid to such agencies per physiotherapist engaged through those agencies in those specific years in tabular form. [25694/11]

501. **Deputy Gerald Nash** asked the Minister for Health the number of laboratory technicians engaged by the Health Service Executive through private employment agencies in each of the years 2008, 2009 and 2010; the average commission paid to such agencies per laboratory technicians engaged through those agencies in those specific years in tabular form. [25695/11]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 496 to 501, inclusive, together.

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.

### Hospital Services

502. **Deputy Gerald Nash** asked the Minister for Health his plans for the future of the Cottage Hospital, Drogheda, County Louth; and if he will make a statement on the matter. [25696/11]

**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.

### Health Services

503. **Deputy Billy Kelleher** asked the Minister for Health the current capacity of beds in

Connolly Hospital, Blanchardstown, Dublin 15; and the capacity was over the past five years. [25699/11]

504. **Deputy Billy Kelleher** asked the Minister for Health the current number of staff vacancies in Connolly Hospital, Blanchardstown, Dublin 15. [25700/11]

505. **Deputy Billy Kelleher** asked the Minister for Health the total number of staff employed in Connolly Hospital, Blanchardstown, Dublin 15. [25701/11]

506. **Deputy Billy Kelleher** asked the Minister for Health the number of bed closures in Connolly Hospital, Blanchardstown, Dublin 15, over the past year. [25702/11]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 503 to 506, inclusive, together.

As these are service matters, they have been referred to the Health Service Executive for direct reply.

507. **Deputy Jerry Buttimer** asked the Minister for Health when it is planned to roll out a diabetic retinopathy screening programme; if screening will be provided in counties Cork and Kerry; the budget that has been assigned to the programme; and if he will make a statement on the matter. [25725/11]

**Minister for Health (Deputy James Reilly):** The HSE National Clinical Programme for Diabetes — which includes the care of children and adolescents with diabetes — is established within the Clinical Strategy and Programmes Directorate. is programme is supported by a multidisciplinary team with representation from a number of Nursing and Allied Health Professionals, Podiatrists, GPs and the Diabetes Federation of Ireland.

The National Diabetes Working group is working through a number of key objectives; one of these is the development of a national diabetic retinopathy screening programme by the National Screening Programme (NCSS) — which was formally requested earlier this year by the HSE National Directorate of Clinical Strategy and Programmes to start the development of the retinopathy screening programme. is work has started; however, the development of the programme will inevitably prove protracted given the scale of the work involved in establishing such a new programme — especially given the fundamental principle that quality assured outcomes for diabetic patients is not compromised; and on this basis, it is not anticipated that it will be ready to start in the first quarter of 2012. A budget of €1.6m has been assigned to the project for 2011.

### Hospital Staff

508. **Deputy Brendan Griffin** asked the Minister for Health the position regarding a staffing issue at Kerry General Hospital (details supplied); and if he will make a statement on the matter. [25738/11]

**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

509. **Deputy Denis Naughten** asked the Minister for Health the total cost in each Health Service Executive region for the provision of IT support; the companies involved and the total amount paid to each in the last available 12 month period; and if he will make a statement on the matter. [25759/11]

**Minister for Health (Deputy James Reilly):** As this is a matter for the Health Service Executive, it has been referred to them for direct reply.

510. **Deputy John McGuinness** asked the Minister for Health if he will respond to correspondence dated 24 August 2011 from a person (details supplied) in County Carlow regarding complaints relative to the Health Service Executive; his views on the complaints made and the action he will take to improve the services in question; and if he will make a statement on the matter. [25763/11]

**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 Procedures**

511. **Deputy John McGuinness** asked the Minister for Health the reason a date has not been set for day surgery in respect of a person (details supplied) in County Kilkenny and if he will now expedite the matter; and if he will make a statement on the matter. [25766/11]

**Minister for Health (Deputy James Reilly):** As this is a service matter, it has been referred to the Health Service Executive for direct reply.

#### **Tax Code**

512. **Deputy John McGuinness** asked the Minister for Health if he will clarify the tax rates being applied to the wages and travel expenses of a person (details supplied) in County Kilkenny. [25767/11]

**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.

#### **Departmental Staff**

513. **Deputy Noel Grealish** asked the Minister for Health the number of employees in his Department who have expressed an interest in retiring ahead of the changes to the public sector pension schemes that are to come into force in 2012; and if he will make a statement on the matter. [25786/11]

**Minister for Health (Deputy James Reilly):** To date twenty four employees in my Department have expressed an interest in retiring ahead of the changes to the public service pension schemes that are to come into force on 1st March 2012.

Of these two individuals have formally applied to retire before 29th February 2012.

#### **Hospital Services**

514. **Deputy Michael Lowry** asked the Minister for Health if he will give assurances that the current services in Nenagh general hospital will be maintained in view of the recent bed closures in other facilities in north Tipperary; his views on the future of Nenagh general hospital; and if he will make a statement on the matter. [25793/11]

**Minister for Health (Deputy James Reilly):** As this is a service matter, it has been referred to the HSE for direct reply.

#### **Medical Cards**

515. **Deputy Barry Cowen** asked the Minister for Health when a decision on an appeal for a medical card will issue in respect of a person (details supplied) in County Offaly. [25818/11]

**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.

516. **Deputy Barry Cowen** asked the Minister for Health when a decision on an application for a medical card will issue in respect of a person (details supplied) in County Offaly. [25819/11]

**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.

517. **Deputy Barry Cowen** asked the Minister for Health when a decision on an application for a medical card will issue in respect of a person (details supplied) in County Galway. [25820/11]

**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.

518. **Deputy Barry Cowen** asked the Minister for Health when a decision on an application for a medical card will issue in respect of a person (details supplied) in County Laois. [25821/11]

**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.

519. **Deputy Barry Cowen** asked the Minister for Health when a decision will issue on an application for a medical card in respect of a person (details supplied) in County Offaly. [25822/11]

**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.

520. **Deputy Barry Cowen** asked the Minister for Health when a decision on an application for a medical card will issue in respect of a person (details supplied) in County Offaly. [25823/11]

**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.

521. **Deputy Barry Cowen** asked the Minister for Health when a decision on an application for a medical card will issue in respect of a person (details supplied) in County Offaly. [25824/11]

**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.

522. **Deputy Barry Cowen** asked the Minister for Health when a decision on an application for a medical card will issue in respect of a person (details supplied) in County Offaly. [25825/11]

**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.



523. **Deputy Barry Cowen** asked the Minister for Health when a decision on an application for a medical card will issue in respect of a person (details supplied) in County Offaly. [25826/11]

**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.

524. **Deputy Barry Cowen** asked the Minister for Health when a decision on an application for a medical card renewal will issue in respect of a person (details supplied) in County Offaly. [25827/11]

**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.

525. **Deputy Barry Cowen** asked the Minister for Health when a decision on an application for a medical card will issue in respect of a person (details supplied) in County Offaly. [25829/11]

**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.

526. **Deputy Barry Cowen** asked the Minister for Health when a decision on an application for a medical card will issue in respect of a person (details supplied) in County Offaly. [25830/11]

**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 Action Plan

527. **Deputy Mary Mitchell O'Connor** asked the Minister for Health if he will consider introducing a tax on so-called junk food to help combat the increasing obesity figures here; and if he will make a statement on the matter. [25846/11]

528. **Deputy Mary Mitchell O'Connor** asked the Minister for Health the concept of including calorie counts on restaurant menus; if he has discussed with a company (details supplied) the reasons for their failure to introduce calorie menus here alongside the planned introduction of same in their UK branches, particularly considering the high levels of obesity here; and if he will make a statement on the matter. [25847/11]

529. **Deputy Mary Mitchell O'Connor** asked the Minister for Health the progress made of the special action group on obesity; and if he will make a statement on the matter. [25848/11]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 527 to 529, inclusive, together.

The Special Action Group on Obesity is examining a number of options including the introduction of a sugar tax on sugar-sweetened drinks amongst a range of measures to reduce the levels of overweight and obesity in the population. The Group is not considering the introduction of tax on high fat, salt and sugar foods at this juncture. They have explored the issue of calorie posting in fast food restaurants and officials from my Department met with representatives from the food industry during the summer in this regard. I now intend writing to fast food operators in Ireland asking that they introduce this calorie posting in their Irish restaurants. This initiative was first introduced in the US, and it has recently been replicated in the UK in a deal between the British government and industry.

**Medical Cards**

530. **Deputy Barry Cowen** asked the Minister for Health when a decision on an application for a medical card will issue in respect of a person (details supplied) in County Offaly. [25888/11]

**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.

531. **Deputy Barry Cowen** asked the Minister for Health when a decision on an application for a medical card will issue in respect of a person (details supplied) in County Offaly. [25889/11]

**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.

532. **Deputy Barry Cowen** asked the Minister for Health when a decision on an application for a medical card will issue in respect of a person (details supplied) in County Offaly. [25890/11]

**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.

533. **Deputy Barry Cowen** asked the Minister for Health when a decision on an application for a medical card will issue in respect of a person (details supplied) in County Offaly. [25891/11]

**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.

**Medical Cards**

534. **Deputy Barry Cowen** asked the Minister for Health when a decision on an application for a medical card will issue in respect of a person (details supplied) in County Offaly. [25892/11]

**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.

535. **Deputy Barry Cowen** asked the Minister for Health when a decision on an application for a medical card will issue in respect of a person (details supplied) in County Offaly. [25893/11]

**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.

536. **Deputy Barry Cowen** asked the Minister for Health when a decision on an application for a medical card renewal will issue in respect of a person (details supplied) in County Offaly. [25894/11]

**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.

537. **Deputy Barry Cowen** asked the Minister for Health when a decision on an application for a medical card will issue in respect of a person (details supplied) in County Offaly. [25895/11]

**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.

538. **Deputy Barry Cowen** asked the Minister for Health when a decision on an application for a medical card will issue in respect of a person (details supplied) in County Offaly. [25896/11]

**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.

539. **Deputy Barry Cowen** asked the Minister for Health when a decision on an application for a medical card renewal will issue in respect of a person (details supplied) in County Offaly. [25897/11]

**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.

540. **Deputy Barry Cowen** asked the Minister for Health when a decision on an application for a medical card will issue in respect of a person (details supplied) in County Offaly. [25898/11]

**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.

541. **Deputy Barry Cowen** asked the Minister for Health when a decision on an application for a medical card will issue in respect of a person (details supplied) in County Offaly. [25899/11]

**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 Staff**

542. **Deputy Seán Ó Feargháil** asked the Minister for Health if he will ensure that there are sufficient staff allocated to the paediatric rheumatology services at Our Lady's Hospital, Crumlin, Dublin 12, to meet the growing demands for such services; and if he will make a statement on the matter. [25909/11]

**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 Service Staff**

543. **Deputy Sean Fleming** asked the Minister for Health the number of primary care teams in existence currently being developed and in planning stages on a county basis. [25912/11]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** The HSE has identified a need for 518 Primary Care Teams and 386 of them have commenced operation with widely varying degrees of activity. The remaining 132 Teams are at varying stages of development.

The table shows the number of Primary Care Teams in place and the number of Teams in development, at the end of August 2011, broken down on a HSE Regional and Local Health Office Area basis.

Overall No of Teams	LHO Name	No. of PCTs in Place (31st Aug 2011)	No. of PCTs in Development (31st Aug 2011)
	<i>Dublin Mid Leinster</i>		
15	Dublin South City	11	4
10	Dublin South East	8	2
18	Dublin South West	9	9
15	Dublin West	8	7
25	Kildare/West Wicklow	19	6
20	Laois/Offaly	9	11
16	Longford/Westmeath	13	3
16	South Dublin	14	2
14	Wicklow	14	0
149		105	44
	<i>Dublin North East</i>		
14	Cavan/Monaghan	10	4
27	Dublin North	27	0
21	Dublin North Central	21	0
24	Dublin North West	13	11
12	Louth	9	3
19	Meath	5	14
117		85	32
	<i>South</i>		
16	Carlow/Kilkenny	11	5
16	Kerry	9	7
12	North Cork	8	4
21	North Lee	20	1
22	South Lee	17	5
10	Tipperary South	7	3
12	Waterford	9	3
8	West Cork	8	0
17	Wexford	12	5
134		101	33
	<i>West</i>		
12	Clare	12	0
18	Donegal	12	6
26	Galway	19	7
18	Limerick	14	4
15	Mayo	15	0
6	Roscommon	6	0

[Deputy Róisín Shortall.]

Overall No of Teams	LHO Name	No. of PCTs in Place (31st Aug 2011)	No. of PCTs in Development (31st Aug 2011)
11	Sligo/Leitrim	8	3
12	Tipp/East Limerick	9	3
118		95	23
518	Totals	386	132

544. **Deputy Patrick O'Donovan** asked the Minister for Health further to previous questions regarding the position of the chief dental officer replied to on 26 May 2011, the position regarding same; and if he will make a statement on the matter. [25924/11]

**Minister for Health (Deputy James Reilly):** In a response to a similar Question on 26th May, I informed the Deputy that the current moratorium on the filling of posts has meant that my Department has not been in a position to fill the position of Chief Dental Officer. The Dental Advisor formerly on secondment to my Department has completed her secondment and returned to the HSE. Following the review of my Department under the Organisational Review Programme (ORP) we will be reviewing the skills needed for the future and this will include positions such as that of Chief Dental Officer.

This Review of Skills is in the next phase of our implementation of the Action Plan prepared in response to the ORP review and work on this phase will commence shortly.

### Health Services

545. **Deputy Patrick O'Donovan** asked the Minister for Health the number of recommendations of the Joint Oireachtas Committee on Health and Children's report into orthodontic care that have been implemented; and if he will make a statement on the matter. [25925/11]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** The Joint Committee on Health and Children produced a Review of Public Orthodontic Services in June 2005, which contained seven specific recommendations. The position in relation to each recommendation is set out in the tabular statement.

Recommendations	Status of Recommendations
The existing guide-lines for Orthodontic Treatment (Categories A, B and C) should be replaced by the Index of Orthodontic Treatment Need Code (IOTN) on a national basis immediately. Persons classified as Grade 4 or 5 under the IOTN in terms of the severity of their need for treatment should then be removed from waiting lists and given the requisite orthodontic treatment.	HSE Guidelines based on IOTN have been introduced.
The Minister for Health & Children should implement measures, as a top national priority, to ensure international accrediting bodies are given proper recognition. This recognition would then facilitate an increase in the number of qualified Orthodontists.	The Irish Committee for Specialist Training in Dentistry is the recognised accredited body in Ireland and orthodontic courses run by the Dublin and Cork Dental Schools have been recognised.
The Training Programme provided by a number of Orthodontists in the former Mid-Western Health Board area that was stopped should be reinstated immediately, with the requisite academic supports, as a means of further increasing the supply of trained Orthodontists.	This recommendation has not yet been implemented.

Recommendations	Status of Recommendations
The outstanding issues at the Dental School in University College Cork (UCC) should be resolved as a matter of top priority so that Orthodontic training can commence there in the very near future.	Cork Dental School is accredited for training postgraduate orthodontic students.
Funding for Specialist Training Places (funded by the Department of Health & Children and attached to Health Authorities for a 3 year period) that was stopped should be reinstated immediately. In the event of the State having to provide funding for orthodontic trainees, these trainees should be required to have a public service commitment upon graduation.	The HSE has two postgraduate students attending the Dublin Dental School and Hospital course. They are due to qualify this autumn. Post qualification they are contracted to work for the HSE for a four year period.
A Chief Dental Officer should be appointed to the Department of Health and Children as a matter of urgency to replace the vacancy that has been there since 2004. The salary and conditions should be commensurate with recruiting a professional of the highest calibre with the requisite skills to deliver on a national dental strategy.	This is being considered by the Department of Health.
At least 5 additional Oral Surgeons and 5 Maxillo-Facial Surgeons should be appointed without delay to complement Orthodontic treatment services.	This recommendation has not yet been implemented.

### Health Service Staff

546. **Deputy Patrick O'Donovan** asked the Minister for Health the Health Service Executive's position in relation to the employment of orthodontic therapists; if the position adopted by the HSE here is in keeping with international best practice; and if he will make a statement on the matter. [25926/11]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** The Dental Council has established schemes for the recognition of grades of auxiliary dental workers, including Orthodontic Therapists. I understand that no such workers are currently registered with the Dental Council. The HSE intends to review the delivery of orthodontic services and all possible avenues in relation to internationally recognised models of good practice will be considered in that context.

### Proposed Legislation

547. **Deputy Patrick O'Donovan** asked the Minister for Health if he has any plans to amend the Dentists Act 1985; and if he will make a statement on the matter. [25927/11]

**Minister for Health (Deputy James Reilly):** It is planned to update the legislative provisions in relation to the regulation of dentists, in line with recent legislation for other regulated health care professionals. However, the timeframe is dependent on prioritisation within the Department's overall legislative programme. Work has commenced on scoping the issues involved.

### Hospital Waiting Lists

548. **Deputy John McGuinness** asked the Minister for Health the reasons for the delay in arranging operations for a person (details supplied) in County Kilkenny; and if he will expedite the matter. [25943/11]

**Minister for Health (Deputy James Reilly):** As this is a service matter, it has been referred to the Health Service Executive for direct reply.

### Departmental Expenditure

549. **Deputy Pádraig Mac Lochlainn** asked the Minister for Health the amount that the

[ Deputy Pádraig Mac Lochlainn.]

Health Service Executive paid in rent to private landlords from 2007 for temporary facilities to take care of psychiatric patients while awaiting the completion of the new psychiatric care unit adjoining Letterkenny General Hospital, County Donegal. [25955/11]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** As this is a service matter the question has been referred to the HSE for direct reply.

### Hospital Contracts

550. **Deputy Pádraig Mac Lochlainn** asked the Minister for Health the details of all private cleaning contractors who have secured tenders for laundry services at Letterkenny General Hospital, County Donegal; the cost of each tender; and the rationale for the different tenders. [25956/11]

**Minister for Health (Deputy James Reilly):** As this is a service issue, it has been referred to the HSE for direct reply.

### Hospitals Building Programme

551. **Deputy Jim Daly** asked the Minister for Health if he plans to provide the necessary capital to provide the extension to Bandon Community Hospital, County Cork; and if he will make a statement on the matter. [25975/11]

**Minister for Health (Deputy James Reilly):** The management and delivery of the health capital programme is a service matter. Therefore your question has been referred to the Health Service Executive for direct reply.

### Health Service Staff

552. **Deputy Jim Daly** asked the Minister for Health the exact staffing allocation being provided to support children diagnosed with autism in west Cork through CoAction in 2011; the way that this compares with the staffing allocation in 2006; and if he will make a statement on the matter. [25976/11]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** As the Deputy's question relates to service matters, I have arranged for this question to be transferred to the Health Service Executive for direct reply.

### National Lottery Funding

553. **Deputy Brendan Griffin** asked the Minister for Health if he will fund a charity (details supplied) in County Kerry. [26003/11]

**Minister for Health (Deputy James Reilly):** My Department has received an application for funding from the 2011 National Lottery allocation from the organisation in question. This is one of a large number currently being assessed by my Department, and the Deputy will be informed of the outcome of the application as soon as a decision has been made.

### Health Services

554. **Deputy Brendan Griffin** asked the Minister for Health the position regarding a matter at a hospital (details supplied) in County Kerry; and if he will make a statement on the matter. [26004/11]

**Minister for Health (Deputy James Reilly):** My Department has received an application for funding from the 2011 National Lottery allocation from the organisation in question. This is one of a large number currently being assessed by my Department, and the Deputy will be informed of the outcome of the application as soon as a decision has been made.

### Hospital Staff

555. **Deputy Mary Lou McDonald** asked the Minister for Health the cost to the State when all publicly employed hospital consultants exceed the cap of 25% in private practice by 15% . [26009/11]

**Minister for Health (Deputy James Reilly):** I am determined to ensure that consultants adhere to the private practice limits set out in the 2008 Contract and to see that public patients receive equitable access to appropriate care.

The 2008 Consultants' Contract includes measures to strengthen the management, monitoring and control of activity in hospitals with a view to ensuring that the level of consultant private practice within public hospitals does not exceed the permitted ratio, which is 20% for new consultants and a maximum of 30% for consultants who previously held the 1997 Contract. A small number of consultants have significantly exceeded the private practice limit. The Health Service Executive has taken action against these consultants focusing on those with private practice in excess of 40-50% and seeking compliance with the terms of the contract. Under the contract, consultants who remain in breach of the permitted ratio are required to remit excess private practice income to the employer for placement in a research and study fund.

Where consultants exceed the private practice ratios permitted in the contract, the principal cost to the State is that a smaller proportion of public patients than should be the case receive treatment.

### National Treatment Purchase Fund

556. **Deputy Brendan Griffin** asked the Minister for Health further to Parliamentary Question No. 496 of 20 September 2011, the way the average figure for the cost of a nursing home bed through the National Treatment Purchase Fund was arrived at, providing highs and lows for the most expensive and least expensive care facilities; and if he will make a statement on the matter. [26027/11]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** The weighted average cost for long-term residential care in private nursing homes is arrived at by multiplying the cost of care in each nursing home by the number of residents, adding all of these totals together and dividing by the total number of beds nationally.

The cost of care in each private nursing home is notified to the HSE and published on its website. The latest information available indicates that the lowest cost of care in a private nursing home is €565 per week and the highest is €1,344 per week. The weighted average is €900.

### Departmental Expenditure

557. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the amount of funding allocated for secretariat services for the Irish Expert Body on Fluorides and Health for 2010 and 2011. [26109/11]



**Minister of State at the Department of Health (Deputy Róisín Shortall):** The total funding allocated to the Irish Expert Body on Fluorides and Health was €400,000 in 2010 and €350,000 in 2011. This funding was for secretariat costs. Members of the Expert Body provide their expertise on a voluntary basis.

### Health Services

558. **Deputy Billy Timmins** asked the Minister for Health the position regarding services in respect of a person (details supplied) in County Wicklow; and if he will make a statement on the matter. [26139/11]

**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.

### Hospital Services

559. **Deputy Pádraig Mac Lochlainn** asked the Minister for Health in view of the number of patients that Letterkenny General Hospital, LGH, County Donegal, caters for on an annual basis and the scale of medical specialties available in the hospital, if he will now upgrade the status of LGH from general to regional. [26154/11]

**Minister for Health (Deputy James Reilly):** Letterkenny General Hospital is categorised as a Category 2 Hospital for the purpose of public hospital charges. Private, semi private and day case charges for hospitals in this category were increased this year by between 29% and 42%.

The issue of reimbursement of hospitals for private patient treatment was examined in the 'Value for Money and Policy Review of the Economic Cost and Charges Associated with Private and Semi-Private Treatment Services in Public Hospitals', published in December 2010. This Report recommended a review of the system of hospital categorisation, on which private patient charges are based. The existing categories reflect differences in teaching status and complexity as measured by the casemix system.

As measured by the casemix system, Letterkenny General Hospital has a relatively low level of case complexity, and therefore resource usage, compared to other hospitals. This would suggest that its current classification for charging purposes is appropriate.

However, I will keep the matter under review in the context of categorising all hospitals for charging purposes.

560. **Deputy Aodhán Ó Ríordáin** asked the Minister for Health the position regarding a nine month waiting list for an echocardiogram appointment (details supplied) at Beaumont Hospital, Dublin; and if he will make a statement on the matter. [26169/11]

**Minister for Health (Deputy James Reilly):** As this is a service matter, it has been referred to the Health Service Executive for direct reply.

### Ambulance Service

561. **Deputy Emmet Stagg** asked the Minister for Health the reason ambulance transport for outpatient services in respect of a person (details supplied) in County Kildare has been withdrawn. [26180/11]

**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

562. **Deputy Jack Wall** asked the Minister for Health the reasons an appointment to receive the determination of results was cancelled from 26 September 2011 to June 2012 in respect of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [26201/11]

**Minister for Health (Deputy James Reilly):** As this is a service matter, it has been referred to the Health Service Executive for direct reply.

### Mental Health Services

563. **Deputy Jack Wall** asked the Minister for Health his views regarding a submission on mental health services (details supplied); his plans to address the issues raised; the meeting he or the Ministers of State at his Department or his Department officials have had or are proposing to have with the representative organisations involved with the submission; the results of such meetings if they have taken place; and if he will make a statement on the matter. [26202/11]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** Since taking office I have had meetings with very many representative organisations in the area of mental health, including the one referred to in the details supplied by the Deputy. At those meetings I reiterated the Government's commitment to the reform of our mental health services in line with *A Vision for Change*.

It is the Government's intention that over time access to modern mental health services in the community will be significantly improved. It is proposed in our current Programme for Government to increase the spend on mental health services by ring-fencing €35 million annually from within the health budget to develop community mental health teams and services. In addition, as 90% of mental health needs are dealt with at primary care level, the Government is committed to developing closer links between mental health services and primary care. GPs and Primary Care Teams will be supported in their physical working environment through the provision of shared premises which will encourage and facilitate interaction across all health professionals. It is envisaged that the provision of improved community-based services will ensure that people with mental health problems receive the treatment and after-care support needed to facilitate recovery.

I have asked the HSE to prepare an implementation plan, which will identify specific recommendations of *A Vision for Change* that can be progressed over the next three years, with timelines, detailed costs, person(s) responsible for implementation etc. I am also in discussions with officials in my Department with a view to establishing a Directorate within the HSE to take overall responsibility for driving and implementing the recommendations of *A Vision for Change* and, in particular, to deliver on the commitments in the Programme for Government.

### Departmental Expenditure

564. **Deputy Seán Kenny** asked the Minister for Health when the Health Service Executive Dublin north east taxi contract was last put out to tender; the details of the arrangements currently in place; when it will be put out to tender again; and if he will make a statement on the matter. [26208/11]

**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

565. **Deputy Seán Kenny** asked the Minister for Health when will the 100 bed community nursing unit at St. Joseph's Hospital, Raheny, Dublin 5 be fully opened; and if he will make a statement on the matter. [26209/11]

**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.

### Medical Cards

566. **Deputy Robert Dowds** asked the Minister for Health if he will consider extending to the families of children with serious chronic illness the current provisions for medical card renewal by persons over 70 years which allow them to renew the card by signing an affidavit that their circumstances have not changed in the past year; and if he will make a statement on the matter. [26225/11]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** Under the General Medical Card Scheme, medical cards are made available to persons and their dependants who would otherwise experience undue hardship in meeting the cost of general practitioners services. Eligibility for the medical card is based primarily on the means of the adult and his/her spouse or civil partner. Two years is now the average period nationally for which an individual or family holds a medical card before formal review under the General Medical Scheme (GMS). The review process is an important quality assurance aspect of the management of the GMS.

The medical card review process for the over 70's is based on separate legislation and the process has been simplified to facilitate older persons where there has been no change in their circumstances. Where changes in circumstances have occurred, the case is reviewed in the normal way. The HSE has no plans to change these arrangements.

### Health Service Staff

567. **Deputy Derek Keating** asked the Minister for Health in view of the recent disclosure of contracts entered into by the previous Government with hospital consultants related to one year's paid leave in lieu of time worked, if he will outline the cost of such contracts to the State; the date on which they were agreed; and if he will make a statement on the matter. [26228/11]

**Minister for Health (Deputy James Reilly):** Dating back to the 1991 contract and earlier, consultants had an entitlement to rest days in lieu of extra days/hours worked. Consultant Contract 1997 provided for 'historic rest days' as a means of settling claims that consultants had not benefited from their full rest day entitlement. This allows them to take up to a year of such rest days — on full pay — prior to retirement and requires that they be replaced on a locum basis until their actual retirement date. In a number of instances, consultants offer to perform their own locum, effectively on double pay. Consultants who had established an entitlement to historic rest days maintained this under Consultant Contract 2008. The 2008 contract has a new mechanism for rest days whereby, on a quarterly basis, consultants must now take such leave days or forfeit them..

Approximately 450 Consultants remain eligible for historic rest days. The large majority of these are eligible for the full year of historic rest days, meaning that for a year prior to their retirement and the introduction of a permanent replacement, their employer must pay both for the consultant and — if services are to be maintained — for a locum. It is estimated that such contracts would cost the health service approximately €100 million in the period up to 2027, when the last of the cohort of eligible consultants is set to retire.

Historic rest days represent an anachronistic and costly means of compensating Consultants who did not receive their full complement of rest days in the period 1991 to 1997. The requirement that the full complement be taken immediately prior to retirement places a significant burden on the employer in terms of maintaining services and funding both the Consultant and their locum for up to a year.

Taking this into account, the HSE has recently tabled proposals under the Public Service Agreement 2010-2014 to the Irish Hospital Consultants' Association and Irish Medical Organisation, aimed at addressing this future liability for the health service. The matter is the subject of ongoing engagement between the parties.

### Departmental Staff

568. **Deputy Anne Ferris** asked the Minister for Health notwithstanding the Civil Service circular No. 28, if he will provide a list of the current pay of each senior civil servant from higher executive officer to Secretary General in his Department broken down by grade; the pension entitlements of each and any other emoluments they are entitled to receive upon reaching retirement; and if he will make a statement on the matter. [26238/11]

**Minister for Health (Deputy James Reilly):** All general service grades employed in my Department are paid in accordance with Department of Finance Circular 28/2009 Revision of Pay of Civil Servants.

The following table details the current payscales by grade as requested by the Deputy.

Grade Level	Pay Scale
Secretary General	€215,590 (Non PPC)
Chief Medical Officer	€176,800 (PPC)
Assistant Secretary	€127,796 — €146,191 (Non PPC)
Deputy Chief Medical Officer	€93,197 — €113,530 (Non-PPC) €97,668 — €119,445 (PPC)
Principal Officer Higher Scale	€85,957 — €105,429 (Non PPC) €90,355 — €110,844 (PPC)
Principal Officer	€80,051 — €98,424 (Non PPC) €84,132 — €103,472 (PPC)
Assistant Principal Higher Scale	€67,913 — €84,296 (Non PPC) €71,359 — €88,598 (PPC)
Assistant Principal	€61,966 — €76,768 (Non PPC) €65,185 — €80,678 (PPC)
Higher Executive Officer Higher Scale	€46,426 — €57,251 (Non PPC) €48,831 — €60,224 (PPC)
Higher Executive Officer	€43,816 — €55,415 (Non PPC) €46,081 — €58,294 (PPC)
Administrative Officer Higher Scale	€40,734 — €57,251 (Non-PPC) €42,838 — €60,224 (PPC)
Administrative Officer	€31,619 — €55,415 (Non PPC) €33,247 — €58,294 (PPC)

There are also a number of professional staff employed in my Department including inter alia Legal Advisor, Chief Pharmacist, Chief Environmental Health Officer, Chief Nursing Officer who are paid a salary equivalent to their comparable civil service grade.

Under the terms of the Civil Service Pension Scheme, all retiring Civil Servants are normally entitled to an annual pension and retirement lump sum based on final salary and years of service. The retirement lump sum is calculated at 3/80ths of pensionable remuneration for each year of reckonable service, subject to a maximum of 40 years service.

The method of calculation of pension for pre-6 April 1995 staff (Non Personal Pension Contribution) who pay the modified rate of PRSI is 1/80th of pensionable remuneration per year of reckonable service, subject to a maximum of 40 years.

The method of calculating Main Scheme pension for officers recruited on or after 6 April 1995 (PPC) who qualify for benefits on or after 1 January 2004 is:

[Deputy James Reilly.]

(a) For that part of the officer's pensionable remuneration which is less than or equal to 3 1/3rd times the current rate of CSP (Contributory State Pension), 1/200th of pensionable remuneration multiplied by the number of years of reckonable service plus

(b) For any part of the officer's pensionable remuneration which exceeds 3 1/3rd times CSP, 1/80th of pensionable remuneration multiplied by the number of years of reckonable service.

The maximum number of years of reckonable service is 40.

### Pharmacy Regulations

569. **Deputy Patrick O'Donovan** asked the Minister for Health further to Parliamentary Question No. 936 of 14 September 2011, the length of time he intends to keep this reduced reimbursement price for fridge items in place. [26248/11]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** The current rates of payments for pharmacists are set out in the Health Professionals (Reduction of Payments to Community Pharmacy Contractors) Regulations 2011 (SI No. 300 of 2011).

The Minister for Health is required by the Financial Emergency Measures in the Public Interest Act 2009 to carry out a review of the operation, effectiveness and impact of the rates before the end of the year. If, after completing the review, the Minister considers it appropriate to do so, the Minister may, with the consent of the Minister for Finance, adjust the rates of payment.

### Nursing Homes Support Scheme

570. **Deputy Bernard J. Durkan** asked the Minister for Health if and when the fair deal scheme will be offered to a person (details supplied) in County Kildare; and if he will make a statement on the matter. [26327/11]

**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.

### Mental Health Services

571. **Deputy Maureen O'Sullivan** asked the Minister for Health the extent of the budget allocation for the mental health section of the health service for 2011; and if he will provide a breakdown of that allocation for that year. [26355/11]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** Non-capital funding for mental health in the 2011 Revised Book of Estimates for the Public Services is €920 million. The Estimate is broken down under the five broad headings of Long Stay Residential Care (€534 million), Community Services (€252 million), Psychiatry of Later Life (€9 million), Counselling Services (€18 million) and other (€107 million).

### Health Services

572. **Deputy Pearse Doherty** asked the Minister for Health the cost to the State to pay for a single resident in full-time residential care at St. John of God Menni Enterprises, Ballyfermot, Dublin. [26357/11]

573. **Deputy Pearse Doherty** asked the Minister for Health the cost to the State of a person accessing the day care centre per day at St. John of God Menni Enterprises, Ballyfermot, Dublin. [26358/11]

574. **Deputy Pearse Doherty** asked the Minister for Health the total contributions from the State on an annual basis for the past ten years to St. John of God Menni Enterprises, Ballyfermot, Dublin. [26359/11]

575. **Deputy Pearse Doherty** asked the Minister for Health the total number of full-time and part-time staff positions funded by the State at St. John of God Menni Enterprises, Ballyfermot, Dublin; and if he will provide a breakdown of the number of staff earning up to €40,000 per year, the number of staff earning between €40,000 and €80,000 per year, the number of staff earning between €80,000 and €100,000 per year and the number earning over €100,000 per year. [26360/11]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** I propose to take Questions Nos. 572 to 575, inclusive, together.

As the Deputy's questions relate to service matters, I have arranged for these questions to be transferred to the Health Service Executive for direct reply.

### **Departmental Strategy Statements**

576. **Deputy Billy Kelleher** asked the Minister for Health if his Department has submitted a strategy statement to him, as specified under the 1997 Public Service Management Act and if so, will he publish the statement. [26393/11]

**Minister for Health (Deputy James Reilly):** My Department submitted a draft Statement of Strategy for the period 2011-2014 to me recently. It is my intention to publish the Statement of Strategy in due course, in accordance with the provisions of the Public Service Management Act 1997.

### **Thalidomide Survivors**

577. **Deputy Jack Wall** asked the Minister for Health further to a meeting of 15 July 2011 with a survivors society (details supplied), the progress made to date of the establishment of a forum in regard to the determining means of addressing the major issues raised at the meeting, the projected calendar of dates and events that he proposes to organise in the preparation of the forum; and if he will make a statement on the matter. [26409/11]

578. **Deputy Jack Wall** asked the Minister for Health if, further to a meeting held on 15 Jul, 2011, he has contacted the company to determine if there is a willingness by them to provide funding for the purchase of special equipment for the members of the association (details supplied); if so, the position regarding same; if not, if it is his intention to make such contacts or arrange such meetings between himself and the company in view of the grave concerns the members have raised in regard to the lack of such facilities and the affect of such on their families and friends in seeking to overcome such shortfalls; and if he will make a statement on the matter. [26410/11]

579. **Deputy Jack Wall** asked the Minister for Health further to a parliamentary question of 3 March 2011, the results of the resultant meeting of 15 July 2011 (details supplied); the actions taken as a result of that meeting to date to address the issues raised at that meeting; if any funding has been provided to address the problems raised; if so, the amount; if any facilities such as special wheelchair, lifts, beds, provision of showers, special baths, extensions and so on have been purchased or ordered or planned to address the major concerns and problems that were raised at the meeting; if any have been supplied to date; if there has been a confirmed contact within his Department for the stated organisation to work through; if not will this

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matter be urgently addressed; is there a date fixed for a further meeting to discuss progress and to address any concerns the group has in regard to the position now of the group and its participants; and if he will make a statement on the matter. [26411/11]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 577 to 579, inclusive, together.

I outlined with my meeting with the Irish Thalidomide Survivors Society in July, my main focus is on addressing the health care issues of Irish thalidomide survivors. Discussions with the Health Service Executive (HSE) regarding health care issues have been ongoing. My officials will now seek to establish the parameters of what can be offered in this regard and will be in touch with the representatives of both thalidomide organisations when my Department and the HSE are in a position to outline the details involved. I will ensure that survivors and their representatives are consulted during this process, which I have asked to be advanced as quickly as possible.

### Care of the Elderly

580. **Deputy Simon Harris** asked the Minister for Health if his attention has been drawn to the serious staffing shortage at a public nursing home (details supplied) in County Wicklow which has led to the temporary closure of the facility; the number of staff currently working at this facility; the number of staff currently on temporary and long-term sick leave; the measures the Health Service Executive will take to reduce staff sick leave; when he expects the facility to re-open for new respite care admissions; and if he will make a statement on the matter. [26415/11]

**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.

581. **Deputy Simon Harris** asked the Minister for Health the alternative arrangements he and the Health Service Executive will introduce to provide respite care services for elderly patients in County Wicklow while a public nursing facility (details supplied) in the county remains closed due to staffing shortages; if patients who have not received their scheduled respite care as a result of this facility's closure will receive their full allocation of respite care at a later date this year; and if he will make a statement on the matter. [26416/11]

**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.

### Health Services

582. **Deputy Timmy Dooley** asked the Minister for Health his plans to end the placing of children and young persons in adult psychiatric wards. [19830/11]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** A child should only be admitted as an in-patient to a psychiatric facility as a last resort, and should as far as possible receive the necessary treatment in the community; there are now 61 multidisciplinary Child and Adolescent Mental Health teams nationally and further teams will be developed in line with the recommendations of *A Vision for Change*. The Government is committed to reforming our model of healthcare delivery so that more care is delivered in the community; access to modern mental health services in the community will therefore be significantly improved. It is proposed to ringfence €35m annually from within the health budget to develop

community mental health teams and services to ensure early access to more appropriate services for both adults and children.

In terms of child and adolescent mental health service infrastructure, currently bed capacity is 36, 12 in Dublin, 12 in Cork and 12 in Galway, with a further 16 beds to be commissioned by the end of the year — 8 in Cork and 8 in Galway. It is also proposed to provide further beds in the Dublin region and, in this regard, work is due to commence later this year on the second phase of the Child and Adolescent Unit at St. Vincent's Hospital, Fairview which will increase capacity from 6 to 12 beds, and on the development of an 8 bedded facility at St Loman's, Palmerstown. In addition, work on the Linn Dara Child and Adolescent Mental Health Day Facility in Cherry Orchard, Dublin is close to completion. It is anticipated that this facility will provide day care and treatment for children and adolescents with mental health needs and will obviate the need for some admissions. It is envisaged that the provision of improved community based services, coupled with an increase in bed capacity, will put an end to the practice of placing children and adolescents in adult psychiatric facilities.

### Departmental Reports

583. **Deputy Derek Keating** asked the Minister for Health the name and number of external reports that were commissioned by his Department from 2000 to 2004 in tabular form; the cost of each one of these external reports; if these external reports were given out to tender; the name of the person or company who was commissioned for these external reports; his views of the benefits that these external reports served the public interest; and if he will make a statement on the matter. [21414/11]

**Minister for Health (Deputy James Reilly):** During the period specified by the Deputy, having due regard to the tendering process, a total of 105 external reports were commissioned by the Department. Details of these reports are set out in the following tables.

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.

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. 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 2000

Name of Report	Carried out by	Cost
Final Report of the Empowerment of Nurses and Midwives Steering Group: An Agenda for Change	Dublin City University University of Leeds	€23,320



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Name of Report	Carried out by	Cost
Acute Hospital Bed Capacity: A National Review	Mary Codd	€141,191
Ambulance Service Communication Study	RCC Consultants	€26,060
Annual Report of the Inspector of Mental Hospitals for 2000	Inspectorate of Mental Hospitals	€10,000
Critique of earlier Health Strategy 'Shaping a Healthier Future'	ESRI	€21,469
Feasibility Study relating to implementation of Case-Mix based Risk Equalisation	Cap Gemini Ernst and Young	€174,456
Report of the Forum on Fluoridation Ireland	Advisory Group established by Minister	€336,000
Report of the Working Group on National Anti-Poverty Strategy and Health	Institute of Public Health	€190,000
Report on the Current and Future Supply and Demand Conditions in the Labour Market for Certain Professional Therapies	Peter Bacon and Associates	€38,092
Review of the Organisation and Management of "An Bord Uchtála" (The Adoption Board)	Maureen Lynott	€20,895
Review of the organisational structures of the ERHA	Alpha Consulting	€7,781
Report of The Commission on Assisted Human Reproduction	The Commission on Assisted Human Reproduction	€633,809
The Development of Radiation Oncology Services in Ireland — Consumer survey of radiotherapy services in Ireland	Institute of Public Administration/Royal College of Surgeons	€21,707
Value for Money Audit of the Irish Health System	Deloitte and Touche	€616,000

## Reports Commissioned in 2001

Name of Report	Carried out by	Cost
Annual Report of the Inspector of Mental Hospitals for 2001	Inspectorate of Mental Hospitals	€11,951
Evaluation of the North Eastern Health Board's Out of Hours Co-operative	Conall Devine	€31,743
Evaluation of the Pilot Programme for the Education of Health Care Assistants	University of Ulster	€76,000
Final Report on Options for System Development and Implementation	Social Information Systems Ltd.	€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	Paul Gardiner	€103,000
Heart Health Task Force Progress Report July 1999 — June 2001	Heart Health Task Force	€35,500
Impact of Alcohol Advertising on Teenagers in Ireland	McDonald Glennon	€45,000
Market research for the Department on the public's attitude to health matters	Irish Marketing Surveys Ltd.	€99,040

Name of Report	Carried out by	Cost
National Blood Strategy Implementation Group Report	University College Dublin	€55,000
National Evaluation of the Role of the Clinical Placement Co-ordinator	Royal College of Surgeons	€25,359
Pharmacy Review Group Report	Pharmacy Review Group	€36,423
Policy Paper 1 — “The Invisible Student” Young Parents in Education — Policy Paper 2 — “I Hadn’t a Penny”	Centre for Social and Educational Research	€37,457
Provision of Medical Indemnity Report: Provision of Clinical Indemnity Scheme Helpline service on behalf of State Claims Agency.	CIRCA Healthcare Consulting	€979,012
Report on the Regulation of Practitioners of Complementary and Alternative Medicine in Ireland	Institute of Public Administration	€18,982
Report on the Strategic Options for the Voluntary Health Insurance Board	Davy Corporate Finance Ltd./William Fry	€553,493
Report to the Minister for Health and Children: Independent Examination related to the Medical Council and the South Eastern Health Board	Maureen Lynott	€7,770
Review of Dáil na nÓg 2001 — Professional Solutions	Michael Bruton	€8,433
Review of potential liabilities of Portiuncula Hospital	Marsh Ireland	€1,921

## Reports Commissioned in 2002

Name of Report	Carried out by	Cost
A feasibility study on the costs and benefits associated with the introduction of a dedicated Helicopter Emergency Medical Service (HEMS)	Booz/Allen/Hamilton	€64,230
Analysis of Question 1 of Public Consultation to the National Health Strategy “Quality and Fairness: A Health System for You” (2001)	Jean Tubridy	€21,600
Annual Report of the Inspector of Mental Hospitals for 2002	Inspectorate of Mental Hospitals	€14,341
Report of the Commission on Financial Management and Control Systems in the Health Service	The Commission on Financial Management and Control Systems in the Health Service	Nil
National Task Force on Medical Staffing	Task Force appointed by Minister	€741,050
Audit of Structures and Functions in the Health System	Prospectus Strategy Consultants	€533,131
Childline Review — Children’s Research Centre	Trinity College Dublin	€45,000
Dental Epidemiology	Oral Health Research Centre	€727,367
Evaluation of Pharmacy Regulations	Indecon International Economic Consultants	€65,400
Inquiry into the Handling of Allegations of Child Sexual Abuse relating to the Diocese of Ferns	George Bermingham	€2,028,498
National Children’s Advisory Council —	Anne Colgan	€14,483

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Name of Report	Carried out by	Cost
Facilitation for Young People and Report on Young People's Participation on the Council		
National Children's Advisory Council — Report of the Voice of the Child — National Youth Council of Ireland	Marian Brattman	€3,200
National Children's Advisory Council — Report on the Implementation of Children First and Vetting	Lynne Peyton	€9,809
Paediatric Palliative Care Needs Assessment — 'A Needs Assessment for Children'	UCD	€71,944
Position Paper on Feasibility of Introducing a Cost of Disability Payment	Indecon	Nil
Report of Mr Kevin Bonner on Monaghan General Hospital	Kevin Bonner	€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	Maureen Lynott	€7,841
Report on Social Work Workload Management	Social Information Systems Ltd.	€30,000
Review of funding of sheltered workshops	KPMG	€106,480
Review of Governance and Accountability in the General Medical Services Scheme	Deloitte and Touche	€130,584
Review of Proposed Pharmacy Models	Indecon	€83,901
The Evaluation of 'Cancer Services in Ireland' A National Strategy 1996	Deloitte and Touche	€106,398
Report of The National Implementation Committee on Pre-Registration Nursing Degree Education	The National Implementation Committee on Pre-Registration Nursing Degree Education	€317,000
The Nursing and Midwifery Resource — National Study of Turnover in Nursing and Midwifery — Dept of Nursing Studies	UCD	€70,000

## Reports Commissioned in 2003

Name of Report	Carried out by	Cost
Promoting the Well-Being of Families and Children: A Study of Family Support Services in the Health Sector in Ireland	Kieran McKeown, Madeline Clark, Michael Little, Trutz Hasse	€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	Kieran McKeown, Madeline Clark, Michael Little, Trutz Hasse	€10,029
A Guide to the Children Act, 2001	University College Cork	€5,000
Adoption Legislation Consultation	Geoffrey Shannon	€26,661
Annual Report of the Inspector of Mental Hospitals for 2003	Inspectorate of Mental Hospitals	€17,869
Children's Understanding of Well - Being	National University Of Ireland	€16,625
Evaluation of the South Eastern Health Board's Out of Hours co-operative	Trinity College	€61,743
Family Support in Ireland — Definition and Strategic Intent	JR Pinkerton	€7,074

Name of Report	Carried out by	Cost
Heart Health Task Force Second Report on Implementation of the Cardiovascular Health Strategy July 1999 — September 2002 'Ireland's Changing Heart'	Heart Health Task Force	€59,037
Interim Report of the National Breastfeeding Committee	BFHI	€2,500
Irish Health Service Reform Programme — Dialogue on Implementing Reform — Communication and Consultation Programme July — September 2003	Office for Health Management	Nil
Men and Domestic Violence: What Research Tells Us	K. McKeown Ltd.	€66,000
National Children's Advisory Council — Report on Alcohol Use/Misuse by Young People	Lynne Peyton	€12,404
National Health & Lifestyle Surveys National and Regional Reports — Phase 2	NUI Galway	€860,000
National Standards on Foster Care — Children's Version	Siobhan Parkinson	€21,679
Report of the Expert Group on Mental Health Policy 'A Vision for Change'	Expert Group on Mental Health Policy	€428,467
Report of the Postgraduate Medical Education and Training (MET) Group (Buttimer Report)	Postgraduate Medical Education and Training Group	€313,040
Report of the Task Force on Assaults on Psychiatric Nurses	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	Addiction Research Centre	€10,249
Report of the Working Group on Undergraduate Medical Education and Training (Fottrell Report)	Working Group on Undergraduate Medical Education and Training	€156,844
Report on the Regulation of Health and Social Care Professionals	IPA	€20,000
Review of circumstances surrounding the death of Róisín Ruddle	Review Panel	€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	Deloitte and Touche	€146,152
Review of Library and Information Service	Brid McGrath	€9,375
Survey and Report on Public Perceptions on Biomedical Research (RCSI)	Hannah Magee	€120,000

## Reports Commissioned in 2004

Name of Report	Carried out by	Cost
A Feasibility Study of the Inclusion of Blood and Tissue Data as a Component of the National Longitudinal Study of Children in Ireland	UCD	€75,504

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Name of Report	Carried out by	Cost
Evaluation of Coronary Heart Attack Ireland Register (CHAIR)	Capita	€64,100
Evaluation of Heartwatch	Capita	€81,700
Giving Children a Voice: Investigation of children's experiences of participation in consultation and decision making in Irish hospitals	DCU	€27,294
Investigating the Impact on Children of Witnessing Domestic Violence: Nature and Adequacy of Child-Centred Services	Waterford Institute of Technology	€46,518
Kidscreen National Survey 2005	Programme of Action for Children	€49,911
Lourdes Hospital Inquiry — An Inquiry into Peripartum Hysterectomy at Our Lady of Lourdes Hospital, Drogheda	Justice Maureen Harding Clarke	€2,955,000
National Primary Care Steering Group Progress Report	National Primary Care Steering Group	€6,493
National Children's Advisory Committee — End of Term Report 2001 — 2004	Lynne Peyton	€12,783
Obesity the Policy Challenges — The Report of the National Taskforce on Obesity 2005	The National Taskforce on Obesity	€42,000
Play and Technology	Centre for Social and Educational Research	€49,368
Public Perceptions of Biomedical Research	Hannah Magee	€120,000
Report by the Care and Management Sub-Committee of the National AIDS Strategy Committee on HIV/STI Services in Ireland	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	Rita Burtenshaw and Associates	€13,600
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)	John Travers	€93,150
Research on Children's Understanding of Wellbeing	NUI Galway	€16,625
Review of the National Health Promotion Strategy	NUI Galway	€19,713
Review of the Structures and Support Needs of Comhairle na nÓg and Dáil na nÓg	Tony Murphy	€26,611
The Child's Right to be heard in the Health Setting	University College Cork	€52,591
The Development and Implementation of Child Impact Statements	Carmel Corrigan	€25,410
The Process of Youth Homelessness: A Qualitative Longitudinal Cohort Study	Children's Research Centre	€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	Irish Advocacy Network/Carr Communications	€169,714
Young People's Views about Opportunities, Barriers and Supports to Recreation and Leisure	Cork Institute of Technology	€45,325

Name of Report	Carried out by	Cost
Young Voices: Guidelines on how to involve children and young people in your work	National Children's Office/Children's Rights Alliance/National Youth Council of Ireland	€64,485

### Sports Capital Programme

584. **Deputy Gerald Nash** asked the Minister for Transport, Tourism and Sport when he intends to open up a new round of applications for the capital sports grants; and if he will make a statement on the matter. [25698/11]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Michael Ring):** No decision has yet been made about the timing of further rounds of the Sports Capital Programme.

### Driving Licences

585. **Deputy Michael Creed** asked the Minister for Transport, Tourism and Sport if he intends to change the present format of drivers licences to a plastic card type as is common in other EU member states; and if he will make a statement on the matter. [25734/11]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** In line with EU legislation, Ireland will be required to move to a standard form of plastic card driving licence by early 2013. On coming into office I examined this matter, and have asked the Road Safety Authority to take charge of the project and expedite it. I understand from the RSA that plastic card licences will be in place by late 2012.

### Departmental Staff

586. **Deputy Noel Grealish** asked the Minister for Transport, Tourism and Sport the number of employees in his Department who have expressed an interest in retiring ahead of the changes to the public sector pension schemes that are to come into force in 2012. [25790/11]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** A total of 30 staff have in recent weeks requested estimates of their retirement benefits from the pensions section in my Department, as an initial expression of interest and eleven members of staff have formally indicated their intention to retire.

### Road Network

587. **Deputy Dominic Hannigan** asked the Minister for Transport, Tourism and Sport if there is a possibility available to renegotiate the toll contract on the M3 in view of the changed economic circumstances of the country since the original contract was signed; the current expected cost to the Exchequer over the lifetime of the contract; the revised estimated traffic flow for the M3 over the course of the contract; the way this compares to the original traffic flow expectations as outlined in the current contract; the persons that carried out the traffic demand forecasting for the route; if he has investigated the potential of claiming under their professional indemnity insurance in the event that their traffic demand forecasting was inaccurate; and if he will make a statement on the matter. [25947/11]

**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 implementation of individual national road projects, including

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the M3, is a matter for the National Roads Authority (NRA) under the Roads Acts 1993 to 2007. In particular, the statutory power to levy tolls on national roads, to make toll bye-laws and to enter into toll agreements with private investors in respect of national roads is vested in the NRA under Part V of the Roads Act 1993 (as amended by the Planning and Development Act 2000 and the Roads Act 2007). The contracts for the privately operated toll schemes are commercial agreements between the NRA and the PPP concessionaires concerned. 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.

### **Tourism Promotion**

588. **Deputy Willie O'Dea** asked the Minister for Transport, Tourism and Sport the measures that the tourism marketing fund has financed to attract further international tourists into Ireland; the amount that the fund has spent to date and its total budget. [25991/11]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The overall allocation for the Tourism Marketing Fund for 2011 is €41,383,000 and to date €26,836,000 of this amount has been transferred to the Tourism Agencies (Fáilte Ireland and Tourism Ireland).

Specific measures are an operational matter for Tourism Ireland Limited, in the first instance, as the body responsible for promoting the island of Ireland as a visitor destination overseas, as well as Fáilte Ireland which is responsible for the promotion and development of regional, product and niche tourism in Ireland. I have referred the Deputy's Question to Tourism Ireland and Fáilte Ireland for direct reply on the matter. Please advise my private office if you do not receive a reply within ten working days.

### **Air Services**

589. **Deputy Willie O'Dea** asked the Minister for Transport, Tourism and Sport the options for restoring air services that were discussed with the airline operators as part of the proposed agreement to abolish the €3 air travel tax; and the specific proposals that they put forward. [25992/11]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** In line with the commitments in the Programme for Government, I developed a comprehensive three-pronged strategy to encourage in-bound tourism and announced this as part of the *Jobs Initiative* in May. The first element was the proposed conditional suspension of the air travel tax, the second was a new growth incentive scheme which has been introduced by the Dublin Airport Authority (DAA) applying to all of the three airports under its remit and the third was more targeted and co-operative marketing of new routes from key source tourism markets by Tourism Ireland, the DAA and airlines to encourage more tourists to fly into Ireland.

I made it clear from the outset that the proposed suspension of the travel tax would be contingent on a positive response to the initiative from the airlines in terms of restoring routes and capacity. My officials and I held discussions with Ryanair and Aer Lingus about what additional capacity the airlines would be prepared to deliver in return for the suspension of the tax and I also wrote to all of the scheduled airlines operating services to/from Ireland advising them of the Government's proposals and inviting them to engage with the Dublin Airport Authority to establish what new services they might introduce or reinstate taking advantage of the incentives on offer from the Government and DAA.

However, the response of the airlines was disappointing. I engaged independent consultants to examine the most significant proposals that were put forward, particularly from the point of

view of their potential to increase inbound tourism. These proposals and the overall response of the airlines was not sufficient to persuade me to abolish the tax. I announced my decision in August and I said that I would look at the issue again early next year when I see the airlines proposed schedules for the summer 2012 season. With the agreement of the Ministers for Finance and Public Expenditure & Reform, half of the revenue that will be generated by not suspending the tax will be made available for a targeted co-operative marketing effort in conjunction with the airlines, airports, ferry companies, tour operators and others.

### **Taxi Regulations**

590. **Deputy Brendan Griffin** asked the Minister for Transport, Tourism and Sport if a limousine licence will issue to a person (details supplied) in County Kerry; and if he will make a statement on the matter. [26026/11]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Alan Kelly):** This is a matter for the National Transport Authority and not one in which I have any role. I have forwarded the question onto the NTA for direct reply. Please contact my private office if you do not receive a reply within ten working days.

### **Sports Capital Programme**

591. **Deputy Brendan Griffin** asked the Minister for Transport, Tourism and Sport the potential sources of funding that are available for a project (details supplied) in County Kerry; and if he will make a statement on the matter. [26136/11]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Michael Ring):** The Sports Capital Programme is the primary vehicle for Government support towards the provision of sports facilities or the purchase of sports equipment. No decision has yet been made about the timing of further rounds of the Programme.

### **Coast Guard**

592. **Deputy Timmy Dooley** asked the Minister for Transport, Tourism and Sport if the announced expenditure on 16 September 2011 of €2 million for upgrading coast guard equipment which includes seven ridged inflatable boats at a cost of €214,000 each, one having already been delivered to Achill Island, will the order for the remaining six boats with an average cost of €214,000 go up on tenders; if Irish companies with a turnover of less than €500,000 be allowed to bid for this business on this occasion, in view of the fact that since the last bid process two Irish companies have gone out of business; and if he will make a statement on the matter. [26168/11]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The Irish Coast Guard conducted a public tender for the supply of replacement boats in 2010. This tender attracted interest from several potential suppliers. On foot of this tender a contract was awarded from which up to 12 craft can be purchased as and when funding become available. Achill Coast Guard Unit is one of the units that will be provided with new Rigid Inflatable Boat (RIB) in 2012. The Coast Guard does not envisage that it will be tendering for any additional RIBs for the foreseeable future.

### **Sporting Celebrations**

593. **Deputy Thomas P. Broughan** asked the Minister for Transport, Tourism and Sport the reason the all-Ireland winning Dublin football team was not able to have a victory parade on



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Monday night last through the central section of Dublin city; the further reason Dublin city authorities appear to be prohibiting Gaelic football, association football, hurling and rugby football teams when they obtain outstanding success from parading through the heart of Dublin city centre; and if he will make a statement on the matter. [26223/11]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I have no function in relation to this matter. Responsibility for matters relating to parade routes in Dublin city centre lies with Dublin City Council.

### Coast Guard

594. **Deputy Brendan Griffin** asked the Minister for Transport, Tourism and Sport in view of impending retirements, whether the full complement of staff will be maintained at Valentia coast guard radio station now and into the future in view of the fact that this is a frontline emergency service; if he will fasttrack the installation of urgently needed equipment at Valentia coast guard radio station; when he expects responsibility for this service to be transferred to the Department of Agriculture, Marine and Food; and if he will make a statement on the matter. [26226/11]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** As part of the Public Service Agreement and the Civil Service wide review of staffing levels and structures, my Department is carrying out a strategic review of the maritime sector to achieve efficiencies in marine survey functions and the marine emergency service. Fisher Associates have been appointed by my Department to review the current delivery of services by the Coast Guard and the Marine Survey Office.

Currently there is a moratorium on recruitment, however essential staff at the Rescue Centres are being replaced on retirement. Three Watch officers have been recruited recently and are under training and a further ten watch officers are being called from the current recruitment panel to maintain staffing levels at the three Centres including Valentia.

In relation to the installation of equipment at the Rescue Co-ordination Centres, there are four main phases. Phase one, installation of National Maritime Operations Centre (NMOC) Dublin and east coast radio sites is complete. Phase two, installation of ICS equipment, is well underway with an expected completion date of the end of October 2011. Phase three will see the completion of Malin by end June 2012 and phase four, Valentia, by end 2012.

In relation to the move of the Coast Guard Functions to the Department of Agriculture, Marine and Food, officials of my Department are engaged in discussions with the Department of Agriculture, Marine and Food on the matter. Discussions have also taken place with the Office of the Attorney General in relation to a number of complex legal issues arising in the transfer. These discussions are not yet complete.

### Departmental Staff

595. **Deputy Anne Ferris** asked the Minister for Transport, Tourism and Sport notwithstanding the Civil Service circular No. 28, if he will provide a list of the current pay of each senior civil servant from higher executive officer to Secretary General in his Department broken down by grade; the pension entitlements of each and any other emoluments they are entitled to receive upon reaching retirement; and if he will make a statement on the matter. [26243/11]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The salary scales applicable to civil servants are set out in Department of Finance Circular 28/2009, available at

*www.per.gov.ie*. The pay rates outlined have been reduced further by 10% for new entrants with effect from 1 January 2011. Pension terms for Civil Servants are normally based on their service and final salary, subject to certain conditions and relevant legislation at the date of retirement.

### Road Network

596. **Deputy Michael Healy-Rae** asked the Minister for Transport, Tourism and Sport if he will develop a national strategy (details supplied) regarding maintenance of rural roads; and if he will make a statement on the matter. [26244/11]

**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. Local authorities have also been issued with a number of best practice documents, including Guidelines for Road Drainage. Within available resources, it is a matter for each local authority to manage its work programme in order to meet its road maintenance responsibilities including road drainage requirements.

### Rail Network

597. **Deputy Timmy Dooley** asked the Minister for Transport, Tourism and Sport the position regarding, including timeframe, on his plans for the electrification of the Maynooth train service to supply DART services on the route. [26361/11]

**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 electrification of the Maynooth line, comes under the remit of the NTA. In relation to Government policy on public transport investment, the comprehensive review of capital expenditure is currently underway. The level of funding available for public transport investment from 2012 to 2016 will be dependent on the outcome of this review which takes place against a background of new funding realities. A major consideration for transport investment over the next five years will be the need to prioritise funding to protect investment made to date and to maintain high safety standards. The outcome of the review should be available in the next few weeks. Until the review is completed it would be premature for me to comment further in relation to individual projects.

### Road Network

598. **Deputy Timmy Dooley** asked the Minister for Transport, Tourism and Sport the engagement and input he had in the recent Office of Public Works announcement of the major reconstruction of Chesterfield Avenue in the Phoenix Park, Dublin, and the associated traffic management plan. [26362/11]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** My Department has no involvement in relation to proposed works on Chesterfield Avenue. This route is a matter for the Office of Public Works. Traffic management plans in general are the responsibility of the local authority concerned, in this case Dublin City Council.

### **Tourism Industry**

599. **Deputy Timmy Dooley** asked the Minister for Transport, Tourism and Sport if he will supply details, capital investment levels and timeframe for tourism projects, planned or in progress, in Dublin. [26363/11]

**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.

### **Sport and Recreational Development**

600. **Deputy Timmy Dooley** asked the Minister for Transport, Tourism and Sport if he will supply details, capital investment levels and timeframe, for sporting and recreation projects, planned or in progress, in Dublin. [26364/11]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Michael Ring):** The Sports Capital Programme is the primary means of providing Government support for the provision of sports facilities throughout the country. Since 1998, over €170m has been allocated to sports projects in Dublin. In addition, during the same period, the Government has invested over €107m in the redevelopment of Croke Park and €191m in the development of the Aviva stadium. €28m remains to be drawn down in respect of 274 SCP projects in Dublin. No decision has been made on the timing of the next round of the Sports Capital Programme.

Since 2000 over €31m has also been allocated to projects in Dublin under the current round of the Local Authority Swimming Pool Programme. €4.6m remains to be drawn down in the case of 7 projects. No decision has been made in regard to the timing of a new round of the LASPP.

### **Rail Network**

601. **Deputy Timmy Dooley** asked the Minister for Transport, Tourism and Sport if he will provide details of correspondence, meetings, discussions or any other engagement with Irish Rail on potential amendments to the M3 Parkway to docklands train service. [26365/11]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The issue raised is an operational matter for Irish Rail in conjunction with the National Transport Authority. I have had no engagement with the company in relation to this matter.

### **Departmental Strategy Statements**

602. **Deputy Timmy Dooley** asked the Minister for Transport, Tourism and Sport if the Department has submitted a strategy statement to him, as specified under the 1997 Public Service Management Act and if so, will he publish the statement. [26404/11]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** A draft Statement of Strategy has been submitted to me by the Secretary General of my Department. The draft Statement will be finalised following Government consideration of the Comprehensive Expenditure Review and budgetary decisions and will then be published in accordance with the requirements of the Public Service Management Act 1997.