



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

Dé Máirt, 11 Deireadh Fómhair 2011.

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TUAIRISC OIFIGIÚIL OFFICIAL REPORT

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Dé Máirt, 11 Deireadh Fómhair 2011.
Tuesday, 11 October 2011.

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

Paidir.

Prayer.

Ceisteanna — Questions

Priority Questions

Ministerial Engagements

42. **Deputy Sean Fleming** asked the Minister for Public Expenditure and Reform if he will have any engagement with the Troika during their October quarterly review; if so if he will give details of his involvement; the key items on his agenda for discussion; and if he will make a statement on the matter. [28654/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin) (Deputy Brendan Howlin): It is my intention to meet with the troika delegation during its fourth quarterly review along with my colleague, the Minister for Finance, Deputy Michael Noonan, and senior officials from both Departments.

Deputy Sean Fleming: I welcome the Minister's brief, general and non-specific introductory remarks. The Minister introduced the issue of the sale of State assets. We are talking about the sale of strategic State assets such as the ESB, EirGrid, Bord na Móna, Coillte and Bord Gáis. Will the Minister confirm that no figure for the sale of State assets was included in the

[Deputy Sean Fleming.]

original EU-IMF agreement? The agreement was merely to carry out a review of the efficiency and effectiveness of State companies. That review was concluded earlier this year and published in the McCarthy report.

The figure of €2 billion for State assets was included in the programme for Government when the Labour Party signed up to the Fine Gael NewERA programme. That figure does not feature in the quarterly review. The Minister, who is a shareholder in these State assets, is taking the initiative in introducing the figure of up to €2 billion for State assets.

Deputy Brendan Howlin: I can confirm that the figure of €2 billion emerged from the negotiations between the two parties in the programme for Government. The IMF publicly called for State asset sales of €5 billion. That was the figure that confronted the Minister for Finance and myself when we opened discussions with the troika. The troika wanted to write a €5 billion figure into the last agreement, and we insisted on a general statement of ambitious targets.

Important as the quantum of money is, it is more important to decide how we will use the money. The Government is committed to deleveraging some money. This will be an important part of our interaction with the troika. Deleveraging will allow us to reinvest resources in the next round of job creation. We want to give a clear message to the troika and to all our international partners that we must grow our economy out of the hole in which the previous administration left it.

Deputy Sean Fleming: The Minister mentioned the comprehensive spending review. Will he be discussing that review when he meets the troika? He has said he will not publish the review before budget day, in early December. Will the Minister discuss it with officials from the EU, the IMF and anyone else who comes under that umbrella, notwithstanding the fact that he will not disclose the review figures to the House? While the spending review may not be fully completed at this stage, the Minister must have a general picture of where he is. I do not think the troika would be happy to go home without discussing the comprehensive spending review. What details will the Minister disclose to the troika that he will not disclose to the House?

Deputy Brendan Howlin: The Deputy is right when he says the comprehensive review of expenditure is not completed. I am currently engaged in bilateral discussions and I do not want to pre-empt further questions which have yet to be reached.

I want to find a mechanism that would allow a greater debate in the House on this matter. I will be bringing proposals to Government to ensure there is engagement on the Estimates that is different from the traditional way, where we debate Estimates well into the year when a portion of the money is already spent.

Public Service Contracts

43. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform if he attempted to rescind the special severance gratuity payment and added years awarded to former secretary general (details supplied) to the Department of the Taoiseach as agreed by the Top Level Appointments Committee, in advance or upon their retirement as allowed for in sections 6 and 7 of the Superannuation and Pension Act 1963. [28652/11]

Deputy Brendan Howlin: Prior to the appointment of the former Secretary General to the post of Secretary General to the Government in January 2000, the then Government decided that the terms applicable to Secretaries General appointed under the Top Level Appointments Committee, TLAC, process would apply in his case. At the end of his term in December 2010, the then Government confirmed the application of those TLAC exit terms on his retirement

but deferred his retirement until 6 July 2011 at the latest. It was decided by the Government in June 2011 that his retirement be further deferred to 31 July 2011. In these circumstances, payment of the former Secretary General's superannuation and severance benefits was deferred until he ceased to hold office and his benefits were then paid in accordance with the Government decisions made on his appointment and on 7 December 2010.

Deputy Mary Lou McDonald: The Minister will be aware that Mr. Dermot McCarthy received a pay-off of €713,000 and that his package will cost the State in the region of €6 million. Whatever about the time of his appointment, his retirement occurred on the Minister's watch. Whenever I question the Minister on this matter, he constantly invokes the Top Level Appointments Committee, TLAC. What the Minister studiously ignores is his powers under legislation, specifically, the Superannuation and Pensions Act 1963, section 7 of which——

An Leas-Cheann Comhairle: Does the Deputy have a question for the Minister?

Deputy Mary Lou McDonald: ——states that the Minister, if in his discretion so thinks proper, can grant to the civil servant a special severance gratuity not exceeding one half of the annual salary of the office of the civil servant. That severance gratuity payment can only be paid on the Minister's say so. I take it from the Minister's response to my question that he made no effort to rescind that payment to Mr. McCarthy.

Section 6 of the same legislation, which I am sure the Minister has before him, refers to additional years. Mr. McCarthy received his full pension at the age of 57 years and there was no actuarial reduction despite his not reaching the standard pension entitlement age.

An Leas-Cheann Comhairle: Thank you, Deputy.

Deputy Mary Lou McDonald: I am sure the Minister will concede that TLAC cannot overrule the law of the land. I again put it to the Minister that he had the levers and discretion to stop the special severance payment, to put a halt to the award of additional years and to end the disgrace of this outrageous payment to this top civil servant but despite all of his rhetoric around change and transparency he failed to do that.

Deputy Brendan Howlin: The Deputy likes to grand-stand. I am conscious that we are speaking here about an individual who has served this State well over a long period. Senior public servants have families. I am conscious we are speaking now about an identified individual. While the Deputy might say I should have known about the TLAC terms since 1987, I only learned of them when I became Minister. Many of the people around the House to whom I have spoken did not know that Secretaries General were uniquely appointed on this basis. While I am reviewing and seeking to change that, I will not pretend I can change it retrospectively.

The previous Government exercised the 1963 Act, to which the Deputy referred, in December of last year. It made that discernment and decision. Could I have undone it or recommended that it be undone is a point we could possibly debate. However, to do so would probably have been a breach of contract. It certainly would have had legal repercussions for us. I am in the business of reform. I want to reform on a cross public service basis. I have introduced the new pensions Bill, which it is hoped we will be debating next week, which will ensure we have a single pensions scheme across the public service. I will not pretend I can break contracts already in place for people who have legitimate expectations now. Other anomalies may well arise. I am grappling with each of those as they arise to do what is best in the interests of the taxpayer.

[Deputy Brendan Howlin.]

I will try do away with the TLAC severance payment. Pension lump sums and pension entitlements will be reduced in accordance with the reduced pay levels which will be applicable from February.

Deputy Mary Lou McDonald: It is not grandstanding to say the Minister did not grapple with this issue, instead allowing this outrageous payment to go ahead. He also claimed there are other anomalies. What about the Secretary General of the Department of Jobs, Enterprise and Innovation who is supposed to retire soon with a large lump sum? The seven-year tenure of the Secretary General in the Department of Education and Skills is also soon to end. Can we expect more of the same from the Minister, hiding behind TLAC, the top level appointments committee, while not exercising the legislative function as set out in existing pensions legislation?

Deputy Brendan Howlin: Deputy McDonald is not long enough in the House to know that I do not hide behind anything. That is not my form and I have never done so before. I answer questions up front and never make pretence or grandstand on issues.

We need to change these arrangements in a way that is sustainable for the public purse. For example, I could spend moneys sending lawyers down to the Four Courts and pretend I can do things I cannot. There are two more potential retirees at the grade at which they would be entitled to the TLAC terms on this side of the end of February 2012 when the new pension regime comes into play. I am reviewing what can be done then because the TLAC terms provide options for me. I am going to review this on a case-by-case basis.

Public Sector Reform

44. **Deputy Mattie McGrath** asked the Minister for Public Expenditure and Reform his priorities in respect of public sector reform; the progress that has been made; and if he will make a statement on the matter. [28868/11]

Deputy Brendan Howlin: As outlined in the programme for Government, the Government is committed to the most ambitious programme of public service reform since the foundation of the State. This programme will take place in tandem with an equally significant programme of constitutional, political and institutional reform to ensure there is a fundamental change in democratic and public governance and a dramatic change in the cost efficiency and methods of delivery of public services. The cost of delivering public services must be reduced further, with fewer staff and tighter budgets, while it becomes better integrated and more customer-focused, as well as being leaner and more efficient.

Implementation of this reform programme is a priority for the Government and detailed implementation plans are being developed which encompass the commitments to public service reform in the programme for Government and priority areas from the existing transforming public services programme. The issues to be addressed in the reform programme will, of course, also be informed by the comprehensive review of expenditure across all Departments.

The implementation plans will be presented to the Cabinet sub-committee on public service reform in the coming weeks and will set out the priority actions and timelines for reform in a broad range of areas. There will be a focus on actions to improve performance by organisations and individuals, to ensure greater efficiency, effectiveness and economy and ensure flexibility in the deployment of people and resources. Specific priority areas will include e-Government, shared services, public procurement, business process improvement and financial management. Several actions are already under way in these areas.

My Department has been given a clear mandate to drive and enable public service reform. The focus now is on the key reforms required and how and in what sequence they will be implemented. Over the past two months, my officials have been meeting with all Departments and major State offices to discuss priorities and challenges in the reform programme.

A reform and delivery office is being established in my Department to facilitate, drive and support the reform programme. Last week, I announced the appointment of the programme director of this office. He and his office will work closely with organisations across the public service, enabling them to deliver reform at a local level, as well as leading on key cross-cutting reform initiatives.

Deputy Mattie McGrath: I have known the Minister for a number of years and he is not a man for grandstanding. He gives honest and open answers and I wish him well in his public service reforms.

Deputy Brendan Howlin: I thank the Deputy.

Deputy Mattie McGrath: I am not here to attack public servants but I must express my frustration, concerns and, at this stage, rage at the bureaucracy of State that has emerged. It has become a massive runaway train on a track that we cannot seem to derail. I am glad the Minister has indicated he will be publishing his plans to reform the public sector.

An Leas-Cheann Comhairle: Does the Deputy have a question?

Deputy Mattie McGrath: Senior public servants seemed to have had the ear of the previous Government in this area. I hope this Government will not be hoodwinked by them this time. Will the Minister outline how the reforms will be put in place?

Deputy Brendan Howlin: I thank the Deputy for his good wishes. It is a daunting task. We are trying to reform a system that has built like Topsy since the 1920s. One of the most daunting aspects of the task is that there is no integration within the public service. Our ambition is to create an integrated public service with common pension and salary schemes and to rationalise various working hours. Some agencies and individuals have different working hours from others. During the summer, we saw surprising holiday arrangements for county managers. All of this work needs to be done, but changing it arbitrarily would be difficult. We are working within the confines of the Croke Park agreement to make radical change while holding the system together.

That we have set up a Department is the most important measure. We have a Minister charged with reform and an office of reform in the political and public service spheres. In the coming years, I hope we will see significant change in the way the public service is structured and delivers its services.

Deputy Mattie McGrath: I wish the Minister well. I was so enraged by the budget before last. One of my biggest rows with the late Brian Lenihan, with whom I was good friends, came from when he went back on his decision to apply the pension levy to senior public servants. I now know why he did it — they had his ear. No one else in the country got away with it. An outrageous decision, it undermined the entire process.

The Minister for the Environment, Community and Local Government, Deputy Hogan, has set up an implementation group to oversee the amalgamation of my county's local authorities. The Minister, Deputy Howlin, can stop his colleague from appointing two former senior civil servants to the board. They retired on good packages. They have no contracts anymore, so the Government has no obligation under the unions or so on. Stomp out this gravy train. They

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have had enough. Why should they be on the board? Some of them were anti-local authority, although I will not cast aspersions. Why should we go back to that pool? The gravy pot is being stirred. It must be broken at the bottom to let the gravy run out.

Deputy Brendan Howlin: I am afraid the matter of the group overseeing the amalgamation is outside my area of——

Deputy Mattie McGrath: It is not.

Deputy Brendan Howlin: ——responsibility, but I will pass on——

Deputy Mattie McGrath: Please.

Deputy Brendan Howlin: ——the Deputy's profoundly felt views to the Minister, Deputy Hogan.

Deputy Peter Mathews: His exasperation.

Deputy Mattie McGrath: I thank the Minister.

45. **Deputy Sean Fleming** asked the Minister for Public Expenditure and Reform his priorities in terms of protecting frontline services; the mechanisms he will put in place to ensure that key staff are retained in the provision of these services in view of the expected reduction in public service numbers in the months ahead; and if he will make a statement on the matter. [28655/11]

Deputy Brendan Howlin: Ireland is committed under the EU-IMF programme to reducing the overall public service wage bill. Delivering this reduction will require continued implementation of the moratorium on recruitment with exceptions being limited to essential posts only and the utilisation of redeployment as the primary mechanism to fill posts that have been approved.

In order to protect front line services, the Government is committed to making fundamental changes to the way the public service operates. To protect crucial services, exceptions to the moratorium may be granted on the following bases — statutory posts that must be filled for legal reasons; where failure to fill posts would result in a breach of EU-international obligations and impact upon exports and so on; safety related posts where a failure to fill them could leave the State open to potential legal liabilities; specialist-technical posts to ensure the continuation of essential operations, for example, legal officers, laboratory staff, certain marine staff and so on; and to ensure continuity of front line services. In the cases of the education and health sectors, a number of grades are exempt from the moratorium to ensure that vital services are maintained.

All Departments and agencies must deliver better value to the public to reduce the deficit and protect front line services. In recent years, enhanced numbers monitoring systems and multi-annual employment frameworks have been put in place. These arrangements will be strengthened to ensure that effect is given to Government decisions on public sector numbers and will aid public bodies in planning future staffing levels.

It is a part of the day-to-day function of the boards and management of all State bodies to assess, budget and plan for current and ongoing staffing requirements, including the identifying of key posts. However, it remains a matter for local agency and parent Department management to decide on operational priorities within the framework of Government policy and the resources available to us.

Deputy Sean Fleming: I thank the Minister for his general response, but I wish to raise this issue because specific staff will be leaving. I am concerned about the health sector. Doctors are exempt, but nurses who take early retirement are not an exempt grade under the moratorium. Does the Department have a mechanism in place to ensure that, if an inordinate number of nurses decide to take early retirement, clerical officers cannot be redeployed to be nurses the following Monday morning? It is the same with special needs assistants and resource teachers. I note the Minister will continue to employ teachers. They are exempt and that is fair enough. Those who provide home help are not exempt and they cannot be recruited because of the moratorium. Will the Minister be able to do something if an inordinate number of gardaí wish to retire?

Will the Minister and the Irish public be victims of a voluntary scheme with no management? No company would allow a situation whereby all staff could walk out the door if they felt like it. Regarding nurses and gardaí, surely, in addition to the key posts mentioned by the Minister there is a mechanism to prevent a major crisis in front line services if an inordinate number of them volunteer for redundancy.

Deputy Brendan Howlin: Deputy Fleming has raised a number of important issues to which we must have regard. To put it in context, we are committed to downsizing the public service. There is no gainsaying this. The previous Government, supported by Deputy Fleming, signed up to a programme of reduction and we have put in place an enhanced production profile because, to be blunt, there is a €500 million gap in the public sector pay figures with which the previous Government left us — thank you very much — which must be found through policy changes.

We have set an ambitious target of public sector number reductions. There is no early retirement package except for a small one at Coillte which I have approved. It is not as if everybody can walk out the door. Naturally, anybody can retire or resign from any position but only people who are close to retirement will feel they might want to avail of the window of opportunity available to the end of February to retire on the post-cuts pension scheme. We will have to monitor it very carefully, which is why I require people to give three months notice of their intention to retire so managers can plan for gaps that can be identified in the system. Under the Croke Park agreement we can move people up to 40 km. If key gaps emerge we will need another strategy to deal with them. We are determined to address it.

Deputy Sean Fleming: I am pleased the Minister has the flexibility under the Croke Park agreement, on which his party refused to have a view until we implemented it. When I speak about “early retirement packages” I use the phrase in general layman’s language. People understand there is a benefit for going early. It might not be the technical name of the package but people understand it is better to go sooner rather than later.

To return to my basic question on nurses, I ask the Minister to consider the situation whereby an inordinate number of applications are received by the Minister. He stated he will have early notification which will provide him with an opportunity to move staff up to 40 km. How many nurses have already moved under the Croke Park arrangements?

Deputy Brendan Howlin: I would have to be asked a specific question on this as I do not have in my head the number of nurses who have moved under the Croke Park agreement. It is the framework and I have stated from the beginning the Government will live up to its side of it, the main features of this being no future wage cuts or compulsory redundancies, but on the other side is flexibility, including the ability to move up to 40 km to fill gaps that are created. We will have to have great flexibility to implement the significant downsizing of the

[Deputy Brendan Howlin.]

public service in the coming years and the other implications of the comprehensive review of expenditure when they are rolled out in the budget.

Public Sector Staff

46. **Deputy Stephen Donnelly** asked the Minister for Public Expenditure and Reform in view of the current closure of a respite facility at St Colman's Hospital, Rathdrum, County Wicklow, due to reduced staffing levels resulting from the public service moratorium on recruitment when the hospital is unable to hire staff to cover staff on maternity leave, sick leave and those who have retired, his plans to revise the moratorium; his views that such blanket moratoriums are a crude, inefficient and anti-meritocratic way of enforcing savings; if he will acknowledge that one result of the moratorium is that offices in the public service in which women take maternity leave inevitably suffer an increased workload, and that this may disproportionately impact on offices or work areas which happen to be staffed disproportionately by women; his views on the implications that this has for gender equality; and if he will make a statement on his assessment of the public service moratorium generally. [28894/11]

Deputy Brendan Howlin: On the specific institution referred to by the Deputy I would say it is a matter for the board and management of the HSE to set staffing and services priorities in accordance with Government policy. It is part of the day-to-day function of the boards and management of all public bodies to assess, budget and plan for current and ongoing staffing requirements within existing resources. Any inquiries relating to the day-to-day operations of St. Colman's hospital should be directed to that body or to my colleague, the Minister for Health. On the more general issues raised, the position is that Ireland is committed to reducing the overall size of the public service, as I indicated to Deputy Fleming.

I do not agree with the Deputy's assertion that the moratorium is unfair to any particular group or sector of workers. All public service bodies are equal opportunity employers and are committed to treating everyone in the same way regardless of race or colour, nationality or national or ethnic origin, religion or religious belief, sex or marital status, family status, sexual orientation, membership of the Traveller community, disability or age. The public service has a very good record in this regard.

Moreover, the reason for any vacancy is not a factor in decisions relating to the moratorium. It should be noted by the Deputy that a number of exceptions have been granted by my Department to cover maternity leave where the posts in question met the agreed exemption protocols in order to protect crucial services. Delivering this reduction will require continued implementation of the moratorium on recruitment with exceptions being limited only to those essential posts and the utilisation of redeployment not being available. I have indicated in a previous reply where flexibility exists in the moratorium. However, in general terms, we need to reduce the numbers to a manageable profile so that pay reduction targets can be met.

Additional information not given on the floor of the House.

In order to protect front line services, the Government is committed to making fundamental changes to the way the public service operates. In order to protect crucial services, exceptions to the moratorium may be granted on the following basis: where statutory posts which have to be filled for legal reasons; where failure to fill posts would result in a breach of EU-international regulations and impact upon exports etc.; safety related posts — where failure to fill them could leave the State open to potential legal liabilities or for security reasons; specialist-technical posts to ensure continuity of operations, for example, in the case of legal officers, laboratory staff and maritime safety; and to ensure continuity of front-line services.

In the case of the health sector, a number of grades are exempted from the moratorium in order to ensure that these vital services are maintained. It is part of the day-to-day function of the boards and management of all public bodies to assess, budget and plan for current and ongoing staffing requirements with in existing resources. All Departments and agencies have to deliver better value to the public in order to reduce the deficit and protect front line services.

Over the past years, enhanced systems for monitoring numbers and multi-annual employment frameworks have been put in place. These arrangements will be strengthened to ensure that effect is given to Government decisions on public service numbers and will aid public bodies in planning future staffing levels. However, it remains a matter for local agency and parent Department management to decide on operational priorities within the framework of Government policy and resources allocated.

Deputy Stephen Donnelly: I thank the Minister for his response. I am disappointed with some of points made in the reply. The moratorium on recruitment is by definition, non-strategic, depending as it does on when a staff member may be sick or is pregnant or approaching retirement age. It does not help in achieving value for money. It may be a method for reducing staff numbers but it is not a strategic way to reduce numbers.

The Minister has stated the moratorium does not discriminate against anyone but, by definition, if maternity leave is included in the moratorium, then this discriminates against women.

I wish to read out some of the responses I have received from female civil servants——

An Leas-Cheann Comhairle: I do not wish the Deputy to read out quotes because this is Question Time.

Deputy Stephen Donnelly: These are very brief and I have a question afterwards. They read:

It is hard enough to go on maternity leave and feel guilty for your colleagues when you are being replaced. Imagine how hard it is when you are not being replaced. It is awful to have your boss put their head in their hands and go, “Great, well done”.

The following was said by a boss to a female staff member who was pregnant, “You cannot plan your family around the troika”. I maintain that by definition the moratorium discriminates against women.

I am very disappointed that the Minister states the closure of St. Colman’s hospital is a matter for the HSE. The reason it has closed is because staff members are on maternity leave and this has been confirmed by the HSE. Staff on maternity leave cannot be replaced because of the rules which the Minister oversees. The HSE has confirmed that the respite service and the day care centre have been closed.

Deputy Brendan Howlin: Has Deputy Donnelly raised this matter with the Department of Health?

An Leas-Cheann Comhairle: A question, please, Deputy.

Deputy Stephen Donnelly: I have discussed it with the Department. It is within the Minister’s power. Will the Minister supply the cost-benefit analysis regarding maternity leave? Will he review the very crude approach which is the moratorium on recruitment? If so, will he indicate when he might come back to the House with some answers?

Deputy Brendan Howlin: I am surprised the Deputy is so clear in his assertion that a hospital closed because staff were pregnant. I will go back to the HSE to ascertain the basis of the

[Deputy Brendan Howlin.]

assertion. This is primarily a matter for the Minister for Health and I will ask him to revert to the Deputy directly in this regard.

The Deputy is correct with regard to the general principle. I agree there is a certain crudeness about a moratorium but if we have to downsize within a very tight timeframe there is no point in getting rid of people if they can be replaced. I hope to redefine the mechanisms to exclude some of the cruder consequences, including those referred to by the Deputy. However, I must do this in the straitjacket of the financial burden under which we live and bearing in mind my objectives to save money on pay. The Deputy is well placed to understand those pressures.

Deputy Stephen Donnelly: If I may read a direct quotation, “The Health Service Executive says the decision——

An Leas-Cheann Comhairle: This is Question Time, Deputy.

Deputy Stephen Donnelly: I am replying directly to the Minister.

Deputy Brendan Howlin: Quotations are not permitted in the House.

An Leas-Cheann Comhairle: I have informed the Deputy already.

Deputy Stephen Donnelly: I will send the information to the Minister. The HSE is on the record as confirming that maternity leave and sick leave is one of the reasons the respite centre is being closed. With regard to Deputy Fleming’s question, the end of February date is a significant problem for teachers. I hear this many times.

Deputy Brendan Howlin: The Deputy is straying well beyond his question.

An Leas-Cheann Comhairle: This is also a priority question. The Deputy should allow the Minister to reply.

Deputy Stephen Donnelly: Will the Minister review whether the date can be changed for teachers because many teachers will be leaving the service half way through the year?

Deputy Brendan Howlin: I hope I am not encroaching on a question that is to come, but the Leas-Cheann Comhairle may stop me if I am. I am aware of the difficulty the Deputy has identified. While it is not possible legally to give different dates to different categories of public service workers, we must have a strategy to deal with that issue when it arises.

Other Questions

Fiscal Policy

47. **Deputy Brendan Smith** asked the Minister for Public Expenditure and Reform his views that the recommendation of the Central Bank of Ireland to make a bigger budget adjustment to public expenditure than agreed with the EU-IMF is the correct action to take; and if he will make a statement on the matter. [28534/11]

Deputy Brendan Howlin: The General Government deficit target for 2012, as set by the ECOFIN Council in December 2010, is 8.6% of GDP. The Government is fully aware of the importance of achieving this target in the context of the 2012 budget as well as the views of those who have called for a more ambitious deficit target. The Government is currently examin-

ing all options as regards the required consolidation in 2012, including the results of both the comprehensive review of expenditure and the capital review. In addition, both my Department and the Department of Finance are currently in the process of assessing what implications the latest budgetary and economic data might have for 2012 and beyond. Such assessment will, along with other data, inform Government in the context of its budgetary preparations over the coming months.

The next step in this process is to publish an estimate of the 2012 deficit and the level of budgetary adjustment required to meet our deficit reduction target. That will be done at the end of the month in the pre-budget outlook.

Deputy Sean Fleming: The Minister made no reference in his response to the matter I raised regarding his views on the recommendation made by the Central Bank of Ireland. It suggests that the opportunity exists now to consider a bigger budget adjustment to public expenditure than agreed with the EU-IMF.

Deputy Brendan Howlin: I will deal with that in the supplementary reply.

Deputy Sean Fleming: The Minister might give me his views on that. I know there may be scope, but I caution against making any cuts that are not needed. We have a good programme. There are always some people who are tempted to go harder, faster and deeper and that may be a positive outlook, but there are downsides. There is a limit to the pain people can take and the Minister should take heed of that.

Deputy Brendan Howlin: There is a lot of wisdom in what the Deputy said. The target we have to achieve next year is 8.6% of GDP. The problem is we have not quantified exactly the level of adjustment, both in term of expenditure reductions and taxation measures, that will get us to that. We cannot do that until we see, later in the year, the outturn figures from the State revenue and get a clear picture on the growth projections for next year.

I am inclined to agree with the Deputy. Forensically, nobody in this House is in a better position than me to know the consequences of cuts following the process I have been involved in over the past number of weeks. There is no pain-free measure that can be taken. We must get the balance right. The over-arching imperative for the Government is to achieve a deficit of no greater than 8.6% of GDP next year.

Ministerial Staff

48. **Deputy Gerry Adams** asked the Minister for Public Expenditure and Reform the action he intends to take to redress the breaking of the salary cap for Ministerial special advisors of which a number are in receipt of salaries that are nearly twice his pay cap of €92,672. [28636/11]

66. **Deputy Gerry Adams** asked the Minister for Public Expenditure and Reform if he signed off on the salary packages awarded to special advisors appointed to Ministers that exceed his own pay cap; his views on the fact that the latter's salaries have exceeded this salary cap; and if he will make a statement on the matter. [28635/11]

181. **Deputy Gerry Adams** asked the Minister for Public Expenditure and Reform the number of occasions on which special advisors were appointed by Ministers with salaries in excess of the pay scales set out in the new Department of Finance guidelines on special adviser pay; if he signed off on the salary in each case; the Minister from whom the requests came and the reasons given for the breach of the pay guidelines in each case. [28189/11]

182. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform the basis upon which he signed off on salaries to special advisors to Ministers in excess of the Guidelines on Staffing of Ministerial Offices issued by him in March 2011 in view of the fact that special advisors are to be placed on the Principal Officer standard scale with such appointments generally required to be at the minimum of the scale. [28249/11]

Deputy Brendan Howlin: I propose to take Questions Nos. 48, 66, 181 and 182 together.

The guidelines on staffing in ministerial offices were revised following decisions by the Government on a number of cost saving measures relating to the personal appointees of Ministers and Ministers of State. The guidelines specify that all appointments of ministerial staff, including the pay and terms and conditions of employment, require the prior sanction of my Department. Appointments from outside of the Civil Service also require the sanction of the Taoiseach.

The appointment of special advisers requires the approval of Government in accordance with section 11 of the Public Service Management Act 1997. A Minister, or a Minister of State who regularly attends Cabinet, may appoint up to two special advisers. The legislation provides that there is no limit on the number of special advisers for the Taoiseach and Tánaiste. Special advisers have been employed by Ministers of successive Governments and perform an essential function in providing expert advice, expertise and insights on the key strategic issues facing Ministers on a daily basis.

The guidelines provide that special advisers are to be placed on the principal officer, standard, scale, which currently runs from €80,051 at the minimum to €92,672 at the maximum. They provide that appointments are to be on the first point on the scale except where I approve a higher starting salary. Therefore, in cases where a special adviser's basic pay prior to the appointment was greater than the minimum, it is open to Ministers to seek sanction from me to appoint the person at a higher starting level. The guidelines provide that separate arrangements apply to the staffing requirements of the Offices of the Taoiseach and the Tánaiste.

The Government recognised there would be occasions when a higher salary was required in order to secure the appointment of an adviser with particular skills and expertise. On this basis, the guidelines provide for specific individual exceptions in circumstances that are considered to be unique, special or exceptional.

Remuneration in excess of the minimum point of the principal officer standard scale has been sanctioned by me in a number of instances based on the business case presented, which I require in each case. In the majority of cases, this has been based on evidence of higher earnings in the previous employment or the current employment of people who were being recruited by Ministers. Exceptions were kept to the minimum and in all cases value for money considerations were uppermost in my mind. In a number of cases, special advisers have been appointed on substantially reduced salaries compared to what they were earning.

There have been cases where I have approved exceptions for the pay of special advisers, other than in the case of the Departments of the Taoiseach and Tánaiste. Exceptions approved by me include advisers to the Minister for Social Protection, the Minister for Public Expenditure and Reform, the Minister for Finance, the Minister for Arts, Heritage and the Gaeltacht, the Minister for Transport, Tourism and Sport, the Minister for Jobs, Enterprise and Innovation, the Minister for the Environment, Community and Local Government, the Minister for Agriculture, Food and the Marine, the Minister for Communications, Energy and Natural Resources, the Minister for Health and the Minister for Education and Skills.

Deputy Mary Lou McDonald: The Taoiseach has two advisers, Mark Kennelly and Andrew McDowell, who earn €168,000, and the Tánaiste has two advisers, Mark Garrett, who earns

€168,000, and Colm O'Reardan, who earns €155,000. I do not know how the Minister can explain to me, the House or the citizens how this is a value for money decision. The Minister said in the House that he has made exceptions in respect of these people.

Deputy Brendan Howlin: To explain to the Deputy——

Deputy Mary Lou McDonald: The Minister sanctioned them.

Deputy Brendan Howlin: They are excluded from my purview.

Deputy Mary Lou McDonald: The Minister told me in the summertime that the pay cap would be €92,672. That is a really good salary and is competitive for any level of professionalism yet the advisers in the Department of the Taoiseach and the Tánaiste's Department are on almost double that sum. One of the other exceptions is, ironically, the Department of Social Protection. This is the same Department that will pursue to the ends of the earth those who it believes are fiddling the system for comparatively paltry amounts. The Minister has answered the question and has conceded that these guys are on big bucks on the say-so of the Minister and the Government. The essence of my question is that they are well ahead of the cap identified by the Minister. The Minister should tell this House when they will be brought down to the level of the cap, bearing in mind that it is a very substantial sum of money.

Deputy Brendan Howlin: There is a view that special advisers are fair game. I have been privileged to work in three Departments. Special advisers play a unique role as a sounding board. Most of the people we recruited have come at a reduced cost. In many cases we are asking people with full-time, pensionable jobs to give them up and to work for an unknown period of time. We do not know how long their positions will last but certainly we could not give them contracts for longer than five years. We also ask them to work all the hours God sends and have their names published in national newspapers and mentioned in Parliament. Many people who we invited were not willing to do that. We need advisers and every country I know of has political advisers, even for smaller executives such as in Northern Ireland. The Deputy First Minister has three personal advisers, as does the First Minister, because it is understood that even in the absence of complicated matters such as EU-related work or engaging with the troika, a skill base outside the normal Civil Service is required as a sounding board. I want to make a case for ensuring the people we use are not significantly worse off. I agree these are all good wages. However, we are asking people to give a commitment to the State. The Taoiseach and Tánaiste are excluded from the norms of the pay grade, as I explained, so they do not require sanction to be excluded; they are excluded under the regulations already.

Deputy Mary Lou McDonald: They should not be excluded. I wonder about the quality of the advice given by special advisers in previous Administrations. I do not have a hang-up about special advisers, but there is a real problem with those salary levels. We have had the universal social charge, pension levies and welfare cutbacks, all of which had to be implemented because things are tough and we are all in it together, yet when it comes to this coterie of people, the rule book is thrown out the window. I am not surprised the Minister cannot justify or explain it, because it is beyond any kind of justification. I put it to him again: I do not accept that Ministers could not get the type and quality of advice the Government requires while keeping advisers' salaries within the very generous cap that he himself identified. What will he do about it? Is the answer that he will not do anything about it — that this is the *status quo* for a minority, and everyone else just has to live with it?

Deputy Brendan Howlin: I know the Deputy prefers to broadcast than to receive, but I thought I had answered those questions. We are in a crisis as a country. We are marshalling the resources of the State and making decisions that have major impacts in real time.

Deputy Mary Lou McDonald: Absolutely.

Deputy Brendan Howlin: Over the last six or eight months the decision was made to establish my Department, followed by decisions on the economic management council, bank recapitalisation issues, the comprehensive review of expenditure and the public sector reform agenda, which we will talk about in other questions. I need help as well as the public service help I have, as does every other Cabinet Minister. We need to have people there for support and they must be people of calibre. Of course one could get people to work for less, but it is hard to ask individuals to leave jobs that are better remunerated, full-time and pensionable — in certain cases I could mention — with a lot less stress and fewer hours, to come and work for a period of time in the public service. We might get people to do it, but Ministers need to be able to select people they know they can work with, who will do the job for them. By and large, I do not begrudge reasonable remuneration packages for those people, and we should defend them. If the Deputy thinks some of them are excessive——

Deputy Mary Lou McDonald: They are. They are utterly excessive, and the Minister knows it.

Deputy Brendan Howlin: That is a matter for debate.

Deputy Mary Lou McDonald: No, it is not.

Deputy Brendan Howlin: We must consider people with the same level of responsibility in the private sector. We have already lost one, who was much better remunerated before he was persuaded to come and work with a Cabinet Minister, to the private sector. He could not stay because he was head-hunted back. We want people of that calibre to work within our public services, to guide us back. I know this jars with people who are struggling — I appreciate that. However, I would prefer to stand up here and defend a salary scale that most people find difficult to accept than to make the wrong set of decisions that would ruin our country and cost us millions or even billions.

Deputy Mary Lou McDonald: Were the people I mentioned party people?

An Leas-Cheann Comhairle: Sorry, Deputy; we are going on to the next question.

Deputy Mary Lou McDonald: I will ask that question again.

Public Service Reform

49. **Deputy Billy Kelleher** asked the Minister for Public Expenditure and Reform the reason the Cabinet Sub Committee on public sector reform which was established in April 2011 has had only one meeting since its establishment; and if he will make a statement on the matter. [28516/11]

Deputy Brendan Howlin: The Cabinet sub-committee on public service reform, which is chaired by the Taoiseach and convened by me, held its first meeting on 13 July and is scheduled to meet again on 26 October. I remind Deputies that my Department was only formally established on 6 July this year. It is envisaged that the Cabinet sub-committee will meet regularly as the reform programme is implemented over the lifetime of the Government to ensure progress is being made on the reform agenda.

Cabinet sub-committees such as this are subject to the normal confidentiality that applies to Cabinet and, as such, I cannot discuss the contents of the agenda or what is discussed at the meetings. In light of these constitutional provisions, the well-established precedent in regard to questions on Cabinet sub-committees is to answer only matters of a factual nature. I can say, however, that implementation of the public service reform programme is a priority for the Government, as the creation of my Department clearly shows. Detailed implementation plans are being developed which encompass the commitments to reform in the programme for Government and priority areas from the existing Transforming Public Services programme. In the last two months my officials have been meeting with all Departments and major offices to identify their priorities and the challenges they foresee in bringing about the reform programme. This will assist us in deciding how best to deliver reform in a co-ordinated and integrated way.

Deputy Sean Fleming: I am disappointed by the information presented by the Minister today. This Government has been in office for eight months, but the Cabinet sub-committee on public sector reform has met only once since its establishment in April. The Minister indicated — possibly prompted by this question — that another meeting will take place towards the end of the month. I do not accept that the Minister could not have dealt with this issue in a more timely fashion. That his Department was not legally established until July does not mean he was not a member of the Cabinet since the establishment of the Government and responsible for public sector reform from the beginning. There seems to be some amount of heel-dragging in this matter.

I recall a reference by the Minister at a recent meeting of the Oireachtas Committee on Finance, Public Expenditure and Reform to various presentations that were made by different people and organisations on this issue. He indicated at the meeting that it might be beneficial for the committee and the Oireachtas to have access to some of the key presentations so we could see what is involved in the process. I am not talking about breaching Cabinet confidentiality. I do not know who made these presentations, but it might be helpful to the Oireachtas to have access to their content.

Deputy Brendan Howlin: I have before me in large bold letters a reminder of the confidentiality of these discussions, which are protected under Cabinet privilege. Perhaps I was too expansive when I spoke to the committee about these matters. I assure the Deputy that I am committed to reform. We will undertake more reform in the lifetime of this Government than has happened in a generation. I would like the opportunity to present the elements of our considerations — because people would engage with it — to the Oireachtas committee, and I will do so as soon as the deliberative process at Cabinet is completed. I hope that will be shortly after the next Cabinet sub-committee meeting.

Deputy Sean Fleming: I look forward to the Minister coming before the committee. It comprises more than 20 members and the meeting will take place in public.

Deputy Brendan Howlin: The committee is open to all Oireachtas Members.

Deputy Sean Fleming: Yes, it is an open forum. I also welcome the Minister's indication that this discussion will take place in advance of the budget. The deliberative process on this matter is not connected with the budget in December, because these issues are ongoing and not restricted to a particular budget. I look forward to the discussions.

Pension Provisions

50. **Deputy Charlie McConalogue** asked the Minister for Public Expenditure and Reform

[Deputy Charlie McConalogue.]

the discussions he has had with public sector unions and other organisations prior to the publication of the Public Service Pensions (Single Scheme) and Remuneration Bill 2011; and if he will make a statement on the matter. [28523/11]

Deputy Brendan Howlin: Extensive consultations on the proposed single public service pension scheme, which forms the main part of the Bill to which the Deputy refers, have taken place since early 2010 between officials of my Department and public service staff representatives. In particular, my officials have met to discuss the proposed scheme with the ICTU public services committee, which includes representatives of AHCPS, ASTI, CPSU, IMO, IMPACT, INMO, INTO, POA, PSEU, SIPTU, TUI and UNITE, as well as with the Irish Hospital Consultants Association, the Irish Dental Association, the Psychiatric Nurses Association and representative organisations for personnel in the Defence Forces and An Garda Síochána. In total there have been more than 20 meetings between my officials and staff representatives in connection with the proposed single scheme.

As Minister for Public Expenditure and Reform, I meet frequently with unions representing public servants and other workers. With specific regard to the proposed single scheme in the public service, following the publication of the Bill, I met last week with a deputation from the three teacher unions to hear their concerns. Consultations on the proposed new scheme have also taken place between my Department and other Departments, including by way of an interdepartmental working group which examined the issues arising prior to the original announcement of our intention to bring forward a single scheme in budget 2010.

Deputy Sean Fleming: I thank the Minister for his reply. I welcome his indication that there has been a considerable degree of consultation with staff representatives, particularly in view of the initial reaction by the teacher unions when the proposal emerged. We all agree there must be a comprehensive single scheme for the public service, but has the Minister considered all the implications of a switch from linking pensions to inflation as opposed to salary increases? In recent years, for example, inflation has risen while salaries in the public service have decreased. In that situation, linking to inflation would mean those in receipt of pensions would be entitled to increases while those continuing in service would suffer reductions. I intend to table amendments on Committee Stage of the Bill to provide for a hybrid scheme which would balance these two positions. Over a period of 40 years the balance may swing from one side to the other. Instead of coming down on one side, there must be a middle ground in the legislation.

Deputy Brendan Howlin: I look forward to a detailed discussion of these issues on Committee Stage. I hope to introduce Second Stage next week and to get through it quickly so we can have a more protracted Committee Stage debate to tease out the details. The only provision in the published Bill that would impact on already retired public servants is the possibility of changing from a linkage to the salary associated with the last post held to a linkage with the consumer price index, CPI. It is important to note that the new arrangement will act as a valve in that payment can be increased in accordance with increases in the CPI but cannot be decreased if the CPI goes down. It is an enabling provision which cannot be operated until at least the completion of the Croke Park agreement in 2014. There is merit in what the Deputy proposes and I will consider it between now and Committee Stage.

Deputy Sean Fleming: Will the Minister confirm whether this pension scheme will apply to local authorities and other public sector bodies? He mentioned county managers earlier. There are enormous inconsistencies in the Croke Park deal in terms of rationalising technology and payroll processes. I would not like to see another PPARS situation arising out of all the differences at local level. Those differences must be ironed out before we seek to rationalise.

Deputy Brendan Howlin: The scheme refers to all public servants. Civil servants, non-commercial semi-State employees, members of the Garda Síochána, the Army, the Oireachtas and the Judiciary will be encompassed within the single pension scheme.

Public Service Appointments

51. **Deputy Timmy Dooley** asked the Minister for Public Expenditure and Reform when the Top Level Appointments Committee process for the appointment of secretaries general will be disbanded; and if he will make a statement on the matter. [28513/11]

Deputy Brendan Howlin: I have no plans to disband the top level appointments committee, TLAC. In April of this year the Government decided the membership of TLAC would be changed to include a majority of outside members. Heretofore the majority of the membership comprised serving civil servants. I was of the view this should be changed immediately and it was included in the programme for Government. The new TLAC comprises a majority of outside members, one of whom is the chairperson. The new committee is charged with identifying and selecting candidates for the most senior positions throughout the Civil Service. The interview panels also include a majority of, and are chaired by, external members.

Deputy Sean Fleming: Will the Minister indicate the identity of the new external members of TLAC and how they came to be appointed? Does the committee have the power to set the terms and conditions of candidates' appointments? We have heard recently of extraordinary exit packages awarded to senior members of the public service. There is a suggestion that a Secretary General who recently announced he will be moving on may not have had that arrangement, although I understood it was standard procedure under the TLAC process.

On the senior Government position that is exempt from the TLAC procedure — the Secretary General to the Government and the Taoiseach — and I presume the Secretary General to the Minister for Finance and perhaps the Minister's Department, the Secretary General in the Department of Foreign Affairs and Trade and the Office of the Revenue Commissioners, will the terms of reference not consider bringing them all under the one arrangement? Like everything, we introduce a cap but the first thing we do is clear the exceptions and the exemptions. I suggest the Minister bring those exemptions under a streamlined arrangement rather than have a different approach.

Deputy Brendan Howlin: I am intrigued at the Deputy's embracing of reform after spending the past 11 years in government.

Deputy Sean Fleming: I never sat in government.

Deputy Brendan Howlin: I do not disagree with what the Deputy has suggested. There is merit, and I availed of it, in being able to headhunt somebody to lead my own Department that I thought would be good at the job. I should not make personal mention of that person but the Government made a wise choice. The TLAC process will have to be looked at very carefully. I would be willing to discuss it with anybody who has ideas. By way of explanation the new chair of the TLAC is Ms Maureen Lynott. The other members include Dr. Dorothy Scally, a HR consultant, Mr. Martin Murphy, managing director of Hewlett Packard Ireland, Mr. Clive Brownlee, Praesta Ireland, and Mr. Kevin Empey, head of HR at Tower Watson. Those are the five external members. The internal members are the Secretary General of the Department of Public Expenditure and Reform, the Secretary General to the Government, and two *ex officio* members, the Secretary General of the Department of Agriculture, Fisheries and Food and the Secretary General of the Department of Education and Skills.

Deputy Mary Lou McDonald: I thank the Minister for that information. Apropos a previous discussion, was Mr. Dermot McCarthy at any stage a member of TLAC?

Deputy Brendan Howlin: The Secretary General to the Government is *ex officio* a member.

Deputy Mary Lou McDonald: So he was an *ex officio* member of the body who made the contractual arrangement which the Minister could not challenge even with the pensions legislation.

Deputy Brendan Howlin: The TLAC arrangement to which I referred was done in 1987.

Deputy Mary Lou McDonald: I am aware of that.

Deputy Sean Fleming: It would be disingenuous to suggest——

Deputy Mary Lou McDonald: I did not suggest.

Deputy Brendan Howlin: ——that Mr. Dermot McCarthy or anybody else currently had anything to do with the terms determined in 1987.

Pension Provisions

52. **Deputy Seán Crowe** asked the Minister for Public Expenditure and Reform his views on the Association of Secondary Teachers of Ireland, Irish National Teachers Organisation, Teachers Union of Ireland assertion that the proposed Public Service Pensions (Single Scheme) and Remuneration Bill will be in some instances less valuable to ordinary teachers than no pension provision whatsoever. [28640/11]

64. **Deputy Seán Crowe** asked the Minister for Public Expenditure and Reform his views on the Association of Secondary Teachers of Ireland, Irish National Teachers Organisation, Teachers Union of Ireland assertion that the value of many teachers' contributions under the proposed Public Service Pensions (Single Scheme) and Remuneration Bill will exceed the value of benefits. [28639/11]

Deputy Brendan Howlin: I propose to take Questions Nos. 52 and 64 together.

I do not accept that the value of benefits payable to teachers in the proposed single public service pension scheme will exceed the value of employee contributions nor do I accept that the scheme will in some instances be less valuable to ordinary teachers than no pension provision whatsoever.

It is true that the teacher unions have voiced concerns along the lines indicated in the Deputy's questions. These concerns are stated by those unions to be substantiated by a report by Trident Consulting entitled "Future Pension Provision" which was commissioned by the ASTI, the INTO and the TUI. In quantifying employee contributions to the single scheme, the Trident report appears to regard the public service pension-related deduction as a pension contribution. That is a really important point and it was one I stressed when I met with the teacher unions. However section 7(2) of the Financial Emergency Measures in the Public Interest Act 2009 makes clear that the pension-related deduction is not a pension contribution. It is reviewable annually and it is not to be considered to be a pension contribution. If it was to be rolled into a permanent pension contribution it would change the basis of pension contributions in the public service generally.

To appreciate how the single scheme will continue to provide valuable pensions to teachers, it is instructive to look at the 2009 report of the Comptroller and Auditor General on public

service pensions which estimated the annual pension cost to the State for teachers, that is, primary teachers, post-primary teachers and special needs assistants, to be 22.4% of pay. The new single scheme is expected to reduce that cost by approximately one-third, to around 15% . The 15% of pay is what the State contribution will be for future pensions. The employee contribution in the new scheme will be 6.5%. This is comprised of 3% on pensionable pay and 3.5% on net pensionable pay which is equivalent to 4.9% of pensionable pay according to the Comptroller and Auditor General's report, leaving approximately a 10% employer contribution.

In summary, the arguments put forward by the teachers' unions do not reflect the true position. It must be pointed out that while pension accrual will be on a career average rather than final salary basis, the new single public service pension scheme will continue to offer defined benefit pensions for teachers and other public servants. It is very hard to find a defined pension scheme anywhere in the public sector now so this is a very valuable commodity.

Deputy Mary Lou McDonald: The Trident report said, as the Minister acknowledged, that members would pay more to the scheme in contributions than they would receive from its benefits. In fact, the report goes on to say that teachers would be better off to opt out of the pension scheme. The Minister said he has spoken with the teachers' unions. Has he identified for them the flaw in the Trident report and, if so, what was their response? So far as I know the teachers have not accepted the Minister's analysis that the pension is watertight. They appear to be of the view that Trident got it right.

Deputy Brendan Howlin: Figures are figures. If one counts the so-called pension levy which all workers, some of whom who do not have a pension entitlement, are paying as a contribution to one's pension the sums are different from the actual contribution to one's pension, which will be 6.5% under the new regime. I have indicated to them from my perspective that I do not regard the so-called pension levy to be a permanent feature. It was introduced under the Financial Emergency Measures in the Public Interest Act to get us through. I do not think the vast majority of teachers would like people to present it as a permanent contribution to their pension ever more. I made that point to people. Obviously they have strong views on that matter and will articulate them publicly. I will not try to put words in their mouth, they can say what they believe. Objectively the new pension was designed to ensure that new entrants joining the public service, once this measure is enacted, would have a pension at the end. While our demographics are changing, the dependency ratio will alter between now and the middle of the century, one of our obligations is to ensure that people will have a good pension. In the case of teachers, they will be one of the groups least affected by the new scheme because they have a relatively flat trajectory on a career average basis. It is people, whom the Deputy has expressed a great interest in, who entered the public service as executive officers and end up as Secretary's General who will have the biggest negative impact on their pensions. Instead of their pension being determined by their final few years at the top of the pile, it will be determined by a career average. I think that is a much fairer system. When I said it was fair, that is what I meant.

Deputy Mary Lou McDonald: The teachers and everyone else know full well that the pension levy is a tax and is not a contribution to pension.

Deputy Brendan Howlin: But they will argue——

Deputy Mary Lou McDonald: If Trident is wrong on that basis and if, as the Minister has said, the pension levy is not set in stone can I assume the Minister gave the teachers unions some reassurance or a timeframe as to when the pension levy might end?

Deputy Brendan Howlin: It is not for me to make that determination, that is for my colleague, the Minister for Finance. However, I can give the Deputy my views on the matter. If the Deputy is asking when we will be out of the economic mess, I do not know. We have a trajectory to get a balanced budget, a deficit of 3% by 2015. The Government is determined to achieve that and we will achieve it. We have no control over external forces. We can only control what we can control. We are determined to get a balanced budget, to work towards norms in terms of the deficit, to ensure we pay our way and that we get out of the economic programme that our predecessor Government bequeathed us in order that we can make economic decisions in the best interests of the Irish people without being overseen by any external party.

Departmental Audit Unit

53. **Deputy Pat Deering** asked the Minister for Public Expenditure and Reform his plans to establish a new unit within his Department, through legislation that will have authority to audit and to identify areas of compliance, financial and programme value for money audits with investigation powers including fraudulent activities, to oversee the work of external auditors, to examine problems and carry out special assignments identified by the Comptroller and Auditor General, and to establish a fraud and waste hotline programme in his Department [28463/11]

67. **Deputy Derek Keating** asked the Minister for Public Expenditure and Reform his plans to establish a new unit in his Department based on the Auditor General's office of the city of Toronto, Canada, the functions of such office through legislation will have a mandate to access audit projects to identify areas of compliance, financial and programme value for money audits with investigative powers of a forensic nature including fraudulent activities to oversee the work of external auditors, to examine problems and carry out special assignments identified by the Auditor General, to establish a fraud and waste hotline programme in the department, this auditor general will have day to day access to records of all public expenditure sectors; and if he will make a statement on the matter. [28145/11]

Deputy Brendan Howlin: I propose to take Questions Nos. 53 and 67 together.

There are no plans to establish a unit of this nature within my Department. The Comptroller and Auditor General is an independent constitutional officer with a distinct role in accounting for the effective and efficient use of public funds. The role of the Comptroller and Auditor General is to control, on behalf of the State, all disbursements and to audit all accounts of moneys administered by or under the authority of the Oireachtas. The Office of the Comptroller and Auditor General under legislation has responsibility to audit and report on the accounts of public bodies; establish that transactions of public bodies are in accordance with the legal authorities governing them and that funds are applied for the purposes intended; provide assurance on the system of internal financial control put in place by each body; examine whether each body administers its resources economically and efficiently and has mechanisms in place to evaluate the effectiveness of operations; and authorise the release of funds from the Exchequer for purposes permitted by law.

The Comptroller and Auditor General also has authority under legislation to carry out special value for money examinations. Such examinations will result in either a special report which records the results of in-depth examinations of specific issues or general matters arising from audits, inspections or examinations carried out, or a value for money report which records the results of examination into the economy and efficiency with which State bodies acquire, use and dispose of resources and the systems procedures and practices employed by state bodies for evaluating the effectiveness of their operations. In implementing this mandate, account is

taken of the special considerations which attach to the management of public funds including the requirements of probity and sound corporate governance. Additionally, in the context of this mandate, the programme for Government includes a provision to give the Comptroller and Auditor General new powers in relation to value-for-money audits of State programmes.

Departments and agencies are responsible, in the first instance, for project management and ensuring value for money. Within my Department, the central expenditure evaluation unit is a centre of expertise on appraisal and evaluation in the public service. It is involved in an assurance process for capital appraisal which includes spot-checks for compliance with the capital appraisal guidelines. It leads on the value for money and policy review initiative which includes taking a co-authoring role on all value for money reviews in the four big spending Departments — Health, Social Protection, Education and Skills and Justice and Equality. It is also actively involved in value for money reviews in all other Departments.

Additional information not given on the floor of the House

With regard to the abuse of public funds, the Comptroller and Auditor General considers all circumstances involving an abuse of public funds brought to his attention by members of the public. Whether a particular matter warrants investigation or examination as part of the normal financial audit will depend on the circumstances of the case, its materiality and the evidence available to substantiate the circumstances surrounding the alleged abuse or waste of public funds.

Responsibility with regard to matters surrounding the prevention, detection and dealing with fraud lies with the management of individual Departments and agencies in the first instance and relevant organisations can be contacted by the public in this regard. The perpetration of fraud is a criminal offence and as such must be dealt with on a formal basis by the appropriate authorities.

In view of the structures already in place in relation to audit, evaluation and reporting of abuse or fraud, there are no plans to duplicate these processes within my Department.

Deputy Derek Keating: I thank the Minister for his reply. I am a Member for a very short time but I am sure that our country is losing millions of euro in fraud, waste and bad management. This morning I contacted the auditor general of the Toronto city audit department and in discussing this matter, he made clear that it is very difficult to measure the deterrent factor of a hotline that exists in Toronto but that it acts as a deterrent and it has established already not only significant results in reporting fraud, waste and bad management but has engaged those in management to be more responsible and conscious that it is public money and not their own money that is at issue. His second point is that the benefits of the audit process has been proven to pay for the department seven or eight times over.

The city of Toronto has saved millions of Canadian dollars on waste by reforming the methods in which it spends money, value for money audits and dealing with fraud. That is the reason that I tabled this question. I would like to discuss some of the finer points that I have learned about this week. How long does it take in the current circumstance to process queries, investigations, spot checks?

Deputy Brendan Howlin: I thank the Deputy for tabling the question and for his investigative work. Deputy Keating approached me directly about the question and I asked my Department for a briefing because I was not aware of the audit function of the city of Toronto. I have a detailed briefing on the auditor general and the role of his office. I would be happy to discuss that. The Deputy might consider it in the context of the committee system. I am advised that the so called Toronto model would conflict with the legislative and constitutional role of our Comptroller and Auditor General.

[Deputy Brendan Howlin.]

I am interested in anything that will reduce waste, identify fraud and eliminate it and will get better value for money for the taxpayers. I thank the Deputy for his initiate.

Leaders' Questions

Deputy Micheál Martin: As the Taoiseach knows, one of the most important issues in west Dublin is the services offered by the James Connolly Hospital. This morning I visited it to discuss the situation with staff and management. The local community rely on the hospital and the status of the promises and commitment that are now being made and handed out by Fine Gael and Labour public representatives is of major concern to them. The Minister for Social Protection, Deputy Joan Burton and the Minister for Transport, Deputy Leo Varadkar said last week, "The retained level of service in Connolly A&E is of enormous importance to the Dublin West community and I welcome the assurances that this service will be retained". Two weeks ago Deputy Reilly brought cameras with him to open a unit, which had been up and running and operating for the past year and a half. This was pitched as a sign of his great commitment to the hospital but in reality it was a cheap by-election photoshoot.

Deputy Paul Kehoe: The Deputy should look at himself.

Deputy Jerry Buttimer: The *Sunday Independent*, on page 8.

Deputy Micheál Martin: A few days after the visit, staff received a memorandum detailing closures which will undermine the supposedly secured services.

Deputy Paul Kehoe: You learned that off.

Deputy Micheál Martin: That is cynical in the extreme. As we know from Roscommon, a clear electoral commitment to keep hospital accident and emergency services can be denied even when there is a tape recording of it. What is the exact status of the commitment currently being handed out to the communities which use James Connolly Hospital? Are they personal, party or Government commitments? Will the Taoiseach confirm that extra funding will be made available to allow James Connolly Hospital to continue to provide the full services to the end of this year?

The Taoiseach: I am not going to take lectures in cynicism from that side of the House.

Deputy Billy Kelleher: In deceit.

The Taoiseach: In view of the current budgetary situation the efficiency of services is being reviewed by the Health Service Executive. It has emphasised that budgetary compliance must be maintained alongside the delivery of service levels that are set out in the national service plan. Activity and expenditure at the hospital are ahead of levels approved in the 2011 national service plan. A comprehensive review of services has been undertaken by the HSE. As a consequence the following measures are to be taken — a reduction in the use of agency staff and overtime hours; temporary closure of the surgical day ward for two weeks from 24 October 2011 which will reopen on 7 November 2011 with a reduction from 24 to eight places; a further temporary closure of three weeks is planned for 19 December; and the phased closure of 12 inpatient surgical beds between now and the end of the year.

The Minister has confirmed it is not the intention to close the hospital and 24 hour accident and emergency services will continue to be provided there.

Deputy Micheál Martin: I hope there was never any question of closing the accident and emergency department. There has been huge investment in the hospital over the years in cardiology, respiratory, geriatric, rehabilitation and endoscopy services. The Taoiseach has confirmed the closure of 12 surgical beds. Yet, only a few weeks ago Ministers told people existing services would be retained and that they welcomed the assurances in that regard. Deputies Varadkar and Burton made such comments.

Only seven months ago the Taoiseach said he had all the answers to problems in accident and emergency departments and that they would be delivered on by the end of this year. There was no small print attached to his commitments. The only difference between now and then in terms of the public finances is that they are better than projected and ahead of target. Ministers, candidates and canvassers are handing out information on specific promises to protect services in hospital but on the floor of the House the Taoiseach confirmed 12 surgical beds will be closed and other beds will be closed for five weeks. He described temporary closures of two weeks and three weeks—

An Ceann Comhairle: We are out of time.

Deputy Micheál Martin: —in addition to other closures. Will the Taoiseach release all amendments to the existing service plans of the hospital before people vote in two weeks time? We do not want what happened with the comprehensive spending review to happen again, when information was hidden before polling day in order that people could not see the options before them in terms of public expenditure.

The Taoiseach: The announcement to which I referred was made on 5 October 2011 by the hospital manager following a meeting between the hospital executive team and it was communicated to staff by a memo on that day. The 24 hour accident and emergency unit in the hospital is safe. The hospital is not being closed. As I said, some beds will be closed because the hospital is over budget. It signed up to a budget at the beginning of the year.

The announcement made was communicated to all staff by the hospital manager in the context of a review that was being carried out, as is required. The HSE reviewed other possible options to save money or increase revenue but concluded they would not generate sufficient savings in the short term. Cost reductions from the measures I listed are estimated by the HSE to save approximately €180,000 between now and year end. The Minister, Deputy Reilly, visited the hospital last week and I am glad the Deputy took the opportunity to visit it.

Deputy Jerry Buttimer: Remember Liam Lawlor.

The Taoiseach: This hospital, no more than any other, is obliged to deliver within its budget and for that reason some beds have been closed on a temporary basis because the hospital is over budget.

Deputy Gerry Adams: Tá a fhios againn go bhfuil a lán rudaí tábhachtacha agus práinneacha ag tarlú san AE agus tá súil agam go mbeidh seans againn iad a phlé níos moille. Bhí mé chun caint leis an Taoiseach inniu faoin fhóram dhomhanda faoi eacnamaíocht na hÉireann. Rinne an Taoiseach jab maith ansin agus déanaim comhghairdeas leis. Tá a lán oibre le déanamh ach tús maith leath na hoibre. Bhí mé ag caint leathuair ó shin le baill de chlann Pat Finucane agus tá siad iontach mí-shásta le cruinniú a bhí acu le Rialtas Shasana.

I commend the Taoiseach on the good job the Government did at the weekend with the global Irish economic forum, although there is a lot more to be done.

[Deputy Gerry Adams.]

Within the past half hour I spoke to a member of the Finucane family. The person concerned had a meeting with the British Prime Minister in Downing Street and is devastated and hugely upset by the British Government's refusal to honour the Weston Park agreement and establish an inquiry into the murder of the human rights lawyer, Pat Finucane.

The Taoiseach will recall that both Governments agreed to invite the Canadian judge, Peter Cory to examine a number of cases. He recommended investigations into four cases. He said the case of Pat Finucane, in particular, deserved an inquiry. The other three investigations have taken place but the Finucane case has not had the promised inquiry. The family went to the meeting today believing it would be told an inquiry was to be established. Instead it was told a QC would be appointed to review the papers and speak to those involved. There will be no inquiry, legal redress, access to papers or witnesses or opportunity to cross-examine anyone.

The family has been offered less than what was agreed at Weston Park. It is clearly a breach by the British Government of an agreement with the Irish Government. It flies in the face of the support the family received from successive Governments, the UN, Amnesty International and a host of international agencies and political leaders, including those in Washington. I ask the Taoiseach to make it clear to Mr. Cameron his view and that of the Dáil that the we support the family and nothing less than the inquiry demanded by the family is acceptable.

The Taoiseach: Glacaim buíochas leis an Teachta as ucht freastal ar an fhóram dhomhanda faoi eacnamaíocht na hÉireann agus, go deimhin, chuir sé cúpla ceist phráinneach agus oiriúnach ag an chomhdháil

I spoke to the British Prime Minister this morning who contacted me about his meeting with the Finucane family. He indicated to me it was his intention to get to the truth of this matter as quickly as possible and issue an apology in respect of the death of Pat Finucane. I indicated to him it is one of the few issues in the House on which there was all-party agreement that there should be an inquiry, following the initial findings of Judge Peter Cory and the Weston Park agreement. He informed me of the nature of what he proposed to say to the Finucane family. I indicated to him that the House unanimously supported Geraldine Finucane in her search for the truth and the issues surrounding the death of her husband, Pat.

When the meeting concluded the Prime Minister's office informed the Department of the Taoiseach of the outcome. I understand it was not satisfactory for the Finucane family. I have not changed my view in respect of this issue. All parties in the House unanimously called for an inquiry based on the findings of Judge Peter Cory and the wishes of the family. That is the position.

I indicated quite clearly to the Prime Minister that if Geraldine Finucane was not happy with what was on offer we would not be happy either. I respected his wish to say that what is needed is the truth and an apology arising from the message from the office of the Prime Minister. I spoke with the Tánaiste who will, in due course, invite Geraldine Finucane and her family to the House for a discussion on the meeting and where we go from here.

Deputy Gerry Adams: My understanding is that Geraldine Finucane cut the meeting short. I have spoken to successive British Prime Ministers about this issue. We need to understand the nub of the issue. Nothing like the Pat Finucane case illustrates the amount of collusion that took place during the conflict. The current British Government played no part in that collusion, therefore Mr. Cameron should be liberated to do what was promised to the family at Weston Park. Today's telephone call was probably the first conversation the Taoiseach had with Mr. Cameron since 17 May. I appreciate and accept entirely the Taoiseach's commitment to this issue of a full inquiry for the Finucane family but the Government must press this hard. Once

again the British Government is looking to play a long game on the issue and it is not fair. It would not be fair for any victim of the conflict and it is certainly not fair when the victim is an officer of the court, a human rights lawyer and a person whom it is rightly suspected, and there is lots of evidence to support this, was killed by agents of the British Crown. I ask the Taoiseach on the back of his fulsome commitment to press this issue with Mr. Cameron with all urgency.

The Taoiseach: As Deputy Adams is well aware, the truth in these matters is sacrosanct and central to a conclusion. I respect the Prime Minister's wish that there should be the truth arrived at in the shortest possible time and obviously that an apology be issued to those bereaved by the loss of their father and husband.

From that point of view, I have not spoken to the Prime Minister since July but I was clear in my last conversation with him about this matter and was clear again today and will be clear again when I meet with him. I cannot force the British Government to do this. We have had numerous questions about this over the years when I was in Opposition and now the British Government has set out its stall that it does not want a long list of open-ended inquiries. There is in these matters no price that can be put on the truth. I expect the Tánaiste will be in contact with Geraldine Finucane and her family and will invite them for a discussion on the meeting.

The Deputy can take it that in so far as the Government is concerned, once the Finucane family are not happy with what is on offer, we stand by our decision before of continuing to look for an inquiry in this matter arising from the findings of Judge Cory, which were very clear and in respect of which there are a million pieces of information now in respect of the whole Finucane killing which may or may not yield the truth of this matter in so far as allegations of collusion were concerned. That is the position; the unanimous decision of the Dáil previously still stands and I hope to have the opportunity to speak to Geraldine Finucane shortly.

Deputy Joe Higgins: The extensive leaks from the report of the Keane group on distressed mortgages will be greeted with bitter disappointment by the 95,000 homeowners in mortgage difficulties, of whom 40,000 or more are in arrears of more than six months. While there may be a few speculators among these, the vast majority are victims of the greed of developers and Irish bankers, facilitated by European bankers and speculators. They gouged from ordinary workers who needed a home those obscene prices and the massive monthly mortgages are now creating a major crisis as workers lose their jobs and experience draconian cuts to their incomes, including budget cuts, causing enormous distress and mental suffering.

The Taoiseach knows that but the Keane report tinkers around the problem, offering guidelines to banks, which are "strongly encouraged" to follow them. Is it serious that the very institutions that were central to the profiteering and speculation that caused this crisis are now largely being looked at to resolve it? Their victims are now being thrown to the tender mercies of the banks. It is like sending a bunch of marauding foxes that had raided a henhouse back to give mouth to mouth resuscitation to their victims. Is the Government going to tolerate this situation?

Is it not clear that the substance to a solution is to revise downwards the blackmail prices people were forced to pay for their homes to real value of today and to calibrate downward the monthly repayments so workers can resume meeting their commitments and stay in their homes? These people were victims of these conspirators for profit, supported by the Government. Indeed, Fine Gael was very quiet on the speculation that was going on. Can the Taoiseach look home-owning taxpayers in the eye and say that the Government will not allow any write-down of what is tied around their necks when three weeks from now, he will authorise a €700 million payment to an unsecured Anglo Irish Bank bondholder, with €3.5 billion to be paid by

[Deputy Joe Higgins.]

the end of June? What will the Government do? Was this discussed this morning and what was the Taoiseach's decision?

The Taoiseach: For Deputy Higgins's information, I appreciate the anxiety and concern of so many people who are so afflicted by mortgage distress. The Government will publish the report tomorrow in full and it will be debated in the House next week for two days if necessary whereby everyone who wants to contribute can do so.

The report furnished to the Government is not the repository of all wisdom but there are two fundamental principles that must be referred to here — the necessity to maintain people in their own homes and to distinguish between those who cannot pay and those who will not pay. I assure the Deputy this is a matter of concern and priority for the Government. When the debate concludes next week, the Minister for Finance will take the strands of what everyone has to say and, in the event there are new ideas, initiatives or matters not referred to in the report or not currently in existence, we will be happy to hear from every Deputy who has an idea that might be worth pursuing. The Minister will draw all of those together and the Government will respond quickly by making decisions. This is a matter that will not be long-fingered and is an issue we intend to follow through on very quickly.

The report will be published tomorrow, there will be a two day debate next week and as all these strands run together, the Minister will respond by drawing them together in the best interests of the individual circumstances that apply in so many cases while adhering to the two principles I have mentioned; that people are not forced out of their homes and that there is a distinction between those who can and those who will not pay.

Deputy Joe Higgins: People are being forced out of their homes. There were almost 1,000 repossessions in one form or another in the past two years. A United Left Alliance colleague of mine is dealing with a family who were ordered to be on the streets at 12 p.m. tomorrow, a husband, wife and three children, on the orders of a subprime mortgage lender. That is the reality of the distress and suffering that exists. She has intervened and hopefully there will be more breathing space and a resolution perhaps but is it not the case that if the exorbitant, speculative, profiteering prices that young workers in their 20s and 30s were forced to pay are written down to the real current level, and monthly mortgage payments are written down, not only does it resolve the crisis for many of these home owners, it would put perhaps billions into the real economy that could not otherwise be spent on jobs and services, helping to regenerate and stimulate the economy that is languishing because of the disastrous austerity the Government is pursuing?

Is it not the case that of the huge amounts of recapitalisation money that has been put into the banks by the taxpayer at the Government's behest, about €5 billion is to go towards distressed mortgages? Where is the relief for the taxpayers who paid that money? Can the Taoiseach stand by and deny real relief with the amount he insists on paying to unsecured bondholders, an incredible €17 billion in interest alone for the promissory note for Anglo Irish Bank bondholders over the next 20 years, and €30 billion of substantial payments?

The Taoiseach: Deputy Higgins has raised two matters, namely, mortgage distress and those who are suffering it and the issue of the banks. First, we want alternatives to having people lose their homes. That is a fundamental principle which we want to hold on to. Second, we must distinguish between those who cannot pay and those who will not pay. That must be addressed.

There will be no automatic blanket write-down. If the Deputy has not already received the report he will receive it tomorrow. I ask him to read it and study it over the weekend. He will have an opportunity to contribute to the debate next week.

Deputy Joe Higgins: What is the Taoiseach's thinking on the matter?

The Taoiseach: If the Deputy has new ideas——

Deputy Joe Higgins: I just gave the Taoiseach some.

The Taoiseach: ——which are not currently in practice or recommended in the report I would like to hear them from him.

Deputy Joe Higgins: I have just given the Taoiseach ideas.

The Taoiseach: The Government will respond quickly to this by drawing all of these threads together. The Minister for Finance will present his proposals to the Government and will then act immediately.

There is also the question of being able to deal with personal insolvency, as a matter of some urgency.

Deputy Joe Higgins: We know that. The Government will leave people to the mercy of the banks.

The Taoiseach: The Minister for Justice and Equality is currently concluding the heads of the Bill which will go to the Cabinet committee where it will be discussed, with a view to introducing legislation in respect of personal insolvency as quickly as possible.

Deputy Joan Collins: Can we not simply write down mortgage debt and let people breath?

The Taoiseach: We are serious about drawing all the threads of everyone's opportunities together. This concerns real people who if they are in mortgage distress have that anxiety and concern every day.

Deputy Joe Higgins: Then take the albatross from around their necks.

The Taoiseach: The legislation must also address the difference between those who cannot pay and those who will not pay.

Deputy Joe Higgins: More lifestyle choices. It is now a lifestyle choice not to pay one's mortgage, I suppose.

Deputy Joan Collins: If you don't have money you cannot pay.

Ceisteanna — Questions (Resumed)

Social Partnership

1. **Deputy Joe Higgins** asked the Taoiseach if he will report on recent contacts with trade union and employers bodies. [24430/11]

2. **Deputy Gerry Adams** asked the Taoiseach the recent contact he has had with the social partners. [26090/11]

3. **Deputy Micheál Martin** asked the Taoiseach if he has in place within his Department any formal mechanism for holding consultations with social partners; and if he is satisfied with any such arrangement. [28459/11]

4. **Deputy Micheál Martin** asked the Taoiseach if he has held any recent consultations with trade unions, employer organisations or other social partners. [28460/11]

The Taoiseach: I propose to answer Questions Nos. 1 to 4, inclusive, together.

I addressed the IBEC president's dinner on 22 June and met with representatives of IBEC on 20 July. I addressed the IBEC HR leadership summit last week. I spoke at the biennial conference of the Irish Congress of Trade Unions, ICTU, on 4 July and met with officials from ICTU on 28 June, in advance of that conference.

At my meetings with employer and trade union representatives I outlined the Government's approach to restoring economic and fiscal stability and the importance of the jobs agenda, which is at the heart of our programme. Our discussions also covered a broad range of issues of mutual concern.

I met representatives of the Irish Farmers Association on 12 July last and also met members of the wider farming community at the National Ploughing Championships on 22 September. I met representatives of all the social partnership organisations, including the environmental pillar and the community and voluntary pillar, when I addressed the inaugural meeting of the new National Economic and Social Council on 17 June.

In all of these engagements I confirmed my intention to follow up these meetings as part of a wider process of social dialogue. In particular, I anticipate meeting some of the social partners, along with the Tánaiste, in November. I also envisage an enhanced role for the National Economic and Social Council, as a vehicle for dialogue on the economic, social and environmental challenges facing the country.

I look forward to future contacts with the social partners as part of the Government's efforts to ensure economic and social recovery.

Deputy Joe Higgins: I put it to the Taoiseach that it is a sham to pretend there is such a thing as ongoing partnership between the Government and the trade union movement in current circumstances, when the Government accedes to the diktats of the EU, IMF and ECB with regard to a range of issues which have detrimental effects on the lives and living standards of working people, including those represented by trade unions, and when the Government unilaterally decides to hammer pension rights and wages and privatise semi-State bodies to pay off speculating bondholders and bankers. Can the Taoiseach say there is, in any sense, a dialogue between the Government and the representatives of workers, when all these decisions are made and imposed?

The Taoiseach: It is not a sham. We have completed all the conditions that were signed on for in respect of the Troika. We have resisted efforts by the Troika to move in particular directions and have renegotiated elements of the programme. I made it clear to the social partners that we will not be returning to the social partnership model as applied previously but that there is a clear line of communication between employers and trade unions and the Government. The Tánaiste outlined this very clearly at the SIPTU conference last week. We have made that clear to employers and trade unions — the social partners, as were — and we intend to adhere to that.

There is no sham, other than to say the Government is open to engagement with the different groups and to hearing their proposals on a regular basis. They understand that and we will continue to operate in that manner.

Deputy Gerry Adams: In his meetings with the employers and trade union leaders did the Taoiseach discuss the joint labour committees, JLCs? I appreciate the fact that the Government

did not oppose the Sinn Féin Bill relating to the joint labour committees last Friday. Tá Sinn Féin ag tabhairt amach, agus an ceart againn, go bhfuil an Rialtas an-thapaidh chun reachtaíocht a bhrú tríd an Oireachtas ar son an EU agus an IMF, ach tá sé i bhfad níos maille maidir le reachtaíocht chun cearta na n-oibritheoirí a chosaint.

What steps has the Government taken to ensure that the 180,000 employees who were abandoned by the JLC High Court judgment in July are to be protected?

The Taoiseach: The principal measures will include the following. The number of JLCs will be reduced from 13 to six. JLCs will have the power only to set a basic adult rate and two higher increments to reflect longer periods of service. JLCs will no longer set Sunday premium rates or any other conditions of employment covered by universal standards provided for in existing legislation, but the special position of Sunday working will still be recognised. Companies will be able to derogate from employment regulation orders, EROs, in case of financial difficulty. In setting rates, JLCs will have to take into account factors such as unemployment rates, competitiveness and wage trends here and in our major trading partners. Record-keeping requirements for employers in these sectors will be reduced. The constitutionality of EROs will be restored through inclusion of robust principles and policies. The arrangements and criteria applying to the registration, variation and cancellation of registered employment agreements will be made more secure, from a constitutional perspective.

The heads of a Bill to give effect to the reform proposals are being prepared by the Department of Jobs, Enterprise and Innovation. They have been agreed by Government and communicated to the Attorney General, who has agreed to give the highest priority to drafting this legislation. It is the Minister's intention to have a Bill ready to introduce to the Oireachtas at the earliest possible opportunity.

Deputy Micheál Martin: Can the Taoiseach explain why the Tánaiste, rather than himself, announced Government policy on this issue? At the SIPTU conference, the Tánaiste spoke of structured dialogue to be announced in the next month and which would begin with social partners. In the Taoiseach's reply, there was a studied avoidance of any phrase relating to a formal mechanism, which I asked about in Question No. 3, or to a structured dialogue. The Croke Park agreement is at the heart of social partnership, was a product of its dynamic and was an important part of securing some of the substantial agreements relating to the public finances in the last number of years. While facilitating social partners and articulating their views forcibly, either in meetings or on the streets, it generated a consensus around the necessity to take very strong decisions regarding the public finances and in achieving progress on that front.

The Taoiseach says he is not returning to social partnership in any formal sense. He needs to be very clear about that. He used the phrase, "We will not be returning to the social partnership model as applied previously" but we do not know what that means. How can hard negotiations or any sequel to the Croke Park agreement, in terms of its efficacy in the overall debate on the public finances, begin? On the joint labour committees, a Bill published by Fianna Fáil was debated in this House prior to the summer recess. Sinn Féin also published a Bill on the matter and the Government is soon to publish a Bill on it.

An Ceann Comhairle: Questions, please.

Deputy Micheál Martin: The Taoiseach, in his remarks today, has officially confirmed the Labour Party's acquiescence to a worsening of the conditions for the lower paid.

The Taoiseach: Perhaps the Deputy did not hear me clearly. I said we were not returning to the social partnership module which previously existed, which was wasteful from the perspective of time and so on. Communication lines between the Government and those previously involved in social partnership, including employers, trade unions and other groups, are open. I explained that to all of them individually and again when we met with the National Economic and Social Forum, NESF.

The Minister for Public Expenditure and Reform and I met with the Croke Park Implementation Body last June, at which time we pointed out the necessity to implement the conditions of Croke Park as fully and expeditiously as possible in order that the conditions signed on for in respect of the troika could be adhered to. The Tánaiste made his remarks last week in the context of an address to SIPTU. I spoke to him prior to the SIPTU conference and agreed the process of dialogue and communication with those who were previously members of the social partnership. There is nothing mysterious about that. The Tánaiste took the opportunity of addressing the delegates at the SIPTU conference to spell out that the lines of communication would be open to them and others who were previously involved in the social partnership programme, which was good, relevant and opportune. As is required, that communication facility is available to them.

Deputy Micheál Martin: Can I——

An Ceann Comhairle: I will come back to the Deputy. I call Deputy Higgins.

Deputy Joe Higgins: The Taoiseach stated that trade union leaders are available for consultation. Is it not the case that they are available to be dictated to?

An Ceann Comhairle: We are on Question Time and the Deputy must ask questions.

Deputy Joe Higgins: Unfortunately, they are allowing themselves to be dictated to at great cost to their members who suffer the consequences of the austerity being imposed by Government.

How can the Taoiseach say the Government is open to real dialogue with the trade union movement when, for example, members of the INMO and SIPTU were forced to take strike action against grotesque overcrowding and danger to patients at the Mid-Western Regional Hospital, Limerick? These nurses did so not for an advancement in wages but in the interests of safe working practices. Does the Taoiseach see a contradiction between the fine platitudes he has just spoken and the reality that trade union members, who are trying to provide services, are facing on the ground — as a result of Government policies?

The Taoiseach: I do not deal in dictatorship. Government will work with the different groups on the decisions it will have to make in the interests of our country and people.

Nurses at the Mid-Western Regional Hospital, Limerick did not go on strike: they protested vehemently at overcrowding. The Deputy will be aware that this situation has been allowed to fester in a number of areas for quite some time. The special delivery unit established by the Minister for Health has visited a number of hospitals throughout the country to examine efficiency of management and competency to deal with situations such as this. I am aware that nurses will visit the Dáil tomorrow and intend to hand in a letter to the Minister for Health. I do not accept the Deputy's assertion that the lines of communication between Government and trade unions and workers and Government are not open. This is not a case of Government being closed off in some room. We are facing the reality of a range of very challenging problems with which we intend to deal and to do so in as fair a manner as is possible in the interests of everyone.

In response to the questions from Deputies Martin, Adams and Higgins, the communication avenues to this Government are open to those who are members of trade unions and workers who are feeling the pinch, as they are to employers, business people and other social groups. That will continue to be the case. As decisions are made by Government, people will be consulted and fully informed.

Deputy Gerry Adams: Chuir mé dhá cheist ar an Taoiseach ach ní bhfuair mé ach freagra amháin. Perhaps the answer to that question will give a sense of the quality of the dialogue with the trade union leaders. Did the Taoiseach discuss the JLC issue with the trade union leaders when he met them?

The Taoiseach: Yes. I pointed out that the Minister for Jobs, Enterprise and Innovation was doing as required to do, namely, to consult in respect of the drafting of legislation arising from the court judgment. I have outlined for Deputy Adams the issues that will be pertinent to that legislation, in respect of which the heads of Bill have been approved by Government. We are awaiting presentation of the final Bill by the Minister and hope it can be brought before the House as quickly as possible.

Deputy Gerry Adams: That was not my question.

The Taoiseach: The answer to the Deputy's question is, "Yes, it was discussed". The requirement and responsibility of the Minister to consult about this with the groups was met. The legislation will be brought before the House as quickly as possible.

Deputy Micheál Martin: I would appreciate some clarity on what will happen in terms of the relationship between the social partners and Government. The Tánaiste spoke about structured dialogue but the Taoiseach has avoided any reference to structured dialogue. Perhaps the Taoiseach will clarify what is meant by "structured dialogue" with the social partners.

Deputy Pat Rabbitte: It is dialogue that is structured.

Deputy Micheál Martin: One expects that the communication channels will remain open. No one is suggesting they should ever be closed. There is no big deal in communication avenues or channels between Government and the social partners being open. What will be the process of engagement, if there is to be any between the social partners and Government? The Taoiseach needs to let us know that one way or the other.

The Taoiseach referenced in his earlier reply that the Tánaiste's comments were made in the context of his address to SIPTU. Was it a sop to SIPTU or a sop to the Tánaiste? One gets the impression that the Fine Gael side of this Government wants nothing more to do with social partnership. The Labour Party has a more nuanced view in this regard, which is the reason for all this verbiage and lack of clarity in regard to the nature of the relationship or how the process of engagement is to be structured.

Deputy Pat Rabbitte: There is nothing like the new politics.

The Taoiseach: There is no lack of clarity about this. The Tánaiste, when speaking at the SIPTU conference, outlined the nature of the dialogue that will take place. Commencing in November, the Government will invite lead social partner organisations to bilateral meetings. That is clear. These meetings will involve senior Government Ministers, including the Tánaiste other Ministers and myself. Our intention is that these meetings will take place on a regular and period basis, focusing on matters of current concern. For instance, the Minister for Public Expenditure and Reform will lead the discussions on public sector management and implemen-

[The Taoiseach.]

tation of the Croke Park Agreement while the Minister for Jobs, Enterprise and Innovation will lead on issues to do with employment regulation. That, too, is clear.

In addition, to develop a strong role for the social partners in finding solutions to common problems, we will re-engage the National Economic and Social Council. I, as Taoiseach, and the Tánaiste will undertake to attend a plenary session of the council each year. We do not seek consensus for its own sake. We must learn from past failures of social partnership, including the need to respect the role of the Oireachtas and the role of Government. Given the scale of our difficulties and the challenges facing our country, we must work together in the interests of the country and our people. That is the structure of the process in which we will engage.

It could not be clearer. I will be happy to debate any issues that emerge during the bilateral meetings and the outcomes of the plenary session of the National Economic and Social Council, NESC.

Deputy Micheál Martin: Will the Taoiseach agree there have always been bilateral discussions between Ministers, trade unions and employers?

The Taoiseach: Yes, and we intend to continue that process.

Deputy Micheál Martin: Attending a plenary session of NESC is hardly earth-shattering.

The Taoiseach: It is not meant to be earth-shattering. However, we are not going to waste time in the fashion done before in which there were endless meetings with nothing coming out of them. In these cases, there will be bilateral meetings with fixed and focused agendas. The dialogue between the social groups, myself, the Tánaiste and Minister for Foreign Affairs and Trade and lead Ministers will deal with current issues that are important.

Deputy Pat Rabbitte: All will be in safe hands.

Deputy Micheál Martin: I have no doubt of that.

Deputy John Perry: There will be no verbiage anyway.

Ministerial Staff

5. **Deputy Micheál Martin** asked the Taoiseach if he will provide details of the cost to him, including salaries, relating to supporting him and Ministers of State in their constituency work during the 100 days following his appointment. [24712/11]

6. **Deputy Gerry Adams** asked the Taoiseach the number of persons employed in his private office and in his constituency office; the salary paid to each person; and if he will provide a breakdown of the responsibilities of each person. [28192/11]

The Taoiseach: I propose to take Questions Nos. 5 and 6 together.

There are 11 staff working in my private office. Eight of these staff are civil servants, two are my personal assistants and one is my personal secretary.

There are five staff working in my constituency office. Three are based in Government Buildings, one of whom is a civil servant, while two are based in Castlebar.

There are three staff working in the Chief Whip's constituency office, one of whom is a civil servant based in Dublin, while the other two are based in Enniscorthy.

The staff working in the constituency office of the Minister of State with responsibility for European affairs, which is based in my Department, are paid for by the Department of Foreign Affairs and Trade. The staff consist of one personal secretary and two clerical officers.

The cost of supporting constituency offices for my Department during the first 100 days following my appointment is approximately €134,000. This comprises salary costs of €122,884, postal and telecommunications costs of €1,544, office equipment and supplies costing €8,320 and travel and subsistence costs of approximately €1,000.

In comparison with the last Administration and its 2009 figures, there are now seven fewer staff working in the private offices and constituency offices of my Department. This also represents a 26.7% reduction in costs.

The staff of my private office, which includes civil servants and personal assistants, provide ongoing administrative support to me across the whole range of my functions. The five staff in my constituency office are responsible for dealing with any constituency matters and correspondence.

The following table provides details of the numbers employed and salary levels in my private and constituency offices

Number	Grade	Pay
<i>Private Office</i>		
1	Private Secretary (HEO)	€46,426 to €57,251
1	Assistant Private Secretary (HEO)	€43,816 to €55,417
1	Assistant Private Secretary (EO)	€29,024 to €45,616
4	Clerical Officers	€23,177 to €37,341
1	Clerical Officer	€22,015 to €35,515
1	Personal Assistant	€75,390
1	Personal Assistant	€64,750
1	Personal Secretary	€40,233
<i>Constituency Office</i>		
1	Executive Officer	€29,024 to €45,616
1	Personal Assistant	€64,257
1	Personal Assistant	€64,257
1	Personal Assistant	€66,519
1	Personal Secretary	€40,233

Note: Some of the civil servants working in my private office receive allowances in addition to their basic salaries in accordance with normal Civil Service rules.

Deputy Micheál Martin: On 23 February 2011, two days before the general election, the Taoiseach claimed Ireland could not afford Ministers to be doing constituency work in their first 100 days in office and that he would ban them from doing so if elected. There was no small print or qualification to this claim. Characteristically, the Taoiseach patted himself on the back for making such a bold promise.

We now learn from several parliamentary questions that the Taoiseach never had any intention of carrying out this commitment. On taking office, he and his Ministers immediately hired over 60 people to do constituency work, spending approximately €750,000 in their first 100 days.

An Ceann Comhairle: Can we have a question, please?

Deputy Pat Rabbitte: They were all ready there when we took office. We actually reduced the numbers.

Deputy Micheál Martin: If the Ministers of State are included in this, over €1 million has been spent.

Without using his usual tactic of talking about everything other than what he has been asked, will the Taoiseach explain why he made this promise and then abandoned it days after coming to office?

The Taoiseach: This is a case of changing the culture of what went on before. For Deputy Martin's information, I have spent very little time in my constituency office in the west. When I have, I have started at 7 a.m. for those who have a problem and want to see one of their local representatives. That means the early morning shift, as it were.

The Government made a decision in March 2011 that staff employed in ministerial private offices be reduced from a maximum of ten to eight while those in constituency offices be reduced from a maximum of six to four. It was also decided the staff in a Minister of State's private and constituency offices be reduced from a maximum of seven to five and a maximum of five to three, respectively, while the staff complement for a Minister of State assigned to more than one Department to be reduced from a maximum of nine to a maximum of seven. In the case of more than one Minister of State assigned to one Department, it was changed from no additional restrictions to the total not exceeding four in respect of each Minister of State.

The reductions are there for all to see. We have changed the nature of the culture that existed before. When appointed to the Government, I encouraged Ministers not to go down the tunnel route of accepting the thousands of invitations they would receive. Human nature, being what it is, people will fulfil engagements of one sort or another.

Compared to previous arrangements, these reductions will make the considerable saving of €800,000 and it is a demonstration of changing both the culture and the nature of way the Government treats its duties and responsibilities.

Deputy Gerry Adams: With respect, I do not believe a judgment can be made on the basis of what passed before. It has to be based on how the majority of working people are living through this difficult time. I noticed how the leader of Fianna Fáil's question flippantly asked the Taoiseach to provide details of the cost of the staffing arrangements to him. It does not cost him anything; it is the taxpayer who pays for this.

It is ridiculous and shameful that €300,000 of taxpayers' money is spent to employ constituency workers in the Taoiseach's office. Guidelines on special advisers from the Department of Finance stipulated special advisers' pay should be brought into line with the five-point salary scale applicable to the standard principal officer position in the Civil Service, between €50,000 and €93,000. Why are two of the special advisers employed earning salaries of €168,000, nearly five times the average industrial wage and twice what was stipulated in the Department's guidelines. An greideann an Taoiseach i ndáiríre gur sin an sórt ceannaireachta atá de dhíth san am cruá seo?

The Taoiseach: Tá a fhios ag an Teachta go bhfuil laghdú an-mhór, suas le €800,000, i leith costas a bhain leis an iar-Rialtas. Tá fhios aige go maith freisin go bhfuil an bheirt chomhairleoirí speisialta ann agus go raibh siad ag obair leis an bpáirtí agus liom féin le fada an lá. Tá a fhios aige go bhfuil caipín curtha ar thuarascáil i leith seirbhíse poiblí suas go €200,000. Tá laghdú mór ann sa bheirt chás ansin i gcomparáid leis an ráta a bhíáoc ag an iar-Rialtas. Tá

laghdú níos mó ná 27% ó thaobh costas comhairleoirí agus comhairle do Roinn an Taoisigh ná mar a bhí faoin iar-Rialtas.

Deputy Gerry Adams: Ar bhris an Taoiseach an chaidhp sin ina Rionn féin?

An Ceann Comhairle: Could Deputy Adams ask his questions through the Chair, please?

Deputy Gerry Adams: An féidir liom teacht isteach arís?

An Ceann Comhairle: I would like the opportunity to call Members. I call on Deputy Martin.

Deputy Micheál Martin: I do not accept that any culture has changed.

An Ceann Comhairle: I do not want statements just questions. It is Question Time and we want to move on.

Deputy Micheál Martin: I know but I am being very brief.

An Ceann Comhairle: I know but we need a question.

Deputy Micheál Martin: Given that over €1 million was spent by the Taoiseach, Ministers and Ministers of State on constituency work since they took office, will he confirm he would have said anything before the election to win votes and that he meant nothing then?

Deputy Pat Rabbitte: Deputy Martin has some neck.

Deputy Micheál Martin: If the Taoiseach was sincere about no constituency work in the Government's first 100 days——

An Ceann Comhairle: What is the question?

Deputy Micheál Martin: ——he would have ensured all ministerial staff would have been allocated to other areas in their respective Departments

Deputy Pat Rabbitte: Will Deputy Martin go away about that?

Deputy Micheál Martin: If the Taoiseach had been sincere about this, he would have done what I just suggested.

An Ceann Comhairle: Is that a question?

Deputy Micheál Martin: Yes, it is.

An Ceann Comhairle: Taoiseach, are you sincere or not?

Deputy Micheál Martin: A Cheann Comhairle, please do not paraphrase my question. It is not your job to do that.

An Ceann Comhairle: I want to know what question you want asked.

Deputy Pat Rabbitte: Deputy Martin was in power for 15 years with a gilly carrying around his briefcase. He now comes in here with his Francis of Assisi face.

Deputy John Perry: What about all the consultants the previous Government used to employ?

Deputy Micheál Martin: It is not the Ceann Comhairle's job to paraphrase my question.

An Ceann Comhairle: My job is to see the Deputy asks questions.

Deputy Micheál Martin: I asked him a question.

An Ceann Comhairle: No, Deputy, you are making statements all the time.

Deputy Micheál Martin: I asked him if he was sincere when he made this commitment before the general election.

Deputy Bernard J. Durkan: Deputy Martin is only whingeing.

The Taoiseach: Deputy Martin suffers from recurring political amnesia.

Deputy John Perry: Amnesia.

The Taoiseach: When he sat on this side of the House, he always dismissed every issue that was raised with the disregard of those who become too used to the comforts of office. There are no such comforts applicable here anymore.

Deputy Micheál Martin: Will the Taoiseach answer the question?

The Taoiseach: Since March my constituency office has received 18,000 items of correspondence. Are we to show the discourtesy that the Deputy's people showed?

Deputy Micheál Martin: The Taoiseach must answer.

The Taoiseach: One must have some capacity to answer people's claims.

Deputy Micheál Martin: Of course.

The Taoiseach: They know that there is a big cultural change from what applied previously.

Deputy Micheál Martin: Why did the Taoiseach make stupid promises? It was silly stuff.

The Taoiseach: As the Deputy is aware, there is no overtime payable to personal assistants in the Department of the Taoiseach, so I reject completely what he is at.

Deputy Bernard J. Durkan: Hear, hear. Deputy Martin should be honest with himself.

Deputy Micheál Martin: The Taoiseach is wrong.

Deputy John Perry: Fianna Fáil left this legacy.

The Taoiseach: It would be far better to focus now on what these people are focusing on——

Deputy Micheál Martin: Fianna Fáil's commitment was——

The Taoiseach: ——which is dealing with the problems of our country and the problems of our people——

Deputy Micheál Martin: The Taoiseach never had any intention of implementing any of it.

The Taoiseach: ——that we have inherited to an unprecedented degree——

Deputy Micheál Martin: This highlights his cynicism and his lack of sincerity before the election.

The Taoiseach: —from a Government that lost all regard for its capacity to do its business.

Deputy Micheál Martin: The Taoiseach made the promise. No one else did.

Deputy Bernard J. Durkan: Deputy Martin is the one with the pious face.

Deputy Gerry Adams: I am trying to figure out how the salary cap was breached.

The Taoiseach: In the case of the two particular advisers that the Deputy mentions, these salaries are very much reduced from what applied previously.

Deputy Gerry Adams: That was not the question.

The Taoiseach: They are two people who worked in the Oireachtas for quite some time prior to coming in here. Their salary now is commensurate with their experience and the responsibilities that they carried out for many years assisting myself as Leader of the Opposition.

Commemorative Events

7. **Deputy Micheál Martin** asked the Taoiseach the position regarding preparations for the commemoration of the 1916 Rising. [24725/11]

8. **Deputy Gerry Adams** asked the Taoiseach the preparations that have been made regarding the commemoration of the 1916 rising. [26091/11]

9. **Deputy Micheál Martin** asked the Taoiseach the position regarding preparations for the commemoration of the centenary of the 1916 Rising. [28457/11]

10. **Deputy Micheál Martin** asked the Taoiseach if he intends making any changes to the annual State commemorations of the 1916 Rising. [28458/11]

The Taoiseach: I propose to take Questions Nos. 7 to 10, inclusive, together.

I am very conscious of the enduring significance of the historic events of the early 20th century that culminated in the establishment of the State. Commemorative initiatives should seek to generate an enhanced understanding by the generations of today and the future of these important events in our national history. The official commemorative programme will be organised on a consultative and inclusive basis, contributing towards improved understanding and acceptance by all traditions.

Mindful of the fundamental importance of the centenary anniversaries to arise in the coming years, I envisage a comprehensive programme that will not only commemorate these events sequentially, but also seek to explore the issues thematically, presenting them anew to modern generations. An appreciation of the economic, social and cultural life of the Irish people in the years before the Easter Rising is essential to an informed understanding of the political and military history.

My Department is engaged in a programme that will include all other Departments, agencies and services in preparing a framework for commemorations. In addition to this official consideration, I envisage that the commemorative initiative will include an opportunity for all interested persons and groups to make proposals and submissions. I would like the commemorative programme to comprise not only the official initiatives, but also regional, local and com-

[The Taoiseach.]

munity activities relating to persons, themes and events of relevance. Complementary efforts by national associations and cultural and sporting organisations will also be welcome.

Arrangements are also in place for a special consultation with parties in the Oireachtas on the draft programme. As the Deputies are aware, I have asked the Minister for Arts, Heritage and the Gaeltacht, Deputy Deenihan, to chair an Oireachtas consultation group in respect of these centenary commemorations. I am grateful for the nominations received from party leaders and groups in this regard. The consultation group now includes Senator Mary White of the Fianna Fáil Party, Senator Mark Daly of the Fianna Fáil Party, Deputy Aengus Ó Snodaigh and Senator Kathryn Reilly of Sinn Féin and Deputies Catherine Murphy and Maureen O'Sullivan from the Independent group. I understand that this consultation group met in July and will meet again shortly.

With regard to the specific inquiry about current arrangements, the Easter Rising is commemorated annually at the GPO in Dublin. The annual parade by the Defence Forces, in abeyance since the 1970s, was re-instated in 2006. In subsequent years, there has been a military ceremony taking place in front of the General Post Office on O'Connell Street. There are no current proposals to amend these annual arrangements, although I expect that special arrangements will be made for the centenary anniversary in 2016.

Deputy Micheál Martin: I thank the Taoiseach for his comprehensive reply. I welcome the sentiments he expressed and I look forward to working with him and the Government on ensuring a comprehensive programme of commemoration to open up genuine shared understanding of the different traditions on the island.

Does the Taoiseach agree that the commemoration of the 90th anniversary of the 1916 Rising showed considerable public support for commemorating the event that directly sparked the achievement of independence by the State? There was a wonderful atmosphere on the streets of Dublin with tens of thousands of families in attendance. Does the Taoiseach agree that a crucial factor in that commemoration was the centrality of the Defence Forces, a body of men and women who have always represented a unifying force across all classes and boundaries? Does he agree that a dignified commemoration of the State founded by the heroes of 1916 needs to be at the core of the 2016 events and that the Defence Forces should be at the core of that centenary commemoration?

I have two questions regarding ongoing commemorations. There is always strong public support for State events to be held outside Dublin to address the entire period of the Irish revolution, dating from 1916 to 1921. The Taoiseach mentioned the period prior to that time, which was valid. What will be done outside Dublin and will work be undertaken to facilitate it?

The Taoiseach: The period will be 2012 to 2022. I thank Deputy Martin for his comments. What we want is a dignified commemoration that is inclusive and covers all of the issues that should be commemorated. As I stated in my reply, local, regional and national events will be covered. I also accept that the Defence Forces, which have been important to the history of our country, should be centrally involved. They bring a particular resonance and importance to all of the occasions in which they participate. This will obviously continue.

The consultation group that the Minister, Deputy Deenihan, chairs is a consultation group with the Government, and all the parties and Independents are reflected there. We want to expand that because the citizens will want an opportunity to send in their views about what issues or events and so on should be commemorated in this decade.

I would also like to involve a group of professional historians who would be able to deliberate and put forward a view on the accuracy and the authenticity of matters that should be considered by Government for inclusion in the programme, which will be debated and discussed with all of the parties here to ensure that we arrive at a situation where we have a dignified sequential series of commemorative events and occasions over that period.

I want the leaders of the other parties to understand that this is not to be considered in any way to be under the sole ownership of any party. This is about our country's history and our military history of days gone by when people had very polarised views about politics. It is a case of getting as inclusive, dignified and appropriate a sequential series of commemorative occasions as possible.

Deputy Micheál Martin: I do not want to be flippant, but we need to keep an eye on these professional historians. I take it that it will be a broad church.

We discussed the 1916 commemoration during a previous Question Time. What is the update on the possibility of the Government working with Dublin City Council in respect of the rebellion's footprint around the GPO and on the streets of Dublin? Between now and 2016, this situation needs to be turned around to ensure its retrieval for the State. The relatives have pursued this matter with all of the political parties, as that area may make way to a major development. It would make greater sense were a trail and a proper urban context given to the area. This is a question of the preservation of an historic site and area in Dublin. The Government should work with Dublin City Council to ensure this is done by 2016.

The Taoiseach: On the occasion of the first meeting in July, the Minister, Deputy Deenihan, outlined the broad range with which the consultation group intends to involve itself. It is open to the group to interact with Dublin City Council, whether it be about Boland's Mill, Moore Street or other relevant locations in the general city centre area, to determine what should be included. This is part of what can be done.

Deputy Micheál Martin: It is not good at present.

The Taoiseach: We do not yet have any conclusions to the discussions that have taken place but Deputy Martin can take it that the Minister, Deputy Deenihan, and his consultation group will take these views into account. This is appropriate.

Deputy Gerry Adams: It may be appropriate to have a dignified commemoration of this State but the commemoration of 1916 is not a time to have it. The most important thing that happened in 1916 was that a republic was proclaimed but in my opinion nowhere in Ireland today do we have any sense of this republic. Between sovereignty, people's rights and partition we need a new republic and we should take this opportunity to re-imagine the republic. Part of what the Government should be doing is to encourage this type of conversation.

I commend the committee, comprising mostly relatives of the leaders of the 1916 rising, which has campaigned to secure the future of Nos. 14 to 17 Moore Street. I cannot think of a state in the world where the last place such leaders met is now a derelict shop. Where Pearse gave the surrender note to the British Government is not marked. Thomas Clarke's shop is covered with a plastic piece of neon sheeting. All of this is absolutely obscene. I cannot think of any other place where this would be allowed to happen.

The business of establishing a special consultation group is a good step but it has met only once. There is no clár or schedule. There is no notion of what will happen. Does the Taoiseach expect to be able to bring forward a plan — and when does he expect to do so — whereby this great event in our history will be commemorated? There is a need for the Government to seize

[Deputy Gerry Adams.]

the initiative on the development of a freedom quarter, a liberation quarter, cúinne na saoirse or revolutionary quarter in the precincts and environs of the GPO.

The Taoiseach: We have discussed this previously here as the Deputy is aware. He knows the story in respect of my views about No. 16 Moore Street and the general locality. Without interfering with the legalities of what obtains at present I see real opportunities in this area. Deputy Adams is aware that in September 2006 No. 16 Moore Street was added to the register of protected structures under the Planning and Development Act 2000 by resolution of Dublin City Council because of its historical importance and architectural interest. This listing gives protection to the building, its interior and the land and structure in its curtilage. In January 2007, the then Minister for the Environment, Heritage and Local Government, Dick Roche, placed a preservation order on the building under the National Monuments Act 1930 as amended because the preservation of No. 16 is considered a matter of national importance due to the historical interest attaching to it. Ministerial consent under section 14 of the National Monuments Act will be required for all works in the area covered by the preservation order.

I understand the planning approval granted by An Bord Pleanála for the redevelopment of the Carlton Cinema site in central Dublin includes a provision relating to the conservation of the national monument at Moore Street. Everybody understands the importance of the events that took place during Easter week at the GPO and the significance of the last command post at No. 16 Moore Street. The proposed development of the Carlton Cinema site, of which Nos. 14 to 17 Moore Street form part, envisages the retention of these buildings and the provision of a commemorative centre to the 1916 rising in No. 16. I was there recently and it is not a very edifying historic centre for what happened in 1916.

An application by the developer for consent to these proposals under section 14 of the National Monuments Act 1930 was submitted to the Minister for the Arts, Heritage and Gaeltacht Affairs on 17 June. I understand the Minister is considering this application and is engaging in extensive consultation with all interested parties for and against the developer's plans. The Minister will have to take into account all relevant views, including those of the Oireachtas consultation group on commemoratives matters which he chairs, prior to making a decision on what is a very important case. I understand the consultation group was at the site recently to look at it themselves.

We all have views on this. The area from the side door of the GPO, turning left to the corner of Moore Street, to the point where the O'Rahilly was shot, to the location where the battery was on top of the Rotunda, to the sidewalk location where the actual surrender took place is very small. With a bit of imagination and interest it could become a location for understanding what happened when the rising took place and eventually led to this country being one of the first small countries to achieve its independence in the 20th century. I respect this as somebody who tried to teach some elements of this to children many years ago. It is not all gone and this is an opportunity to get very much of it right or as right as we can. I expect all parties and Deputies to contribute to a constructive debate in this regard.

Deputy Gerry Adams: The Taoiseach will not mind me stating the country has yet to achieve its independence. The island is still partitioned. Whatever independence was won in this——

The Taoiseach: This is why we have the Good Friday Agreement to which the Deputy is a party.

Deputy Gerry Adams: That is exactly right. Whatever independence we have in this State has been given away.

The Taoiseach: As the Deputy knows, the Good Friday Agreement understands Northern Ireland is part of the United Kingdom with the opportunity to hold a referendum if the people so decide.

Deputy Gerry Adams: I thank the Taoiseach but I think I know an awful lot about the Good Friday Agreement. I thank him for his advice.

The Taoiseach: And the Deputy knows a lot about other issues as well I would say.

Deputy Bernard J. Durkan: We all know about the Good Friday Agreement. We follow it with a keen interest.

Deputy Gerry Adams: In many ways we are a great country, and we will agree on this for all the messing——

The Taoiseach: We are a great people.

Deputy Gerry Adams: ——and we are great people. The unity of our people and of orange and green and all the shades in between should be the objective of this Parliament and it is a constitutional imperative on successive governments. What is happening in the Moore Street environ is a metaphor of the state we are in. Go up the back entry of this iconic building, No. 16 Moore Street, and one will find an open sewer. This is the reality. With regard to the Carlton Cinema site, very few places would commemorate the proclamation of a republic and the first blow against an empire which controlled most of the globe at that time with the type of cinematic modern development that will be put there.

We agree on one thing: there is an opportunity to develop this for educational and historical reasons, for tourism and to show a sense of pride in those who went out and fought and died for the freedom of the people of this island. However, unless the Government decides to do something about it as opposed to the revisionist history we sometimes hear then I fear we will miss this opportunity.

Deputy Micheál Martin: The role of Dublin City Council is crucial with regard to the zoning of the area as an area of special interest, conservation, preservation and historic importance. It contains a number of historical monuments. I have spoken to members on my party who sit on Dublin City Council and I have asked them to take an initiative on this. If the Government met the officials and authority of Dublin City Council it would be a significant catalyst to move this on to get concrete proposals on how between now and 2016 we can lay out a pathway for how the area can be enhanced for once and for all and how it can become a significant place for history and heritage and, for generations to come, an area that can illustrate what happened. I ask the Taoiseach to do this given its overall national significance.

Deputy Richard Boyd Barrett: Will the Taoiseach not agree it is a bit tokenistic and a bit of a joke, frankly, to talk about commemorating the 1916 Rebellion when this country is being recolonised by the dictatorship of the EU-IMF?

An Ceann Comhairle: Just a moment, Deputy. We are dealing with the arrangements for a celebration.

Deputy Richard Boyd Barrett: The best commemoration we could have for 1916 is to stand up together and tell the EU-IMF to get off our backs and stop asset-stripping this country——

An Ceann Comhairle: There are other opportunities for the Deputy to raise that issue. I ask the Taoiseach to reply to the relevant question.

The Taoiseach: I do not think what Deputy Boyd Barrett said was a question.

Deputy Richard Boyd Barrett: It is a question.

Deputy Bernard J. Durkan: How will the Deputy pay next year's bills?

The Taoiseach: The four houses are believed to date from 1756 to 1773. Numbers 15 to 17 date from approximately 1763 but were refaced in about 1880. The buildings are in the private ownership of Chartered Land Limited and form part of an extensive site in the O'Connell Street-Henry Street area of Dublin which CLL proposes to develop. Dublin City Council granted permission to CLL in December 2008 for the development of the 2.17 hectare development incorporating the national monument site. As a prescribed body, the Department of the Environment, Heritage and Local Government commented on the initial planning application in May 2008 and identified a number of concerns relating to architectural heritage, height, demolition of certain buildings and the impact on the character of O'Connell Street. The Department's concerns were addressed in the redesign of the project, for example, with the inclusion of a screen along O'Connell Street to reinforce the street facade, the omission of the tall building element onto Henry Street, the overall reduction in height of the tallest element of the development and its relocation to the centre of the site where the visual impact from surrounding areas would be lessened. The granting of planning permission was appealed to An Bord Pleanála which, following an oral hearing, approved the development with the modifications on 24 March 2010.

As regards the national monument-designated buildings, approval was given by An Bord Pleanála for the demolition of the non-original additions and partitions, extensions to the rear and the lowering of the basement. However, the foregoing was subject to the stipulation that no works could commence until ministerial consent had been obtained under the National Monuments Act for any works that might impact on the monument site at numbers 14 to 17 Moore Street. The buildings require ongoing maintenance works to ensure their structural protection pending a full programme of refurbishment works. In 2006, and prior to the preservation order being placed on the site, some stabilisation works were carried out in agreement with Dublin City Council's enforcement section. An application for consent for further works was made by Shaffrey Associates Architects in February 2010 and was approved by the Minister in May 2010 following consultation with the director of the National Museum of Ireland. In summary, the works involved temporary stabilisation works to elements of the structure, prevention of fabric loss, elimination of water seepage, maintenance of suitable environmental conditions to ensure preservation of fabric and removal of vegetation. In December 2010, as an extension to the existing consent, ministerial approval was given for the removal of mid and later-20th century finishes to enable the carrying out of a proper condition and historic survey of the building fabric and structure.

A formal consent for application for works was submitted to the Department by the developer on 17 June. The proposals, which comprised the conservation of Nos. 14 to 17 Moore Street as a commemorative centre to facilitate interpretation of the significant cultural history relating to the events of Easter 1916, must now be considered by the Department, prior to consultation with the director of the National Museum of Ireland. The Minister's formal consent will be required before any works can begin. The Minister, Deputy Deenihan, has visited the site and he will consider matters such as the preservation, protection and maintenance of

the archaeological, historical or other cultural heritage or amenities of or associated with the national monument.

Constitutional Amendments

11. **Deputy Micheál Martin** asked the Taoiseach if he has reviewed arrangements in place within his Department to consult opposition leaders on matters relating to constitutional reform. [24726/11]

12. **Deputy Micheál Martin** asked the Taoiseach if, further to his previous commitments in Dáil Éireann, he will detail the nature and extent of consultations with the opposition which will be held before he finalises his proposal for a constitutional convention. [24727/11]

13. **Deputy Micheál Martin** asked the Taoiseach if he will detail preparations made for publishing the proposal to establish a constitutional convention. [24728/11]

14. **Deputy Gerry Adams** asked the Taoiseach the consultations he has held or plans to hold with political parties or other stakeholders in relation to the proposed constitutional convention. [26092/11]

15. **Deputy Joe Higgins** asked the Taoiseach the further referenda he plans in this Dáil term; and if a referendum is planned on the abolition of the Seanad. [26987/11]

16. **Deputy Gerry Adams** asked the Taoiseach the preparations that have been undertaken in relation to the proposed constitutional convention. [27364/11]

The Taoiseach: I propose to answer Questions Nos. 11 to 16, inclusive, together.

Work is proceeding in my Department on the preparation of proposals for a referendum on the abolition of the Seanad and for the setting up of a constitutional convention. These proposals, when ready, will be considered by the Government.

The proposal to abolish the Seanad was signalled by the Government parties prior to the general election and the Government intends to put this question to the people in a referendum next year. The Dáil and Seanad will have an opportunity to debate fully the necessary legislation when it is published. With regard to the setting up of a constitutional convention, once proposals are approved by Government I intend that they will be the subject of full consultation with the Opposition parties.

As Deputies will be aware, it is proposed, in conjunction with the forthcoming presidential election, to hold referenda on judicial pay and the granting of powers to the Houses of the Oireachtas to conduct inquiries. Proposals for the referenda on the other constitutional amendments promised in the programme for Government are being progressed by the relevant Ministers.

I intend to make an announcement in respect of the constitutional convention following the people having voted on the two constitutional amendments on 27 October.

An Ceann Comhairle: Three Deputies have asked questions and the time allotted is six minutes.

Deputy Gerry Adams: I have asked two questions.

Deputy Micheál Martin: I have asked three questions.

An Ceann Comhairle: I wish to ensure that everyone has an opportunity to ask questions.

Deputy Micheál Martin: I must articulate my concern about the Taoiseach's statement that he will make an announcement after the voting on the constitutional amendments. Six months ago he promised substantive consultations on the proposed convention would take place before a proposal was published. I do not think this is a great way to start. I ask him to confirm his intention to have substantive consultation with Opposition party leaders before he makes any announcement about the proposed convention so our views can be taken into account as to the issues to be debated by the convention. Will the work of the convention be limited to topics selected by the Government or can others introduce new ideas? What is the time line regarding the referendum on the future of the Seanad?

Deputy Gerry Adams: I appeal to the Taoiseach to have the consultation before the Government brings forward recommendations, otherwise it becomes a process of notification as opposed to full, inclusive consultation.

I have a question about voting rights for holders of Irish passports. Sinn Féin tabled a motion in the Seanad which was voted down by the two Government parties even though the Taoiseach had given a commitment that this matter would be put to the constitutional convention. I also refer to the success, thus far, of the Irish global economic forum. I did not wish to raise this issue at the forum because I did not wish to embarrass the Government, considering the people who want to help us will not have a vote. I ask for clarification on this matter and I ask that consultation should happen before the decision is made.

Deputy Joe Higgins: I ask the Taoiseach to clarify whether he said it will be a referendum to abolish the Seanad or to reform the Seanad.

The Taoiseach: I will spell out the word “abolish” for the Deputy.

Deputy Joe Higgins: Thank you. That elitist institution which is undemocratically elected should obviously be gone. Has the Taoiseach any proposal during his term of office to deal with the proposals in the Constitution regarding the election of President? It is highly undemocratic that citizens may only stand for election as President if they have been vetted by the political establishment or a bunch of politicians.

Deputy Emmet Stagg: Just like Deputy Higgins.

Deputy Joe Higgins: Should the Taoiseach also have a proposal to abolish that institution——

Deputy Bernard J. Durkan: Why does Deputy Higgins not run?

Deputy Joe Higgins: ——especially in view of the farce that passes for a presidential campaign, with half a million people unemployed and our hospitals in shreds and the media filled with a personality fest known as a presidential campaign? What are the Taoiseach's proposals regarding either abolition or at least democratising the office?

Does the Taoiseach accept that in outlining fairly precise figures for Dáil constituencies the Constitution sometimes creates a straitjacket which results in lines on maps, much like the way the Western imperialists divided up Africa to suit themselves? For example, a cohort of voters in Swords are referred to as being in Dublin West and they are feeling very alienated from their hinterland to which they belonged for decades and to which they should be returned in a Dáil constituency review. Will the Taoiseach deal with that so the rights of residents in those areas are respected, rather than leave them subjected to a line through a map just to fit the figures in the Constitution?

The Taoiseach: This has been a matter for a commission working independently under the chairmanship of a judge, so that there cannot be any interference from the political process and lest there might be allegations of attempted gerrymandering or whatever else. I understand that wherever one draws a line based on population movements can cause difficulties and that where some towns or counties are split people feel very aggrieved that they might not have the opportunity to elect a Deputy, or Deputies. The people in Leitrim were very upset, as were the people in areas of north County Dublin and in other parts of the country. As Deputy Higgins is aware, wherever one starts, there is a roll-on effect. I do not intend to interfere in any way with the process that has been accepted democratically here of an entirely independent commission made up of people of repute who have no political association or bias to do the job.

In respect of the convention, I do not want to make any announcement about it before the presidential election and the two referenda that are taking place so that nobody will be confused about what the constitutional convention is to do. If Members wish, after the presidential election and the two referenda, I will hold consultations with the leaders of the Opposition, take their views, allow the Government form its view and publish our proposals. Or, if Members prefer, I can do it the other way round and let the Government announce its recommendations here and allow comment on those. That is a matter we can talk about.

Members should understand that the programme for Government contains a commitment to have a constitutional convention. There are a number of other issues also set out, including the review of the Dáil electoral system, which will take into account the issue mentioned by Deputy Higgins; reducing the term of the office of the Presidency from seven years to five years — my view is that the term should coincide with the European and local elections, which are now fixed five-year periods — provision for same sex marriage; the broadening of the reference in the Constitution to the role of women in the home to one which recognises the role of the parent in the home; removing “blasphemy” from the Constitution; the possible reduction in the voting age; and any other relevant constitutional amendment that might be recommended by the convention. The convention will also be asked to look at giving citizens the right to vote at Irish embassies in presidential elections.

Work has been under way for some time on the preparation of detailed proposals for the establishment of the convention. These will address the status and independence of the convention, its terms of reference, its structure and make up, selection methods — particularly in regard to citizen participation North and South — and the convention’s working methods, timetable and budget.

A number of other suggestions for inclusion were also made. The Ombudsman wrote to me to suggest the convention should consider putting her office, the Office of the Ombudsman, into the Constitution, similar to the Office of the Comptroller and Auditor General. The president of the Human Rights and Equality Commission wrote to me, the Tánaiste and to the Minister for Justice and Equality to suggest that the convention should take into account human rights standards. In addition, a Sinn Féin Private Members’ motion in the Seanad in October 2011 supports the extension of voting rights in presidential elections to all Irish citizens in the Six Counties as well as to citizens living and working abroad, subject to conditions set out in law. These are all issues that can be discussed by the convention.

Deputy Micheál Martin: What about corporate donations?

The Taoiseach: We will change that by law.

Deputy Micheál Martin: It needs a constitutional change.

The Taoiseach: Yes. I said previously that we would give consideration to involving citizens from the Six Counties in the convention. The convention will have the inclusivity that will allow Members of the Dáil, the Seanad, local authorities and ordinary citizens to have their say and it will move throughout the country in the same way as the Forum on Europe did. We also propose to give consideration to including a Northern connection in the convention. The results of the convention will be considered by the Government and be a matter for discussion among the parties. When the proposals for establishing the convention are put together, we will discuss them with the Opposition leaders. I will discuss with Deputy Martin and Deputy Adams, the leader of the Independent group and the Socialist Party leader the issues of timing and how we will go about it. It is of considerable importance and I would be very happy to have the view of Deputy Higgins on it.

Deputy Martin asked about the referendum on the abolition of the Seanad. I would like to hold that referendum on the same date as we hold the referendum on children's rights. Both of these issues are under discussion. The Minister for Children and Youth Affairs is in discussion with the Attorney General and the children's advocacy groups to see whether we can arrive at an appropriate wording to put to the people.

The question of the abolition of the Seanad and the removal of Articles and references to the Seanad and its responsibilities is the subject of considerable work in my Department at the moment. I do not have a timescale for this and do not want to give Deputy Martin a date in case unforeseen constitutional complications arise. However, it is my intention to hold the referendum at an appropriate date and as early as possible next year when the issues are clear. I cannot give a date at this stage, but plan to hold the two referenda together.

Deputy Micheál Martin: There was a promise of substantial consultation.

Written Answers follow Adjournment.

Order of Business

The Taoiseach: It is proposed to take No. 10, motion re referral to select committee of proposed approval by Dáil Éireann of the terms of the United Nations Convention against Corruption; No. 11, motion re referral to joint committee of proposed approval by Dáil Éireann for a regulation of the European Parliament and Council creating a European account preservation order to facilitate cross-border debt recovery in civil and commercial matters; No. 15, Welfare of Greyhounds Bill 2011 — Order for Report, Report and Final Stages; and No. 16, Nurses and Midwives Bill 2010 — Report and Final Stages (resumed).

It is proposed, notwithstanding anything in Standing Orders, that Nos. 10 and 11 shall be decided without debate. Private Members' business shall be No. 29, motion regarding the community and voluntary sector.

An Ceann Comhairle: Is the proposal for dealing with Nos. 10 and 11, motions re referral to committees of the terms of the UN Convention against Corruption and a regulation of the European Parliament and Council to facilitate cross-border debt recovery, without debate, agreed to? Agreed.

Deputy Micheál Martin: The Minister for Health, Deputy Reilly, allegedly abolished the board of the HSE shortly after taking office. Will the Taoiseach outline when the HSE governance Bill will be published?

The Taoiseach: Work is being done on those proposals, but it will be next year before the Bill is published.

Deputy Micheál Martin: What about the governance of the HSE in the meantime?

The Taoiseach: The Minister has responded to numerous questions on that. He has many challenges facing him in the Department, some of which were set down by Deputy Martin himself.

Deputy Micheál Martin: There is a complete lack of clarity in response to the questions.

The Taoiseach: There are a many challenges to be addressed.

Deputy Gerry Adams: Tá ceist agam faoi reachtaíocht atá geallta ag an Rialtas. I welcome the fact the Government did not oppose the Sinn Féin Bill on the joint labour committees which took place last Friday. When will the Government bring forward the temporary agency workers Bill and will it be passed into law by 5 December?

The Taoiseach: It is the intention that it will be published, brought forward and, hopefully, passed by 5 December.

Deputy Joe Higgins: What proposals has the Taoiseach for a discussion next week on the inter-departmental report on distressed mortgages, chaired by Mr. Declan Keane? Does the Taoiseach have a precise timetable for the publication of the local government (charges) Bill? Does he have a precise timetable for the water services (amendment) Bill? Will it include the setting up of Irish Water?

The Taoiseach: I have asked the Government Whip to make arrangements at the Whips meeting tomorrow for a comprehensive debate on the report on mortgages and the problems arising therefrom, which will be published by the Minister for Finance tomorrow. It depends on what the House wants. We are prepared to sit late on Tuesday and Wednesday of next week if necessary. There should be the opportunity for everyone to have their say and we are particularly interested to hear about new initiatives or proposals Deputies have. The Minister for Finance will be interested to hear them and to draw them together. It is a matter of setting up the agenda and we want to be as flúirseach as possible about this.

The local government (charges) Bill and the water services (amendment) Bill are expected to be published this session.

Deputy Joe Higgins: Is there a date?

The Taoiseach: Towards the back end of the year.

Deputy Joe Higgins: Will it be after the by-election in Dublin West?

The Taoiseach: Yes. There is no coincidence there.

Deputy Micheál Martin: That is as convincing as the Taoiseach's pre-election promises.

Deputy Bernard J. Durkan: Deputy Martin should not go there.

Deputy Dara Calleary: On 1 June we debated a motion on the Smithwick tribunal. Mr. Justice Smithwick has placed a request before the Clerk of the House to extend the work of the tribunal. Given that this was anticipated, when does the Taoiseach expect to bring forward a motion to the House to accede to his request?

The Taoiseach: I had a brief conversation with the Minister for Justice and Law Reform about this. He received the request from Mr. Justice Smithwick. As I pointed out on many occasions, I have no intention of interfering with the work of the tribunal. He made the point that if the judge felt he could not complete the work within the timescale set out, he could inform the House of this. He has done so and an extension will be granted. However, I expect the Minister will require a further interim report so that the House can note the progress made. The Minister will set out the detail of his response in public very shortly. The extension will be granted in the same way as the previous one was.

Deputy Willie O'Dea: When will the consumer and competition Bill be published?

The Taoiseach: That will be published next year.

Deputy Bernard J. Durkan: Notwithstanding the Multi-Unit Developments Act, which was passed by the last Dáil, there remain a number of problems with multi-unit developments. Is it possible to indicate when the residential tenancies (amendment) Bill will be introduced? It will have widespread implications, as well as enabling the House to have a discussion on it.

The companies (amendment) Bill is my favourite and a favourite of the Ceann Comhairle. I asked about the Bill for about ten years when the previous Administration was in power. For ten years, the previous Government ignored it.

Deputy Micheál Martin: It is a mammoth Bill.

Deputy Bernard J. Durkan: It was promised for ten years before that Government went into opposition. In view of the inadequacies of the companies legislation, can we have it introduced with a degree of urgency? I hope it will be in less than ten years.

An Ceann Comhairle: We will try to find out.

The Taoiseach: These are two important Bills. The residential tenancies (amendment) Bill is expected by the middle of next year and the companies Bill is a massive consolidation Bill, with more than 1,200 heads, and it is expected later next year. It is a massive, complex item of legislation.

Deputy Sean Fleming: In view of the financial difficulties facing many small businesses, when is it proposed to bring forward the valuation Bill, which will reduce the commercial rates bill for small businesses?

The Taoiseach: The valuation Bill will be introduced next year. Work is proceeding on it but it will be introduced next year because of the plethora of legislation we must get through with officials from abroad who are here.

Deputy Denis Naughten: We have had poor weather over the past period and the going is quite soft around the country. I refer to Schedule 4 of SI 378 of 2006, the nitrates directive, dealing with the land spreading of slurry. The closing date for the land spreading of slurry is Saturday next, 15 October. I understand the Department of Agriculture, Fisheries and Food is considering extending the deadline in light of the poor weather conditions. There is not much point announcing it next Friday, when all of the slurry will have been spread. Can we get an indication from the Government and the Department of Agriculture, Fisheries and Food whether the closing date will be extended so that farmers are in a position to hold off on land spreading in current conditions?

5 o'clock

Deputy Joe Higgins: It will have to be extended until 27 October.

Deputy Billy Kelleher: There are not too many farmers in Dublin West.

The Taoiseach: Conditions are very poor and I will ask the Minister for Agriculture, Fisheries and Food to contact Deputy Naughten about this. The matter has been raised with me by a number of farmers and farming interest groups around the country.

Deputy Billy Kelleher: In the context of the restructuring of the HSE and the legislation to be published concerning changes to the governance structures of the HSE, it is urgent that this legislation is brought forward. The HSE is contradicting the Minister in the House. HIQA published a report recently regarding transportation from the aeromedical co-ordination centre. I ask in the context of a commitment given in this House with regard to the establishment of a national aeromedical co-ordination centre in light of the difficulties regarding the fias Co. over the liver transplant for Maedhbh McGivern. We now find that it is not happening and we must have clarity on who is running the health services at this juncture.

Deputy Bernard J. Durkan: Who closed down the health services?

Deputy Billy Kelleher: A commitment was made in this House last July and I think the Taoiseach must personally intervene in this matter. I do not want to make cheap political capital but we now find out that the matter is being delayed again.

The Taoiseach: I want to say to the family of Maedhbh McGivern that I am glad the girl is home and in hospital here. The insinuation came from somewhere that the young patient would have to fly home on a commercial flight. Nothing could be further from the truth. These are medical issues and this Government, no more than any other, was not in a position to see a young patient with a medical condition being required to fly on a commercial flight. The legislation is due next year but policy proposals are being worked on by the Minister for Health. The point made about the air service is under consideration.

Deputy Paschal Donohoe: I refer to the residential tenancies (amendment) Bill, which I have referred to in this House before. I am privileged to represent the constituency of Dublin Central and within it is a large amount of private housing that is rented. A small minority of the housing stock is causing great difficulty to landlords, tenants and residents living nearby, because of difficulty in regulating who is renting it out, who is staying in it and how to compel a landlord to do something about a property that is becoming derelict. I would appreciate if the Taoiseach can clarify when the promised legislation will be before the House.

The Taoiseach: The question was asked before Deputy Donohoe came into the Chamber. I know of the Deputy's interest in this and the Bill is expected in the middle of next year.

Deputy Pádraig Mac Lochlainn: Regarding transposing EU directives on waste water and environmental impact assessments into Irish law, will the Government try to allay the impact of it on rural and farming communities by applying similar standards to other EU states? Are those states taking a similar approach to us?

An Ceann Comhairle: Is this to do with legislation?

The Taoiseach: All directives have to be implemented. The point raised by the Deputy is one that should always be taken into consideration but has not been in some instances in the past. Directives are required to be implemented within a ten-year period.

Deputy Pádraig Mac Lochlainn: The reason I raised this is that the European Commission has won cases in the European Court of Justice on both of these directives, so they must be transposed into Irish law immediately. Will the Taoiseach ensure that the potential impact on rural and farming communities is lessened and that standards similar to those applied in other EU states are applied in implementing the directives? Will the Government take the same approach as other EU states?

The Taoiseach: I am sure the Minister for the Environment, Community and Local Government is cognisant of the implications of the directive in so far as they apply to Ireland. We have a bond and duty to implement the directive, and the Minister will be made aware of the Deputy's comments in that regard.

Deputy Richard Boyd Barrett: Could the Taoiseach tell us when the Public Service Pensions (Single Scheme) and Remuneration Bill will come through the Dáil? Can he clarify that this Bill will deal with raising the retirement age for public service workers and reducing their pension entitlements?

Can the Taoiseach tell us exactly when the housing Bill, which is due to be published in 2012, will be published and introduced to the Dáil? Can he confirm that this Bill will give a legal underpinning to the new policies on social housing outlined in June and July, which are effectively doing away with direct provision of council housing?

An Ceann Comhairle: We do not debate the legislation; we are just given times.

Deputy Richard Boyd Barrett: I just do not understand what the legislation is, a Cheann Comhairle.

The Taoiseach: Deputy Boyd Barrett has become very biblical. He wants to know the date, the time and the hour. I know neither the date, the time nor the hour. However, I can tell him that the Public Service Pensions (Single Scheme) and Remuneration Bill has been published and is awaiting Second Stage in the Dáil. That should happen within the next couple of weeks, but neither the Deputy nor I knows the date and the hour.

Deputy Mattie McGrath: Nor the minute, nor the place.

Deputy Richard Boyd Barrett: I thought the Government members were oracles.

The Taoiseach: The heads of the housing Bill have not been produced yet and it has not come before the Government. When it does, I will tell the Deputy, and I might be able to give him a fix on that as well.

Deputy Micheál Martin: With regard to the promised legislation on upward-only rent reviews, which the Minister for Justice and Equality is working on, the Taoiseach suggested at the commencement of his term in office that a facility would be afforded to the Opposition to tease out the principles of Bills in Dáil committees. It appears there have been some constitutional difficulties with this Bill. I invite the Taoiseach to use the Bill as a template for the kind of reform he articulated at the commencement of the Government, which has not yet happened; that is, that he facilitate Members of the House in considering the principles of the Bill that the Government is preparing.

The Taoiseach: I realise we did say this. Today marks the presentation of the fourth Bill to a committee at heads stage for political observations. The Bill dealing with upward-only rent reviews is expected later this session, and the Minister for Justice and Equality is working on

it as a priority. I would like to think we could have a normal process in which Bills whose heads have been approved by the Government are sent to Oireachtas committees for deliberation. Three Bills have been discussed already and a range of views were expressed, which has been beneficial to the Ministers concerned. That is the way we need to go. It is a matter of getting the process more clearly streamlined so that Ministers can send Bills to the committees at heads stage for political deliberation as a matter of course.

United Nations Convention against Corruption: Referral to Select Committee

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

That the proposal that Dáil Éireann approves the terms of the United Nations Convention against Corruption, done at New York on 31 October 2003, a copy of which was laid before Dáil Éireann on 16 September, 2011, be referred to the Select Committee on Justice, Defence and Equality, in accordance with Standing Order 82A(3)(b), which, not later than 25 October 2011, shall send a message to the Dáil in the manner prescribed in Standing Order 87, and Standing Order 86(2) shall accordingly apply.

Question put and agreed to.

European Account Preservation Order: Referral to Select Committee

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

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

a proposal for a Regulation of the European Parliament and of the Council creating a European Account Preservation Order to facilitate cross-border debt recovery in civil and commercial matters,

a copy of which was laid before Dáil Éireann on 15 August 2011, be referred to the Joint Committee on Justice, Defence and Equality, in accordance with Standing Order 82A(3)(b), which, not later than 25 October, 2011, shall send a message to the Dáil in the manner prescribed in Standing Order 87, and Standing Order 86(2) shall accordingly apply.

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 Jim Daly — the importance of patent tax relief for the small and medium enterprise sector; (2) Deputy Dessie Ellis — the appalling housing conditions in the Balgaddy estate, Lucan, County Dublin, and the need for a co-ordinated response from South Dublin County Council and the Department of the Environment, Community and Local Government to address the many outstanding structural problems that continue to damage the quality of life for the residents of Meile an Rí, Tor an Rí and Buirg an Rí; (3) Deputy Noel Harrington — the construction of the Bantry town bypass on the N71. The planning and design are complete and the land acquisition process is practically complete, and the scheme just needs to have

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funding announced. This proposal is absolutely critical for Bantry due to the construction of a new secondary school, due to be opened later this year, allied with the significant congestion. This project has been proposed for Bantry for as long as I was a member of Cork County Council, since 1999, and for a long time before this. I understand it would qualify as a shovel-ready project, having completed the planning process and land acquisition; (4) Deputy Éamon Ó Cuív — An ga atá ann breis airgid a cheadú le athchóiriú a dhéanamh ar Scoil Bhaile Nua, Maigh Cuilinn, Co. na Gaillimhe le cinntiú go mbeidh saoráidí scoile feiliúnach sa scoil Ghaeltachta seo — the need to allow more money to reform the Scoil Bhaile Nua, Moycullen, County Galway, to ensure adequate school facilities in this Gaeltacht school; (5) Deputy Denis Naughten — the need for the Minister for Health to take steps to release all available trial vaccination records of children immunised in mother and baby homes, and to immediately establish a no fault compensation scheme for those damaged by such vaccinations; (6) Deputy Aodhán Ó Ríordáin — the imminent construction of flood defences on the Clontarf promenade and the potential reopening of the consultation process; (7) Deputy Dan Neville — the increase by 4% to 11,966 presentations to hospital due to deliberate self-harm nationally; (8) Deputy Mattie McGrath — the closure of beds at St. Brigid's District Hospital, Carrick-on-Suir, and concerns regarding a serious reduction in staffing levels and threat of closure hanging over St. Clare's Unit in St. Patrick's Hospital, Cashel; (9) Deputy Brendan Griffin — the need for a new school building at Milltown Presentation Secondary School, County Kerry; (10) Deputies Seán Crowe, Billy Kelleher, Billy Timmins and Catherine Byrne — the proposed closure of St Brigid's long-term care unit in Brittas, County Dublin; (11) Deputy Nicky McFadden — the refurbishment of Athlone Castle, County Westmeath; (12) Deputy John O'Mahony — the anomalies in the back to education allowance criteria that hinder applicants from taking up courses that would lead them to employment; (13) Deputy Michael McNamara — the revenue loss to the Exchequer arising from an increase in off-licence sales and decrease in on-premise consumption; (14) Deputy Pearse Doherty — the need to discuss the full cost of the Anglo Irish Bank and Irish Nationwide promissory note to the taxpayer and its impact on the Government deficit, debt and spending targets; (15) Deputy Gerry Adams — the need for the Minister for Justice and Equality, Deputy Alan Shatter, to support the demand of the Finucane family for a public inquiry into the murder of human rights lawyer Pat Finucane; (16) Deputy Joe Costello — the development of Shannon Airport as a hub for the storage and distribution of emergency humanitarian supplies; (17) Deputy Dara Murphy — the imminent transfer of hundreds of jobs from the north side to the south side of Cork City. The Government has made a commitment to replacing these services. I believe that because the date for this transfer has just been announced, great comfort could be given to the hundreds of employees and their families and the tens of thousands of residents on the north side of Cork City by allowing this extremely urgent topical issue to be debated in the House today. I wish to raise this issue with the Minister for Health: given the commitment we both share to maintain and enhance services at St. Mary's campus in Gurrabraher and noting that orthopaedic services are being transferred imminently to the South Infirmary Victoria University Hospital, can the Minister please outline specifically what new services are now planned for the St. Mary's campus and when these services will be put in place; (18) Deputy Gerald Nash — the need to discuss the decision by Louth County Council to accept bottom ash at its landfill at White River, County Louth, to be received from Ireland's first municipal waste incinerator, operated by Indaver at Carrans-town, County Meath, which will commence operations imminently; (19) Deputy Clare Daly — the protest camp entitled Occupy Dame Street, located outside the Central Bank since last Saturday night, which seeks to emulate the Occupy Wall Street camp in New York, which itself has been replicated in other cities across the US; (20) Deputy Joe Higgins — the protest camp entitled Occupy Dame Street, located outside the Central Bank since last Saturday night, which

seeks to emulate the Occupy Wall Street camp in New York, which itself has been replicated in other cities across the US; and (21) Deputy Richard Boyd Barrett — the escalating accident and emergency unit crisis and the need to maintain accident and emergency units across the country.

The matters raised by Deputies Jim Daly, Joe Costello, Nicky McFadden, and Seán Crowe, Billy Kelleher, Billy Timmins and Catherine Byrne have been selected for discussion.

Topical Issue Debate

Tax Reliefs

Deputy Jim Daly: I welcome the opportunity to raise this issue in the Dáil. It is a most important issue which relates to an industry in which we are all placing enormous hope and trust with the aim of reviving our country from the current crisis through an emphasis on exports and SMEs. I wish to discuss patent income tax relief, which may be better known as patent royalties. This scheme was first introduced in the 1960s and was amended in the Finance Act 2006 with the introduction of a number of anti-avoidance measures to prevent certain abuses of the scheme of relief for distributions made out of income from the scheme. The abolishment of this scheme by the previous Administration has destroyed one of the few incentives available for ordinary businesses to conduct research and development and to develop products to take to the market. While some incentives remain for those who want to get involved in research and development, there is no compulsion to bring products to the market. The abolishment of the system in last year's Finance Act has ensured that people can continue in research and development but do not have to bring their products to the market to avail of the tax breaks.

Patent royalty was the only incentive for natural-born entrepreneurs and inventors to put their heads together and invest substantial revenue in particular projects, doing their utmost to get these products to the market. While changes like the €5 million cap introduced back in 2007 are welcome, the complete abolishment of the scheme was a major blow to the SME sector. A reintroduction of the scheme, perhaps with further limitations — for example, with a reduction of the cap to €100,000 or €150,000 to ensure it was targeted at SMEs and could not be taken advantage of by larger businesses — would be a major boost to the sector and would also be beneficial to the Exchequer. There is no doubt that the original scheme created jobs, and most of the royalties were reinvested in further research and development projects.

At a time when this country is craving an increase in exports — in fact, we are almost totally reliant on the sector to revive us from the current crisis — we need to support the extraordinary individuals who manage to invent new products and sell them in major multiples all over Europe and the world. When this scheme was abolished, Ireland was the fourth lowest filer of patents in the entire eurozone, and I doubt there has been any improvement since then.

This is not one of the typical tax reliefs that anyone can avail of. The patented product must be a success — it must be manufactured and sold — before any tax relief is distributed. Each of these processes will make a major contribution to the Exchequer by way of VAT, PAYE and corporation tax.

At this time, there is absolutely no incentive to encourage budding entrepreneurs to invest in such products and make them a success. In fact, patent owners will now be hit with two tax levies: corporation tax, when the holding company receives the royalty payment, and full income tax and levies on any of the payment that gets back to shareholders directly. This is a

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radical shift from what these business people are used to, and I am aware of numerous companies that are not investing in the development of such ideas at present as they cannot afford to do so. I would hate to see Irish companies being forced to outsource the manufacturing of Irish ideas to other countries with cheaper labour markets. This would not happen under the patent royalty scheme, as a product must be developed within the country for the developer to avail of the tax breaks. I ask the Minister to reconsider this scheme in the run-up to next year's Finance Bill, with a view to reinstating it on a much smaller scale in order exclusively to support small businesses by offering them incentives to develop new projects.

Minister for Finance (Deputy Michael Noonan): The patent royalty exemption provided a tax exemption for income received by an individual or company from a qualifying patent, subject to an annual limit of €5 million. It also provided a tax exemption for distributions paid by companies from exempt patent income. The patent royalty exemption was abolished in the Finance Act 2011 on foot of a recommendation from the Commission on Taxation which concluded it had not resulted to any great extent in companies carrying out additional research and development activity and that it provided a windfall gain after a successful invention was developed rather than an incentive to undertake new research and development.

The total cost to the Exchequer of the patent income exemption was €72 million in 2009, of which approximately €16 million was associated with claims from companies. The original rationale for the scheme was to encourage research and development and stimulate inventive activity. However, the scheme was not particularly well targeted and it is clear that it was not only researchers and inventors who were the beneficiaries. Rather, the exemption was used as a tax-efficient means of rewarding employees and directors and had less of an impact in generating new research and development activity.

The research and development tax credit scheme is considered a more appropriate and targeted incentive and has been enhanced considerably in recent years to make it one of the most competitive of its type anywhere in the world. A tax credit of 25% of the incremental expenditure incurred by a company in an accounting period on research and development activities can be offset against a company's corporation tax liability. The scheme has been improved in most budgets and Finance Acts since its introduction in 2004. It offers a tax credit of 25% on incremental research and development expenditure, in addition to the normal 12.5% trading deduction. The base year has been permanently set at 2003, making it effectively volume-based for new entrants, and there is no ceiling to the level of eligible expenditure over the 2003 base year. Unused tax credits can be carried back for set-off against a company's prior-year corporation tax, CT, liabilities, thus generating a tax refund. Where there is insufficient current or prior-year CT liabilities, the company can claim unused tax credits in cash over three years. Expenditure includes direct and indirect costs in addition to capital expenditure on related plant and machinery. In addition, a proportion of capital expenditure on buildings used for research and development purposes now qualifies for a tax credit of 25% where, previously, expenditure on new or refurbished buildings would only qualify for the tax credit if used "wholly and exclusively" for research and development.

Given the 12.5% corporation tax rate, the availability of research and development credit relief, the capital allowances scheme for intangible assets and various other incentives such as the business expansion scheme, our tax regime has much to offer in making Ireland an attractive location for innovative enterprises to exploit their intellectual property and develop their business. The exemption for patent royalty income did not have the desired impact in terms of enhancing research and development and innovative business. As such, the removal of this relief will not have a significant adverse effect on our competitiveness in this regard. Ireland

should be well able to maintain its position as an attractive location for companies to locate their research and development and intellectual property business activities and to provide high-quality employment in the process.

Deputy Jim Daly: I thank the Minister for his reply. The point I am arguing is that we threw out the baby with the bathwater when we abolished this tax relief. I accept there were abuses of the scheme and that some companies were gaining to a huge extent. Nevertheless, the decision to eliminate it has done great damage to the smaller companies engaged in research and development which were reliant on it. The abolition of the scheme has also reduced the incentive to bring new products to market. I acknowledge it is complex legislation, but we owe it to the small and medium-sized business sector, on which we are placing a great emphasis in our efforts to mend the economy, to re-evaluate our approach. A one-cap-fits-all position is not the right approach to take. I ask the Minister to consider reintroducing the scheme in a targeted manner and with much reduced cap. The previous cap of €5 million was excessive — reducing it to €100,000 will help to restore our edge in terms of research and development by encouraging entrepreneurship among small and medium-sized businesses. The abolition of the relief scheme threatens to choke all endeavour in that regard.

Deputy Michael Noonan: The scheme was not abolished in an arbitrary fashion or by political or administrative decision but only after a full review by the Commission on Taxation. The commission's view was that while the relief provided additional windfall taxes to persons who registered patents, it did not act as an incentive for additional research and development, as was its objective in the first instance. Current provisions regarding tax relief for research and development cover not only the original incentive provided by patent royalty exemption but also have a much broader impact and are recognised internationally as a significant incentive for research and development.

Nevertheless, while not holding out any hope of reversing what was done last year, I will re-examine the scheme along the lines of Deputy Jim Daly's proposal to see whether it could be focused on companies which are inventive but have small turnovers. Any reinstatement of the relief would apply only to a small tranche of income. I am not sure whether it will be possible to take this approach given that such incentives generally must apply to everybody. However, it may be possible to confine it by way of cap. The previous threshold of €5 million was very high.

Disaster Relief

Deputy Joe Costello: I welcome the Minister of State at the Department of Foreign Affairs and Trade, Deputy Jan O'Sullivan. Nobody is more familiar than she with the issue I am raising. One of the most interesting and creative references in the programme for Government is the one which states: "We will position Ireland, in particular Shannon Airport, to become an international hub for the storage and distribution of emergency humanitarian supplies". Shannon Airport has lost a significant amount of business through the ending of the Shannon stopover and of its role as a hub for flights to and from the former USSR. While some of that business has been replaced by the accommodation of United States troops travelling to and from Iraq and Afghanistan — which has been a cause for controversy — that too is coming to an end with the full repatriation of United States troops due in August next year. Therefore, we do not have much time before much of the existing business will disappear.

The Lisbon treaty introduced for the first time a specific legal basis for the humanitarian aid obligations of the European Union in its own right. The Union is now the world's largest humanitarian aid donor, providing more than 40% of all such aid internationally. We must

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implement the undertaking in the programme for Government in this regard by ensuring Ireland is properly positioned to function as a major hub for the provision and dispersal of humanitarian aid. Shannon Airport is ideally located for this purpose on the edge of the Atlantic Ocean. Moreover, it has the depot capacity and runways to accommodate all the necessary container air transport.

Ireland is a neutral country and acceptable as an honest broker almost everywhere in the world. As such, we should look to provide, at Shannon Airport, a template for the storage and dispersal of aid in the context of natural disasters such as earthquakes, tsunamis and famines, as well as the destruction arising from war and other human activities. Shannon is desperately in need of being a new hub for a major activity and the Lisbon treaty provides the opportunity for it to be a depot and hub for the storage and dispersal of humanitarian aid throughout the world in the context of the various needs stated in the Lisbon treaty.

Minister of State at the Department of Foreign Affairs and Trade (Deputy Jan O’Sullivan):

I acknowledge Deputy Costello’s interest in this issue for some time. Obviously I am anxious to bring it to fruition. He has outlined the reasons such a humanitarian hub should be located in Shannon.

It is an unfortunate fact that the frequency and impact of natural and other disasters has increased dramatically in recent years. From the Asian tsunami of 2004 to the earthquake in Haiti last year to the ongoing crisis in the Horn of Africa, the international community is called upon more and more frequently to provide emergency assistance. The Government, through Irish Aid, has over a period of years developed a comprehensive mechanism for responding to humanitarian crises. We work closely with the United Nations, with NGOs such as Concern, Trócaire and the Red Cross and other humanitarian agencies in assessing how Ireland can best contribute to alleviating the suffering of crisis victims. Often it is local organisations which provide the most immediate, life saving help and Irish Aid works with these groups to ensure they have the wherewithal to respond.

The nature of humanitarian emergencies can vary widely from long-standing and protracted conflicts in the Democratic Republic of Congo, Sudan, Somalia and elsewhere to drought, floods and earthquakes. Each of these requires a different type of response tailored to the particular context and to the needs of the beneficiary population.

In the case of earthquakes, tsunamis, floods and other sudden-onset emergencies, agencies are required to respond immediately in order to save lives and provide assistance and support to people who may have lost everything. It was to address this need that Irish Aid developed its rapid response initiative which includes the Irish Aid Rapid Response Corp and our humanitarian stockpiles which we use to provide emergency shelter and sanitation in situations such as the Haiti earthquake or last year’s flooding in Pakistan.

The rapid response corps is a register of highly qualified and experienced volunteers who can be deployed to work with humanitarian agencies in responding to a crisis situation. Experience from the Asian tsunami of 2004 and subsequently has shown that sending inexperienced and unqualified volunteers can hinder the effectiveness of relief operations.

Consequently, Irish Aid has worked with its partners to identify the type of skills required during an emergency and carries out an annual recruitment process for volunteers. We have 195 people within the corps, 21 of whom are serving in the Horn of Africa with the United Nations and other humanitarian agencies. We also deploy our own personnel to crisis situations.

The other main element of the rapid response initiative, our humanitarian stockpiles, provides an important tool for responding to the immediate needs of crisis victims and has proven its worth in a diverse series of operations.

Ireland is one of the users of the UN humanitarian response depot system, which is run by the World Food Programme and has stockpiles located in or close to regions which are prone to humanitarian emergencies. These depots are in Accra, Ghana; Dubai; Subang, Malaysia; Panama and at the UN's logistics headquarters in Brindisi, Italy and they are used by more than 40 governments or humanitarian agencies.

This UN system carries on Ireland's behalf a range of materials in these depots, including blankets, water tanks, kitchen sets and other items intended to provide a basic survival infrastructure for people who have lost everything in a crisis. On average Irish Aid carries out six to eight airlifts per year and in 2010, for example, we transported 130 tonnes of supplies to Haiti to assist with the post-earthquake response. Logistics surrounding these flights are arranged and managed by the UN.

It is in the context of this existing international humanitarian logistics and transport system which the Deputy will be aware of that proposals for the development of a hub at Shannon are being considered and are, as he said, included in the programme for Government.

I have met airport management and others involved in developing the proposal on a number of occasions in recent months, as have officials managing the rapid response initiative. That also included the Shannon Airport Authority and a number of other interests in the region.

It is clear there is considerable potential for the development of Shannon as an international logistics facility, as evidenced by the interest shown by international private sector companies.

The key is to identify how Shannon can add to or bring something new to the existing international system and talks and thinking on this are ongoing, with the Government's support.

Given the likelihood that the incidence of humanitarian crisis will only increase further it is incumbent on the international community to ensure it has the necessary means to respond in an efficient and effective way. Ireland will play its part in that effort. I assure the Deputy we have ongoing discussions in this area with a view to identifying how Shannon can fit into the overall system.

Acting Chairman (Deputy Olivia Mitchell): Does the Deputy wish to come back in? If so, he has one minute.

Deputy Joe Costello: I thank the Minister of State for that comprehensive response. My remarks are made in the context of the Lisbon treaty of 2009 which made humanitarian aid a specific policy and gave it a legal remit. I am also speaking in the context of the diplomatic structure that has been formed, the European external action service, which has a remit for the delivery of humanitarian aid and has done so in respect of the earthquake in Haiti and is now doing it regard to the Arab Spring in terms of humanitarian aid, development and solidarity. A new imperative has come on board at this time.

There is no Atlantic hub so far. None of the areas the Minister of State has mentioned are near the Atlantic. Ireland is significantly better placed than anywhere else to be that Atlantic hub. Shannon has the facilities and it is time to prepare that template directly and present it to the EU and the United Nations where it can be argued so that Shannon and Ireland will be the net beneficiaries in that respect. It would be the ideal place for a country like Ireland which has such a good relationship worldwide in the distribution of humanitarian aid and Europe is by far the biggest donor.

Deputy Jan O’Sullivan: I take the Deputy’s point that the Lisbon treaty adds to the strength of the proposal and also the fact that there is not an Atlantic hub. He suggested that we prepare a template for the United Nations and the EU. We will take all those comments on board. However, we must ensure it fits in with existing facilities. Given that the other hubs are close to where disasters tend to happen means that they are effective in an emergency. Certainly the Atlantic is another area where there is potential. As the Deputy said in his original contribution, Shannon has the runway, the capacity and the goodwill in respect of Ireland’s programme, all of which will open doors. We have put people in touch with the World Food Programme and the NGOs to ascertain the gaps and the need and, perhaps, what would be most appropriate for Shannon to store and to make available.

Architectural Heritage

Deputy Nicky McFadden: This issue concerns the delay in the refurbishment of Athlone Castle due to the requirement for ministerial approval and the broader connotations the delay has for tourism opportunities.

I thank the Ceann Comhairle for the opportunity to raise this important matter. It is an issue which has been ongoing for almost a year and a half and one that has serious implications for the potential of Athlone as a tourist destination.

Last week, Athlone Town Council learned that refurbishment of Athlone Castle might continue for a third tourist season and the castle could remain closed to the public until the tourist season of 2012. The town council was informed that the executive was awaiting receipt of ministerial consent as part of the development work.

The castle was initially closed in May 2010, the year of its 800th anniversary, resulting in serious controversy, in order to enable the restoration project to begin. Now, more than 16 months later, construction has not even begun. It affects other attractions as the castle was part of a package of visitor attractions, such as trips up the River Shannon and to Clonmacnoise. The restaurants and hotels are also being affected. The likelihood of further delays to the re-opening of the castle is disappointing and worrying for the business and tourism potential of the town. Returning tourists cannot believe the castle is still not open. Its closure is undoubtedly having a negative effect on the town at a time when we should be doing all we can to attract tourists. There is also fear that the delay in construction could threaten the grant funding for the regeneration and restoration of the castle if the work is not carried out on time.

The project is designed to provide improved exhibition space, upgrade interpretative facilities as well as an overall restoration of the castle. I understand an archaeological impact assessment has to be conducted at the site and ministerial approval is then needed from the National Monuments Service before the work can begin. The restoration is costed at €3 million, a significant investment that is warmly welcomed in Athlone. The town, however, cannot see another tourism season go by without the castle being open to visitors. The website, *Athlone.ie* tells visitors that the facilities of the castle, “are once again being re-developed to bring the standards of interpretation and display in line with the visitor expectations of the twenty-first century”. The keep of the castle will be used to tell the dramatic story of the famous Siege of Athlone while the other buildings will house a modern interpretative centre focusing on Athlone, the castle and the periods both before and after the siege. There will also be a new presentation on the life and times of John Count McCormack, Athlone’s most famous son.

Will the Minister provide an update on the current stage of the castle renovations, give an indication of when it will be open to the public and an assurance that the grant will not expire before construction is complete?

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): I thank Deputy McFadden for raising this matter. I am aware of her deep commitment and interest in cultural tourism and the arts, including amateur drama. I agree with her that this is indeed a most worthwhile proposal and I appreciate the opportunity to clarify the position in so far as my Department's involvement is concerned. We are all in agreement that the project should proceed as quickly as possible and that it will be a valuable addition to Athlone's arts and heritage portfolio.

As the Deputy outlined, Athlone Town Council is developing a visitor centre within the bounds of Athlone Castle. An application for consent for the visitor centre, made on behalf of Athlone Town Council under section 14 of the National Monuments Act 1930, is being dealt with by my Department's National Monuments Service. Athlone Castle is a national monument owned by the Minister for Arts, Heritage and the Gaeltacht and, hence, my consent as Minister is required under the Act to any planned works that might impact on the castle itself. Clearly the visitor centre falls within that framework.

The proposal, of course, also needs planning permission and Athlone Town Council has already completed the Part 8 planning process. The then named Department of the Environment, Heritage and Local Government — the responsible Department at the time — was consulted in connection with the Part 8 process and provided its observations to the council in May 2010. The Department raised no objections but asked that the proposed works should be overseen by an archaeologist and advised that ministerial consent would also be needed under the National Monuments Acts 1930-2004 on the basis I have outlined. These are routine requirements that would form part and parcel of the Department's response to any planning application relating to a national monument.

The application for consent under the National Monuments Acts was subsequently submitted to my Department on 16 August 2011. The Department immediately referred the application for observations to the director of the National Museum of Ireland, who is a statutory consultee under the National Monuments Acts 1930-2004, and also to the Office of Public Works in light of the castle being in State ownership. Neither body has raised any objection to the proposal. In the meantime, my Department has written, our letter issued on 16 September 2011, to the archaeologist who lodged the consent application on behalf of the town council asking for an archaeological impact assessment in respect of the proposed works. Again this is a routine requirement associated with the consent process and would have to be furnished in all such cases.

The objective of an archaeological assessment is to verify that the approaches to preservation *in situ* and preservation by record of archaeological material will be applied appropriately to the particular development. By helping to ensure development projects are organised from the outset in such a way as to avoid or minimise archaeological impact, archaeological assessment can eliminate or reduce costs and delays that could otherwise arise along the way. The archaeological assessment is, therefore, a most valuable tool that will help the developer to resolve potential pitfalls in advance, rather than having to deal with delays and associated expense after the contractor has started work.

From what I know of this proposal I believe it will become a valuable attraction for tourism in the midlands, for promoting Athlone's heritage and a wonderful amenity for the people of the town. It is the type of venture I encourage other local authorities also to become involved in. Indeed it will nicely complement the redevelopment of the adjacent Fr. Matthew Hall as an art gallery for which funding has been provided by my Department. We must be mindful that great care is needed to ensure the integrity of a structure like Athlone Castle, the oldest part of which dates back to the beginning of the thirteenth century, is properly safeguarded for

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future generations. To do otherwise would be to damage irredeemably its legacy and undermine the very project we are seeking to promote. Nevertheless, it will be apparent from what I have said that my Department has at all times acted speedily and positively in this case and we will continue to do so. The Deputy can, therefore, be assured that once the archaeological impact assessment is received in the Department it will be looked at immediately with a view to a decision on the consent application being made as soon as possible afterwards.

Deputy Nicky McFadden: I thank the Minister for his reply. The funding for the art gallery is very welcome. His comment that the decision on the consent application being made as soon as possible afterward makes me anxious that we could lose another tourism season. The castle has been closed for two seasons and I ask that the decision be made as speedily as possible.

Deputy Jimmy Deenihan: It will depend on to the archaeologist who lodged the consent application on behalf of the town council submitting an archaeological assessment. I assure the Deputy that when it comes before me, I will sign off on it immediately. It is important that she contacts Athlone Town Council and ensures the matter is attended to immediately and that the impact assessment is conducted in an appropriate fashion and the form returned to the Department immediately. I will adjudicate on it and there will be no further delay. It is very much in the hands of the archaeologist and Athlone Town Council.

Long-term Care Home

Acting Chairman (Deputy Olivia Mitchell): As four Deputies have joined in tabling this matter, each has one minute.

Deputy Seán Crowe: St. Brigid's care home in Brittas, County Dublin opened in 1935. In 1959 it became a nursing home. Does the Minister realise that the staff and relatives were informed of its closure in the media? It shows a complete lack of decency. We were told the HIQA report in 2009 made some criticism of St. Brigid's home but according to the report the centre was well organised, management complies with the requirements of the Health Act 2007, the regulation standards and residents received a good standard of service, appropriate treatment and are treated with courtesy and respect. In summary, it stated the home had a good standard of care. There was a shortage of chairs and the building was in disrepair. A fortune has been spent to upgrade the building. There is a new palliative care and physiotherapy centre which cost approximately €2 million. New windows have been installed.

Deputy Billy Kelleher: I concur with Deputy Crowe that the manner in which the staff and residents were informed of the situation through the media is totally unacceptable. The centre is home to some people. What will happen to the number of long-term beds in the region? The transfer of people who no longer need acute care will have profound implications for hospitals. There is a proposal to transfer some patients to Inchicore. It is clear there will be fewer long-term beds available in the greater Dublin region. A large number of beds have been closed in hospitals across Dublin.

There are currently 471 people waiting on trolleys but if we continue the policy of closing beds under any guise, including the Minister's new format, there will be massive overcrowding in accident and emergency departments. Hospitals will not be able to function and will have to activate major overcrowding initiatives to deal with the stress caused in accident and emergency departments. This is part of a broader issue. The manner in which staff and patients were informed of the closure is not acceptable.

Deputy Billy Timmins: It is regrettable that despite the reform of the Dáil we only have one minute each to speak.

Can the Minister of State explain why the HIQA, having carried out a report and sought certain changes which were made, recommended the closure of the hospital? It is inexplicable that millions of euro have been spent on the facility over the past year and it will be closed on a whim. I do not have a difficulty defending hard decisions but in this case it is very difficult to support the statutory body, given the manner in which it has behaved and wasted money.

With regard to staff and relatives hearing of the closure through the media, I understand the HSE briefed some unions and one put the information into the public domain early on Monday morning having been briefed on Sunday night. I would like the Minister of State to confirm if that is the case. If it is, the HSE should consider how it conveys information. It should not brief unions in future. As a public representative in the area I was not briefed.

Deputy Catherine Byrne: Like everybody else I am very concerned about what happened yesterday and how the information on the closure of the home was released to the media. I am concerned about the 80 patients and staff who are now in turmoil. At the beginning of the year Brú Chaoimhín on Cork Street was closed with the loss of 120 beds and now 80 beds have been closed in Tallaght.

The new unit in Inchicore is lovely. It has not been opened but only has capacity for 50 beds. In 2009 the HSE made a commitment in writing to the residents in St. Michael's that 15% of the allocation of beds in the new long-term care centre would be given to people living in Inchicore, Kilmainhan and Ballyfermot. To date nothing has happened. I am concerned that 120 beds which are vital for people who want to return to and live in the community will be lost.

Minister of State at the Department of Health (Deputy Kathleen Lynch): I thank Deputies for raising this issue. It provides me with an opportunity to update the House on this matter. St. Brigid's in Brittas, County Dublin, was established in 1959. It was originally a tuberculosis clinic which opened in 1935. There are currently 80 residents, as has been outlined by Deputies, at the facility. There is also a day centre at the front of the main building providing a service to older persons from the local community.

The HSE completed a survey of the physical infrastructure, mechanical services installations and water and drainage services at the unit and found substantial issues and deficits in these areas. It is estimated it would cost almost €3 million to carry out essential works to address these issues. However, these works would not ensure compliance with national quality standards,

The HSE decided to close St. Brigid's and transfer the majority of services to the new modern purpose built unit at Hollybrook Community Nursing Unit at Inchicore. The new CNU at Inchicore has a total capacity of 50 beds. It has not been opened to date due to the current constraints on staffing. As the capacity of the new CNU is less than that at St. Brigid's the proposal also envisages some staff and residents will transfer to other public units. This will provide the HSE with an opportunity to reopen beds that are closed at these facilities.

Selection of an alternative placement for residents will be informed by the medical and care needs of each resident as evaluated by clinical staff. It is important to emphasise that no resident will be placed in a more costly financial position because of the move. The day care services at St. Brigid's are used by approximately 18 people daily from Monday to Friday. Part of the relocation plan will include the placement of these clients in alternative day centres suitable for their needs in their local areas. Ongoing consultation will continue to take place with residents, their families, staff, representative organisations and public representatives.

[Deputy Kathleen Lynch.]

I would like to reassure the House that patients in Tallaght Hospital or any other acute hospital who require long term residential care can continue to apply for financial support under the nursing homes support scheme. Once a person receives approval for financial support he or she can choose to enter any nursing home participating in the scheme in any part of the country, subject to the nursing home having an available bed and being able to cater for the person's particular needs. This applies to public, private and voluntary nursing homes alike.

Patients at Tallaght Hospital requiring residential care will be able to avail of beds at the newly purpose built CNU if and when they become available. They will also be able to avail of options from public beds that are reopened in other facilities or they may choose a bed in a private nursing home. I understand that the indicative timescale for the transfer is between three and six months.

Deputy Billy Kelleher: I welcome the Minister of State's reply. Services are being downgraded across Dublin. Fewer beds are now available for long-term stay patients which will ensure acute beds in hospitals all over Dublin will back up. It is unacceptable when they are also many bed closures elsewhere. The time limit is appalling.

Deputy Seán Crowe: Would the Minister of State facilitate a meeting in order that we can raise some concerns? We will not deal with any serious issues here.

Deputy Billy Timmins: How much money was spent on the facility since the last HIQA report? Who sanctioned it? I understand unions were briefed on Sunday night and may have put the information into the public domain. Can the Minister of State establish if this is the case? If it is the case, will she give a commitment that unions will not be briefed before relatives and staff in future?

Deputy Catherine Byrne: The HSE framework plan for 2009 states: "Elderly residents who previously had to access long-term resident care outside the area will now be able to continue to live within the local community". What commitment can the Minister of State give to the people living in Inchicore, Bluebell and Ballyfermot that the 15% allocation of beds promised in the new unit in Inchicore, Hollybrook, will go to them?

Deputy Kathleen Lynch: I agree with the Deputies that some leeway must be given when an topical issue is of concern to more one Deputy. This debate is a case in point.

I do not have the type of detail sought by Deputy Timmins but will seek it out and reply to him. I cannot give an assurance that unions will not be notified before families. I understand consultation took place with people living in the unit and their families. People who work in the unit are entitled to representation. I reassure Deputy Crowe that I will have no difficulty in meeting representatives who are concerned about the issue. There will be a deficit in the number of beds available. It is an issue to which we will have to give very careful consideration.

Welfare of Greyhounds Bill 2011: Order for Report Stage

Minister of State at the Department of Agriculture, Fisheries and Food (Deputy Shane McEntee): I move:

"That Report Stage be taken now."

Question put and agreed to.

Welfare of Greyhounds Bill 2011: Report and Final Stages

Minister of State at the Department of Agriculture, Fisheries and Food (Deputy Shane McEntee): I move amendment No. 1:

In page 4, line 9, to delete “Fisheries and Food” and substitute “Food and the Marine”.

As the House will be aware the purpose of this legislation is to further promote the welfare of greyhounds. I am glad to say the proposed legislation has the broad support of all sides of the House. We discussed the detail on Committee Stage last week. On Committee Stage we discussed and agreed three small and related changes to section 25. They are to remove the word “or” from between section 25(1)(a) and 25(1)(b) and insert——

Acting Chairman (Deputy Olivia Mitchell): Does the Minister have further amendments to the Bill?

Deputy Shane McEntee: Yes.

Acting Chairman (Deputy Olivia Mitchell): Are they being done after this?

Deputy Shane McEntee: Yes. Section 25(1) describes three ways in which a person may be guilty of obstruction. During the drafting there was probably initially only two types of obstruction envisaged and therefore the word “or” was placed between section 25(1)(a) and (b). At a later point a third type of obstruction was added as a third paragraph (c), and when the word “or” should have been placed between (b) and (c) this was not done and was only noticed after publication. I trust this minor change will be agreeable to the House.

Returning to the original list, I also propose a number of minor amendments. The first is to section 2. The House is aware there has been an alteration of name of Department and title of Minister and there was order by the Government on 8 September 2011 altering the title of the Minister for Agriculture and Food to the Minister for Agriculture, Food and the Marine. Section 2 of the Bill, which is concerned with definitions, must therefore be amended to refer to the new ministerial title.

Amendment agreed to.

Deputy Shane McEntee: I move amendment No. 2:

In page 4, line 41, to delete “Finance” and substitute “Public Expenditure and Reform”.

Similar to the alteration to the new title of Minister for Agriculture, Food and the Marine, the title of Minister for Finance must be changed to the Minister for Public Expenditure and Reform. Accordingly section 4 must be amended to refer to the new ministerial title.

Amendment agreed to.

Deputy Shane McEntee: I move amendment No. 3:

In page 18, line 31, to delete “has” and substitute “may have taken place”.

This is a minor amendment to improve the grammatical consistency in the section on welfare notices. Section 21 lists five general situations in which a welfare officer may issue a welfare notice. The section commences with “Where a welfare office is of the opinion that”. Section 21(d) contains the fourth of these situations and currently reads “a contravention of this Act or regulations under this Act, has or may be taking place, or”. It will be amended to remove

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the word “has” and replace it with “may have taken place” so it will read, “a contravention of this Act or regulations under this Act, may have taken place or may be taking place, or”. This ensures grammatical consistency in how the Bill talks about the past and present tenses.

Amendment agreed to.

Bill reported with amendments, received for final consideration and passed.

Nurses and Midwives Bill 2011: Report Stage (Resumed) and Final Stage

Minister for Health (Deputy James Reilly): I move amendment No. 26:

In page 39, line 38, to delete “fine not exceeding €5,000” and substitute “class A fine”.

Before we continue, I would be obliged if, in accordance with Standing Order 140, the Chair would direct the Clerk to make some verbal corrections to the text of the Bill. On pages 10, 23 and 36 of the Bill, there are references to names of Ministers or Departments that have changed since the Bill was published. Accordingly, I request the Chair to direct the Clerk to change the names of Minister and Departments as follows: to change “Minister for Health and Children” to “Minister for Health” on page 10, line 34; to change “Department of Health and Children” to “Department of Health” on page 23, lines 42 and 43, to change “Minister for the Environment, Heritage and Local Government” to “Minister for the Environment, Community and Local Government” in page 36, line 20.

Amendment agreed to.

Deputy James Reilly: I move amendment No. 27:

In page 41, line 39, to delete “fine not exceeding €5,000” and substitute “class A fine”.

Amendment agreed to.

Deputy James Reilly: I move amendment No. 28:

In page 46, between lines 31 and 32, to insert the following:

“(4) A nurse or midwife who, at the time of registration did not have a relevant medical disability but develops a medical disability at any time after registration shall notify the Board when the medical disability becomes a relevant medical disability in that it develops to the point that it may impair his or her ability to practise nursing or midwifery, or a particular aspect of nursing or midwifery, not later than—

(a) 30 days after the medical disability becomes a relevant medical disability,

or

(b) where the relevant medical disability concerned renders it impracticable for the nurse or midwife to notify the Board within those 30 days, as soon as is practicable in the circumstances.

(5) Where the Board is satisfied, after receiving a notification under subsection (4), that in the interests of public safety, the registration of the nurse or midwife should become subject to conditions on the practising of nursing or midwifery, as the case may be, which take account of that relevant medical disability, the Board shall decide that conditions

should be attached to the registration of the nurse or midwife in those interests, specify those proposed conditions and propose that the nurse or midwife accept that those conditions be attached to his or her registration.

(6) Where the nurse or midwife the subject of a decision under subsection (5) agrees in writing to the attachment of the proposed conditions, the Board shall attach those conditions to the registration of the nurse or midwife and at the same time comply with section 46(8) in respect of the conditions.

(7) Where the nurse or midwife the subject of a decision under subsection (5) refuses, in writing, to agree to the attachment of the proposed conditions, or does not respond within 30 days after receiving the decision from the Board, the Board shall make a complaint under section 55(1)(d).”.

Deputy Caoimhghín Ó Caoláin: Has this amendment already been discussed?

Acting Chairman (Deputy Olivia Mitchell): No.

Deputy Caoimhghín Ó Caoláin: These are additional provisions for nurses and midwives who develop a relevant medical disability and I would like to record my support for the amendment.

Amendment agreed to.

Deputy James Reilly: I move amendment No. 29:

In page 47, line 39, to delete “and posts”.

Amendment agreed to.

Deputy James Reilly: I move amendment No. 30:

In page 55, to delete lines 33 to 42 and in page 56, to delete lines 1 to 14 and substitute the following:

“62. —(1) The chief executive officer shall, as soon as practicable but not later than 30 days after a complaint is referred under *section 61* to the Fitness to Practise Committee, give notice in writing to the registered nurse or registered midwife the subject of the complaint of the following:

(a) the referral of the complaint to the Fitness to Practise Committee;

(b) the opportunity for the nurse or midwife, or his or her representative, to be present and to defend the nurse or midwife at the hearing;

(c) the opportunity for the nurse or midwife to request that some or all of the hearing be held otherwise than in public if the nurse or midwife can show reasonable and sufficient cause;

(2) The chief executive officer shall, as soon as practicable after a complaint is referred under *section 61* to the Fitness to Practise Committee, give notice in writing to—

(a) the registered nurse or registered midwife the subject of the complaint of the nature of the matter that is to be the subject of the inquiry, including the particulars of any evidence in support of the complaint, and

[Deputy James Reilly.]

(b) any witnesses who may be required to give evidence at an inquiry (including, where appropriate, the complainant) of the opportunity for the witness to request that some or all of the hearing be held otherwise than in public if the witness can show reasonable and sufficient cause;

(3) The chief executive officer shall give notice in writing to the”.

On Committee Stage, an amendment was accepted in regard to the chief executive officer having to notify the nurse or midwife and witnesses of certain information. The amendment included a time-limit of 30 days. It has been brought to my attention that the inclusion of a 30 day limit is a matter of serious concern in regard to section 62, subsections (2)(a) and (2)(b). Subsection (2)(a) effectively requires that the notice of inquiry and book of documents be prepared and sent out within the 30 day timeframe. The book of documents includes all the documents it is proposed to rely on at the inquiry and is similar to the book of evidence in a criminal court case. This can take considerable time, needs to identify all the records and to examine all records and can include the requirement for production orders. Subsection (2)(b) relates to subsection (2)(a) in that witnesses might only be identified when all the relevant documents are examined.

Given that the 30 day time-limit is unachievable for some subsections and the very serious risk that if the time stipulation was not adhered to it would be grounds for judicial review with a high likelihood of success on the part of the nurse or midwife and consequent collapse of the case against the nurse or midwife, I propose this amendment, which will split the notification into two parts, one which is subject to the 30 day time-limit and the other which is not.

The amendment provides that the chief executive officer will notify the nurse or midwife within 30 days, first of the referral of the complaint to the Fitness to Practise Committee, second of the opportunity for the nurse or midwife or his or her representative to defend the nurse or midwife at the hearing and third of the opportunity for the nurse or midwife to request that the hearing be held otherwise than in public.

The chief executive officer, as soon as is practicable, will give the nurse or midwife the nature of the matter, including the evidence, that is, the book of documents which includes all the evidence that will be used in the hearing. The chief executive officer will also notify any witnesses of the opportunity to request that the hearing be held otherwise than in public.

I urge Deputies to support this amendment.

Deputy Caoimhghín Ó Caoláin: This is a tidying up amendment. I accept the Minister’s explanation.

Amendment agreed to.

Acting Chairman (Deputy Olivia Mitchell): Amendment No. 31 is consequential on amendment No. 32. Both may be discussed together by agreement.

Deputy James Reilly: I move amendment No. 31:

In page 56, line 20, before “*sections*” to insert “*subsection (2)* and”.

Amendments Nos. 31 and 32 provide that if a subcommittee of the Fitness to Practise Committee is hearing a complaint, that subcommittee will include a nurse if the complaint concerns a nurse, and a midwife if the complaint concerns a midwife. Amendment No. 31 is a technical

amendment to include a reference to the new subsection. Amendment No. 32 provides that when a subcommittee of the Fitness to Practise Committee is conducting a hearing, that subcommittee will include a nurse if the complaint concerns a nurse, and a midwife if the complaint concerns a midwife.

I ask the Deputies to accept these amendments.

Deputy Caoimhghín Ó Caoláin: It is appropriate that, where a subcommittee of the Fitness to Practise Committee is dealing with a nurse, a properly registered nurse should be a part of that hearing. The same is provided for where the hearing concerns a midwife. It is important that the midwives' profession be properly recognised and accommodated at such a hearing. I accept the Minister's position on both amendments.

Amendment agreed to.

Deputy James Reilly: I move amendment No. 32:

In page 56, between lines 20 and 21, to insert the following:

“(2) Where a subcommittee of the Fitness to Practise Committee is conducting a hearing of a complaint referred to that Committee—

(a) if the complaint concerns a registered nurse, at least one member of the subcommittee shall be a registered nurse, and

(b) if the complaint concerns a registered midwife, at least one member of the subcommittee shall be a registered midwife.”.

Amendment agreed to.

Deputy James Reilly: I move amendment No. 33:

In page 57, line 41, to delete “fine not exceeding €5,000” and substitute “class A fine”.

Amendment agreed to.

Deputy James Reilly: I move amendment No. 34:

In page 62, lines 32 and 33, to delete “inappropriate behaviour” and substitute the following:

“non-compliance with a code of professional conduct”.

On Committee Stage, an amendment was accepted that replaced the ground for complaint of inappropriate behaviour with non-compliance with a code of professional conduct. This amendment is required to correct the reference to “inappropriate behaviour” in section 75 with “non-compliance with a code of professional conduct” to reflect the Committee Stage amendment. I ask Deputies to support the amendment.

Deputy Caoimhghín Ó Caoláin: The new wording is more precise, clearer and better understood. The old wording is vague and open to a variety of interpretations. I accept the Minister's amendment. Clearer language makes for better legislation.

Amendment agreed to.

Deputy James Reilly: I move amendment No. 35:

In page 63, line 37, to delete “21 days” and substitute “28 days”.

Amendment No. 35 extends the time a nurse or midwife has to pay an appropriate fee to the board, following a reminder being sent by the board, before the board can remove the nurse’s or midwife’s registration. The time is extended from 21 days to 28 days. I am of the view that this is sufficient time for a nurse or midwife to pay the fee, given that a reminder has already been sent and that there would have been an initial request for payment. I ask Deputies to support the amendment.

Deputy Caoimhghín Ó Caoláin: A period of 28 days is more reasonable and allows the leeway of an extra seven days to people who are in difficulty. I welcome the extension from 21 days to 28 days and I support the amendment.

Amendment agreed to.

Deputy James Reilly: I move amendment No. 36:

In page 73, lines 18 and 19, to delete “fine not exceeding €5,000” and substitute “class A fine”.

Amendment agreed to.

Acting Chairman (Deputy Olivia Mitchell): Recommittal is necessary in respect of amendment No. 37 as it does not arise from Committee Stage proceedings.

Bill recommitted in respect of amendment No. 37.

Deputy James Reilly: I move amendment No. 37:

In page 79, to delete lines 14 to 18 and substitute the following:

107.—The Freedom of Information Act 1997 is amended—

(a) in the First Schedule—

(i) by substituting “Bord Altranais agus Cnáimhseachais na hÉireann” for “An Bord Altranais”, and

(ii) by deleting “The National Council for the Professional Development of Nursing and Midwifery”, and

(b) in the Third Schedule—

(i) by inserting “*Nurses and Midwives Act 2011*” in the second column of Part 1, and

(ii) by inserting “*Section 17*” in the third column of that Part.”.

This amendment corrects an error in the Bill in regard to the Freedom of Information Act. The Schedules of the Freedom of Information Act 1997 are amended. The amendment to the First Schedule allows for the new board name to be included in the list of bodies covered by the Freedom of Information Act and for the National Council for the Professional Development of Nursing and Midwifery to be removed, as this body is dissolved in this legislation and should no longer be included in the list of bodies in relation to the Freedom of Information Act.

The amendment also includes a provision to amend the Third Schedule, to provide that confidential information in section 17 of the Bill can be disclosed under the Freedom of Information Act. I ask Deputies to support the amendment.

Deputy Caoimhghín Ó Caoláin: I support the amendment.

Amendment agreed to.

Bill reported with amendments.

Question proposed: "That the Bill do now pass."

Deputy Caoimhghín Ó Caoláin: It is with considerable regret that I rise to record my opposition to the passage of the Bill, because there is much in it that I accept, support and welcome. I acknowledge that this is an important Bill, and thank the Minister, his officials and those who have participated in what was, when the Bill was first presented, a good debate in this House. I wrote to the Minister on 28 July from which followed an opportunity for me to participate in a meeting between Department of Health officials and the Community Midwives Association in regard to its serious concerns about the Bill, my support for which I have recorded on each Stage of the Bill.

In my letter of 28 July I asked the Minister to use the window of opportunity which presented from that point to today to take on board the valid and constructive amendments proposed by the Community Midwives Association which, at its request, I had placed before the him on Committee and Report Stages. The time between adjournment of the previous Report Stage debate and now was important. While I may well have received an acknowledgement of my letter of 28 July, I cannot find therein a response from the Minister on the matter, although I am open to correction on that point. An opportunity was missed.

I welcome the Minister's amendment in regard to freedom of information. My disposition in regard to much of the work done in this Bill is positive. However, the concerns of midwives regarding in particular the midwives committee and their representation and proper recognition in terms of their role and ability to practise as community midwives have not been recognised by the Minister, which is a serious deficiency in what is otherwise welcome legislation. The Community Midwives Association is not the only organisation to raise this issue. I have taken the time to engage at the highest level with the Irish Nurses and Midwives Organisation. While the two bodies do not necessarily concur on every point, I am at liberty to put on the record that the INMO shares the view of the Community Midwives Association that representation is key and that the midwives' profession, in terms of the midwives committee, has not been properly recognised and provided for in this legislation. That is most regrettable and feeds into the view that the role of midwives' is being undermined in what is otherwise a positive piece of legislation.

I do not intend to stretch this out unnecessarily. The Minister will be aware of specific concerns in regard to section 40, in respect of which I have received correspondence from the Community Midwives Association. The association also has concerns in relation to section 24. Section 40, which I have described as contentious and problematic, is wherein the key disappointment rests. There is a strongly held view that this provision could severely curtail the ability of women to have access to midwife-led child birth. This has long term implications for child birth in this State given the overcrowding in our maternity hospitals and the loss of maternity units in different hospital locations countrywide, including in my native Monaghan. For these reasons, it would be inappropriate for me and my party to, at this point, fold up the arguments we have strenuously made on every Stage of this legislation. I would like to support

[Deputy Caoimhghín Ó Caoláin.]

this legislation and do so in respect of much of what is contained therein but it is important to be consistent. I have taken a stand and will, with regret, hold to that stand and oppose the passage of this Bill because of the Minister's failure to take on board the reasonable and well articulated arguments put forward by the Community Midwives Association representatives.

While undoubtedly the Bill will be passed this evening, it is hoped that the Minister will indicate to the House in his concluding remarks that these matters will be addressed in the future as clearly they are not now going to be addressed in the Nurses and Midwives Bill 2010.

Deputy John Halligan: I, too, met with the Community Midwives Association. I commend the purpose of the Bill which is to enhance the protection of the public in its dealings with nurses and midwives. However, I have some serious reservations about it.

A letter from the Community Midwives Association, which I am sure the Minister, too, received, sets out its grave concerns in regard to sections 24 and 40. The letter states the association believes there is too much scope for misuse and misunderstanding of the current wording and a recognised lack of consensus among all those involved, which is far from reassuring. As stated by my colleague, Deputy Ó Caoláin, the Community Midwives Association has serious concerns about sections 24 and 40. By my interpretation, section 40 denies women the right to opt for a psychological service which would be low-tech and drug free, a right effectively recognised by the European Court of Human Rights.

I welcome many aspects of the Bill and acknowledge and admire the efforts made by the Minister, as compared with the previous Administration, to progress this legislation. However, I have some serious reservations about sections 24 and 40.

Minister for Health (Deputy James Reilly) (Deputy James Reilly): I regret that Deputy Ó Caoláin does not see fit to support the Bill. While I hear what he says, the Deputy's first amendment seeks to provide that the sub-committee or committee's advice would have a binding effect on the board. I do not believe that applies anywhere. The full board must make the final decision and must have the right to be the final arbiter. Acceptance of the amendment would be contrary to good governance. The board is responsible and accountable for decisions made by it. It cannot be overruled or bound by a decision of the committee of the board. To provide that a committee may have a majority of members who are not members of the board and may not be aware of the wider implications in relation to matters on which the committee is advising would be to undermine decisions of the main board having a binding effect on the board. I regret to say that we could not allow that.

The Deputy also tabled an amendment which proposes the removal of the provision that a registered midwife must have adequate clinical indemnity insurance to attend a woman in child birth for reward. On this issue, I will be as immovable as a rock. There is no way I will allow the situation to pertain in this country that professionals attending at a birth would not be indemnified. With the best will in the world, things can go wrong. I will qualify what I am saying with the following. I accept that child birth is a natural phenomenon. Where it is safe to have a birth at home, I would be fully encouraging of it. However, to ask that the Government would preside over a situation whereby a professional attending at a birth would not be indemnified, thus exposing woman and child, were a misadventure occurred, to a situation wherein they would have no recourse to any compensation or assistance is beyond my conscience. It is not something I could even countenance.

I regret that proposal is completely *ultra vires* as far as I am concerned. The only area wherein we seek to have them indemnified is around the birth. Psychological support and so on is not an issue. I cannot accept either of the Deputy's amendments. I nevertheless thank

Members opposite, many of whom have been supportive, for the reasoned debate on this legislation.

Deputy Caoimhghín Ó Caoláin: The Community Midwives Association made it clear in the correspondence referred to by Deputy Halligan that it felt there was too much scope for misuse and misunderstanding in the current wording of the legislation and a recognised lack of consensus among all those involved which was far from reassuring. It emphasised that at no point did its membership wish to be uninsured but that the opposite was the case.

It is important to bear in mind that the issue at stake is not about being insured or indemnified but the actual present wording and its possible interpretation.

Deputy John Halligan: Yes.

Deputy Caoimhghín Ó Caoláin: That engagement and the concerns by the Community Midwives Association about the interpretations of the sections in question have not been addressed. The midwives are not looking to have an uninsured status. They are more than well informed of the importance of indemnification.

Deputy John Halligan: I concur with my colleague, Deputy Ó Caoláin. The association said, as currently worded, the Bill is not the best arrangement for mother and midwife. It also pointed out how the sections in question do not take account of their members' professionalism, the nature of their business and best practice. Additionally, these sections do not allow for the potential removal of insurance due to factors beyond their members' control. This means they are not treated like other allied medical professionals but could actually be criminalised by the provision.

All the midwives I spoke to empathically told me they have no problem with being insured but do have concerns over the wording of the Bill. I am sure this difficulty was spelled out in detailed correspondence to the Minister. I must take on board their deep unhappiness with these aspects of the Bill. I do not want to vote against this legislation because of the huge effort made by the Minister to introduce it. However, based on my correspondence with the Community Midwives Association, I must acknowledge their unhappiness with certain provisions.

Deputy James Reilly: I accept the point about the unhappiness of the Community Midwives Association. However, amendment No. 25 sought to remove the provision that a registered midwife must have adequate clinical indemnity insurance. Since the correspondence on this section began, the association has had several meetings with the Department during which it made the suggestion its members would be insured attending any childbirth. I do not believe this is appropriate in cases where the birth would more properly take place in a hospital because it was identified as high-risk.

After the passage of the Bill I will be prepared to continue to engage with the Community Midwives Association. The Health Service Executive has established a national steering committee of home births to review the implications of the memorandum of understanding between the HSE and self-employed community midwives on the provision of a safe, evidence-based home-birth delivery service for low-risk healthy women. The committee consists of representatives from a wide range of stakeholders along with the Department of Health. The committee's inclusive nature will facilitate discussion around the key areas of concern and will inform future guidelines and developments.

We support home deliveries when they are safe, along with the Community Midwives Association. I accept the association's concerns but the Bill must pass as drafted. I am happy to continue to discuss the association's concerns.

Question put:

The Dáil divided: Tá, 80; Níl, 24.

Tá

Barry, Tom.
 Browne, John.
 Butler, Ray.
 Byrne, Catherine.
 Byrne, Eric.
 Calleary, Dara.
 Collins, Áine.
 Conaghan, Michael.
 Conlan, Seán.
 Connaughton, Paul J.
 Conway, Ciara.
 Corcoran Kennedy, Marcella.
 Costello, Joe.
 Coveney, Simon.
 Creed, Michael.
 Daly, Jim.
 Deasy, John.
 Deering, Pat.
 Doherty, Regina.
 Donohoe, Paschal.
 Durkan, Bernard J.
 English, Damien.
 Farrell, Alan.
 Feighan, Frank.
 Ferris, Anne.
 Fitzpatrick, Peter.
 Flanagan, Charles.
 Fleming, Sean.
 Grealish, Noel.
 Harrington, Noel.
 Harris, Simon.
 Hayes, Brian.
 Heydon, Martin.
 Howlin, Brendan.
 Humphreys, Heather.
 Humphreys, Kevin.
 Kehoe, Paul.
 Kelleher, Billy.
 Kitt, Michael P.
 Kyne, Seán.

Lawlor, Anthony.
 Lynch, Kathleen.
 Lyons, John.
 McConalogue, Charlie.
 McEntee, Shane.
 McFadden, Nicky.
 McGinley, Dinny.
 McGuinness, John.
 Maloney, Eamonn.
 Mitchell, Olivia.
 Mitchell O'Connor, Mary.
 Mulherin, Michelle.
 Murphy, Dara.
 Murphy, Eoghan.
 Nolan, Derek.
 Noonan, Michael.
 Ó Cuív, Éamon.
 O'Donnell, Kieran.
 O'Donovan, Patrick.
 O'Mahony, John.
 O'Reilly, Joe.
 O'Sullivan, Jan.
 Penrose, Willie.
 Perry, John.
 Phelan, John Paul.
 Rabbitte, Pat.
 Reilly, James.
 Ryan, Brendan.
 Sherlock, Sean.
 Shortall, Róisín.
 Smith, Brendan.
 Stagg, Emmet.
 Stanton, David.
 Timmins, Billy.
 Troy, Robert.
 Tuffy, Joanna.
 Twomey, Liam.
 Wall, Jack.
 Walsh, Brian.
 White, Alex.

Níl

Adams, Gerry.
 Boyd Barrett, Richard.
 Collins, Joan.
 Crowe, Seán.
 Daly, Clare.
 Doherty, Pearse.
 Donnelly, Stephen.
 Ferris, Martin.
 Fleming, Tom.
 Halligan, John.
 Healy, Seamus.
 Healy-Rae, Michael.

Higgins, Joe.
 McDonald, Mary Lou.
 McGrath, Finian.
 McGrath, Mattie.
 McLellan, Sandra.
 Murphy, Catherine.
 Ó Caoláin, Caoimhghín.
 Ó Snodaigh, Aengus.
 O'Sullivan, Maureen.
 Pringle, Thomas.
 Ross, Shane.
 Tóibín, Peadar.

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

Question declared carried.

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

Sitting suspended at 6.40 p.m. and resumed at 7.30 p.m.

Private Members' Business

Community and Voluntary Sector: Motion

Deputy Brian Stanley: I move:

That Dáil Éireann:

- recognises that the community sector is estimated to be worth €6.5 billion to the Irish economy, three times the size of the State's investment, proving that the community and voluntary sector is a cost-effective medium for the provision of many vital services;
- notes that the delivery costs of many of the services currently provided by this sector would be substantially greater if Government departments, the Health Service Executive (HSE) or private companies were to deliver the same level of service directly;
- notes that the community and voluntary sector provides essential services which the State and private sectors are unwilling or unable to provide;
- acknowledges that it is unacceptable for the State to abdicate its own responsibility for the delivery of vital services to the community and voluntary sector without providing adequate support and long-term security of funding;
- condemns the hollowing out of genuine community development by abolishing voluntary boards of management and placing control under partnership programmes which undermines local democracy and the bottom-up approach upon which community development is based;
- notes that the sector provides the equivalent of 50,000 full-time jobs, with large numbers of part-time workers greatly increasing the total number employed;
- recognises and supports the community and voluntary sector's right to engage in advocacy as a valuable contribution to policymaking;
- notes that there are 7,500 charitable, community and voluntary groups providing essential services to children, older people, people with disabilities or ill-health, vulnerable people, drug users, women, immigrants, travellers and other ethnic minority groups;
- commends the sector for being a tireless advocate for communities dealing with some of Ireland's most serious social and economic problems, and for working to empower marginalised communities to apply their own solutions to their own problems;
- recognises the potential of the community and voluntary sector, as both a service provider and an advocate, and further recognises that as unemployment rises and struggling public services are overwhelmed, community organisations are being pushed to fill the gap;

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- rejects the disproportionate Government cutbacks inflicted on community and voluntary groups, particularly those which are as a direct result of speaking out against Government policies;
- notes that these cuts are targeting programmes that serve the most vulnerable in our society and deepen existing inequalities despite the acknowledgment in the Programme for Government that the community and voluntary sector has a ‘vital role’ in tackling poverty and protecting the most vulnerable;
- affirms that the community and voluntary sector needs to participate in decision making and must be able to monitor and challenge Government without fear of repercussions so as to fulfil a watchdog function on the political class;
- calls upon the Government to reverse the cuts in funding to the community and voluntary sector and move towards multi-annual funding in order to allow organisations to plan ahead and end the practice of funding bodies requiring the production of detailed business plans before giving any indication of the size of the budget available for the year in question;
- calls upon the Government to ring-fence €50 million per year from the Dormant Accounts Fund for the community and voluntary sector, ring-fence monies seized by the Criminal Assets Bureau (CAB) for community development and community based drug projects and introduce a VAT refund scheme for charities;
- calls upon the Government to re-conceptualise and extend the Community Employment (CE) scheme by increasing the number of CE places available, including Special CE schemes;
- acknowledges that social enterprise has the potential to create 5,000 jobs a year and that community and voluntary organisations could benefit from the potential offered by social enterprise and calls upon the Government to support social enterprises’ pursuit of social objectives, including job creation, which is a valued end in itself;
- calls upon the Government to implement the Labour Court recommendations and furthermore, to allow community and voluntary sector workers to negotiate their pay and conditions on a collective basis by introducing a mechanism involving Departments, employers and workers which establishes the right to collective bargaining; and
- calls upon the Government to establish an All-Ireland Consultative Civic Forum promised by the Good Friday Agreement, which would enable communities to engage with others across civic society and across the country and share information, learning and best practice on an all-Ireland basis.

With the agreement of the House I will share time with four of my colleagues. While I am happy to introduce this Private Members’ motion on behalf of Sinn Féin, I am equally dismayed that we have to do so. Despite the important and extremely valuable work of the community and voluntary sector over the years, which has been independently evaluated, it has been disproportionately targeted by Government cuts since before the recession even began. In 2009 public expenditure increased by 6%, yet the then Department of Community, Equality and Gaeltacht Affairs, which was responsible for funding essential community infrastructure, had its budget cut by 8%. Then, in 2010 the Department’s budget was cut by a further 10%, leading

to overall cuts of between 18% and 20% for organisations in the community and voluntary sector.

With the stroke of a pen, the then Fianna Fáil-led Government ensured not only unemployment for people in the sector, but a marked deterioration in the lives of thousands of others as the community and voluntary sector was no longer able to sustain the same levels of activities and services it had been providing. I remind the Government the community sector provides these services because the State continues to fail to do so itself. Fianna Fáil could not expect anyone to believe it supported the community sector when it was inflicting this level of cuts, and Fine Gael and the Labour Party cannot seriously expect us to believe they support the community sector when clearly they have no intention of reinstating the level of funding that is needed. Front-line service providers working in the area of drug use and addiction were especially hit by cutbacks, leaving the sector with 15% less of a service. Supports in general for the community and voluntary sector have been cut by up to one third. This is a scandal.

I commend those who work in the community and voluntary sector, both in paid and voluntary capacities. These are the people who have to face the reality of, and make up the shortfall for, the Government's wing and a prayer attitude to policymaking in the State. People are overworked in terrible conditions, providing services for people who are very often living in poor conditions, working for low pay or no pay, and trying to make slashed budgets stretch as far as humanly possible.

Once again, those who received little or nothing during the Celtic tiger years are being forced to bear the burden of governmental financial mismanagement. The State neglected the poor, the homeless and the disabled over these years when there was money. In May, it was stated at IMPACT's health and welfare divisional conference in Tralee that 5,000 jobs had been lost in the sector, and the budgets of organisations had been cut by as much as 20%.

Regardless of what the Government may say, funding is often used as a gag mechanism against those in the community and voluntary sector. These groups are forced to walk a tightrope of providing services and looking for funding to do so because the State is either unwilling to do it or because whatever structure it has put in place is too inept to do it, while at the same time highlighting the deficiencies in State provision. However, as always, they can highlight only so much. A step too far and they will very quickly find themselves with a budget significantly cut from what it had been the previous year, and all for having the nerve to stand up and be counted and state what they see is wrong.

During its general election campaign, the Labour Party made all sorts of promises regarding the community and voluntary sector. I recall one statement from Deputy Joe Costello which conveniently, in the October before the election, called on the Government and the then Department of Community, Equality and Gaeltacht Affairs "to ensure that the cuts to the community and voluntary sector are stopped and that, at least, the existing services are maintained". Unfortunately this support did not travel with it into government.

The Community Workers' Co-operative, CWC, was one of the original anti-poverty networks identified by the State as having strategic importance during the 1990s, and it received core funding from the State until very recently. Its core work was to promote and support community development approaches to tackling poverty, social exclusion and inequalities using community development as a far more sustainable approach to poverty reduction and social inclusion than an income-based approach which is vulnerable to fluctuations in social welfare and other direct payments.

The scheme to support national organisations in the community and voluntary sector was subsequently reviewed by the then Department of Community, Equality and Gaeltacht Affairs. On 8 June the Community Workers' Co-operative received word that it would not be funded under the scheme in the future. The Minister for the Environment, Community and Local Government, Deputy Phil Hogan, then stated the application from the CWC did not meet the

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qualifying mark for funding on this occasion. The Labour Party and Fine Gael cannot have it both ways. The CWC criticised the local and community development programme and then lost 100% of its funding. They cannot pretend to support the community and voluntary sector and then cut funding because they do not like what the sector has to say. The CWC office in Galway has now closed and people have lost a very important voice for disadvantaged communities throughout the west.

Funding for other organisations is also under serious threat, with groups dealing with violence against women and general domestic violence being forced to fight for the same money. The Irish National Organisation of the Unemployed, INOU, recently cancelled the posting of its newsletters owing to funding limitations. As unemployment reaches almost 500,000, staff are being lost across the board and the most vulnerable in the State are being thrown to the wolves.

We believe there must be a securely resourced community and voluntary sector that responds to and advocates for the needs and wishes of communities, be they geographically based or communities of interest. It is about much more than service provision. It can channel meaningful input into decisions and help to ensure ongoing accountability in implementation.

Front-line services alone cannot tackle marginalisation. Communities must also be given the resources and supports to address its underlying causes. There is a need for all those involved in responding to the problems to work together. This includes the most affected families, communities and young people.

Cuts to the community sector are part of a larger deflationary austerity plan. They do irreparable damage to our vital community infrastructure which has taken years to build up. Unfortunately, the consensus of cuts embarked on by Fianna Fáil is now being continued by Fine Gael and the Labour Party, with communities suffering from the cumulative effect of cuts to public spending, public services and community-based services. The programme for Government states: "During a time of recession and deep unemployment the Government acknowledges the vital role of the community and voluntary sector working in partnership with local communities, State agencies and local authorities." Cutting funding left, right and centre is acknowledging nothing but the Government's austerity agenda. For these reasons I ask Members to hold to the promises they made before the general election and support the community and voluntary sector by supporting this motion.

An Leas-Cheann Comhairle: How many of the Deputy's colleagues are sharing the remaining 30 minutes speaking time?

Deputy Brian Stanley: Five.

Deputy Aengus Ó Snodaigh: This is a very important motion and it is a pity it needs to be discussed in the House. When the people voted out a Government which was intent on ripping the heart and soul out of communities I thought we would have seen a different tack being taken by this Government but, to date, this has not been the case. The new Government has an opportunity tomorrow evening to declare its interest in and protection of the community and voluntary sector and its investment in the services and supports which those sectors need desperately.

Those services are vital and most of them are delivering a service which otherwise would have to be delivered by the State and this will be the case if those services are withdrawn as a result of the imposition of cuts in funding. The community and voluntary sector delivers services which should be the responsibility of the State to provide but the sector has been doing this work for many generations. The sector is a very effective and efficient provider of these services. In my view, the community and voluntary sector has been over-evaluated and it is regrettable the same evaluations of its effectiveness and expenditure were not applied to many

of the Departments or to the Central Bank in particular. In many cases the sector has delivered a service at a much lower cost than the State could ever do. I urge the Minister to ensure that not only is the voluntary and community sector protected but that a reversal is made in the budget of the cuts imposed in recent years.

These are the vital services which include providing proper meals and day care for the elderly. These services are aimed at those who are drug-dependent or are recovering from some type of drug dependency. They also include youth services. If those services are not fully resourced we will be in a much worse state. This will be the outcome of any cuts inflicted on some of these groups.

I have been contacted by a number of groups both in my area and in others. They are at the end of their tether and they cannot sustain another cut. Some have managed to absorb the cuts. Addiction Response Crumlin is an umbrella organisation in my area for nine different groups. It has had a 22% cut in its budgets over the past three years. The group intervenes and supports communities and families who are in dire need and are the most vulnerable. Its work is saving the State an absolute fortune. If the services of the group is curtailed, more people will be in prison and more people will be in accident and emergency departments and there will be a higher level of crime in the Crumlin and Drimnagh areas. This demonstrates how vital is this one service.

I appeal to the Minister to ensure there will be no cuts. I hope no Minister will stand up to say there has not been any cut since the new Government came into office. There seems to be an embargo on filling community employment places. This is the equivalent of a cut. The HSE recently announced there has been a further cut of 5% in the budget for the last quarter for many of the mainstream drugs projects. This comes at a time when most of the money has been planned for and spent by the projects. The St. John Bos Co. youth centre in my area risks seeing its funded staff numbers being cut by half by the middle of 2012 if any cuts are imposed. This is its precarious financial situation. The centre has ten directly employed youth workers and service deliverers and this number would be reduced to five. It would be impossible to deliver the youth services which the centre has developed over the years.

I will list the organisations which have rolled out the services they were allowed develop. If these services are cut, the communities will suffer. These communities do not have jobs nor any wealth to allow for fund-raising. They are the most vulnerable and most disadvantaged communities in the country.

I refer to the Inchicore community drug team which has lost one staff member who had been working 21 hours a week as well as three seasonal workers who provide holistic therapies for three afternoons. That service is no longer available. Even in the absence of further cuts, they may still lose another half-time post by the beginning of January. This will impact on people in recovery from drug dependency. The FÁS community employment scheme in Dolphin House and Dolphin Park has lost five CE places as a result of an embargo on filling places. Providing employment and training opportunities is central to the successful social regeneration so these cuts in CE places undermine that vital objective.

I urge the Minister, if nothing else, to ensure the State lives up to its responsibilities to workers such as those on community employment and jobs initiative schemes. It must deal with the anomaly whereby one group argues it is not responsible for the workers and the State argues the responsibility lies with the partnerships, community development programmes or FÁS. This anomaly must be ended and it must be ensured that collective bargaining is allowed for that group of workers in our society who do not currently enjoy it. I urge the Minister to ensure there will be no cutbacks and to ensure a reversal of cutbacks implemented by the previous Government, as was promised by many of the Labour Party Deputies in the general election. They should live up to their promises or they will regret the day they cut any of these services.

An Leas-Cheann Comhairle: As there are four more speakers sharing time, Deputy Adams has five minutes.

Deputy Gerry Adams: I wish to place on record my thanks to those many men and women in the community and voluntary sector who work tirelessly to help others. They are engaged in daily acts of practical patriotism and that is worthy of recognition and acknowledgment by this House.

The community and voluntary sector is the cement which holds communities together, in particular the slightly disadvantaged communities. Many citizens would have fallen through the cracks if it were not for the work of these very good men and women. Those with disabilities, the young, the elderly, vulnerable families, ethnic minorities, lone parents and those citizens on low and middle incomes who are being pushed further into poverty would be in even greater distress if it were not for the community and voluntary sector. Sinn Féin believes, as my *cairde* said earlier, there is enormous untapped potential in this sector as a service provider, a source of employment and as an advocate for change. I have seen this in my constituency of Louth. I have seen, for example, citizens working with women victims of domestic abuse, with disadvantaged and disaffected youth, on suicide prevention programmes, on alcohol and drug abuse schemes and working with those who are disadvantaged with learning and other difficulties.

In these difficult economic times, high unemployment and cuts in public services have put special pressure on community organisations. Few of them get mainstream funding. I consider myself a community activist and I am still involved in one or two community organisations. These organisations must spend a huge amount of time chasing funding and trying to put together a cocktail of funding and as the end of the financial year approaches people's contracts come to an end. We would not work under those circumstances and should not expect others to do so.

Tá grúpaí ar an talamh faoi ionsaí díreach go rialta, ach ba chóir don Rialtas iad a mholadh mar gheall ar an obair a dhéanann siad. Tá daoine ag iarraidh go mbéarfaidh lámh chúnta don rannóg phobail deonach seo arís.

Instead of the rhetoric which is sometimes used to praise these organisations, we need to follow through and sustain their efforts. There is widespread anticipation and the Government has signalled that the December budget will see the community and voluntary sector squeezed again. I return continually to the fact that on 2 November, the Government will gift €700 million to bondholders in the toxic Anglo Irish Bank. I know that even a small amount of money, of €5,000, €10,000, €20,000 or €30,000 can make a huge difference to a community running a community project. What could €700 million do in terms of helping our people through these difficult times? Many of these community groups are already suffering from cutbacks. Programmes that help the most vulnerable of people have been targeted and existing posts are at risk. Sinn Féin believes — I would like to think the founder of the Labour Party, James Connolly, would have believed — that the community and voluntary sector should be resourced in a way that removes the uncertainty and the endless effort required to chase after short term funding.

We also believe that people have the right to participate directly in the decision making processes that affect them. I commend to the Government the need to establish the all-Ireland consultative civic forum promised by the Good Friday Agreement to build across the island a system where communities can learn from best practice and where information and ideas can be shared. I urge the Minister to do the decent thing and stand by the election commitments given by his party and support — not decimate — the community sector.

Deputy Pearse Doherty: Ireland, North and South, has a rich and vibrant community and voluntary sector. In every county and community there are groups of individuals working tirelessly to improve the well-being of their families, their neighbours and their country. In part,

this strong tradition has been built on our strong sense of community. The same spirit was used to build the Gaelic Athletic Association and the credit union movement. It has also been mobilised in support of an unlimited number of local, regional and national efforts aimed at strengthening and sustaining our communities.

Tógadh an earnáil seo mar go raibh gá leis. Le blianta fada, chonaic muid go raibh rialtais éagsúla ag diúltiú infheistíocht chuí a dhéanamh in infrastruchtúr an phobail sa Stát seo. Fágadh ag oird na mná rialta agus na sagairt agus ag carthanachtaí eile le na hospidéal agus scoileanna a thógáil. We have seen civic minded individuals develop services for the homeless, people with disabilities and others in need of support and have seen communities mobilised themselves in defence of their rights. Inniu, tugann na mílte daoine a gcuid ama go deonach le bheith mar pháirt don fheachtas, don ruthag mór seo le tír níos fearr a thógáil.

Today hundreds of thousands of people give up their time to be part of this mass movement dedicated to making Ireland and their small part of our nation a better place for all. There are more than 7,500 charitable, community and voluntary groups across the State. They provide full-time employment for 50,000 people and contribute more than €6.5 billion to the economy annually, despite only receiving State funding of the order of €1.89 billion per year. They provide essential front line services, as Members on the Government side of the House know, and provide broader advocacy support to children, older people, people with disabilities or ill-health, drug-users, women, Travellers and many other groups of people in need of support.

In my county there are many heroes and heroines, with 730 community and voluntary organisations. While much of this activity is funded by the State, the community and voluntary sector has proven itself to be able to mobilise additional funds through fund-raising and direct financing, all of which reduces the cost to the State and represents real value for the taxpayer. Equally, the fact that community and voluntary groups are, in the main, small in size and active at the coal face of their respective sector, gives them the ability to adapt and respond to the needs of the communities they support with a speed and flexibility that is often absent from larger State agencies.

We all know from our experience in our constituencies and have seen it at first hand that from the onset of the recession, demand for community and voluntary support has risen dramatically. Níl lá a théann thart nach bhfuil muid ag léamh sna páipéir go bhfuil níos mó gá fá choinne na seirbhísí agus faoi na daoine atá gan teach, daoine atá as obair agus daoine atá ag strachailt lá i ndiaidh lae le tinneas agus a leithéid. Not a day goes pass that we do not read newspaper reports of increased demand for services for people who are struggling, homeless, out of work or struggling with mental health problems. Despite this, the Government, like its predecessor, is cutting vital funding to the community and voluntary sector. With the loss of funding, comes loss of jobs and loss of vital services.

In May 2010 the boards and voluntary agencies branch of the IMPACT trade union published a detailed report on funding cuts and job losses in the community and voluntary sector. It estimated that up to 5,000 jobs — almost 10% of the sector's workforce — would be lost as a result of cuts in Government funding and this at a time when demand for services was increasing. It also reported that up to 1,100 community employment schemes would also be lost. The report found that from 2009 to 2010, cuts to State funding for the voluntary and community sector amounted to between 18% and 20%. The cuts were also unevenly spread over the sector, with higher cuts to community development projects. IMPACT predicted a contraction in the community and voluntary sector of approximately 15% over the next two years.

What have we heard since? We have had the programme for Government to which Fine Gael and the Labour Party have signed up and in which they promise to protect and promote the community and voluntary sector. The programme states: "During a time of recession and deep unemployment, the Government acknowledges the vital role of the community and voluntary sector working in partnership with local communities, State agencies and local authorities".

[Deputy Pearse Doherty.]

However, this Government appears to be pursuing the same short-sighted policies as its predecessor. The decision by the Minister for the Environment, Community and Local Government, Deputy Phil Hogan, to cease funding groups such as the community workers co-operative suggests that the Government is not serious about its commitments in the programme for Government.

The Government needs to make its intentions clear. It needs to outline what its strategy is for the future of the community and voluntary sector. In particular, it needs to indicate whether it intends to reverse the disastrous policy of underfunding projects. *Caithfidh an Rialtas a rá go soiléir an bhfuil sé sásta tarraingt siar ar an cinneadh a ghlac Fianna Fáil, cinneadh faillitheach agus lochtach, nuair a ghlac sé an cinneadh le 29 CDPs a dhúnadh ar fud an Stáit.* The Government needs to indicate whether it intends to reverse the worst decisions of the previous Government, such as the closure in 2010 of 29 community development projects across the State, a decision made by the previous Government that was nothing short of a politically motivated attack on some of the most deprived communities in the State.

At a time of social and economic crisis we need a strong and adequately resourced community and voluntary sector. Failure to invest in this sector today will cost much more in the long term. I urge the Government to give serious consideration to this motion and to work with the Opposition to develop a strong and vibrant community and voluntary sector. I urge the Government to take a step back when the troika is in town and think about the type of Ireland it wants when we send them home. Do we want an Ireland where the community and voluntary sector is decimated, an Ireland in which we have handed away our rights, natural resources and language? We might get our monetary and fiscal powers back but we may have given up everything that was good about Ireland.

Deputy Sandra McLellan: I welcome the opportunity to speak on this motion. I will address the issue of funding and support for local community arts projects. Given the current economic climate and the daily reality of stress and anxiety in hundreds of thousands of homes across this state, the role of such schemes is immense in real terms. The arts have many benefits for individuals and society. They provide us with inspiring ideas and new meanings. They symbolise aspects of the world and can express meanings for communities and groups through, for example, pictures or plays about important events. Through the arts, children can develop a range of skills, self-confidence and ways to work better with others. Arts events bring people together.

Policy makers, arts practitioners and researchers have suggested that participation in arts activity can result in a broad range of positive effects. These range from increased self-confidence to increased educational attainment, from social cohesion to reduced offending behaviour. The claimed positive effects of arts participation have been categorised and labelled in many different ways but include, among others, developing self-confidence and self-esteem, increasing creativity and thinking skills, improving skills in planning and organising activities, improving communication of ideas and information, raising or enhancing educational attainment, increasing appreciation of arts, creating social capital, strengthening communities, developing community identity, decreasing social isolation, improving understanding of different cultures, enhancing social cohesion, promoting interest in the local environment, activating social change, raising public awareness of an issue, enhancing mental and physical health and well-being, contributing to urban regeneration, reducing offending behaviour, alleviating the impact of poverty and increasing the employability of individuals.

Some of the claimed benefits derived from the arts, such as self-esteem, are primarily personal or individual benefits while others, such as developing community identity, occur at a

community level. It has been suggested that those participating in arts programmes may accrue some benefits directly as a result of their participation. However, there are also less direct and more complex processes that are dependent on achieving intermediary outcomes. For example, people learn new skills and feel more confident as the result of participating in community arts activity, and this, in turn, may increase their employability.

Many of the benefits are interlinked, overlapping or even interdependent. For example, social capital is a term closely related to social cohesion and well-being. Definitions of social capital often refer to the existence of, and participation in, organised networks or groups and less tangible items such as social trust, civic co-operation, local democracy and group solidarity. Increased self-confidence is frequently suggested as an outcome of arts participation. It has also been suggested that participants develop creative as well as non-creative skills, such as communication or organisational skills. Attainment of these sorts of outcomes by individuals may represent progress towards harder social inclusion outcomes such as employment or education and are pertinent to this inquiry.

We are reminded of some ground-breaking arts projects that have broken down barriers and been vehicles for understanding and absolute transformation, such as Féile an Phobail in Belfast, Music for the Mind in my home county of Cork, or RTE's popular "Music Changes Lives" programme, which documented how the simple act of learning to play a musical instrument changed the lives of a group of young children. This is not to mention the well-reported benefits to community development and urban regeneration. Research suggests arts programmes and projects were highly effective in producing community development outcomes, namely, development of community identity, decrease in social isolation, improvements in recreational options, development of local enterprise and improvement in facilities. Furthermore, the process of creating, strengthening communities or developing social capital frequently generates the desire for social change.

Local community arts schemes, like so many of the other projects mentioned, play an important, almost unquantifiable role in the lives of so many. In times of crisis the services they provide are in greater demand. They deserve recognition, appropriate support and encouragement. That the Government intends to continue its assault on them is a shocking reflection on its idea of what counts for a society.

Deputy Caoimhghín Ó Caoláin: This is one of the most comprehensive motions put before the Dáil in my experience of Private Members' time. It acknowledges the central role played by the community and voluntary sector in keeping our society together in a time of crisis. We have heard much in the current presidential campaign about the importance of the local community and the value of voluntary effort in helping our country to recover from the current recession. This focus on community and on voluntary effort is welcome but it must be more than rhetoric.

Those attempting to develop their communities and those volunteering to do so must be supported in their efforts by Government. Our motion points out the estimated monetary value of their work but the cost to the State and its agencies, if it had to replicate this work, is incalculable. The truth is that no State could replicate this effort, such is its scale. We are all aware of the massive efforts going on throughout our communities to improve quality of life for young and old alike. This deserves more than rhetorical recognition. It needs strategic economic support, which is the oil to help the engine of community effort to run. The fuel is free — that is the enthusiasm and what has been correctly identified as the patriotism of community volunteers across this country.

[Deputy Caoimhghín Ó Caoláin.]

While different figures are cited, it has been estimated that there are more than 6,000 voluntary and community organisations in Ireland employing almost 55,000 people. In the economic approach of this and the last Government, we see anti-people and anti-community policies. People on low incomes, people dependent on social welfare and those in low paid employment are being hit hardest by the austerity measures. Cruel cuts to social welfare affect children, especially those in low-income families. These are the families who benefit most from community development but this too is subject to cuts.

As a spokesperson for health and children, I will address the child care area. Child care is a vital for many of those who wish to take up employment where it is available or return to education and training but the community child care sector has also been subject to cuts. This was the subject of questions I put to the Minister for Children and Youth Affairs, Deputy Frances Fitzgerald, in the Dáil on 27 September. I raised the position of many child care workers in the community sector who are on low pay and who do not currently have the right to collective bargaining. I make a particular appeal to the Minister of State, Deputy Willie Penrose, for whom I have great respect, to take note of this. I have written to the Minister for Children and Youth Affairs on this matter. The right to collective bargaining is something that the Labour Party in government should pursue.

Deputy Aengus Ó Snodaigh: Hear, hear.

Deputy Caoimhghín Ó Caoláin: Community child care workers have seen their hours of work reduced while others have been or are being made redundant. Government funding to child care programmes was cut by a colossal 24% in 2010. This presents real challenges to the workers concerned and to those who depend on the community sector for their child care needs.

Obviously disadvantaged areas figure largely in this category but this is not exclusively within disadvantaged areas. SIPTU currently has an active campaign on this issue, seeking collective bargaining rights for child care workers in the community sector. I am appealing not only to the Minister for Children and Youth Affairs, which I have already done, and to the Minister of State himself, but to the Government to engage positively with SIPTU and with all concerned to help ensure decent pay and conditions for child care workers, the best possible continuing care for children and support for parents — support needed, all too sadly, today more than ever.

Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose): I move amendment No. 1:

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

- recognises that the community and voluntary sector plays a crucial role in supporting social, community, economic and cultural life throughout Ireland and is an important partner for the Government in delivering vital services;
- notes that in addition to its societal and cultural roles, the wider not-for-profit sector is also a significant industry in its own right, employing more than 100,000 people;
- notes that it is estimated that the sector has an annual turnover of €5.7 billion and generates €3.7 billion in wages and salaries per annum;

- acknowledges the responsibility of Government to protect the vulnerable and disadvantaged in our communities by maintaining its focus on front-line services, while working to keep the cost of delivering these services to a minimum. In this regard, the aim must be to provide simplified, easy-to-access, high quality services for those who require them;
- notes the Government's commitment to reviewing the delivery of services at local level and further aligning the functions of local development agencies with local authorities in order to improve service delivery from the point of view of the citizen;
- commends the commitment by the Government to reducing duplication of services, providing more efficient and effective local services, and ensuring greater democratic accountability in decision-making at a local level through, *inter alia*, the alignment of the local government and local development sectors in a way which builds on the strengths of both sectors;
- recognises that initiatives to improve services at a local level must be underpinned by a bottom-up community development approach, which will continue to ensure that communities, and the marginalised within those communities, are afforded the opportunity to influence and shape local decisions;
- notes that the fiscal difficulties facing the Exchequer, combined with an underdeveloped philanthropic and fund-raising capacity in Ireland, have had an impact on both public funding and private investment from business and individuals to the community and voluntary sector, at a time when the need for services is increasing;
- commends the Government for renewing the mandate of the Forum for Philanthropy and Fund-raising to support strategically the further development of both philanthropy and fund-raising capacity, with an interim report to be submitted to Government in October 2011;
- recognises that to attract greater funding from philanthropy and corporate investment, it is critical that there is an appropriate infrastructure to facilitate philanthropy and investment in this country, and appropriate regulation of the non-profit sector that promotes effectiveness, accountability and transparency;
- recognises that the community and voluntary sector can play an important role in the social and economic recovery of Ireland as a provider of valuable social services but also as a contributor to job creation and economic growth;
- is conscious of the meaningful role the community employment scheme and similar initiatives play in supporting services for communities and their contribution to providing work placements and meeting the needs of people affected by long-term unemployment and those most distant from the labour market;
- believes that opportunities exist to streamline the operation of these interventions with a view to meeting the commitments contained in the programme for Government for extending their reach and improving their effectiveness; and
- notes that the St. Andrews Agreement commits the Northern Ireland Executive to supporting the establishment of an independent North-South consultative forum appointed by the two Administrations and representative of civil society and encourages the Government to continue its efforts towards the establishment of the forum.

[Deputy Willie Penrose.]

We are fortunate in this country to have a vibrant and diverse community and voluntary sector. There are more than 14,000 charities and not-for-profit organisations which contribute to Irish society in a myriad of ways by providing essential services in areas such as social care, child care, care of the elderly, health services, education, the environment, sport and culture.

While we are all aware of what these organisations bring to our quality of life, perhaps we do not fully recognise the value of the not-for-profit sector in the economic well-being of our country. The wider not-for-profit sector in Ireland employs more than 100,000 people, which is almost equivalent to the number employed in agriculture. It is estimated that the sector has an annual turnover of €5.7 billion and generates €3.7 billion in wages and salaries per annum. Moreover, funding channelled into the sector goes straight to work in every city, town and parish across the country, boosting local employment and the local economy. These figures do not include the tens of thousands of unpaid volunteers who make an enormous difference on a daily basis in every parish in the country, from serving on school boards to coaching football teams. For example, the Tidy Towns awards ceremony earlier this year paid tribute to what has become one of the most important environmental initiatives in this country, driven by an army of volunteers working in 821 cities, towns and villages across the country in co-operation with local authorities as well as local business and tourism efforts.

The reconfiguration of ministerial portfolios earlier this year means that responsibility for local government and community-related functions is now vested in one Department, the Department of the Environment, Community and Local Government. The bringing together of these functions provides the means to effect a comprehensive and joined-up reform of local government and local development as outlined in the programme for Government. It provides us with an opportunity to implement a more co-ordinated approach to the reform of these sectors than would otherwise be the case. The Department of the Environment, Community and Local Government has already begun to work on the task of achieving greater alignment between local government and local development functions and programmes. Alongside this, work is under way on implementing the recommendations of the local government efficiency review group. This is an important process and, as it is being implemented in parallel with our focus on alignment between local government and community development, it will help to provide a solid foundation for the successful alignment of functions and programmes. It is also important at this early stage in the approach to alignment of functions that Ministers and officials at the Department have the opportunity to consult with key stakeholders in order to share our view on what we are aiming to achieve and to obtain input from all those involved in the areas of local and community development.

The programme for Government has committed to reviewing the delivery of services at local level to improve service delivery for the citizen. At a basic level, this is a commitment by Government to deliver services in an integrated and joined-up way that meets the needs of citizens. It is a commitment to create and sustain vibrant rural and urban communities in a way that involves those communities in the decision-making process, fosters progressive change and provides people with the means to shape their own futures. This involves sharing and devolving responsibilities down to a much lower level, and will allow communities to have a meaningful say in shaping their future rather than being passive recipients of decisions from on high.

Essentially, we must improve service delivery and do so at a significantly reduced cost to the public purse. The economic and social challenges we face are unprecedented and the pressure and demands on the public finances are ones we must face. We must ensure that scarce resources are invested wisely and fairly. We must not lose sight of the fact, however, that we have a responsibility to protect the vulnerable and disadvantaged in our communities. The

Government is conscious of the critical importance of maintaining the emphasis on front-line services while working to contain and reduce the cost of delivering these services. In this regard, the aim must be to provide simplified, easy-to-access, high quality services for those who require them.

The closer alignment of local government and local development that my Department is pursuing is aimed at reducing duplication of services, ensuring greater democratic accountability in decision making at a local level and delivering more efficient and effective services for the citizen. While it is too early to predict the shape of the outcome, the steering group has been asked to pursue its work within a short timescale.

The bottom-up approach is an integral feature of local and community development and must be retained. We must ensure our communities, and the marginalised within those communities, are afforded the opportunity to influence and shape local decisions. The Government is also of the opinion that a partnership model is a vital element in delivering effective local and community development programmes. This model facilitates a multi-agency effort and fosters a multi-dimensional approach to the delivery of services to communities.

Those who wish to continue to volunteer on behalf of their communities will be encouraged under the local and community development programme, LCDP, without the bureaucratic burden of ensuring compliance with company law. The LCDP is delivered using such a partnership-based or bottom-up approach. Local development companies have been chosen by the Department as the main LCDP delivery agents. Representatives from a range of voluntary, statutory and community sectors, along with social partners, constitute the boards of directors, who work collaboratively to effect change locally. This integrated delivery of social inclusion responses will allow the LCDP to harness local skills and resources to empower individuals and groups in supporting progressive change. There has already been a significant reduction in the number of local development bodies operating in the sector, resulting in a more coherent and streamlined targeting of resources at local level. These achievements are not inconsiderable and provide a strong foundation to meet the challenges ahead.

The Department also saw a need to reduce or remove the responsibility for company law compliance from the board members of community development projects, allowing them more time to do what they do best — to use their local knowledge, energy and commitment to improve service delivery on the ground. We will make sure the aligned structures resulting from the process now in hand recognise the strengths and experiences of both the local government and local development systems. We want to be sure the best elements of both are accommodated in any new structures.

Responsibility for community employment and a number of similar initiatives transferred earlier this year to the Department of Social Protection. Over the coming months, the Minister for Social Protection, Deputy Burton, hopes to be in a position to look afresh at a number of aspects of the operation of these initiatives, which were referred to in earlier speeches. Against the background of scarce resources, the Government will consider where the best outcomes at the best value can be achieved in providing opportunities for people who are out of work. Community employment cannot be excluded from any consideration of this nature.

It is important to emphasise to the House that the purpose of community employment is primarily the development of a skills base and improvement of the work-readiness of individuals so they can re-enter the workforce after periods of unemployment or other absences. Community employment is an active labour market programme designed to provide opportunities for people to engage in useful work and training within communities on a fixed-term basis with a view to progression to the labour market in the short term.

[Deputy Willie Penrose.]

The criteria for participating in community employment are based on a person's individual circumstances, including his or her age, the length of time he or she has been unemployed or absent from the labour market, and whether he or she is in receipt of qualifying social welfare payments. The programme also focuses on those with more limited access to jobs and training opportunities, including lone parents, persons with disabilities, stabilised substance abusers, ex-prisoners, Travellers, and long-term unemployed persons. Duration on the programme is limited to facilitate the progression of participants to the open labour market. This also allows for the movement of participants through the programme and opens opportunities for new participants to avail of the benefits offered. The number of places available was increased to 23,300 in 2010. The budgetary provision for 2011 will allow FÁS to continue the programme at the same level as 2010. In delivering these places, FÁS will continue to operate flexibly in the management of this allocation in order to maximise progression to the labour market, while at the same time facilitating the support of community services.

In summary, the Government will continue to support the positive role of FÁS employment schemes in meeting the needs of long-term unemployed persons. The Government is also conscious of the meaningful role community employment projects play in supporting services in communities the length and breadth of Ireland. While there are no immediate plans to alter the current criteria for participants in community employment or add to the number of places available, I understand the Minister will be taking stock of its operation with a view to making improvements if these are found to be necessary. The programme for Government contains a commitment to reform local government, including consideration of the possibility of moving functions that are currently being performed by agencies, such as community employment and enterprise supports, back to local government. Any future consideration will have regard to that commitment.

On 7 December 2010, the then Minister for Finance announced the introduction of a community work placement initiative for up to 5,000 people in his budget statement to Dáil Éireann. The initiative, known as Tús, was launched on 21 December 2010, and work on developing the necessary implementation structures has been under way since. Tús will provide short-term, quality work opportunities for those who are unemployed for more than a year, with work placements being offered by the not-for-profit, community and voluntary sectors. The initiative will be delivered locally by each local development company and by Údarás na Gaeltachta in Gaeltacht areas. Promotion of Tús to potential work placement providers has been under way for some weeks as part of a process of identifying suitable positions. Local development companies are recruiting supervisory staff which will provide for a phased roll-out over the coming months, with the full 5,000 placements being made available in 2012. The 2011 provision is €30 million, increasing to €100 million for a full year's operation.

The aims of the rural social scheme are to provide income support for farmers and fishermen who are currently in receipt of specified social welfare payments and to provide certain services of benefit to rural communities. The scheme allows low-income farmers and fishermen who are unable to earn an adequate living from their farm holding or fishing to earn a supplementary income. All of the work undertaken while participating on the scheme should be beneficial to the local community. Although responsibility for the scheme rests with the Department, it is managed at local level by the local development companies and Údarás na Gaeltachta in Gaeltacht areas. In 2010, some 2,600 participants and 130 supervisors were engaged in supporting 2,460 community projects at a cost of more than €46 million. The provision for 2011 is €46.14 million, which will be used to retain existing numbers employed while aiming to provide support to 2,500 community projects.

The objective of the community services programme is to support local community services in the delivery of good quality local services which address disadvantage while providing funding to employ people with limited work opportunities. An important aspect of the programme is its emphasis on the creation of employment opportunities for specific groups suffering social or economic disadvantage. As a general principle, 70% of workers in CSP-funded posts must be from the following target groups: people with disabilities, the long-term unemployed, Travellers, lone parents, and rehabilitated drug misusers.

The economic difficulties facing the country have undoubtedly impacted greatly on both public funding and private investment from business and individuals to the not-for-profit sector. This is occurring at a time when the need for services from the sector has increased dramatically. In addition, parts of the sector are hugely reliant on State funding, with not-for-profit organisations on average receiving 60% of their funding from the public purse. We have a shared responsibility to support the non-profit sector. Both philanthropy and fund-raising capacity are underdeveloped in this country and we lag behind other nations such as the United States and the United Kingdom in terms of a strategic approach to private investment in the non-profit sector. There is great scope to increase corporate giving in this country, an area in which we trail well behind our European counterparts.

It is against this background that the Minister for the Environment, Community and Local Government, Deputy Phil Hogan, reconvened the Forum on Philanthropy last June under the chairmanship of Mr. Frank Flannery. The Minister has asked the forum to bring forward proposals for a strategy to develop philanthropy and fund-raising in support of civil society. These proposals will be delivered by the end of this month. There is an urgent need for such a strategy, which offers a great opportunity to create new and innovative public private partnerships to address fundamental social and economic challenges and support arts and cultural initiatives.

To attract greater funding from philanthropy and corporate investment, it is critical to have in place an appropriate infrastructure to facilitate it, with efficient tax and legal frameworks that encourage giving, proactive and engaged intermediaries and wealth advisers and appropriate regulation of the non-profit sector which promotes effectiveness, accountability and transparency. The non-profit sector must adapt to the new economic realities we face and operate more efficiently and innovatively. It must also become better at targeting a more diverse range of supports, including partnerships within the corporate sector, to develop its potential. It is essential that the non-profit sector can tap into the many crossover benefits which can flow from a well-cultivated relationship with the business community.

The extent of the challenge to develop philanthropy and fund-raising capacity in this country is underlined by the statistics generated on behalf of the Forum on Philanthropy. For example, only 15% of donors in Ireland give in a regular, planned fashion compared with 36% in the United Kingdom. This is an important statistic because planned donations are on average five times larger than spontaneous donations. In terms of percentage of income donated, Ireland ranks well below the United States and many of its European peers, including Sweden, Switzerland and the United Kingdom, where despite a similar government philosophy, people are donating more than 1% of their disposable income compared with the Irish figure of 0.8%. The United Kingdom figure is 1.2%. In Ireland the 400 top earners account for some 10% of tax-deducted charitable giving. In comparison, in Germany, the United Kingdom and the United States, the top income earners account for more than 30% of private donations.

There are only some 30 active grant-making foundations in Ireland compared with more than 8,000 in the United Kingdom. With 0.7 charitable foundations per 100,000 inhabitants, the number of Irish foundations lags far behind the European average of approximately 20. If Ireland were to match the average European figure, we would have 857 grant-making found-

[Deputy Willie Penrose.]

ations. Corporate giving in Ireland is also very low. Only 1.4%, or some €25 million, of Irish NGOs' income in 2005 stemmed from corporate donations, or less than 0.1% of pre-tax profits of the top 500 Irish companies. By comparison, all listed corporations in the United Kingdom donate on average 1.2% of their pre-tax profits, reaching as much as 7% for Sainsbury's. In other words, these British corporations donate 12 times the Irish contribution.

Of the professional advisers surveyed, 80% stated that their clients do not understand the concept of strategic planned philanthropy. Some 50% of advisers have never had a discussion with their client about philanthropy and another 18% do not feel comfortable with the subject and only discuss it if the client raises it. Even though Ireland is gripped by recession, there is significant potential to increase the amount of money raised. For example, between 2009 and 2010 the total sum raised by charities increased by 23%, or 6% if one excludes the most effective fund-raisers, namely, the overseas development charities.

I will now deal with the section of the motion dealing with the North-South consultative forum. The Good Friday Agreement provided for the establishment of a consultative forum, appointed by the two Administrations, representative of civil society and comprising the social partners and other members with expertise in social, cultural, economic and other issues. The Government fully subscribes to the importance of the implementation of this and all other provisions of the Agreement. However, this is an issue which requires in the first instance a firm commitment from the Northern Ireland Executive to proceed. Accordingly, the Government has proposed a rewording of the paragraph in the motion, as follows:

[Dáil Éireann] notes that the St. Andrews Agreement commits the Northern Ireland Executive to support the establishment of an independent North-South consultative forum appointed by the two administrations and representative of civil society and encourages the Government to continue its efforts towards the establishment of the forum.

This more accurately captures the complex nature of the steps required to progress this important issue.

The establishment of the North-South consultative forum, provided for in both the Good Friday Agreement and the St. Andrews Agreement, has been discussed with the Northern Ireland Executive at all the plenary meetings of the North-South Ministerial Council since the re-establishment of the Executive in May 2007. The Government delegation is led at these meetings by the Taoiseach, while the Northern Ireland Executive delegation is led by the First Minister and Deputy First Minister. The plenary meeting in July 2007 noted the intention of the Northern Ireland Executive first to complete its review of the Civic Forum for Northern Ireland, a body provided for in the Good Friday Agreement for consulting civic society in Northern Ireland. That review is still outstanding.

During 2008, the Government consulted the social partners and various cross-Border and North-South groups on the establishment of the North-South consultative forum. Following on from this, we formally communicated our proposals to the Northern Ireland Executive on the role, format, membership and operation of the forum. A response is awaited from the Executive. On 15 October 2009, as a contribution to the process leading to the establishment of the forum, the Government facilitated a consultative conference in Farmleigh involving the social partners and other civil society groups from across the island. The conference was opened by the then Taoiseach. Participants from across the island came from all traditions, including representatives from business, the trade union movement, agriculture and the community and voluntary sector. A wide ranging discussion took place on the role of civil society and its capacity to contribute meaningfully to cross-Border co-operation. Participants strongly sup-

ported further such engagement to explore specific areas for co-operation, North and South, at the level of civil society.

Following on from the October 2009 event, and to contribute further to the process leading to the establishment of the consultative forum, a second consultative conference took place in Dublin on 26 May 2010. Two panels discussed the key themes of the conference — sport and young people, and the role that innovation can play in economic recovery, North and South. Participants strongly endorsed continuing engagement between representatives of civil society, North and South.

A third North-South consultative conference took place on 13 January 2011, also in Farmleigh. Participants were drawn from the social partners, business and the community and voluntary sector across the island. The event focused on the theme “co-operating through the crisis”, that is to say, how civil society groups can work together creatively, North and South, to tackle the challenges ahead, given the current difficult economic environment on the island. Keynote presentations were delivered by Professor John Fitzgerald, a research professor at the ESRI, and by Mr. Victor Hewitt, Director of the ERINI -Economic Research Institute of Northern Ireland. Topics arising included the need to address the social economy across the island as a source of potential growth which should be fostered and encouraged, including the provision of necessary capital. Structural unemployment, North and South, was also identified as a significant problem needing attention.

The establishment of the formal North-South Consultative Forum is reviewed at regular plenary meetings of the North South Ministerial Council, the next of which is scheduled for 18 November 2011. In its contacts with the Northern Ireland Executive, the Government will continue to press strongly to have the matter brought to an early conclusion.

In the course of the Sinn Féin motion there are references to ring-fencing funding for the community and voluntary sector and it would be disingenuous not to refer to it. It also focused on the dormant accounts fund.

Deputy Aengus Ó Snodaigh: And CAB moneys as well.

Deputy Willie Penrose: With regard to ring-fencing moneys from the dormant accounts fund, Members will appreciate that given its focus, as set down in the legislation, a significant proportion of the fund disbursed to date from the fund is already channelled through community and voluntary groups under existing arrangements. This is in addition to the other substantial supports provided by the Department to that sector annually through other programmes and schemes. The intention has always been to ensure there is a broad and balanced range of potential beneficiaries from dormant account disbursements. This should continue into the future rather than focus on any particular sector. In any event, given the reduced levels of funding available for disbursement from the dormant accounts fund, ring-fencing would not be feasible. In this context it should also be noted that in the light *inter alia* of the reduced levels of funding available legislation is now in train to dissolve the dormant accounts fund board and to make appropriate arrangements for the transfer of its functions to the Department of the Environment, Community and Local Government. I anticipated this and related matters in regard to future disbursements will be considered by the Government in the near future. It must be stressed that moneys disbursed from the fund increase Government debt levels as the money belongs to the account holder—

Deputy Éamon Ó Cuív: No.

Deputy Willie Penrose: —who can reclaim it at any time and not to the State.

Deputy Éamon Ó Cuív: Nonsense.

Deputy Willie Penrose: Consequently every euro spent from the fund is regarded in counting terms as potential Government liability. In the current fiscal climate our priority, therefore, must be to ensure that funding is targeted on a needs basis and spent efficiently and effectively. This is the Government's intention in the context of the dormant accounts disbursements and in the case of supports for the community and voluntary sector more generally.

This Government has made significant progress since taking office in working to improve the infrastructure for the community and voluntary sector. We are fully aware that these are unprecedented economic times and have set out to ensure that every euro we spend is spent wisely.

Each Department is examining its budget to ensure that the public gets good value for money, and with initiatives such as the alignment process my Department is working to ensure that while budgets may be more constrained, services will be maintained to the greatest possible extent.

Across Government as a whole, we are taking a number of difficult decisions, but our approach is to do this in as balanced a way as possible. As Members will appreciate ongoing funding for my Department's programmes is being considered in the context of the expenditure review process which is ongoing. No area is immune to cost reduction measures in the current economic environment.

The Government is acutely aware of the concerns of community and voluntary groups in this regard and that is why our primary concern has been and will continue to be the protection of front line services delivering vital programmes and initiatives, especially those focused on the needs of the most socially deprived communities.

The Government will continue to work with the community and voluntary sector with a view to its continued effective operation; this will involve reducing duplication of service where it exists and ensuring that all State funding to the sector is managed with optimum efficiency.

The current economic crisis has presented an opportunity to pursue social and community development in a more co-operative, creative and innovative manner across the country. We know that State resources will be tight over the next few years, and that we will need to draw more from the ingenuity and resourcefulness that exists within our own communities to get things done. By giving communities the opportunity to have a greater say at a local level, I believe that they will emerge stronger and more sustainable as we begin to recover from our current difficulties, and create new opportunities for the future.

Deputy Éamon Ó Cuív: Ba mhaith liom moladh a thabhairt do Shinn Féin as ucht an rún seo a ardú. Is fiú go mór na heagraíochtaí deonacha agus an earnáil dheonach a phlé.

From the time I left university until I got into politics I worked totally for voluntary organisations in the form of Conradh na Gaeilge, Comhdháil Náisiúnta na nGaeilge and subsequently for a Gaeltacht co-op which effectively was a community co-op that created employment and activity and social services in a very remote Gaeltacht area.

Voluntary organisations come in many shapes and sizes. All the sporting organisations do enormous good throughout society for people of all ages. There are also local organisations, community councils and specialist organisations, particularly in the health and social sector. There are also national organisations and locally based organisations even in the specialities. Some of those organisations are professionally driven and a huge part of this sector is voluntary in its nature. To say that one size fits all would be very wrong because it is a hugely diverse

sector. It is important that at all times we recognise that diversity and try to make the supports we give to the sector fit the sector as it needs to be on the ground.

I pay tribute to all in society who give of their time to voluntary work. I should say that as one who has always been involved in voluntary work there is a fantastic reward for participation in such work and being part of various organisations who work with the community. I encourage anybody in society who wants to have a more fulfilled life that there is no better way than to get involved in community organisations and the rewards in terms of friendships and satisfaction are huge. An enormous amount of time is put in by people into voluntary organisations. Without that great volunteerism our society would not work as it does. There is another way of doing it, that is to tax everyone at a higher rate and make all the voluntary work professional. Voluntary work cannot all be made professional while leaving the tax rates at the present levels because one cannot spend money unless it is taken in. One of the fundamental lessons we all need to learn is that in the longer term borrowing is only a short-term panacea, that the money spent by the State has to be taken in by the State and the only ultimate source of money is the people of the State. Therefore, anybody who calls for more services must tell us from where the money will come. I agree with the motion from Sinn Féin regarding continuous funding. One of the problems with the funding streams is that it comes in three year periods, where it takes one year to get into business, one year operating as normal and the final year one was uncertain whether one would get into the next round. We need longer funding cycles and that the funding of certain basic organisations was fundamental. In certain cases, there were organisations for every purpose rather than a sharing of facilities creating synergies in the provision of services.

The Government is looking for reform of the system, but the funded voluntary sector must recognise that they are required to reform themselves. This requires ongoing dialogue. I am not particularly happy and I never have been with the transfer of responsibilities to the Department of the Environment, Community and Local Government. This is what they do on the Continent, and the idea is that we should do the same and that money should transfer from the Department to the 32 local authorities who in turn allocate it to about 100 groups in their administrative area. That seems to be crazy thinking. My experience is that the Minister will spend the time chasing the 32 local authorities should one of the organisations it funds gets into trouble. The Department will not be able to get at the trouble because an intermediate body will be in the way. It is ironic that at time when we are transferring responsibilities to local authorities, we are amalgamating vocational educational committees, because there are too many of them. In my view, things worked better when operated directly through a Department. We are a small society comprising 4 million people, who like to go to their TD even about local authority matters. Did that ever happen to the Minister of State, Deputy Penrose? Of course it did, because in Ireland people like to go to the top man because he will fix it.

There was a move in the system to transfer responsibility to local authorities, but as this will add greatly to the bureaucracy, I ask the Minister to think again. In my view if responsibility for the voluntary sector and the partnerships is shifted to the local authorities we will wind up with a much higher bill. It will be driven by professionalism. The beauty of our voluntary sector is that there is a significant voluntary input but if it was under the local authority management people would ask why should they be out shaking the boxes when it up to the local authority to do it.

There is major potential with the community employment scheme, the rural social scheme and the community services programme. As the then Minister for Social Protection, I was in the middle of a major reform of these schemes when the Government collapsed. I was in the Department for a total of ten months. I had set up the rural social scheme, which allowed

[Deputy Éamon Ó Cuív.]

farmers to do their farm work once they worked on a scheme for 18 hours, for which they were paid. This was much better for the farmer and it was of great benefit to society. The work carried out under community employment schemes made a significant impact in the community. One theory was to train all the people to participate in competitive employment, but one snag is that there is insufficient competitive employment. If we are honest — I speak as a person who was an employer in a co-operative which had a competitive side, timber mill trading and so on and a community element, where people were on community employment schemes — some people on community employment schemes would never be able for one reason or another to hold down a competitive job. All they ask is to be left on a scheme, and we allowed them to do so, if they were a small farmer, subject to periodic means test. They get €20 more than the basic social welfare payment. I expanded the community services programme, which I believe could create much more than 5,000 jobs. There are a great many buildings that are not fully used, which could generate some income but would never be viable in a commercial sense. The purpose of the community services programme is to help people who are unemployed to earn the minimum wage plus by working in these centres. We had come to a point where we had to make a big jump. Every Department sees itself as separate and operates on that basis.

My philosophy was that if you cannot beat them, join them, in other words, the rural social scheme and the community services programme in the Department of Community, Rural and Gaeltacht Affairs and the community employment schemes in the Department of Enterprise, Trade and Employment. Would the Department of Social Protection transfer some of its resources required for the dole to other Departments so that people who were being forced to be inactive could be active for €20 a week? We decided that we would not be able to get the Department to hand over the money, but we could if we put them all into one Department, which the then Government did last year, in nine months; the process was completed on 1 January 2011. I transferred the schemes to the Department of Social Protection and had it operational. Now the big game is in the hands of the current Minister. There is a sum of €6 billion between social welfare, unemployment and scheme payments. It would be great to transfer €1 billion from the unemployment tranche and put it into the scheme payment and progressively transfer people as jobs are created in the community sector. There is a difference in the cost, and I will now explain how to cover the cost.

The Minister, Deputy Burton knows this but she has to take her courage in hand and do the big thing. We have it all teed up and ready for her to do it. People who are genuinely unemployed will be more than happy to take a place on a scheme, but those who might have a fairly good sideline going, will sign off. One would only need an attrition rate of between one in ten and one in 20. One does not require significant numbers to sign off to make my proposal self-financing. If one thinks of all of the services society needs, everything one could do in a parish, I know that in my parish we have a significant number on schemes but we could do with twice as many and have useful project for all who could take them up and none will be leaning on a shovel because there is so much good work to be done, whether opening up walkways, providing meals on wheels, care for the elderly, services for young people, after-school services, literally anything as far as one can imagine. If we were to do that, at very little cost we would bump up the voluntary and social services in our society and we would give those who are unemployed because they do not have a job at present but who will move on and those who will never get competitive employment an opportunity to make their contribution and enjoy the dignity of work. When the Minister of State, Deputy Penrose meets the people on the schemes, he will know I am telling the truth when I say they really value the place on the schemes and that it makes a significant difference.

I cannot agree with the Sinn Féin position on dormant accounts. They obviously have not studied the dormant account. The amount of money coming in is too small in the first place. Second it does not suit and was never meant to replace the mainframe funding. It was for extra projects, in social and economic disadvantage, educational disadvantage and disability. I suggested when in government that we rerun a scheme for capital projects, that was really effective and it ties in with what the Minister said about philanthropy, that ranged from providing respite care for people with mental or physical disabilities to aquatherapy and anything else which fell within the guidelines. We ensured half the money was provided by community collections or philanthropy. In many cases money was collected through box shaking and in a few cases by philanthropy. All the money could not come from the State. Some 50% of the money was provided from dormant accounts. With €30 million in dormant accounts one could provide €60 million in facilities. If the money dried up, it did not matter because it was already in the fund.

For about ten years, even though there were payments every year the money coming in always exceeded that being paid out. There is a reserve of 5% of total funding held against people who may claim money lodged 15 to 100 years ago. I suggested the Government amend the legislation to ensure those who wished to reclaim money had the first call on the reserve and the second call on any money taken in. In the 10 million to one likelihood the reserve was used up as inflows came in money would be repaid. The money spent would be written off and there would be no right to reclaim it. It is perfectly safe idea.

It is also fair to say that if people have not reclaimed money lodged 40 years ago or more in an account which became dormant the money is dead. There are many ways one could write off such money. The €400 million which is considered to be a liability on the State is extremely unlikely to be claimed and it would be important to get such money written off the books.

The previous Government was very keen to get the Irish civic forum going. The problem is not here. Sinn Féin is in the wrong Oireachtas. It should be in the Northern Ireland Executive. If it knows anybody who sits on it, it might have a word with him or her.

Deputy Aengus Ó Snodaigh: We have.

Deputy Éamon Ó Cuív: It is obviously not persuading him or her because there is a hold-up. The civic forum should be in place and Sinn Féin should persuade its ministerial colleagues to move on with the issue. Blaming the Government here for something that is held up by the Northern Ireland Executive——

Deputy Aengus Ó Snodaigh: There is no blame in the motion.

Deputy Éamon Ó Cuív: The hold-up is with the Executive in which Sinn Féin Ministers sit.

Deputy Maureen O'Sullivan: I wish to share time with Deputy Pringle.

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

Deputy Maureen O'Sullivan: We all recognise the community and voluntary sector plays an important role in supporting all aspects of life throughout Ireland. It delivers vital services the Government neglects to deliver on many occasions. Communities respond to particular needs because they would be waiting a long time for the various powers that be to respond to them. I am glad one to see aspect of the amendment, namely, that the Government recognises and values the bottom up community approach so that local communities have a meaningful say in decisions relating to them.

[Deputy Maureen O’Sullivan.]

I have difficulty with the word “voluntary” as it is used in this context. The word has been misused by a number of organisations which are far from voluntary. Executives are on extremely high salaries and have lucrative expense accounts. They are doing a disservice to the real volunteers throughout the country who give so freely of their time. It is ironic that €75 million of senior unsecured bonds is due to be paid by three financial institutions at the same time the sector is suffering more crushing cuts. It is picking up the pieces from the public service decisions on cuts which are made very far from communities. Public servants should go out to communities to see what is happening locally and not make decisions from offices.

The Minister, Deputy Fitzgerald, launched booklets this week for parents and young people involved in substance abuse. She mentioned one child in 11 is in a family with an alcohol or drug abuse problem. She said, “It is imperative that we support to children and families in Ireland to tackle the issue of problem drug and alcohol abuse”. My constituency is Dublin Central. I cannot discuss it without remembering the late Tony Gregory and the work he did in the 1980s and 1990s which led to the drug task forces, the community policing forum and the huge variety of community, youth and drug projects working on local solutions created by local people.

Community organisations have taken cuts of 18% to 20% and cannot take any more. I support the call for €3 million from the Criminal Assets Bureau, under the Proceeds of Crime Act, to be allocated to the community sector. It would be shortsighted to cut funding to the sector any further. It would cost a lot more in the long run.

Deputy Thomas Pringle: I fully support the motion. As has been said by others, the community and voluntary sector delivers services which, in many cases, the Government cannot or will not provide. Over the past number of years services have been handed over to the community sector by the Government which has abdicated its responsibility to provide such services.

During the course of the recession the community and voluntary sector has been penalised to a great extent through cutbacks. A couple of years ago the Department of Rural, Community and Gaeltacht Affairs was told to cut spending by 2% but cut community funding by over 20% to achieve it. It had a very negative impact on the community and voluntary sector.

The programme for Government committed to protecting the most vulnerable in everything the Government does but cuts disproportionately affect community and voluntary organisations and have an extremely negative impact on the quality of life of people dependent on the services. It is vitally important that the Government recognises the importance of the community and voluntary sector, strengthens it and makes it largely immune from the cutbacks that are taking place.

It is depressing to note the amendment tabled by the Government constantly refers to philanthropy which is expected to pick up the slack. It is not the case. Nothing will compensate for secure funding for the community and voluntary sector. I appeal to the Government to target funding and, as mentioned in the motion, decide to have multi-annual planning over three to five years. It should give the community and voluntary sector some sense of security in order that it can continue to provide services and in the long run savings will be achieved by the Government.

Debate adjourned.

The Dáil adjourned at 9 p.m. until 10.30 a.m. on Wednesday, 12 October 2011.

Written Answers.

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

Questions Nos. 1 to 16, inclusive, answered orally.

Questions Nos. 17 to 41, inclusive, resubmitted.

Questions Nos. 42 to 53, inclusive, answered orally.

Civil Service Staff

54. **Deputy Peadar Tóibín** asked the Minister for Public Expenditure and Reform if appointments at principal officer level and above have been opened to external competition; and if any appointments at this level and above have been made from outside traditional Civil Service structures. [28637/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): As part of the reform of the public service, the Government is committed to the introduction of new skills and talent across all Departments. In the Programme for Government we have said that appointments at Principal Officer level and above will be open to external competition.

Since the introduction of the moratorium on recruitment and promotion in March 2009 no general open recruitment campaigns have taken place for positions in the civil service. Some specialised recruitment has taken place where there is a clear and targeted identification of specific skills needs. For example, in late 2010 the Revenue Commissioners recruited by open competition Principal Officers and Assistant Principal Officers with relevant skills (taxation, IT and audit) and Solicitors. The competition resulted in a very significant proportion of appointments from the private sector. Of the 4 appointed to Principal Officer, all were from the private sector, of the 22 appointed to Assistant Principal Officer, 18 were from the private sector and of the 2 Solicitors appointed, one was from the private sector.

In relation to appointments above Principal Officer level, the Top Level Appointments Committee (TLAC) holds competitions for and advises Ministers/Government as appropriate on appointments to civil service posts at Secretary General, Deputy Secretary and Assistant Secretary and equivalent levels. Since early 2007 the policy has been that open competitions are held for Assistant Secretary and Deputy Secretary and equivalent posts and more recently this policy has been extended to Secretary General posts, with the exception of a limited number

[Deputy Brendan Howlin.]

of Secretary General posts which are filled by the Government without a TLAC competition. In 2010 and 2011 (to date) six appointments have been made from TLAC competitions from the private/ broader public sector.

In respect of future recruitment campaigns any decisions will be taken in the context of the business needs of the relevant organisation, the moratorium on recruitment and promotion and any redeployment arrangements agreed for the civil and public service.

Sale of State Assets

55. **Deputy Peadar Tóibín** asked the Minister for Public Expenditure and Reform the amount of money he is seeking to achieve through the sale of semi-State assets and/or the sale of so called minority stakes in State assets. [28641/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): Under the EU/IMF Programme of financial support for Ireland, the Government is committed to an ambitious programme of asset disposals, based on the Programme for Government and the report of the Review Group on State Assets and Liabilities. The Programme for Government includes a target of €2bn to be raised from the sale of non-strategic State assets. The Government has already decided that it is prepared to dispose of a minority stake in ESB. It has also agreed that it is prepared, in principle, to undertake further assets sales, but no decision has been taken in relation to any other State assets at this stage.

My Department and the Department of Communications, Energy and Natural Resources are jointly chairing an inter-departmental group which is considering the best approach to the sale of a minority stake in ESB, including energy policy, regulatory, legal, financial and economic considerations. This group will report back to Government by end-November with a recommendation. Targets for receipts from the ESB minority sale will be determined by the outcome of this process. These targets will take account of the need to strike a balance between achieving the highest return and maintaining appropriate policy goals, bearing in mind the likelihood that pre-determined transactional targets do not result in the optimum market response.

A second group, to be led by my Department, has also been established to consider possible candidates for further assets sales in order to inform any further decisions that the Government may wish to make on this matter.

Public Sector Pay

56. **Deputy Pearse Doherty** asked the Minister for Public Expenditure and Reform if he will consider capping all civil and public sector pay at €100,000; and if he will make a statement on the matter. [28633/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I refer to my reply to Question No. 20298/11 of 14 July 2011.

Sale of State Assets

57. **Deputy John Browne** asked the Minister for Public Expenditure and Reform his role in relation to the sale of shares in State companies; if he will outline all companies that have been examined in this process; the way the decision was made in respect of Coillte, Bord Gáis, EirGrid, ESB, and Bord na Móna; and if he will make a statement on the matter. [28504/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): Under the EU/IMF Programme of financial support for Ireland, the Government is committed to considering options for an ambitious programme of asset disposals, based on the Programme for Government and the report of the Review Group on State Assets and Liabilities, and to preparing a draft programme of asset disposals in this context to be discussed with the Troika in advance of taking final decisions on the programme to be pursued. The Government has already decided that it is prepared to dispose of a minority stake in ESB. It has also agreed that it is prepared, in principle, to undertake further assets sales, but no decision has been taken in relation to any other State assets at this stage.

My Department and the Department of Communications, Energy and Natural Resources are jointly chairing an inter-departmental group which is considering the best approach to the sale of a minority stake in ESB, including energy policy, regulatory, legal, financial and economic considerations. This group will report back to Government by end-November with a recommendation. A second group, to be led by my Department, has been established to consider possible candidates for further assets sales in order to inform any further decisions that the Government may wish to make on this matter.

Public Sector Staff

58. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform the extent to which applications for redeployment throughout the public service have been met to date with particular reference to addressing the need for extra staff in areas and Departments most affected by the economic situation; if any assessment has been done to identify the number of requests for redeployment or transfer within or between various branches of the service with emphasis on the extra workload in some sectors while at the same time meeting in so far as possible individual requests for transfers or exchanges within and between Departments; and if he will make a statement on the matter. [28501/11]

206. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform the extent to which the various Government Departments, local authorities and health service have experienced increased or reduced staffing levels through redeployment or otherwise in the past five years and to date in 2011; if the various sectors remain to be effective and cost effective in terms of meeting the new challenges; and if he will make a statement on the matter. [28859/11]

208. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform his plans to review or reform the structures affecting public or civil servants seeking transfers or relocation within or inter-Department with a view to achieving a more streamlined and seamless response; and if he will make a statement on the matter. [28861/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I propose to take Questions Nos. 58, 206 and 208 together.

Ensuring a more flexible and responsive public service is a key element of the Government's reform programme. Measures to increase staff mobility and to ensure that resources are allocated to priority areas in a timely and strategic manner will form part of the reform programme implementation plan, which is currently being developed in my Department. My Department will prepare the legislation necessary to remove legislative barriers to cross-sectoral redeployment and to address other issues that might arise on changing employer. Much of the data the Deputy is seeking is readily available on my Department's website, www.per.gov.ie, including employment numbers by sector and year. Again, in relation to the wider public service such data is published, as matter of course, by the various public bodies.

[Deputy Brendan Howlin.]

The deployment and management of staff are primarily a matter for the head of a Department or other body in the first instance, having regard to its employment control framework (ECF), policy and operational priorities and the budgets available. Changes in the services provided and their delivery, in the allocation of work and in the use of information technology are taking place on an ongoing basis within the public service, against a background of falling numbers. Significant redeployment of staff and reassignment of work has taken place in that context.

The Public Service Agreement 2010-14 (Croke Park Agreement) provides for agreed redeployment arrangements to apply in the Civil Service and in other parts of the public service, and for these arrangements to take precedence over other methods of filling vacancies. In general redeployment opportunities are to be sought in the first instance within each sector (e.g. health, education, local authority, etc.). Redeployment allows staff to be moved from activities which are of lesser priority, or which have been rationalised, reconfigured, or restructured, to areas of greater need. In practical terms these arrangements represent a means of facilitating the targeted reduction in public service numbers in the period to 2014 while sustaining the ongoing delivery of services. The progress made in implementing the provisions of the Croke Park Agreement, including examples of progress on redeploying public servants within and across sectors of the public service, are set out in the website of the Implementation Body at <http://implementationbody.gov.ie/progress-and-delivery/>.

The reorganisation of Ministerial responsibilities earlier this year involved several transfers of functions between Departments which resulted in exchanges of staff and resources, often at multiple locations. This process also included transfers and reassignment of staff to achieve the best organisational fit and, in some cases, redeployment to meet priority needs in other organisations in particular locations. There has also been a substantial redeployment of staff in the context of structural re-organisations or levies, both of which are specifically recognised in the Croke Park Agreement. For example, in recent years over 500 staff transferred, mainly under levies and trawls, to the Department of Social Protection and to the CSO for Census 2011. A further 2,000 or so HSE and FÁS staff are transferring to the Department of Social Protection with their functions.

The Public Appointments Service (PAS) has put in place a system of Resource Panels of Civil Service and State Agency staff to support the redeployment processes in those sectors agreed under the Croke Park Agreement. It is a matter for the employer to identify the number and grades of posts to be redeployed in the first instance and to upload the posts onto the PAS panels. Posts to be filled by redeployment are offered in the first instance to the relevant panel or panels. My Department is working on an ongoing basis with PAS and other stakeholders to improve the efficiency and effectiveness of the redeployment processes and of the panel system in particular.

Where staff are not available for redeployment in a particular location, the post, if approved for filling by my Department, may be offered to staff who had already indicated an interest in transferring there, whether directly to the Department concerned or through the Central Applications Facility (CAF). Since 2003, the CAF has also facilitated the wishes of substantial numbers of public servants to transfer to alternative locations under the Decentralisation Programme. However, the possibilities to facilitate requests for such transfers are now more limited due to ongoing reductions in public service numbers and the necessity for redeployment to take precedence. The Senior Public Service (SPS) provides mobility opportunities for Assistant Secretaries to move to posts at equivalent level within the civil service. As the SPS is extended to the wider public service, mobility will be extended on an incremental basis.

Pension Provisions

59. **Deputy Aengus Ó Snodaigh** asked the Minister for Public Expenditure and Reform if he will consider capping annual civil and public sector pension payments at €35,000; and if he will make a statement on the matter. [28634/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): My Department estimates that the average public service pension is around €20,000 and would not be affected by the cap proposed by the Deputy. Indeed, fewer than 1 in 100 public service pensioners has a public service pension in excess of €60,000.

As the Deputy may know, public service pensions have been reduced already, under provisions introduced by the Financial Emergency Measures in the Public Interest Act 2010. The public service pension reduction (PSPR), effective from 1 January 2011, is as shown in the Table below.

Annualised Public Service Pension amount (€)	Reduction
First 12,000	Exempt
Between 12,000 and 24,000	6%
Between 24,000 and 60,000	9%
Balance above 60,000	12%

I am advised that a cap on civil service pensions above €35,000 would save (ignoring the PSPR) in excess of €43 million in the civil service alone. However, as a public service pensioner in receipt of a pension in excess of €35,000 would be paying tax and the universal social charge, the Exchequer would receive only a proportion of these savings in net terms.

There are complex legal and constitutional issues surrounding any further change to vested property rights which would arise if the Government was to pursue a policy along the lines indicated by the Deputy. Such an interference, in the case of a potentially vulnerable class of citizens without other alternative income sources, such as pensioners, would need to be both proportionate and clearly in the public interest. The Financial Emergency Measures in the Public Interest Acts 2009 and 2010 cited, in recitals to the legislation, the particular circumstances which, in the public interest, necessitated the reductions brought in by those statutes.

Fiscal Policy

60. **Deputy Willie O’Dea** asked the Minister for Public Expenditure and Reform his views on the most recent Exchequer figures; the expectation that GDP will grow by 1.8% next year; the impact it will have on the projected public expenditure budget adjustment; and if he will make a statement on the matter. [28532/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I presume that the Deputy is referring to the Central Bank’s recent autumn quarterly bulletin, where the Bank marginally revised down its GDP growth forecast for 2012 to 1.8 per cent. This was not unexpected given the signs of slowing activity in our main trading partners in recent months and a worsening global outlook more generally. The most recent Exchequer figures covering the period to end-September were published on 4 October. Excluding the very significant impact of banking related expenditure, the Exchequer deficit in the period to end-September, is over €3 billion lower than it was in the same period last year. This shows that real progress is being made in returning our public finances to a more sustainable position. The Exchequer Primary

[Deputy Brendan Howlin.]

Balance target set for end-September as part of the Joint EU/IMF Programme of Financial Support was also met, which is to be welcomed.

Both my own Department and the Department of Finance are currently in the process of assessing what implications the latest budgetary and economic data might have for 2012 and beyond. Such assessment will, along with later data, inform Government in the context of its budgetary preparations over the coming months. The two Departments are in the process of putting together the Pre-Budget Outlook which will include macroeconomic forecasts for the period 2011-2015 and the most up to date developments will be taken into account in these forecasts. It is expected that the Pre-Budget Outlook will be published before the end of this month.

Public Sector Staff

61. **Deputy Catherine Murphy** asked the Minister for Public Expenditure and Reform the evaluation, if any, that has been made when reducing the public service wage bill on the new demands that might accrue such as longer pension payments, gratuities, welfare payments; when front line gaps result, staff replacement on either a permanent, temporary or contract basis; the expected net savings in the early retirement scheme; and if he will make a statement on the matter. [28147/11]

63. **Deputy Catherine Murphy** asked the Minister for Public Expenditure and Reform if risk assessments have or are being compiled in the various parts of the public and civil service prior to the current early retirement scheme; if so, if he will provide these to the various Oireachtas committees; and if he will make a statement on the matter. [28148/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I propose to take Questions Nos. 61 and 63 together.

My Department has estimated that the payback time for public servants availing of an early retirement scheme is in the region of 26 months. This represents a substantial ongoing saving to the Exchequer. The Government is committed to delivering better value in the public sector in order to reduce the deficit and protect frontline services. There is scope for re-deploying resources which managers must seek to use.

Over the last number of years, enhanced numbers monitoring systems and multi-annual employment frameworks have been put in place. These arrangements will be strengthened to ensure that effect is given to Government decisions on public service numbers and will aid public bodies in adjusting to future staffing levels without sacrificing services. Nevertheless, it is part of the day to day function of the Boards and Management of all public bodies to assess, budget and plan for current and ongoing staffing requirements within necessarily reduced resources.

With regard to existing early retirement schemes there is currently only one very limited early retirement scheme in operation in the public or civil service in the agricultural advisory authority Teagasc. Teagasc is seeking to reduce its staffing levels by 109 using a voluntary early retirement/voluntary redundancy scheme, or through external redeployment to other State agencies or parts of the civil service.

Pension Levy

62. **Deputy Richard Boyd Barrett** asked the Minister for Public Expenditure and Reform if he will amend the Financial Emergency Measures in the Public Interest Act 2009 to eliminate the situation in which privately employed workers, many of them extremely low paid, have had

the public sector pension levy imposed on them when they do not receive a public sector pension or any of the entitlements of public sector workers; and if he will make a statement on the matter. [27910/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): Only public servants pay the public service pension-related deduction. This is clearly provided for at section 2(1)(a) of the Financial Emergency Measures in the Public Interest Act 2009. Section 2 of the Act further requires that a public servant must meet a pensionability condition in order to be made subject to the pension-related deduction. This condition requires that the public servant is a member of a public service pension scheme, is entitled to a benefit under such a scheme or receives a payment in lieu of membership in such a scheme. An annual exemption threshold of €15,000 applies in relation to the pension-related deduction.

Question No. 63 answered with Question No. 61.

Question No. 64 answered with Question No. 52.

Comprehensive Review of Expenditure

65. **Deputy Denis Naughten** asked the Minister for Public Expenditure and Reform the number of suggestions received from members of the public to the comprehensive review of expenditure; and if he will make a statement on the matter. [28503/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): Members of the public were invited to submit suggestions to the Comprehensive Review of Expenditure through my Department's website. The period for suggestions to be put forward for consideration has now elapsed. In total there were in the order of 1,000 submissions made by way of e-mail and hard copy formats. All suggestions received as part of the Comprehensive Review of Expenditure have been forwarded to the relevant parent Department for appraisal and consideration in the context of preparing the Departmental expenditure report, as part of the overall pre-budget deliberations of the Government.

Question No. 66 answered with Question No. 48.

Question No. 67 answered with Question No. 53.

Pension Provisions

68. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform if he will enforce sections 6 and 7 of the Superannuation and Pensions Act 1963 and rescind special severance gratuity payments and added years awarded to existing senior civil servants such as Secretaries General and county managers on their retirement. [28630/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): Sections 6 and 7 of the Superannuation and Pensions Act 1963 provide for added years and severance for retiring civil servants in certain circumstances. They are discretionary and are only applied in the context of effecting efficiency and economy in the organisation. In the case of retiring Secretaries General, the enhanced retirement terms only apply where the individual has not been appointed to another post in the Civil or Public Service or in an international body.

A Secretary General is appointed for a fixed term which, as a result of the individual's age at the date of appointment, expires before age 65, and in many cases before age 60. In circumstances where an individual is obliged to retire at the end of his/her term and before age 65, a severance payment and enhanced retirement benefits may be granted, subject to certain con-

[Deputy Brendan Howlin.]

ditions, in recognition of the fact that the individual has foregone the right to continue in employment to age 65 and accrue further pension benefits. These terms are designed to encourage younger people to apply for such posts who might otherwise wish to continue working until age 65.

The terms which have been approved on the appointment of Secretaries General will be honoured by this Government. These terms provide for a reassignment of the officer or the granting of superannuation terms in line with 1987 Government decision. I am conducting a full review of the TLAC terms in the context of new appointees as Secretary General. I would add that I have just published the new Single Public Service Pension Scheme Bill. This will provide for pension calculation on the basis of career-average. No enhancement of superannuation benefits will be applicable in the case of Single Scheme members in the future.

The Superannuation and Pensions Act 1963 does not cover the superannuation position of County Managers, whose terms are dealt with in section 78 of the Local Government (Superannuation) (Consolidation) Amendment Scheme 1998, as amended by Section 23 of the Local Government (Superannuation) (Consolidation) Amendment Scheme 2007 and made pursuant to section 47 of the Local Government Act 1991. This legislation is the responsibility of the Minister for the Environment, Community and Local Government.

69. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform the measures contained within the Public Service Pensions (Single Scheme) and Remuneration Bill that will end the culture of excessively high pension pay outs to senior civil servants. [28631/11]

74. **Deputy Sandra McLellan** asked the Minister for Public Expenditure and Reform his views that the culture of excessively high pension pay outs to senior civil and public servants will be ended by the Public Service Pensions (Single Scheme) and Remuneration Bill. [28638/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I propose to take Questions Nos. 69 and 74 together.

The cost-saving features of the proposed Single Scheme which will be most effective in reducing the value of the pension packages of senior civil servants, by comparison with current arrangements, are the switch to a career-average calculation method, and the adoption of inflation-linkage for both in-service benefit indexation and subsequent post-retirement pension increases.

Many senior civil and public servants experience several promotions over the course of a full career, with final pay potentially being a high multiple of starting pay. It can be expected that the pension benefits of public servants with this kind of career profile will be considerably lower under the Single Scheme than under current arrangements: this prospective reduction in benefit value will be attributable in particular to the switch to career-average calculation of benefits.

Flood Relief

70. **Deputy Denis Naughten** asked the Minister for Public Expenditure and Reform the position regarding flood relief works on the River Suck; and if he will make a statement on the matter. [28502/11]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes): The River Suck forms part of the River Suck Joint Drainage District, and as such the responsibility for maintenance rests with the relevant local authorities, in this case Galway and

Roscommon County Councils. The maintenance of the drainage district is undertaken by the River Suck Joint Drainage District Committee, which comprises of 16 members elected by members of Galway and Roscommon County Councils. Annual funding is provided to the Committee by the Councils.

Under the Arterial Drainage Act, 1945, as amended, all local authorities are required to furnish to the Office of Public Works an annual report in respect of the conditions of the Drainage Districts within their care. The report for the year ended 31st December, 2010 submitted by the River Suck Joint Drainage District Committee shows that the Committee expended €203,000 on maintaining the district, which comprised the removal of silt and weed from the main river and tributaries, and the repair of sluice gates and bridges.

In addition to the maintenance works undertaken by the Committee, the Office of Public Works has provided significant funding to Roscommon and Galway County Councils under the Minor Flood Mitigation Works Scheme to undertake flood alleviation measures at a number of locations on the River Suck.

To date, Galway County Council has been allocated funding of almost €1.7m under the Scheme for flood alleviation measures in Ballinasloe Town and the surrounding areas. This allocation includes funding of €1.1m to undertake substantive works at Derrymullen/Ashfield which are now complete and funding of €163,000 for various works at East Bridge. Funding of €54,000 was also provided to undertake drainage works at Ballyglass, Ballymoe, which are also complete.

Roscommon County Council has been allocated almost €338,000 for a number of projects in the area. This allocation includes an amount of €270,000 for the construction of a weir and overflow channel at Athleague, together with the undertaking of channel maintenance, and an amount of €54,000 to increase pipe capacity at Valeview, Castlereagh.

The consideration of flooding matters in the River Suck catchment is also being addressed through the Shannon Catchment Flood Risk Assessment and Management Study which commenced earlier this year. The Deputy will be aware of the current position regarding this study from my reply of 4th October, 2011 to PQ 26920/11 which details the progress made to date.

Comprehensive Review of Expenditure

71. **Deputy Pearse Doherty** asked the Minister for Public Expenditure and Reform if he intends to publish in full the review of expenditure, as supplied by Departments before or after the budget. [28632/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): 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.

Sale of State Assets

72. **Deputy Martin Ferris** asked the Minister for Public Expenditure and Reform his rationale for selling off a stake in the ESB to private interests, a self-financing critical component of the State's strategic infrastructure that has paid €4.5 billion over the past ten years to the State in taxes and dividends, for a fraction of the latter figure. [28643/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): As the Deputy is aware, the State is currently dependent on financial assistance provided under an EU/IMF funding programme for its continued day-to-day operations. In this context, and given the current state of the public finances, it would be negligent not to examine all reasonable ways in the public interest to reduce expenditure and raise revenue, including through the sale of certain non-strategic State assets.

As part of the EU/IMF Programme, the Government is committed to considering options for an ambitious programme of asset disposals, based on the Programme for Government and the report of the Review Group on State Assets and Liabilities, and to preparing a draft programme of asset disposals in this context to be discussed with the Troika in advance of taking final decisions on the programme to be pursued. The Government has decided that it is prepared to dispose of a minority stake in ESB. The Government believes that by releasing value from this State asset, while still retaining ownership and control of the asset, it can free up resources that can be put to productive use in the economy and help reduce debt levels.

The Government intends to combine proceeds from State asset sales with existing NPRF resources, subject to the agreement of the external partners, to fund the NewERA programme. NewERA will work with line departments and the private sector to develop and implement proposals for commercial investment in line with Programme for Government commitments in energy, water and broadband. It will also examine other commercial investments and build upon existing work of the NPRF by developing a Strategic Investment Fund, to develop over time into a Strategic Investment Bank.

Public Expenditure

73. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform the extent to which public expenditure reduction targets identified in the context of the EU-IMF bailout have been achieved and are on target to date under the various headings identified, those which have exceeded expectations and those below target; the extent of capital and current expenditure involved; if it is possible to indicate the areas most likely to yield the most potential for contribution to economic recovery with least negative impact on growth; and if he will make a statement on the matter. [28500/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): Under the terms of the EU-IMF Programme of Financial Support, an overall current expenditure reduction of €2,090 million was targeted in 2011, with an additional €1,800 million from capital. This reduction was to be made up of social protection expenditure reductions, a reduction in public service employment numbers, a reduction on existing public service pensions on a progressive basis and other programme savings. These savings were introduced in *Budget 2011*, and underpin the *Revised Estimates for Public Services 2011*, approved by the Dáil in July of this year.

Overall current and capital expenditure to the end of September is running 2.2% or €749 million behind profile in net expenditure terms, with a breakdown as set out in the attached table which was published on 4 October. As regards the contribution to economic recovery, this is a key consideration for the Government in assessing the outcome of the Comprehensive Review of Expenditure and the Capital Review, and will have a major bearing upon the budgetary decisions to be made by the Government in the period up to the December budget.

End-September 2011 — Analysis of Net Voted Expenditure

Performance against profile at end-September

Ministerial Vote Group	End September Profile	End September Outturn	Variance	Variance
	€m	€m	€m	%
Agriculture, Fisheries & Food	887	723	-164	-18.5%
Current	678	566	-113	-16.6%
Capital	209	157	-52	-24.8%
Arts, Heritage and the Gaeltacht	185	182	-3	-1.5%
Current	155	153	-2	-1.1%
Capital	30	29	-1	-3.3%
Children and Youth Affairs	163	112	-50	-30.9%
Current	160	111	-49	-30.7%
Capital	3	2	-1	—
Communications, Energy & Natural Resources	160	141	-19	-11.8%
Current	74	66	-8	-10.8%
Capital	86	75	-11	-12.7%
Community, Equality & Gaeltacht Affairs	105	105	0	0.0%
Current	98	98	0	0.0%
Capital	7	7	0	0.0%
Defence	643	627	-16	-2.4%
Current	637	621	-16	-2.5%
Capital	5	6	0	5.0%
Education & Skills	6,183	6,115	-68	-1.1%
Current	5,861	5,791	-69	-1.2%
Capital	322	323	1	0.3%
Jobs, Enterprise & Innovation	533	489	-44	-8.3%
Current	226	219	-7	-3.2%
Capital	307	270	-37	-12.1%
Environment, Community & Local Government	963	863	-100	-10.3%
Current	442	427	-15	-3.4%
Capital	520	436	-85	-16.2%
Finance	257	246	-11	-4.2%
Current	256	244	-11	-4.4%
Capital	1	2	1	44.0%
Foreign Affairs and Trade	581	509	-72	-12.4%
Current	580	508	-72	-12.4%
Capital	2	2	0	-7.4%
Health****	9,916	9,889	-27	-0.3%
Current	9,640	9,657	17	0.2%
Capital	276	232	-44	-16.0%
Justice & Equality	1,568	1,609	41	2.6%
Current	1,514	1,566	52	3.4%
Capital	55	43	-11	-20.3%

[Deputy Brendan Howlin.]

Ministerial Vote Group	End September Profile	End September Outturn	Variance	Variance
Social Protection	10,228	10,110	-118	-1.2%
Current	10,222	10,107	-115	-1.1%
Capital	6	4	-2	-39.1%
Public Expenditure and Reform	586	563	-23	-3.9%
Current	509	490	-19	-3.8%
Capital	77	73	-4	-5.1%
Taoiseach's	147	128	-19	-13.0%
Current	147	128	-19	-13.0%
Capital	0	0	0	0.0%
Transport, Tourism and Sport	1,028	1,001	-27	-2.6%
Current	477	481	4	0.9%
Capital	551	520	-31	-5.6%
Less Departmental Balances	30	59	29	
Total Net Cumulative Voted Spending	34,101	33,353	-749	-2.2%
Current	31,644	31,173	-471	-1.5%
Capital	2,458	2,180	-278	-11.3%

Question No. 74 answered with Question No. 69.

Job Losses

75. **Deputy Pádraig Mac Lochlainn** asked the Minister for Public Expenditure and Reform the number of jobs that have been lost here due to cuts in public services and the reduction in capital expenditure in 2011. [28884/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): As set out in the Programme for Government and consistent with EU-IMF Programme the Government is committed to reducing public expenditure and tackling the budgetary deficit while seeking to protect frontline services. As part of this the Government is committed to reducing the overall size of the public service. Data on staffing number reductions is available on my Department's website.

It is a matter for local management to reorganise work, change methods of service delivery or redeploy staff to the most critical areas in order to ensure services are maintained in keeping with Government policy. The Public Service Agreement (Croke Park) is an important enabler of the Government's ambitious reform programme in this regard. The capital allocation for 2011 is €4.69 billion. This represents a reduction of €1.57 billion from the 2010 provisional outturn of expenditure of €6.26 billion. This lower figure reflects price reductions as much as volume effects. The exact impact of this on employment is difficult to assess.

Consultancy Contracts

76. **Deputy Robert Troy** asked the Taoiseach the number of external consultants who have been engaged by all Government Departments since March 2011; the cost of same; and the consultants used. [28149/11]

80. **Deputy Eoghan Murphy** asked the Taoiseach the amount that he intends to spend on consultancy fees in 2011, in particular those contracted to identify value for money in Government Departments. [28419/11]

The Taoiseach: I propose to take Questions Nos. 76 and 80 together.

Since March 2011 my Department engaged QTS Limited, to carry out an annual risk assessment and update the Department's 2011 Health & Safety Statement at a cost of €1,271. Procedures are in place in my Department for ensuring the expenditure undertaken on consultancy is necessary and that relevant guidelines are being followed.

Ministerial Travel

77. **Deputy Gerry Adams** asked the Taoiseach the occasions on which he cleared the use of the Government jet for use by Government Ministers for travel. [28150/11]

The Taoiseach: I have approved use of the Ministerial Air Transport Service on 24 occasions since 9 March. For the Deputy's information, in 2010, the Ministerial Air Transport Service was used on 93 occasions, on 126 occasions in 2009 and on 195 occasions in 2008.

Departmental Bodies

78. **Deputy Willie O'Dea** asked the Taoiseach the details of any organisation under his Department which has informed him of staffing difficulties which may impinge upon its ability to effectively oversee the spending of public funds; and his views regarding same. [28377/11]

The Taoiseach: The National Economic and Social Development Office (NESDO) is the only body under the aegis of my Department. NESDO has not informed me of any staffing difficulties which may impinge upon its ability to effectively oversee the spending of public funds.

79. **Deputy Willie O'Dea** asked the Taoiseach if he will outline the organisations under his Department for which an employment control framework has been agreed; the current numbers they have in place; if they have been waiting more than one month to receive sanction to proceed to fill or retain any positions in spite of such positions falling below the agreed ECF ceiling. [28393/11]

The Taoiseach: The National Economic and Social Development Office (NESDO) is the only body under the aegis of my Department. An employment Control Framework is in place for NESDO and it currently employs 19.2 whole time equivalents. The questions of awaiting sanction to fill or retain positions do not arise.

Question No. 80 answered with Question No. 76.

EU Presidency

81. **Deputy Caoimhghín Ó Caoláin** asked the Tánaiste and Minister for Foreign Affairs and Trade the work undertaken by him in planning the Irish Presidency of the EU in 2013; and if he will make a statement on the matter. [28197/11]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): As stated in my response to PQ 21421 (and related PQs 24708/11, 24724/11 and 26099/11) which issued on 4 October 2011, I retain overall Ministerial responsibility for the co-ordination of EU affairs, including preparations for Ireland's Presidency of the EU in 2013.

[Deputy Eamon Gilmore.]

Following the transfer of the European Union Division at my Department to the Department of the Taoiseach, the Second Secretary General of the Department of the Taoiseach will be responsible for the management of an integrated EU co-ordination function and will report to both the Taoiseach and me as appropriate on our particular duties at European level, including for Presidency planning and management. This appointment, and the establishment of a unified EU Division at the Department of the Taoiseach, will result in more effective coordination and promote a greater strategic direction of Ireland's engagement with the EU in all Departments and across the Government, including in our preparation for, and management of, Ireland's Presidency in 2013.

Planning for Ireland's Presidency of the Council of the European Union in 2013 is coordinated by two interdepartmental groups; the first group leads on policy preparations (and is chaired by the Minister of State for European Affairs), while the second group is coordinating logistics planning. Ireland is a member of a Presidency 'Trio' that also includes Lithuania (which will succeed Ireland as Presidency in the second half of 2013) and Greece (which will take over the Presidency in January 2014). Last July I met the Lithuanian Prime Minister to discuss preparations for our Presidencies in 2013. I have also met with the Lithuanian Foreign Minister on two occasions in recent months. I also hope to meet my Greek counterpart shortly.

The Taoiseach met Herman van Rompuy, President of the European Council, at Government Buildings in June and their discussions included the forthcoming Irish Presidency. Similarly, during his visit to Ireland this summer the Taoiseach and I met Jerzy Buzek, President of the European Parliament, and the Irish Presidency was a significant topic in those meetings.

The Minister of State for European Affairs has met a number of her counterparts including the Greek European Affairs Minister, the Secretary General of the European Parliament and the Secretary General of the European Commission to discuss Ireland's Presidency and other issues. Officials have also held meetings with representatives of the EU institutions and with Trio partners. Contacts at all levels will become more frequent over the coming months as preparations for the Presidency intensify.

Overseas Development Aid

82. **Deputy Robert Dowds** asked the Tánaiste and Minister for Foreign Affairs and Trade the current funding for water, sanitation and hygiene as a percentage of total bilateral aid; if that percentage will be increased; and if he will make a statement on the matter. [28169/11]

Minister of State at the Department of Foreign Affairs and Trade (Deputy Jan O'Sullivan): Approximately 2.5 billion people, roughly one-third of global population, lack safe sanitation facilities and 885 million people lack access to improved sources of drinking water. While progress has been made, only twenty six out of fifty four African countries are on track to meet Millennium Development Goal 7 "to halve, by 2015, the proportion of people without sustainable access to basic drinking water and sanitation". The 2006 White Paper commits Ireland to "*support activities across the programme to increase access to water and sanitation*". Ireland, through the Government's Overseas Development Programme, Irish Aid, works with central and local Government in its priority Programme Countries, with civil society groups and with multilateral organisations to make progress on the achievement of MDG-7.

Ireland recognises that sustained and equitable access to safe drinking water and basic sanitation is not only a life saving intervention in humanitarian responses, but is also critical to address the complex and multi-dimensional nature of poverty and vulnerability, especially relating to child mortality, food security and gender equality. In its policy dialogues with partners,

Ireland continues to focus on increasing access to safe drinking water through various channels; national development plans, advocacy and governance reforms, humanitarian and recovery programme and climate change adaptation. Ireland also recognises the existence of human rights obligations relating to access to safe drinking water and sanitation and has supported initiatives at the UN Human Rights Council, including the Resolution on human rights and access to safe drinking water and sanitation, adopted at the 15th Session of the Human Rights Council in Geneva in September 2010 and co-sponsored by Ireland.

In 2010, Ireland allocated over €7 million to support water, sanitation and hygiene programmes. Additionally Ireland supports UN Agencies such as UNICEF which works across ninety countries to improve water supplies and sanitation facilities in schools and communities, and to promote safe hygiene practices.

Consular Services

83. **Deputy Finian McGrath** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will support an Irish citizen (details supplied) arbitrarily detained in Sri Lanka; and if he will make this a priority issue. [28267/11]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): As the Deputy will be aware from my previous replies in relation to the person mentioned by him my officials remain in close and direct contact with his wife and family. They liaise directly with her on any request for assistance and on any developments in his case. Our Ambassador and officers in our Embassy in New Delhi, which is accredited to Sri Lanka, have also been very active in pursuit of progress in this difficult case.

I am aware that a meeting between his wife, and other family members, and senior officials of my Department took place on 22 July 2011. At this meeting it was agreed that, if there was no outcome to a Fundamental Rights Hearing before the local Sri Lankan Courts due to take place on 30 August 2011 that I would write to the Sri Lankan Minister for External Affairs. At the hearing the case was postponed to 31 October 2011 and I have, accordingly written to the Sri Lankan Minister for External Affairs asking that the person mentioned by the Deputy either be charged or be released from custody as soon as possible. I can assure the Deputy that all possible consideration will continue to be given to this complex matter.

Departmental Bodies

84. **Deputy Willie O’Dea** asked the Tánaiste and Minister for Foreign Affairs and Trade the details of any organisation under his Department which has informed him of staffing difficulties which may impinge upon its ability to effectively oversee the spending of public funds; and his views regarding same. [28371/11]

85. **Deputy Willie O’Dea** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will outline the organisations under his Department for which an employment control framework has been agreed; the current numbers they have in place; if they have been waiting more than one month to receive sanction to proceed to fill or retain any positions in spite of such positions falling below the agreed ECF ceiling. [28387/11]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): I propose to take Questions Nos. 84 and 85 together.

The only organisation under my Department which deals directly with the spending of public funds is the International Fund for Ireland. That organisation has not reported any difficulties

[Deputy Eamon Gilmore.]

to me concerning its ability to oversee public funds. There are no organisations under my Department for which an Employment Control Framework has been agreed.

Public Petitions

86. **Deputy Michael McCarthy** asked the Tánaiste and Minister for Foreign Affairs and Trade the number of public petitions that have been submitted to him in the past four years, in tabular form; the nature of the petition campaign; the date on which the petition was submitted; the number of signatories on each petition; the action undertaken by him following consideration of the submission; and if he will make a statement on the matter. [28424/11]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): Petitions addressed to me or to my Department are received from time to time. There is no prescribed format for such a petition and they have no particular status. They may range in scale from a few dozen signatures to several thousand or more. They may come from particular interest groups, from concerned individuals and from Ireland or from overseas. Such petitions are generally related to topical foreign policy issues and they are treated as an input to policy-making. As such, they are directed to the relevant section in my Department dealing with the topic in question, where they are given consideration. There is no central registry of such petitions in my Department and it is not therefore possible to provide the statistical information requested by the Deputy.

Export Trade Council

87. **Deputy Gerry Adams** asked the Tánaiste and Minister for Foreign Affairs and Trade the persons who are members of the export trade council; the number of times same will meet; and the remit of the council. [28555/11]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): I chaired the first meeting of the Export Trade Council, on Thursday 29 September 2011. The Minister for Jobs, Enterprise and Innovation and the Minister for Transport, Tourism and Sport, as well as the Minister of State for Trade and Development also participated in the meeting. Other relevant Government Departments were represented at senior official level and the Chief Executive Officers of relevant State Agencies were also present.

In line with the commitment in the Programme for Government, the private sector is represented on the Council. Representatives of IBEC and the Irish Exporters Association as well as a number of individuals from private sector companies with a track record in the export sector participated in the first meeting. The full list of Council members is set out in the list for the Deputy's information. The participation of private sector participants in the Council is on a voluntary basis and is without remuneration. As a high-level body, the Council will convene up to three times annually. Under its Terms of Reference, a copy of which I attach for the Deputy's information, working groups may also be established to examine specific topics between plenary meetings if necessary. I intend to hold the second meeting of the Council early in 2012.

The Council will strengthen cooperation and coordination across all Government Departments and State Agencies involved in the promotion and development of trade and exports. The Council subsumed the existing Foreign Trade Council and will oversee the progressive implementation of the recommendations set out in *Trading and Investing in a Smart Economy* published last autumn.

Members of the Export Trade Council,

Chair- Eamon Gilmore T.D., Tánaiste and Minister for Foreign Affairs and Trade.

Richard Bruton T.D, Minister for Jobs Enterprise and Innovation

Leo Varadker T.D., Minister for Transport Tourism and Sport

Jan O’Sullivan T.D., Minister of State at the Department of Foreign Affairs and Trade

John Callinan — Department of the Taoiseach

Aidan O’Driscoll — Department of Agriculture, Food and Fisheries

Niall O Donnchú — Department of Arts, Heritage and the Gaeltacht

Alan Wall — Department of Education and Skills

Willie Funnell — Revenue

Aidan Cotter — Bord Bia

Eugene Downes — Culture Ireland

Frank Ryan — Enterprise Ireland

Martin Shanahan — Forfás

Barry O’ Leary — IDA — Ireland

Acting Director General — John Travers-Science Foundation Ireland

Niall Gibbons — Tourism Ireland

Representatives of the private sector who have agreed to participate in the work of the Council for the coming year are;

Ruth Andrews — Irish Tour Operators Association

Pat Beirne — Mergon International

Breda Maher — Cooleeney Cheese

Tom McCabe — Teva,

James McMahan — CG Power Systems

John Moloney — Glanbia

Tony Murphy — Daon

Pat O’Connor — Marine Harvest,

Pól Ó Moráin — Enterprise Lab

Mairead Sorenson — Butlers Chocolates

Greg Timmons — Takeda

John Hearne — Curam Software Ltd

John Whelan — IEA (Irish Exporters Association)

Danny McCoy — IBEC (Irish Business and Employers Confederation)

Terms of Reference for the Export Trade Council

In accordance with the commitment in the Agreed Programme for Government, the Tánaiste and Minister for Foreign Affairs and Trade, will chair the Export Trade Council to strengthen cooperation and coordination across all key Departments and State Agencies involved in promotion and development of trade and exports. The Council will oversee the progressive implementation of the recommendations set out in the Trading and Investing in a Smart Economy strategy and action plan and will subsume the role of the previous Foreign Trade Council.

In addition to the Tánaiste, the Minister for Jobs, Enterprise and Innovation, the Minister for Transport, Tourism and Sport, the Minister of State for Trade and Development and the Minister of State for Research and Innovation will participate in the Council. The following Departments and State Agencies will be represented on the Council, where indicated above at Ministerial level, or at least at Assistant Secretary General or Chief Executive Officer, as appropriate.

Department of Agriculture, Food and Fisheries

Department of Arts, Heritage and the Gaeltacht

Department of Education and Skills

Department of Jobs Enterprise and Innovation

Department of Foreign Affairs and Trade

Department of the Taoiseach

Department of Transport Tourism and Sport

Office of the Revenue Commissioners

Bord Bia

Culture Ireland

Enterprise Ireland

Forfás

IDA- Ireland

Science Foundation Ireland

Tourism Ireland

The Tánaiste will invite one representative each from IBEC and the Irish Exporters Association to participate in the Council and he will also invite up to twelve individual representatives from the private sector with appropriate experience to participate in the work of the Council on a yearly basis. The Council will meet not less than twice annually and will:

1. Oversee the implementation of the Strategy and Action Plan for Irish Trade, Tourism and Investment to 2015.
2. Provide guidance to the local market teams chaired by the Ambassador of Ireland in priority markets and including representatives of the relevant State Agencies.
3. Review the annual local market plans for these priority markets and reports on their implementation as well as technical progress reports on targets in relation to each priority market from Bord Bia, Enterprise Ireland, IDA- Ireland, Tourism Ireland.
4. Establish temporary working groups to examine specific topics between its plenary meetings if necessary.

The role of the Export Trade Council will be reviewed at end of its first year in operation as part of the review of the new arrangements for trade promotion put in place by the Government.

Foreign Relations

88. **Deputy Seán Kenny** asked the Tánaiste and Minister for Foreign Affairs and Trade his plans to strengthen relations with New Zealand, in particular trade and tourism links. [28721/11]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): Ireland and New Zealand have traditionally enjoyed close relations, with shared historic and heritage links. We have a very good working relationship across a range of international issues, including disarmament and non-proliferation. Ireland's interests in New Zealand are represented by the Embassy in Canberra, which is accredited to New Zealand, and by the Honorary Consul General who is based in Auckland. Both are very active in promoting Ireland's economic interests, in engaging with Irish interest groups and encouraging more New Zealanders to identify with their Irish heritage. My Department, through the Emigrant Support Programme, has co-funded a number of cultural projects in New Zealand, including the Auckland St Patrick's Day parade and the annual National Feis.

Tourism Ireland has a local representative in Auckland, working in tandem with their regional office in Sydney. Over 20,000 New Zealanders travel to Ireland every year. Tourism Ireland coordinates a number of promotional activities throughout the year, including online campaigns, joint promotions with airlines, and media engagement. The staging of the Rugby World Cup in New Zealand is also raising the profile of Ireland and every opportunity is being taken to translate our positive performance into increased visitor numbers.

[Deputy Eamon Gilmore.]

A very successful Working Holiday Agreement between Ireland and New Zealand is also in place. From 1 January to 30 September 2011 109 young New Zealanders have been granted Working Holiday Authorisations for Ireland and 2281 young Irish have been granted working holiday visas for New Zealand. In addition to the regional Manager who is based in Sydney, Enterprise Ireland has a representative on the ground in Auckland who works closely with the Honorary Consul General. There are approximately 28 Irish companies currently operating in New Zealand. New Zealand was Ireland's 48th largest merchandise trading partner in 2010.

IDA Ireland's Sydney office covers New Zealand. In 2010 a New Zealand company, Straker International, announced the creation of 25 jobs with the establishment of its European Headquarters and Customer Support Hub in Tralee. I am very aware of New Zealand's importance to Ireland as a bilateral partner, including in the trade and tourism sectors and contact is maintained at political level on a regular basis.

It was on this basis that my colleague, Minister Frances Fitzgerald, travelled to New Zealand in March 2011 to demonstrate the value which we place on the relationship and to express solidarity in the aftermath of the shocking earthquakes. My colleague, Minister of State Lucinda Creighton met the New Zealand Minister for Trade this year, in the margins of an OECD meeting. President McAleese visited New Zealand in 2007.

Disabled Drivers

89. **Deputy Barry Cowen** asked the Minister for Finance if he will review a decision made on a recent application for primary medical certificate in respect of a person (details supplied) in County Offaly. [28602/11]

Minister for Finance (Deputy Michael Noonan): The initial application for a Primary Medical Certificate under the Disabled Drivers and Disabled Passengers (Tax Concessions) Regulations 1994, is made to the Senior Medical Officer of the relevant local Health Service Executive administrative area. If the Primary Medical Certificate has been refused in this case, the named person may appeal the refusal to the Disabled Drivers Medical Board of Appeal, National Rehabilitation Hospital, Rochestown Avenue, Dun Laoghaire, Co. Dublin. I would point out that the Medical Board of Appeal is independent in the exercise of its functions.

Financial Services Regulation

90. **Deputy Seán Ó Fearghaíl** asked the Minister for Finance if he will review a matter (details supplied) regarding credit unions; and if he will make a statement on the matter. [29095/11]

113. **Deputy Michael Healy-Rae** asked the Minister for Finance his views on a matter (details supplied) regarding credit unions; and if he will make a statement on the matter. [28619/11]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 90 and 113 together.

The correspondence referred to in the Questions relate to lending restrictions imposed by the Registrar of Credit Unions and amendments to the Central Bank and Credit Institutions (Resolution) (No. 2) Bill 2011. The role of the Minister for Finance is to ensure that the legal framework for credit unions is appropriate for the effective operation and supervision of credit unions. The role of the Registrar of Credit Unions is to administer the system of regulation and supervision of credit unions provided for 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. This is an independent role. It would not be appro-

appropriate for the Minister for Finance to comment on whether the placing of lending restrictions is necessary on a case by case basis. Such action would represent interference in the work of the independent financial regulator.

I am aware that the Registrar of Credit Unions has imposed lending restrictions on a significant number of credit unions in recent months. The imposition of lending restrictions is the responsibility of the Registrar, who is the independent regulator for the sector. Within his independent regulatory discretion, the Registrar acts to support the prudential soundness of individual credit unions, to maintain sector stability and to protect the savings of credit union members. It is on this basis that the Registrar has put lending restrictions in place. Restrictions are imposed on a case-by-case basis and are reviewed regularly. The Registrar advises that no new policy is being implemented and that this is part of normal regulation and supervision of the sector.

The Registrar advises me that the restrictions are structured to allow credit unions to lend a higher number of small value loans to the broader membership, thereby reducing concentration risk. He also advises that initial analysis indicates that the credit unions which are restricted continue to have higher levels of arrears than those which are not and this remains a concern. The Registrar closely monitors and interacts with those credit unions where lending restrictions have been imposed.

Any restriction on a credit union is determined by the Registrar taking account of its financial data including the level of its lending, average loan size, its arrears trends and bad debt provision levels. Credit unions are able to continue to lend to members within their financial capacity to do so. If a credit union can demonstrate an improved financial position then such restrictions can be reviewed. The imposition of these restrictions is not considered lightly and the type of lending restrictions imposed takes account of the particular business profile and financial position of each credit union concerned. The type of lending restrictions can include maximum individual loan size and overall maximum monthly lending limits.

The correspondence also makes reference to recent amendments to the Credit Union Act 1997 which were brought forward at Committee Stage of the Central Bank and Credit Institutions (Resolution) (No. 2) Bill 2011. In the main, the purpose of these amendments is to enhance the Central Bank's existing powers to issue regulatory directions. I have asked my officials to consult with the Credit Union Advisory Committee, the Commission on Credit Unions, the Irish League of Credit Unions, the Credit Union Development Association and the Credit Union Managers' Association. On foot of these consultations, further amendments are proposed for Report Stage of the Bill which will take account of the concerns of credit unions without compromising the ability of the Central Bank to act on financial stability grounds.

Under the Credit Union Act 1997, the Registrar of Credit Unions, as part of the Central Bank, has an independent role in the regulation of credit unions and is required, from time to time, 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 are within the Registrar's independent statutory mandate and are a necessary part of an effective regulatory regime. While the work of the Commission on Credit Unions is ongoing, and its interim and final reports will inform Government policy, it should not prevent or delay regulatory action where it is needed in the meantime.

Tax Yield

91. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Finance the tax take in respect of

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alcohol excise duty for the years 2008, 2009 and 2010; and if he will make a statement on the matter. [28199/11]

Minister for Finance (Deputy Michael Noonan): I am informed by the Revenue Commissioners that the tax take in respect of alcohol products tax for the years 2008, 2009 and 2010 are as follows:

	Beer	Spirits	Wine	Cider	Total
	€m	€m	€m	€m	€m
2008	427.2	350.9	231.3	60.6	1,069.9
2009	404.3	264.1	242.5	57.1	968.0
2010	320.1	243.5	218.8	44.0	826.4

Tax Code

92. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Finance his views on the fact that the current excise duty for an off-licence makes no distinction between off-licences that have a small volume of sales and those that sell large quantities of alcohol such as supermarkets; his plans to introduce a graduated fee structure based on sales; and if he will make a statement on the matter. [28200/11]

Minister for Finance (Deputy Michael Noonan): Historically, flat rates of duty applied to the various licences for the sale of alcohol. That position was changed, however, by the Finance Act 1992, which introduced a new system of duty related to turnover for spirit retailers' on-licences (that is, pub licences). The duty for off-licences is still charged on a flat rate basis. The rates of duty for pub licences have not been increased since 1992, but the rates for off-licences have been increased during that period. Most recently, the Finance (No. 2) Act 2008 set the rate of duty for retailers' off-licences at €500.

Separate retailers' off-licences are required for the sale of the various types of alcohol products. A person wishing to sell the full range of products would require three licences (beer, wine and spirits), at an annual cost of €1,500. By comparison, a pub with a turnover of between €381,000 and €634,999 would be subject to an annual licence duty of €1,140. Licensing arrangements are being reviewed by the Department of Justice and Equality, with a view to modernising and streamlining them.

Liquor Licences

93. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Finance the number of off-licences issued and the total receipts to the Exchequer from the excise licence in this sector in the years 2006, 2007, 2008, 2009, and 2010; and if he will make a statement on the matter. [28201/11]

Minister for Finance (Deputy Michael Noonan): The Revenue Commissioners inform me that the number of off-licences issued and the total receipts to the Exchequer from excise licences in this sector in the years 2006, 2007, 2008, 2009, and 2010 are as follows:

	2006		2007		2008		2009		2010	
	No. Issued	Receipts	No. Issued	Receipts	No. Issued	Receipts	No. Issued	Receipts	No. Issued	Receipts
Off-Licences										
Spirit Retailer's	1,170	€295,750	1,342	€339,750	1,487	€426,900	1,770	€811,567	1,537	€770,250
Beer Retailer's	1,170	€295,750	1,431	€360,750	1,525	€438,450	1,779	€816,267	1,541	€772,250
Cider Retailer's	16	€4,000	15	€3,750	14	€3,950	15	€6,700	14	€7,000
Wine Retailer's	3,465	€691,250	3,691	€935,250	3,718	€1,066,050	3,705	€1,678,658	3,206	€1,608,350
Sweets Retailer's	—	—	9	€2,250	15	€3,750	—	—	—	—
Total	5,841	€1,486,750	6,488	€1,641,750	6,759	€1,939,100	7,269	€3,313,192	6,298	€3,157,850

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94. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Finance the number of pub licences issued and the total receipts to the Exchequer from the excise licence in this sector in each of the years 2006, 2007, 2008, 2009, and 2010; and if he will make a statement on the matter.
[28202/11]

Minister for Finance (Deputy Michael Noonan): The Revenue Commissioners inform me that the number of pub-licences issued and the total receipts to the Exchequer from excise licences in this sector in the years 2006, 2007, 2008, 2009, and 2010 are as follows:

	2006		2007		2008		2009		2010	
	No. Issued	Receipts	No. Issued	Receipts	No. Issued	Receipts	No. Issued	Receipts	No. Issued	Receipts
Publicans										
Full	9,541	€7,957,667	9,402	€7,863,980	8,857	€7,365,733	9,067	€8,221,743	8,393	€6,536,025
Six-Day	7	€2,260	7	€2,260	2	€500	13	€4,905	10	€4,155
Six-Day and Early-Closing	7	€2,005	9	€2,505	8	€5,810	2	€755	2	€755
Total	9,555	€7,961,932	9,418	€7,868,745	8,867	€7,372,043	9,082	€8,227,403	8,405	€6,540,935

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Tax Yield

95. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Finance the total receipts to the Exchequer from the sale of alcohol in the off-licence sector in the years 2006, 2007, 2008, 2009, and 2010; and if he will make a statement on the matter. [28203/11]

96. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Finance the total receipts to the Exchequer from the sale of alcohol in the pub licence sector in the years 2006, 2007, 2008, 2009, and 2010; and if he will make a statement on the matter. [28204/11]

97. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Finance the total volume of alcohol in litres in the off-licence sector in the years 2006, 2007, 2008, 2009, and 2010; and if he will make a statement on the matter. [28205/11]

98. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Finance the total volume of alcohol in litres in the pub licence sector in the years 2006, 2007, 2008, 2009, and 2010; and if he will make a statement on the matter. [28206/11]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 95 to 98, inclusive, together.

I assume the Deputy is referring to the excise receipts to the Exchequer, and the associated volumes, from excises on alcohol. I am advised by the Revenue Commissioners that as excise receipts on alcohol are not distinguished between alcohol subsequently sold in licensed pubs and sold in off-licences there is no statistical basis on which the figures requested by the Deputy can be compiled.

Tax Code

99. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Finance the number of products designated as low alcoholic beverages which qualify for the 50% rate of excise duty; the revenue forgone by the Exchequer as a result of the reduced excise rate; and if he will make a statement on the matter. [28207/11]

Minister for Finance (Deputy Michael Noonan): I am informed by the Revenue Commissioners that beer with an alcoholic strength by volume of more than 1.2 per cent and not more than 2.8 per cent is subject to a rate of Alcohol Products Tax which is 50 per cent of the rate that applies to beer with a strength by volume of more than 2.8 per cent. Cider or perry not exceeding 2.8 per cent alcohol by volume is subject to a rate of tax corresponding to 50 per cent of that which applies to such products with a strength of more than 2.8 per cent but not more than 6 per cent alcohol by volume. The amount of Alcohol Products Tax foregone as a result of the reduced rate that applies to these lower strength products was €46,600 in 2010.

Banks Recapitalisation

100. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Finance the reasons for the delay in the restructuring of the boards of the banks and the appointment of new board members following the public advertisements for expressions of interest last April; when he plans to make such appointments; and if he will make a statement on the matter. [28208/11]

Minister for Finance (Deputy Michael Noonan): I would not accept the Deputy's contention that there has been a delay in the restructuring of the boards of the covered institutions. I

announced on 31 March 2011 that the covered institutions were to draw up plans to restructure their respective boards. The present policy concerning directors at the covered institutions is that all directors, who presided over the failed lending practices in the period to September 2008, should be removed. In line with this approach, the respective AGMs of the institutions held over the summer months and the merger of some of the institutions have resulted in departures of certain directors and the reconfiguration of certain boards. Based on information supplied to my Department, 10 pre-crisis directors now remain in office pending the conclusion of certain necessary formalities.

The Central Bank of Ireland (CBI) has announced its intention to assess any incumbent directors who plan to remain in office post 1 January 2012 in relation to the new powers available to them in the Central Bank Reform Act 2010 which comes into practical effect on 1 December 2011. I am advised by the CBI that no decision on any individual case has been taken, nor will decisions be taken until after the 1 December 2011 date.

From the public advertisement process seeking expressions of interest for appointment or nomination to the boards of certain banks I now have available to me a panel of 30 suitably qualified people from which to select individuals with the right skillsets to ensure that the corporate governance culture of the institutions is substantially improved. Over the coming months I would intend to use this and other avenues to make new and fresh appointments to the boards of some of the covered institutions. Any such nominations will of course be subject to regulatory approval.

Financial Services Regulation

101. **Deputy Jack Wall** asked the Minister for Finance his views on a submission (details supplied); the action, if any, he proposes to take to overcome the problems as outlined in the submission; and if he will make a statement on the matter. [28229/11]

Minister for Finance (Deputy Michael Noonan): The submission supplied by the Deputy refers to concerns raised by a credit union in relation to the manner and extent of the actions of the Registrar of Credit Unions and, in particular, recent actions which are reported by the media to have intensified. While the submission does not directly mention lending restrictions, I expect that this is the recent activity to which the submission refers.

The role of the Minister for Finance is to ensure that the legal framework for credit unions is appropriate for the effective operation and supervision of credit unions. The role of the Registrar of Credit Unions is to administer the system of regulation and supervision of credit unions provided for 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. This is an independent role. It would not be appropriate for the Minister for Finance to comment on whether the placing of lending restrictions is necessary on a case by case basis. Such action would represent interference in the work of the independent financial regulator.

Within his independent regulatory discretion, the Registrar acts to support the prudential soundness of individual credit unions, to maintain sector stability and to protect the savings of credit union members. It is on this basis that the Registrar has put lending restrictions on a number of credit unions in recent months. Restrictions are imposed on a case-by-case basis and are reviewed regularly. The Registrar advises that no new policy is being implemented and that this is part of normal regulation and supervision of the sector.

Any restriction on a credit union is determined by the Registrar taking account of its financial data including the level of its lending, average loan size, its arrears trends and bad debt pro-

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vision levels. Credit unions are able to continue to lend to members within their financial capacity to do so. If a credit union can demonstrate an improved financial position then such restrictions can be reviewed.

The imposition of these restrictions is not considered lightly and the type of lending restrictions imposed takes account of the particular business profile and financial position of each credit union concerned. The type of lending restrictions can include maximum individual loan size and overall maximum monthly lending limits. The Registrar advises me that the restrictions are structured to allow credit unions to lend a higher number of small value loans to the broader membership, thereby reducing concentration risk. He also advises that initial analysis indicates that the credit unions which are restricted continue to have higher levels of arrears than those which are not and this remains a concern. The Registrar closely monitors and interacts with those credit unions where lending restrictions have been imposed.

Tax Code

102. **Deputy Kevin Humphreys** asked the Minister for Finance his plans to end the VAT subsidisation loophole in below cost selling of alcohol when the retailer chooses to sell the product below cost as a loss leader to drive footfall; and if he will make a statement on the matter. [28253/11]

105. **Deputy Kevin Humphreys** asked the Minister for Finance if he has considered and estimated the amount of VAT that may be lost to the State due to below cost selling of alcohol; if not, if he will consider asking for the amount to be calculated; if he will support a ban on below cost selling of alcohol to stop this VAT subsidisation loophole; and if he will make a statement on the matter. [28258/11]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 102 and 105 together.

VAT is a tax on the value added to a supply and the collection and recovery of VAT takes place at each stage of the chain of supply from manufacturing to retailer. Under EU and domestic VAT rules traders who are registered for VAT collect VAT on the goods and services that they sell. In turn such traders are entitled to recover the VAT they incur on their business inputs used in the purchase or production of goods or delivery of services. Consequently, if there is a decrease in value at any stage in the process the trader is entitled to a refund of the excess of VAT incurred over that collected.

As regards calculating the VAT impact of below cost sales, separate figures are not available for input VAT on goods that were subsequently sold at a discount because traders' VAT returns show only the total input VAT and the total output VAT for the period covered by the return. I would point out however, that the refund of VAT is part of the operation of the VAT system.

Tax Reliefs

103. **Deputy Michael McGrath** asked the Minister for Finance his plans to sign into law the tax relief for certain home energy insulation works as set out in the Finance Act 2011. [28255/11]

Minister for Finance (Deputy Michael Noonan): Section 13 of Finance Act 2011 provided for income tax relief at the standard rate for expenditure incurred by individuals on a range of works carried out to improve the energy efficiency of residential premises situated in the State.

The underpinning legislation for the scheme was subject to Commencement Order. However, that legislation, on review, was found to have flaws and would have required amendment before it could be implemented.

As part of the announcement in the recent Jobs Initiative, the Government undertook to provide further funding for the grants available under the Better Energy Homes scheme operated by the Sustainable Energy Authority of Ireland (SEAI). Because of these circumstances, I decided to review the requirement for a co-existing tax incentive for similar works and, following this review, I have decided not to proceed with the introduction of the tax relief scheme.

Tax Collection

104. **Deputy Kevin Humphreys** asked the Minister for Finance if VAT returns from persons and companies registered for VAT provide a breakdown of the amount arising from individual transactions on goods and services; the way the Revenue Commissioners ensure that the correct amount is paid; and if he will make a statement on the matter. [28256/11]

Minister for Finance (Deputy Michael Noonan): With regard to the breakdown of VAT returns, I am advised by the Revenue Commissioners that details of cumulative data rather than individual transactions are required to be entered on VAT returns. In the case of the VAT3 return, which is submitted bi-monthly, tri-annually or bi-annually depending on certain criteria, traders are required to enter the total VAT charged by them on sales/services and the total VAT charged to them on purchases/services for that period. The difference is the amount of VAT payable/repayable. In addition they enter details of the value of goods sent to and received from other EU countries. This approach minimizes the administrative burden and compliance costs for businesses.

VAT registered customers are also obliged to complete an annual Return of Trading Details (RTD). There are four categories on the Return of Trading Details —

1. value of supplies of goods & services;
2. value of acquisitions from EU countries, net of VAT & VAT free imported parcels;
3. value of stock for resale (purchases, intra-EU acquisitions & imports);
4. value of other deductible goods & services (purchases, intra-EU acquisitions & imports).

Under each of these categories, customers record a cumulative figure for each of the VAT rates (exempt, 0% exports and 0% home, 4.8%, 5.2% flat-rate addition, 9%, 13.5% and 21%).

As regards ensuring that the correct amount of VAT is paid, in accordance with Revenue's risk-based approach, cases are selected for intervention based on the presence of various risk indicators and other information available, with the aid of our computerised risk analysis system, REAP. The type of intervention to be undertaken is, in any particular case, the one considered to be the most appropriate to target the specific risk identified. In many cases this may lead to a single tax head, multi tax head or single-issue audit rather than a comprehensive audit. REAP includes the data from VAT3 and RTD returns. VAT3 data is included from 2007 to 2011. RTD data is included from 2007 to 2010. Various rules within REAP are designed to interpret this data, and to identify risks for further consideration by Revenue auditors.

Question No. 105 answered with Question No. 102.

Banks Recapitalisation

106. **Deputy Pearse Doherty** asked the Minister for Finance if he will provide details of information submitted by him to the European Commission on 16 January 2011 regarding the contemplated resolution of the businesses of Anglo Irish Bank and Irish Nationwide Building Society; and if he will make a statement on the matter. [28299/11]

Minister for Finance (Deputy Michael Noonan): The European Commission has cleared under EU state aid rules a joint plan for Anglo Irish Bank (Anglo) and Irish Nationwide Building Society (INBS) whereby they will be merged and resolved over a period of 10 years. The final plan was lodged with the EU Commission on 31 January 2011 in line with the timelines agreed with the IMF, ECB and EU for approval under state aid rules. Anglo Irish Bank and INBS together received a total of Eur34.7 billion in recapitalisations and both institutions furthermore benefitted from guarantees and the NAMA impaired asset measure.

As noted by the Commission, the joint plan fulfils the EU criteria on restructuring aid for banks as it: (i) provides for an orderly resolution of both institutions, (ii) contains appropriate measures to ensure that burden-sharing is achieved by their stakeholders and (iii) limited the distortion of competition through the complete exit of Anglo and INBS from the markets in which they operate (mostly Ireland, UK and US).

The plan sets out in detail how the two institutions' loan books will be resolved over the ten year period. To ensure that the assets are managed in a way consistent with the resolution of both institutions, several commitments have been put in place, such as that the merged Anglo and INBS entity cannot enter into new activities; make acquisitions or exceed a cap on new lending. The Commission stated on 29 June 2011 that it has therefore approved all aid measures granted to Anglo, INBS and to the merged entity as restructuring aid and closed its investigation into the restructuring of Anglo Irish Bank. The non-confidential version of the decision setting out the details of the plan is available to view on the DG Competition website.

Departmental Bodies

107. **Deputy Willie O'Dea** asked the Minister for Finance the details of any organisation under his Department which has informed him of staffing difficulties which may impinge upon its ability to effectively oversee the spending of public funds; and his views regarding same. [28370/11]

108. **Deputy Willie O'Dea** asked the Minister for Finance if he will outline the organisations under his Department for which an employment control framework has been agreed; the current numbers they have in place; if they have been waiting more than one month to receive sanction to proceed to fill or retain any positions in spite of such positions falling below the agreed ECF ceiling. [28386/11]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 107 and 108 together.

The following table outlines the ECF for 2011 and 2012 for my Department and organisations under the aegis of my Department.

Department/Office	2011 ECF	2012 ECF
Finance	282	280
Comptroller & Auditor General	152	153
Office of the Appeal Commissioner	4	4

Department/Office	2011 ECF	2012 ECF
Revenue Commissioners	5,944	5,913
Total	6,382	6,350

It is important in any reply to clarify that the ECF is not a target number of posts to be filled. It is simply a ceiling on serving numbers below which Departments and Offices must ensure total serving numbers remain. The Moratorium on recruitment and promotion effectively means that any exception i.e. filling of a post, will arise in “very limited circumstances only”, and will require the prior sanction of the Minister for Public Expenditure and Reform. I am not aware of any staffing difficulties which may impinge upon the organisation’s ability to effectively oversee the spending of public funds.

Tax Collection

109. **Deputy Bernard J. Durkan** asked the Minister for Finance if the Revenue Commissioners are prepared to enter negotiations with a person (details supplied) in County Kildare; and if he will make a statement on the matter. [28427/11]

Minister for Finance (Deputy Michael Noonan): This is a matter for the Revenue Commissioners. I am advised by Revenue that in July of this year following contact between them and the person concerned a satisfactory arrangement was concluded in regard to this matter and that this was communicated to the person concerned in writing by them, at the time.

110. **Deputy Bernard J. Durkan** asked the Minister for Finance if senior officials of the Revenue Commissioners are prepared to meet with a person (details supplied) in County Kildare; and if he will make a statement on the matter. [28428/11]

Minister for Finance (Deputy Michael Noonan): I have been advised by the Revenue Commissioners that, based on the contract entered into by the person concerned, tax was due by 31 October 2004. This tax was paid on 29 October 2004. The person concerned subsequently withdrew from the contract. The Revenue Commissioners received confirmation of this on 24 June 2009. The liability was recalculated at that time, in accordance with tax legislation, and a refund issued on 7 July 2009.

Revenue officials have examined this transaction in detail, and based on the facts disclosed, the capital gains tax liability has been calculated in accordance with tax legislation. There is no legislative basis for any further tax relief. A Revenue official from the Kildare Office previously met with the spouse of the person concerned in July 2009 and letters explaining in detail the position have been sent to her by the Kildare Office and by the Chairman of the Revenue Commissioners.

If it is considered that a further meeting to explain the position is needed this can be arranged by contacting Ms Geraldine Morrissey, Kildare Revenue District, Athy Business Campus, Castlecomer Road, Athy, Co. Kildare, telephone 059 8643253. However, the capital gains tax liability of the person concerned has been calculated in accordance with the relevant tax legislation and no further tax relief is available.

111. **Deputy Jim Daly** asked the Minister for Finance his views on waiving sheriff fees in the case of a person (details supplied) in County Cork that has been settled and that was only in arrears as the person was waiting on a VAT refund which was in excess of the amount owing to the Revenue Commissioners for PAYE tax; and if he will make a statement on the matter. [28470/11]

Minister for Finance (Deputy Michael Noonan): This is matter for the Revenue Commissioners. I am advised by Revenue that at the time the debt in question was sent to the sheriff for collection, the person concerned had been given full credit for VAT repayments due to him up to that time. He had failed to engage with Revenue on the payment of the balance of the debt due and therefore the debt was correctly referred to the sheriff for collection. Subsequently, he was given credit for repayments that arose after the referral of the debt to the sheriff.

Revenue is satisfied that the debt in question was correctly referred to the sheriff. The collection of fees where a debt has been correctly referred to the sheriff is a matter for the sheriff — sheriffs are officers of the court. In the circumstances of this case, Revenue has no role in the waiving of fees.

Tax Code

112. **Deputy Brendan Griffin** asked the Minister for Finance if vehicle registration tax applicable to safety equipment in new vehicles will be removed or reduced in an effort to encourage consumers to avail of optional extra safety equipment in new vehicles, such as side airbags, ABS and so on; and if he will make a statement on the matter. [28488/11]

Minister for Finance (Deputy Michael Noonan): Vehicle registration tax is charged on the Open Market Selling Price (OMSP) of a vehicle which for new vehicles is defined in Section 133 (2) of the Finance Act 1992 as

(2) (a) For a new vehicle on sale in the State which is supplied by a manufacturer or sole wholesale distributor, such manufacturer or distributor shall declare to the Commissioners in the prescribed manner the price, inclusive of all taxes and duties, which, in his opinion, a vehicle of that model and specification, including any enhancements or accessories fitted or attached thereto or supplied therewith by such manufacturer or distributor, might reasonably be expected to fetch on a first arm's length sale thereof in the open market in the State by retail.

There are no plans to reduce or remove the VRT from vehicles where part of the VRT is derived from optional extra safety equipment, such as side airbags, ABS etc. as part of the “enhancements or accessories fitted or attached” and as such are included in the VRT charge.

Question No. 113 answered with Question No. 90.

National Asset Management Agency

114. **Deputy Kevin Humphreys** asked the Minister for Finance if the principal sum due on loans taken out by a person or company was reduced by an amount either less than or up to the amount that was given in the haircut provided to the individual bank from which it originated when it was transferred to the National Asset Management Agency; if NAMA will seek the full amount of loans from the specific developer; and if he will make a statement on the matter. [28689/11]

Minister for Finance (Deputy Michael Noonan): NAMA has not reduced the principal on loans for borrowers. The Chairman of NAMA recently assured the Joint Committee on Finance, Public Expenditure and Reform that NAMA remains as focused as ever on pursuing each developer for the full amount owed.

He also explained that NAMA's minimum target is to recover what it has paid for the loans, plus any other moneys advanced as working capital or for development, plus interest on these

moneys. This does not mean, however, that NAMA will stop at that threshold. Under Section 10(2) of the National Asset Management Agency Act, NAMA is required to operate so that it obtains the best achievable financial return for the State and that means pursuing all debts to the greatest extent feasible.

It is important also to point out that the agency's targets are based on the existing state of the property market. Overall, NAMA's best estimate at present is that it will, at the very least, recover the consideration it has paid for loans, plus any additional funding it advances to preserve or enhance asset values. It aims to recover significantly more than that and the extent to which it can do so will depend largely on the performance of the Irish and UK economies over the next five to seven years. If the outlook for property improves as a result of economic growth, NAMA's expectations for the realised value of the portfolio as a whole and for individual debtors will increase.

Liquor Licences

115. **Deputy Seán Kenny** asked the Minister for Finance the number of pub licences granted for the years 2007, 2008, 2009, 2010 and to date in 2011; and the number of pub licences that were refused in each of the same years. [28733/11]

Minister for Finance (Deputy Michael Noonan): I am informed by the Revenue Commissioners that they are responsible for the administration of the issue or renewal of public house licences. The numbers of licences issued for each of the calendar years 2007, 2008, 2009, 2010 and 2011 to date are set out. Please note that the licensing year runs from the 1st October to the 30th September.

	2006	2007	2008	2009	2010	2011 to date
	No. Issued	No. Issued	No. Issued	No. Issued	No. Issued	No. Issued
Publicans:						
Full	9,541	9,402	8,857	9,067	8,393	5,578
Six-Day	7	7	2	13	10	6
Early-Closing	—	—	—	—	—	—
Six-Day and Early-Closing	7	9	8	2	2	2
Additional Duty — No. issued	—	—	—	—	—	—
Total	9,555	9,418	8,867	9,082	8,405	5,586

The Revenue Commissioners may only facilitate the issue of a licence when the appropriate certificate has been issued by a District Court and certain conditions, as set down in the legislation, are met. These include:

- Valid, Original Court Certificate (New Licensee)
- Valid Tax Clearance Certificate
- Short Certificate of Incorporation (if Licensee is a company)
- Certificate of Registration of Business Name

The Revenue Commissioners facilitate the issue of publican licences on the instruction of the Court Certificate and therefore the right of refusal to apply for a licence rests with the Court. Accordingly the Revenue Commissioners do not record the numbers of refusals in any particular period.

Tax Code

116. **Deputy Catherine Murphy** asked the Minister for Finance if his attention has been drawn to the fact that the average age of farmers here is high yet the agricultural colleges are fully subscribed; in view of the importance of this sector and the prospect of increasing both productivity and expertise, if he will lengthen the time for the payment of inheritance tax from one year to three years in cases in which farms transfer in these circumstances; and if he will make a statement on the matter. [28740/11]

Minister for Finance (Deputy Michael Noonan): I am aware of the importance of the farming sector and of making the sector more productive. To that end, tax legislation already contains a number of reliefs and allowances which reduce the tax burden on transfers of land from one generation to another. Capital Acquisitions Tax (CAT) includes gift and inheritance tax. There are group tax free thresholds for CAT which are based on the relationship between the person who provided the gift or inheritance (known as the disponer) and the person who received the gift or inheritance (the beneficiary) below which no CAT is payable. The current thresholds are:

Group A: €332,084 — applies where the beneficiary is a child (including adopted child, step-child and certain foster children) or minor child of a deceased child of the disponer. Parents also fall within this threshold where they take an inheritance of an absolute interest from a child.

Group B: €33,208 — applies where the beneficiary is a brother, sister, a nephew, a niece or lineal ancestor or lineal descendant of the disponer.

Group C: €16,604 — applies in all other cases.

Tax at the rate of 25% is payable once the relevant tax-free threshold is exceeded.

Qualifying farmers can avail of agricultural relief, which reduces the value of the agricultural holding by 90% for tax purposes. In order to qualify for agricultural relief, 80% of a farmer's assets, after having received the gift or inheritance, must consist of qualifying agricultural assets. If the beneficiary does not qualify for agricultural relief by virtue of the assets test, s/he may be able to claim business property relief, which reduces the value of business property by 90%. Nephews or nieces who have worked in a family farm or business can avail of the Group A threshold in certain circumstances. The combination of the Group A tax free threshold and agricultural or business property relief means that an individual could inherit or be gifted a farm up to €3.32 m in value without incurring a CAT liability.

As well as the generous reliefs and exemptions from CAT, there is an exemption from Stamp Duty on the purchase of agricultural land by young trained farmers who have the required agricultural qualification; and a farmer aged over 55, who has worked the land for the ten years leading up to its disposal, may be able to claim retirement relief from Capital Gains Tax (CGT), which would fully relieve any CGT liability on the transfer of those assets within the family. In light of the various exemptions and reliefs outlined above, I have no plans to extend the time period for payment of inheritance tax on agricultural assets as suggested by the Deputy.

Liquor Licences

117. **Deputy Seán Kyne** asked the Minister for Finance if he will consider a reduction in the cost of a wine licence for small, convenience and grocery stores owing to the very modest turnover generated from such sales and in view of the fact that such small, local businesses are in competition with the large multiples who pay the exact same amount for such licences; and if he will make a statement on the matter. [28781/11]

Minister for Finance (Deputy Michael Noonan): The Deputy will be aware the rate of excise duty on off-licences was reviewed in the context of the 2008 and 2009 Budgets. The annual excise duty payable on each off-licence was increased from €250 to €500. An off-licence for a shop selling only wine costs €500. An off-licence selling the full range of alcohol products require three licences — spirits, beer and wine. Consequently, supermarkets who wish to sell wine, beer and spirits must obtain Retailers Off Licences which cost €1,500 per annum. It is the general practice that excise duty on licences to trade are set at one rate and do not differentiate based on the volume or quantity of activity undertaken by the holder of the licence, except in the case of licences for public houses.

Tax Collection

118. **Deputy Ciara Conway** asked the Minister for Finance if he will provide figures for the past five years showing the amount of money returned by Revenue to persons claiming for dental treatment for which tax relief is allowable, through form Med 2, Dental Expenses, in tabular form; and if he will make a statement on the matter. [28791/11]

Minister for Finance (Deputy Michael Noonan): I am informed by the Revenue Commissioners that data on claims for tax relief for dental expenses are not captured in a such a way as to provide a dedicated basis for compiling estimates of cost to the Exchequer. Claims for this relief are aggregated in Revenue records with other health expenses claims. Accordingly, the specific information requested is not readily available and could not be obtained without conducting a protracted investigation of the Revenue Commissioners' records. However, information on the cost to the Exchequer of tax relief for health expenses generally is available for the income tax years 2004 to 2009 inclusive, the most recent year for which final data is available. These figures are as follows:

Cost of tax relief for Health Expenses

2004	2005	2006	2007	2008	2009*
€m	€m	€m	€m	€m	€m
110	134	167	226	267	146

For 2009 and later years tax relief for health expenses, other than for nursing home expenses, is relieved at the standard rate of income tax.

Bank Guarantee Scheme

119. **Deputy Michael McGrath** asked the Minister for Finance, further to Parliamentary Question No. 146 of 4 October 2011, if he will provide details of the total number of individual residential properties in the ownership of mortgage lenders regulated by the Central Bank of Ireland; the way these properties are being managed; if he will provide a breakdown of the properties between those repossessed, voluntarily surrendered or secured by another means; and if he will make a statement on the matter. [28798/11]

Minister for Finance (Deputy Michael Noonan): The information to answer Parliamentary Question No. 146 of 4 October 2011 was acquired directly from the covered institutions and reflected the up-to-date position at each of the covered institutions. However, if we include all mortgage providers then the Central Bank of Ireland is the only comprehensive source of information on residential mortgage arrears, repossessions and restructures available. The Central Bank has informed me that the most up-to-date information is as at end of June 2011 and

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is published on the following web address <http://www.centralbank.ie/press-area/press-releases/Pages/LatestMortgageArrearsDatashow72ofMortgageAccountsInArrears.aspx> .

The Government understands the concerns many people have regarding their mortgage commitments. As the Deputy is aware, a number of measures have already been put in place to assist homeowners in mortgage difficulty, including the adoption of a revised Central Bank Code of Conduct on Mortgage Arrears which provides a framework that mortgage lenders must use when dealing with borrowers in arrears or pre-arrears.

However, it is clear that the mortgage arrears issue remains a significant one and the Government Economic Management Council asked that further work be carried out with a view to identifying a range of possible further responses appropriate to individual circumstances, and also to the wider economic and banking situation. This work was carried out by an inter-Departmental group, which was chaired by my Department and comprised representatives from other relevant Departments, the Central Bank and expertise from the banking sector.

I have not yet had the opportunity to present the report to Government. However, it is my intention to do so as soon as possible and it will then be a matter for Government to consider the report and its conclusions, and to decide on any future actions it may wish to take in the light of the inter-departmental report.

Mortgage Arrears

120. **Deputy Michael McGrath** asked the Minister for Finance, further to Parliamentary Question No. 144 of 4 October 2011, if he will provide details on the number of residential mortgages which have been reported to the Central Bank of Ireland as being in arrears of less than 90 days as at 30 June 2011. [28799/11]

Minister for Finance (Deputy Michael Noonan): The Central Bank has informed me that each quarter it publishes data from lenders on mortgage arrears greater than 90 days in relation to principal private residences. While details of loan accounts in arrears, including loans greater than 90 days in arrears and loans less than 90 days in arrears are reported to the Central Bank, it is data relating to arrears greater than 90 days that give a more accurate reflection of the level of current arrears and the trend therein. Data relating to arrears of less than 90 days is not published because this is not particularly reliable and can include various once off factors such as a payment missed due to a holiday or a single missed direct debit.

Grant Payments

121. **Deputy Terence Flanagan** asked the Minister for Education and Skills if he will deal with the following matter (details supplied) regarding a home tuition grant; and if he will make a statement on the matter. [28228/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I wish to advise the Deputy that my Department has approved home tuition from the commencement of the current school year until the 14th October 2011 for the child concerned. The purpose of this provision is to facilitate transitional arrangements for the child to take up a school placement. My Department will consider, as an exceptional measure, extending this period further to facilitate transitional arrangements for the child once he has been enrolled in a school based placement. I understand from officials in my Department that the claim for home tuition funding is currently being processed and payment will issue to the parent shortly.

School Transport

122. **Deputy Gerry Adams** asked the Minister for Education and Skills if a person (details supplied) in County Tipperary has been provided with school transport. [28554/11]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): Bus Éireann which operates the School Transport Schemes on behalf of my Department, has advised that the pupil in question is currently availing of concessionary school transport.

School Enrolments

123. **Deputy Finian McGrath** asked the Minister for Education and Skills the position regarding a school place in respect of a person (details supplied) in Dublin 11. [28673/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The selection and enrolment of pupils in schools is the responsibility of the authorities of the individual school. My Department's main responsibility is to ensure that schools in an area can, between them, cater for all pupils seeking school places in an area. However, this may result in some pupils not obtaining a place in the school of their first choice. As schools may not have a place for every applicant, a selection process may be necessary. This selection process and the enrolment policy on which it is based must be non-discriminatory and must be applied fairly in respect of all applicants.

Under section 15 (2) (d) of the Education Act, 1998, each school is legally obliged to disclose its enrolment policy and to ensure that as regards that policy that principles of equality and the right of parents to send their children to a school of the parents choice are respected.

Section 29 of the Education Act, 1998 provides for an appeal by a parent or guardian to the Secretary General of my Department, or in the case of a Vocational Educational Committee (VEC) school to the VEC in the first instance, where a Board of Management of a school, or a person acting on behalf of the Board, refuses to enrol a student in a school. My Department has no authority to compel a school to admit a pupil, except in the case of an appeal under section 29 of the Education Act, 1998 being upheld.

The National 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 and can assist parents in identifying placements. The NCSE can be contacted at NCSE 1/2 Mill Street, Trim Co. Meath phone number 046-9486432.

The National Educational Welfare Board (NEWB) is the statutory agency which can assist parents who are experiencing difficulty in securing a school place for their child. The NEWB may be able to offer assistance and advice on securing a school placement within the pupil's area. The contact details for the NEWB in Dublin 11 is National Educational Welfare Board, Block 3, Floor 1, Grove Court, Blanchardstown, Dublin 15, phone number 01-8103260.

Schools Building Projects

124. **Deputy Brian Walsh** asked the Minister for Education and Skills if he will confirm that a new school building for a school (details supplied) in County Galway is now a priority after planning permission for the project was granted following approval of material contraventions

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of local areas and development plans; the timeframe for development; and if he will make a statement on the matter. [28152/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I wish to advise the Deputy that when the site acquisition process has been completed the progression of a project for this school, as with all large scale building projects, 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 current status of all projects on the school building programme may be viewed on my Department's website at *www.education.ie* and this will be updated regularly throughout the year.

Residential Institutions Redress Scheme

125. **Deputy Brendan Griffin** asked the Minister for Education and Skills his views on a matter (details supplied) regarding funds; and if he will make a statement on the matter. [28172/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The Government is proceeding with the drafting of the Residential Institutions Statutory Fund Bill on the basis of the General Scheme prepared by my Department. These proposals followed extensive consultations with survivors of residential abuse and the groups which support them, together with a public consultation process. The General Scheme, together with a copy of a Report on the Consultation Process is available on my Department's website. I intend to introduce the legislation in the Autumn with a view to having it enacted by the end of the year.

While some former residents advocate a simple distribution of the available money, I believe that the Fund should target resources at services to support former residents' needs. To that end, the General Scheme provides for approved services to include, counselling, psychological support services and mental health services together with such health and personal social services, educational services and housing services as the Fund may determine. Further services can be prescribed as appropriate.

The Statutory Fund will focus solely on victims of residential institutional abuse, with eligibility being confined to those who received an award from the Redress Board or an award following a court decision or settlement who would otherwise have received an award from the Redress Board. Over 13,000 victims have received awards from the Redress Board to date. I am satisfied that it is the correct approach, with the focus of the Statutory Fund being on those former residents who have successfully completed the redress process.

The Government intends that some €110 million will be available to the Fund, this being essentially the cash portion of offers made by religious congregations in the aftermath of the publication of the Ryan Report. To date, €21.05 million of these cash contributions have been received and placed in a special interest bearing account in the Central Bank pending the establishment of the Statutory Fund.

Vocational Education Committees

126. **Deputy Robert Troy** asked the Minister for Education and Skills when he will publish the location of the headquarters for the new amalgamated vocational education committees. [28181/11]

Minister for Education and Skills (Deputy Ruairí Quinn): Last week, I announced and published the headquarter locations where VECs are being merged as a result of the Government decision to reduce the number of VECs from 33 to 16. The details are set out in the table.

Local Education and Training Board	Headquarter location
City of Dublin	Ballsbridge, Dublin 4 (No change)
City of Cork and County Cork	Cork (greater city area)
County Dublin and Dun Laoghaire	Tallaght, Dublin 24
Limerick City and County and Clare	Limerick (greater city area)
Donegal	Letterkenny (no change)
Kerry	Tralee (no change)
Tipperary	Nenagh (sub-office in Clonmel)
Wexford and Waterford	Wexford (sub-offices in Waterford City & Dungarvan)
City and County Galway and Roscommon	Athenry (sub-office in Roscommon Town)
Mayo, Sligo and Leitrim	Castlebar (sub-offices in Sligo & Carrick-on-Shannon)
Cavan and Monaghan	Monaghan (sub-office in Cavan Town)
Louth and Meath	Drogheda
Longford and Westmeath	Mullingar
Laois and Offaly	Portlaoise
Kildare and Wicklow	Naas (sub-office in Wicklow)
Kilkenny and Carlow	Carlow Town

Legislative Programme

127. **Deputy Seán Crowe** asked the Minister for Education and Skills when he will enact the Teaching Council Act 2001, in particular, Part 5 covering the complaints procedure and investigation process; the measures he has put in place to enable independent investigation against school staff and/or members of the board of management; the number of notified complaints which remain unresolved to the satisfaction of children and/or their parents since the powers of investigation were effectively removed from him; and if he will make a statement on the matter. [28184/11]

Minister for Education and Skills (Deputy Ruairí Quinn): As the Deputy is aware, Part 5 of the Teaching Council Act, 2001 sets out the Council's investigating and disciplinary functions. The Council or any person may apply to the Council's Investigating Committee for an inquiry into the fitness to teach of a registered teacher. When it is deemed appropriate to do so, the Council's Disciplinary Committee will conduct a hearing on a complaint referred to it by the Investigating Committee. Such hearings may lead to withdrawal of registration on a temporary or permanent basis. Discussions between my Department and the Teaching Council regarding the commencement of Part 5 have taken place, and I intend to commence Part 5 as soon as is practicable.

There are currently procedures in place under Section 24 of the Education Act 1998, which provide that the appointment, suspension and dismissal of teachers are the responsibility of boards of management. In the case of VEC schools, section 20 of the Vocational Education (Amendment) Act 2001 provides that the appointment of teachers and other staff are a matter for each VEC. Removal from office of a VEC officeholder is provided for by section 8 of the Vocational Education (Amendment) Act 2001 and requires a decision of the Minister.

Under Circulars 59/2009 (VEC Schools) and 60/2009 (all other schools) procedures were agreed relating to both professional competence issues and procedures relating to work, con-

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duct and matters other than professional competence. This agreement was made under the terms of Towards 2016 and the procedures were issued in September 2009. The procedures serve a dual purpose in that they provide a framework which enables schools to maintain satisfactory standards, and for teachers and principals to have access to procedures whereby alleged failures to comply with these standards may be fairly and sensitively addressed.

The Department does not have an investigatory role in relation to parental complaints against staff of a school or its Boards of Management. The Department does clarify for parents the steps they can take to progress their complaint. The Department does refer concerns of child protection reported to department staff to the relevant school authorities and at the same time notifies the Health Service Executive of same. Further information in relation to the department's role in relation to child protection and parental complaints is available on the department's website, *www.education.ie*.

Section 29 of the Education Act, 1998 provides for an appeal by a parent or guardian to the Secretary General of my Department, or in the case of a Vocational Educational Committee (VEC) school to the VEC in the first instance, where a Board of Management of a school, or a person acting on behalf of the Board, refuses to enrol a student in a school, expels a student or suspends a student for 20 or more days in any school year. My Department has no authority to compel a school to (re)admit a pupil, except in the case of an appeal under section 29 of the Education Act, 1998 being upheld.

Half of appeals lodged with the Secretary General do not go to full appeal hearing primarily because the appellant withdraws their appeal or the facilitator brokers an agreement between the parents and the school concerned. Statistically, approximately 4 out of every 10 appeals that go to hearing are upheld in favour of the parent.

Youthreach Programme

128. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Education and Skills the current number of places available on the Youthreach programme; the current number of participants; the funding for the programme in 2011; and if he will make a statement on the matter. [28212/11]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): There are almost 6,000 places available nationwide under the Youthreach umbrella. Almost 3,700 of these places are provided by VECs in Youthreach centres, approximately 2,100 are provided by FÁS in Community Training Centres and the remainder are provided in Justice Workshops through funding from the Department of Justice and Equality. All of these places are fully utilised throughout the year. The 2011 allocation for the Youthreach programme funded by my Department is €112.2 million, of which €67.2 million is for those operated by VECs and €45 million for those operated by FAS. This includes staff costs, non-pay costs and learner allowances.

Third Level Fees

129. **Deputy Kevin Humphreys** asked the Minister for Education and Skills if the University of Dublin, Trinity College, will provide a facility to allow students to pay the student contribution in two instalments as is available for student fees; if the university does not provide such a service whether he will request it to do so; if he will confirm that Trinity College charges a late payment replacement fee of €358; his views on whether it is appropriate to charge those in financial difficulty such a large fine for being late; if he will request the college to reduce same; and if he will make a statement on the matter. [28254/11]

Minister for Education and Skills (Deputy Ruairí Quinn): A new student contribution of €2,000 was introduced in higher education institutions with effect from the 2011/12 academic year. The student contribution replaces the Student Services Charge and applies to all students who benefit under the free fees scheme. In recognition of the financial pressures that the student contribution may place on families, my Department requested higher education institutions to consider putting in place arrangements under which a student may opt to pay the student contribution charge in two instalments in a given academic year. I have again asked the Higher Education Authority to request institutions to allow the payment of the charge in two moieties.

I understand that in the case of Trinity College they have system limitations which do not allow at present for payment by instalments. All institutions have been requested to accommodate students who present with financial difficulties on a case by case basis and again I understand that in Trinity College such students will be accommodated through their existing financial assistance programmes.

A late payment replacement fee is charged by Trinity where a student wants to be re-admitted to their course having failed to register by the end of the Michaelmas term and is therefore deemed to have withdrawn from their course. Students who present to the University with financial difficulties and are granted an extension on the payment of the Student Contribution Charge are not charged a fee.

Vocational Education Committees

130. **Deputy John Deasy** asked the Minister for Education and Skills the number of vocational education committees that own their headquarters; the number of VEC headquarters that rent their premises; if he will indicate which headquarters are rented; and the cost involved. [28271/11]

Minister for Education and Skills (Deputy Ruairí Quinn): Information provided by the VECs to my Department indicates that 13 of the 33 VECs own their headquarter premises, while 20 rent or lease their premises. The following VECs rent or lease their premises: Co. Wexford VEC; Co. Wicklow VEC; Co. Kilkenny VEC; Co. Kildare VEC; Dunlaoghaire VEC; Co. Dublin VEC; City of Galway VEC; Co. Longford VEC; Co. Limerick VEC; Co. Kerry VEC; Co. Waterford VEC; City of Waterford VEC; South Tipperary VEC; Co. Offaly VEC; Co. Westmeath VEC; Co. Cavan VEC; Co. Monaghan VEC; City of Cork VEC; Co. Cork VEC; City of Dublin VEC.

In arriving at the decision to designate the Headquarters of the amalgamated VECs, I considered a range of factors including the need to ensure that the location of a VEC headquarters will, to the greatest extent possible, facilitate staff redeployment under a redeployment scheme within the context of the Croke Park Agreement and the need to operate at lowest cost having regard to the accommodation available in existing locations.

School Transport

131. **Deputy Pearse Doherty** asked the Minister for Education and Skills the circumstances under which a family in County Donegal can have its school transport charges reviewed on grounds of health and income if the family does not meet the qualifying distance laid down by his Department; and if he will make a statement on the matter. [28288/11]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): Pupils who are eligible for school transport under the terms of my Department's Primary and Post Primary School Transport Schemes are subject to an annual charge towards the cost of provid-

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ing these services. Eligible pupils who hold valid Medical Cards (GMS Scheme) are exempt from these charges. There is no provision within the above schemes to waive charges for pupils who are not eligible for school transport.

Higher Education Grants

132. **Deputy Jack Wall** asked the Minister for Education and Skills the assistance that will be offered to a person (details supplied) in County Kildare who is attending a third level course; and if he will make a statement on the matter. [28300/11]

Minister for Education and Skills (Deputy Ruairí Quinn): Students wishing to apply for grant support to attend a full-time course in further education are required to submit a grant application to the VEC in the area where they are normally resident. All applications for financial support are assessed in accordance with the terms and conditions of the Student Grant Scheme.

Students who are entering approved courses for the first time are eligible for financial assistance where they satisfy the relevant conditions including those relating to residence, means, nationality and previous academic attainment. The decision on grant eligibility is a matter, in the first instance, for the relevant VEC. It is now possible to make an on-line application to a number of VECs, including Co. Kildare VEC. Further information on the application process and eligibility requirements can be found at www.studentfinance.ie

School Transport

133. **Deputy Pearse Doherty** asked the Minister for Education and Skills in the case in which a school bus service is being discontinued as a result of not meeting the minimum number of pupils availing of the service, whether it is permissible to amalgamate both primary and secondary bus services in those cases in which such an arrangement would be practical locally and when this would be of no extra cost to the Exchequer; and if he will make a statement on the matter. [28325/11]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): One of the changes to the School Transport Scheme, which was announced in the 2011 Budget, was 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, is responsible for the routing and timetabling of services. Buses may operate double trips in the morning and afternoon to facilitate primary and post primary schools which have different starting and finishing times. This ensures that school transport vehicles are fully utilised in the most efficient and cost effective manner.

If the Deputy wishes to forward details of the particular circumstances of the case in mind, I will be happy to ask Bus Éireann to report on the matter. I would also like to advise the Deputy that 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.

Education Provider Registration

134. **Deputy Jerry Buttimer** asked the Minister for Education and Skills if his attention has been drawn to the fact that pending the establishment of a new qualifications agency and the development of new quality assurance guidelines and programme validation criteria, FETAC has decided not to process current applications for provider registration; and if he will make a statement on the matter. [28342/11]

135. **Deputy Jerry Buttimer** asked the Minister for Education and Skills the reasons for the delay in a particular application to FETAC to become an accredited provider (details supplied) under its regulations; and if he will make a statement on the matter. [28343/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 134 and 135 together.

Legislation providing for the dissolution of the Further Education and Training Awards Council (FETAC) and its amalgamation with the National Qualifications Authority of Ireland (NQAI) and the Higher Education and Training Awards Council (HETAC) was published in July 2011 and is currently progressing through the Houses of the Oireachtas. In order to manage the transition of functions to the new amalgamated agency, FETAC has decided that no new applications for provider registration will be accepted. Applications for provider registration that have already been received by FETAC will be further processed if they have progressed past the initial ‘expression of interest’ stage of the registration process. FETAC is contacting the providers concerned, including the provider referred to by the Deputy.

Departmental Bodies

136. **Deputy Willie O’Dea** asked the Minister for Education and Skills the details of any organisation under his Department which has informed him of staffing difficulties which may impinge upon its ability to oversee effectively the spending of public funds; and his views regarding same. [28368/11]

137. **Deputy Willie O’Dea** asked the Minister for Education and Skills if he will outline the organisations under his Department for which an employment control framework has been agreed; the current numbers they have in place; if they have been waiting more than one month to receive sanction to proceed to fill or retain any positions in spite of such positions falling below the agreed ECF ceiling. [28384/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 137 and 136 together.

The current Employment Control Framework agreed for my Department covers the period 2010 to 2014 and comprehends staff working in a range of bodies and organisations across the education area. Details regarding the framework and the bodies and organisations covered by it are set out in the table.

Under the terms of the Framework my Department has delegated sanction to fill vacancies arising in certain areas, subject to the ceiling figures for those areas not being exceeded, e.g. in the cases of teachers, special needs assistants, certain non-teaching staff in schools and staff at third level. In other cases, in line with Government policy and the moratorium on public sector numbers, requests for exceptions to the Moratorium must be sought from the Department of Public Expenditure and Reform prior to the awarding or renewal of an employment contract. Such requests are considered promptly by the Department of Public Expenditure and Reform and the decision communicated to the body requesting the exception. In a small number of cases further information regarding particular vacancies has been required by the Department of Public Expenditure and Reform, which has had the effect of extending the period before a post can be filled.

Each area of my Department, together with the bodies and agencies under the aegis of the Department, is required to order and prioritise its work and working practices to take account of any limitations resulting from the application of the Employment Control Framework. This

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process of effectively managing staffing resources is ongoing and is regularly monitored with a view to ensuring continued effective delivery by the Department of its key services.

Employment Control Framework for the Education Vote Group — version September 2011

Functional Classification	Org./Body Name	End 2010	2011 ECF Ceiling	2012 ECF Ceiling	2013 ECF Ceiling	2014 ECF Ceiling
	Total	96,074	95,212	95,912	96,764	97,437
1. Civil Service	Total	1,589	1,569	1,549	1,524	1,504
Includes:	National Council for Special Education State Exams Commission Department of Education & Skills, incl NEPS National Council for Curriculum and Assessment Commission to Inquire into Child Abuse Residential Institutions Redress Board					
2. Education Sector	Total	93,050	92,269	93,059	93,994	94,710
Includes:	First Level Education Primary Teachers Clerical Assistants Caretakers Model Schools and other projects Special Needs Assistants Second Level Education Secondary, Vocational and C&C Teachers Clerical Assistants Non-Teachers in VECs and in C&C Schools Special Needs Assistants Third Level Education (core-funded posts)* Universities/HEA Institutions Institutes of Technology Colleges of Education/Non-HEA Institutions	41,504 32,990 18,556	41,279 32,741 18,249	41,991 32,828 18,240	42,787 32,975 18,232	43,292 33,195 18,223

Functional Classification	Org./Body Name	End 2010	2011 ECF Ceiling	2012 ECF Ceiling	2013 ECF Ceiling	2014 ECF Ceiling
	Dublin Dental Hospital Royal Irish Academy Royal Irish Academy of Music Dublin Institute for Advanced Studies					
3. Non-Commercial State Agencies	Total	1,435	1,374	1,304	1,246	1,223
Includes	National Qualifications Authority of Ireland Further Education & Training Awards Council Higher Education & Training Awards Council Grangegorman Development Agency Higher Education Authority Irish Research Council for Science, Engineering & Technology Irish Research Council for the Humanities & Social Science National Centre for Technology in Education Teaching Council FÁS					

*Other posts at third level/higher education are not subject to ECF ceilings. These include (i) non-core funded research and related posts funded from Exchequer resources external to the institution and (ii) other research and/or specialist non-Exchequer funded posts.

School Staffing

138. **Deputy Marcella Corcoran Kennedy** asked the Minister for Education and Skills his plans to address the current situation of retired teachers who remain working on a temporary and substitute basis in all State-funded schools while teaching graduates remain on the live register; and if he will make a statement on the matter. [28416/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I issued a Circular in May of this year which requires schools to prioritise teachers over unregistered persons, appropriately qualified teachers over teachers qualified for different sectors, and unemployed teachers over teachers in receipt of a public sector pension. In relation to short-term absences, where all efforts to secure an appropriately qualified and registered teacher who is not retired fail, the school may employ a retired appropriately qualified registered teacher. If none are available,

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it may move on to employ a teacher registered under any regulation of the Teaching Council, giving preference wherever possible to one who is not retired.

Any decision to employ a retired teacher is a local decision made by the school authorities. School principals must keep a record as to why a retired teacher has had to be employed and must also report to the school's Board of Management on the instances where this arises. In addition to the above, teachers who are retired and who return to teaching are now remunerated at the first point of the revised salary scales applicable to new entrants. This represents a significant financial disincentive for teachers who retired at the top of their salary scale to return to teaching.

Vocational Education Committees

139. **Deputy Marcella Corcoran Kennedy** asked the Minister for Education and Skills the amount of funding to schools under the auspices of the vocational education committees in the 2010/11 academic year; and if he will make a statement on the matter. [28417/11]

Minister for Education and Skills (Deputy Ruairí Quinn): Financial allocations are made to the VECs on the basis of the financial year rather than the academic year, and are paid as a block grant. VECs are given a high level of autonomy in the management and appropriation of their budgets and each VEC is allowed to distribute its allocations in line with its priorities and perceptions of need. My Department's general and post primary expenditure grant to a VEC is divided between pay and non-pay.

General and post primary non-pay covers all items other than pay and grants for committed items that are provided for separately. It includes costs associated with VEC administrative offices and other administrative costs as well as costs associated directly with schools. The total non-pay cost of the general and post primary programme in 2010 amounted to some €81m in 2010. This was funded primarily by my Department's block grant of €67m, but also by non-pay receipts retained by the VECs of €14m.

The total general and post primary pay cost in 2010 was €693m. Of this, instruction and SNA pay in VEC schools and colleges, including PLC provision, accounted for €613m approximately, administrative pay was €51m approximately, and some €29m was for maintenance pay. Pay costs were funded primarily by the pay grant issued by my Department of €645m, but also by pay receipts retained by the VECs of €48m, comprised principally of retained superannuation contributions.

Public Petitions

140. **Deputy Michael McCarthy** asked the Minister for Education and Skills the number of public petitions that have been submitted to him in the past four years, in tabular form; the nature of the petition campaign; the date on which the petition was submitted; the number of signatories on each petition; the action undertaken by him following consideration of the submission; and if he will make a statement on the matter. [28422/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I am not in a position to provide the information sought as it is not recorded in the format requested by the Deputy. Petitions tend to be rather voluminous and it would take an inordinate amount of official time to research and compile the information requested. However, if the Deputy has an interest in a particular case I would be happy to provide further details about that matter.

School Accommodation

141. **Deputy Finian McGrath** asked the Minister for Education and Skills if he will review a matter in respect of a school (details supplied) in Dublin 5. [28472/11]

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 portion of a building occupied by the school to which he refers, to the City of Dublin VEC. This matter is currently being handled by legal advisors for both parties. Once this lease is executed between my Department and the VEC, the VEC will then be in a position to sublease the relevant portion of the building to the patron of the school referred to by the Deputy. The legal advisors for the VEC will be in contact with the representatives of the school patron in relation to this matter in due course.

Special Educational Needs

142. **Deputy Jim Daly** asked the Minister for Education and Skills the number of special needs assistant posts which have been cut as from the commencement of the current school term; if this number is greater than 475 posts that are being held unfilled to allow for emergencies; and if he will make a statement on the matter. [28497/11]

143. **Deputy Jim Daly** asked the Minister for Education and Skills the number of filled special needs assistant posts at present; and if he will make a statement on the matter. [28498/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 142 and 143 together.

The Deputy will be aware that 10,575 whole time equivalent (WTE) posts are being provided for SNA support for 2011. This is a significant number of posts and unlike other areas of the public sector, which are subject to a recruitment moratorium, vacancies may be filled up to this number. At June 2011, there were 10,802 posts in place, which was 227 over the cap to be reached by the end of 2011.

This situation arose when the 13 centres that had been funded in the ABA pilot scheme applied for and were granted official recognition as special schools for children with autism. Staff working in the centres who accepted posts as SNAs in these schools have had to be counted within the overall limits for SNA posts and their recategorisation has impacted on the overall numbers in the context of managing the aforementioned cap on SNA posts.

Approximately 10,100 whole time equivalent SNA posts have been allocated to date for the current school year. The National Council for Special Education (NCSE) has advised all mainstream schools of their Special Needs Assistant (SNA) allocations for the 2011/12 school year. SNA provision in special schools is currently being reviewed. 475 posts were held back from the initial allocation in September 2011 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.

The NCSE has recently published statistical information in relation to the allocation of Special Needs Assistant posts and resource teaching hours to Primary Special and Post Primary Schools. The information is provided on a county by county and school by school basis on its website at www.ncse.ie. The NCSE expects to respond to emergency cases on hand within the coming weeks. The outcome of a review of special school SNA allocations is expected early in the school year. Other demands from mainstream schools will be responded to up to the end

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of the school year. Through these arrangements it is expected that the majority of the SNA posts which have yet to be allocated, will have been allocated by early in 2012.

Schools Building Projects

144. **Deputy Michael Moynihan** asked the Minister for Education and Skills when he will grant approval to County Cork Vocational Education Committee to purchase the identified site for a school (details supplied) in County Cork [28499/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I can confirm that County Cork VEC has identified a possible site to accommodate the amalgamated school referred to by the Deputy. Following assessment of the site's suitability, my Department will be in touch with County Cork VEC in relation to this matter. However, given the sensitivities associated with land acquisitions generally, I am not in a position to comment further at this point in 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.

Residential Institutions Redress Scheme

145. **Deputy Brendan Griffin** asked the Minister for Education and Skills the position regarding funds in respect of a survivor of institutional abuse (details supplied); and if he will make a statement on the matter. [28538/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The Government is proceeding with the drafting of the Residential Institutions Statutory Fund Bill on the basis of the General Scheme prepared by my Department. These proposals followed extensive consultations with survivors of residential abuse and the groups which support them, together with a public consultation process. The General Scheme, together with a copy of a Report on the Consultation Process is available on my Department's website. I intend to introduce the legislation in the Autumn with a view to having it enacted by the end of the year.

While some former residents advocate a simple distribution of the available money, I believe that the Fund should target resources at services to support former residents' needs. To that end, the General Scheme provides for approved services to include, counselling, psychological support services and mental health services together with such health and personal social services, educational services and housing services as the Fund may determine. Further services can be prescribed as appropriate.

The Statutory Fund will focus solely on victims of residential institutional abuse, with eligibility being confined to those who received an award from the Redress Board or an award following a court decision or settlement who would otherwise have received an award from the Redress Board. Over 13,000 victims have received awards from the Redress Board to date. I am satisfied that it is the correct approach, with the focus of the Statutory Fund being on those former residents who have successfully completed the redress process.

The Government intends that some €110 million will be available to the Fund, this being essentially the cash portion of offers made by religious congregations in the aftermath of the publication of the Ryan Report. To date, €21.05 million of these cash contributions have been received and placed in a special interest bearing account in the Central Bank pending the establishment of the Statutory Fund.

In terms of survivor groups, my Department currently funds 5 such groups in Ireland and 3 Outreach services in the UK. The groups are funded to provide an information and referral service for former residents wishing to access the various bodies established by the Government

such as the Redress Board, the National Counselling Service, the Education Finance Board, etc. All groups are required to submit annual audited accounts or receipts to fully account for all expenditure. They are further required to give a detailed account of all activities undertaken in any one particular year. As responsibility for information for survivors will also be taken on by the Statutory Fund, funding of survivor groups by my Department will cease.

146. **Deputy Brendan Griffin** asked the Minister for Education and Skills the position regarding funds in respect of survivors of institutional abuse (details supplied); and if he will make a statement on the matter. [28539/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The Government is proceeding with the drafting of the Residential Institutions Statutory Fund Bill on the basis of the General Scheme prepared by my Department. These proposals followed extensive consultations with survivors of residential abuse and the groups which support them, together with a public consultation process. The General Scheme, together with a copy of a Report on the Consultation Process is available on my Department's website. I intend to introduce the legislation in the Autumn with a view to having it enacted by the end of the year.

While some former residents advocate a simple distribution of the available money, I believe that the Fund should target resources at services to support former residents' needs. To that end, the General Scheme provides for approved services to include, counselling, psychological support services and mental health services together with such health and personal social services, educational services and housing services as the Fund may determine. Further services can be prescribed as appropriate.

The Statutory Fund will focus solely on victims of residential institutional abuse, with eligibility being confined to those who received an award from the Redress Board or an award following a court decision or settlement who would otherwise have received an award from the Redress Board. Over 13,000 victims have received awards from the Redress Board to date. I am satisfied that it is the correct approach, with the focus of the Statutory Fund being on those former residents who have successfully completed the redress process. The Government intends that some €110 million will be available to the Fund, this being essentially the cash portion of offers made by religious congregations in the aftermath of the publication of the Ryan Report. To date, €21.05 million of these cash contributions have been received and placed in a special interest bearing account in the Central Bank pending the establishment of the Statutory Fund.

Funding for the Education Finance Board, which was established on a statutory basis in 2006, has been provided from the €12.7 million contribution provided by the religious congregations under the 2002 Indemnity Agreement specifically earmarked for educational support for former residents and their families. Prior to its establishment, grants were paid to eligible applicants under an administrative scheme. At the end of 2010 the total funds available to the Board was €3.649 million approximately with the Board estimating that the remaining funds would be committed prior to the end of 2011 or shortly thereafter. As noted in the Board's 2010 Annual Report, it has been the Board's policy to estimate the costs to completion of the course and to reserve the amount of these future costs or the balance of the persons overall grant limit whichever is the lower. If all such commitments at 31 December, 2010 were to be realized, the remaining funds available to the Board for new applications would be reduced by an additional amount in the order of €1.358 million.

Under the terms of the proposed Residential Institutions Statutory Fund Bill, the Education Finance Board will be dissolved and its staff will transfer to the Statutory Fund, which will assume its functions in relation to the remaining moneys available to the Board. When the remaining moneys fall below €0.1m, the Minister will direct the National Treasury Management

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Agency to close the relevant account and transfer the remaining balance to the Statutory Fund and the Fund's functions in relation to the Education Finance Board provisions will be terminated.

Departmental Agencies

147. **Deputy Gerry Adams** asked the Minister for Education and Skills the total costs of the National Council for Special Education on an annual basis for each of the years since it was established. [28551/11]

Minister for Education and Skills (Deputy Ruairí Quinn): My Department has approved the following funding for the National Council for Special Education since its establishment.

Year	Total Issued
2004	€1,666,394.31
2005	€4,325,000
2006	€7,187,000
2007	€8,515,000
2008	€8,219,671.50
2009	€9,250,000
2010	€9,652,000

Special Educational Needs

148. **Deputy Gerry Adams** asked the Minister for Education and Skills the amount that has been spent on the provision of special needs assistants in each of the past five years. [28552/11]

151. **Deputy Gerry Adams** asked the Minister for Education and Skills the number of special needs assistants employed in schools in each of the past five years. [28603/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 151 and 148 together.

The Deputy will be aware of this Government's commitment to special education provision at a time when savings are being required across a range of expenditure areas, which will ensure that children with special educational needs can continue to have access to educational facilities in line with their requirements. Some 10,575 whole time equivalent (WTE) posts are being provided for SNA support for 2011. This is a significant number of posts and unlike other areas of the public sector vacancies may be filled up to this number. The information requested by the Deputy is provided in the table.

Special Needs Assistants

End-year	Number of Special Needs Assistants Whole Time Equivalent	Expenditure €000
2006	8,390	224,095
2007	9,824	278,836
2008	10,442	333,087
2009	10,342	344,703
2010	10,543	333,991

149. **Deputy Gerry Adams** asked the Minister for Education and Skills the level of saving to the Exchequer in 2011 from cuts in the provision of special needs assistants. [28553/11]

Minister for Education and Skills (Deputy Ruairí Quinn): Approximately 15% of the entire budget of my Department — some €1.3 billion — will be spent in support of children with Special Educational Needs this year. This provision is in line with expenditure in 2010 and shows that despite the current economic difficulties, funding for special education has not been cut. The continued commitment of this Government to special education provision, at a time when savings are being required across a range of expenditure areas, will ensure that children with special educational needs can continue to have access to educational facilities in line with their requirements. Some 10,575 whole time equivalent (WTE) posts are being provided for SNA support for 2011. This is a significant number of posts and unlike other areas of the public sector vacancies may be filled up to this number. There were 10,543 WTE SNA posts in place at the end of 2010. It is therefore not estimated that there will be savings in relation to the Special Needs Assistant scheme in 2011.

Higher Education Grants

150. **Deputy Jack Wall** asked the Minister for Education and Skills his plans to review the mature student grant system for higher education; the meetings he has had with representative groups or agencies regarding such a review; if so, the results of same; and if he will make a statement on the matter. [28563/11]

Minister for Education and Skills (Deputy Ruairí Quinn): Under Budget 2011, the previous Fianna Fáil-Green party Government introduced changes to the qualifying criteria for the non-adjacent rate of student grant. These changes remove the automatic entitlement of mature students to the non-adjacent rate of grant and increase the qualifying distance criterion for that rate of grant to 45kms.

As the previous Government had factored in the savings from these changes to the public expenditure programme for 2011, I regret that I am not in a position to reverse or vary them. However, while a qualifying student may receive a lower rate of grant for the 2011/12 academic year, they will not lose grant assistance. Students on particularly low incomes will also receive a top-up in the special rate of grant. 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.

I understand the concerns of mature students regarding the 2011 budgetary measures and I will take account of these in considering any future changes to the student grant schemes as part of the budgetary process for 2012 and beyond, having regard to the position of the public finances. I have met with the Union of Students in Ireland (USI) and discussed a range of topics including the changes to the student grant scheme and the impact on students of the 2011 budgetary measures.

Question No. 151 answered with Question No. 148.

Departmental Agencies

152. **Deputy Gerry Adams** asked the Minister for Education and Skills the number of staff employed by the National Council for Special Education in each of the past five years. [28604/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The number of staff employed by the National Council for Special Education in each of the past five years, as at end December each year, was:

Year	Number of staff employed
2006	92.5
2007	94.5
2008	104.5
2009	109.5
2010	109.1

Vocational Education Committees

153. **Deputy Brendan Smith** asked the Minister for Education and Skills the criteria used in selecting the locations for the headquarters for the amalgamated vocational education committees; and if he will make a statement on the matter. [28658/11]

156. **Deputy James Bannon** asked the Minister for Education and Skills if the relatively low rental cost of the Longford Vocational Education Committee, its central facilities, and its accessibility were taken into consideration in the locating of the headquarters of the newly amalgamated Longford and Westmeath VEC; if not, the reason for same; and if he will make a statement on the matter. [28684/11]

157. **Deputy James Bannon** asked the Minister for Education and Skills the reason Longford was not designated as the headquarters of the merged Longford and Westmeath vocational education committees, in view of the considerable investment made in its facilities by him, over the past two years; and if he will make a statement on the matter. [28685/11]

158. **Deputy James Bannon** asked the Minister for Education and Skills his views on Longford Vocational Education Committee as a sub-office should it not be possible to redeploy all staff to Mullingar, County Westmeath; and if he will make a statement on the matter. [28686/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 153 and 156 to 158, inclusive, together.

In arriving at this decision, I considered a range of factors including the need to ensure that the location of a VEC headquarters will, to the greatest extent possible, facilitate staff redeployment under a redeployment scheme within the context of the Croke Park Agreement and the need to operate at lowest cost having regard to the accommodation available in existing locations. In determining Mullingar as a headquarter location, I was aware that both Co. Westmeath and Co. Longford VECs are very closely matched on the criteria mentioned above. However, I am satisfied that geographically, Mullingar is the most favourable location for the HQ.

School Meals Programme

154. **Deputy Gerry Adams** asked the Minister for Education and Skills the estimated cost of providing each child attending primary school with a daily lunch meal. [28667/11]

Minister for Education and Skills (Deputy Ruairí Quinn): Further to the Deputy's parliamentary question 26452 of 28th September last, the estimated cost of providing a daily lunch meal

for 509,652 school going children in primary schools currently and based on an estimate of €3 per lunch, would cost in the region of €280 million per annum.

Vocational Education Committees

155. **Deputy James Bannon** asked the Minister for Education and Skills if he will provide a definitive breakdown of the potential financial outlay associated with the locating of the headquarters of the merged Longford and Westmeath vocational education committees in Mullingar, County Westmeath, with particular reference to rental cost; and if he will make a statement on the matter. [28683/11]

Minister for Education and Skills (Deputy Ruairí Quinn): In November of last year, my officials sought information regarding head office accommodation from Co. Westmeath VEC and Co. Longford VECs. Information provided on foot of that request indicates the office in Mullingar has 630 square meters of office space with capacity for a total of 41 staff and that there were 39 head office staff in total employed in both VECs. The rental costs of VEC buildings are not collated centrally. However, both headquarter buildings in Mullingar and Longford are leased.

In arriving at this decision, I considered a range of factors including the need to ensure that the location of a VEC headquarters will, to the greatest extent possible, facilitate staff redeployment under a redeployment scheme within the context of the Croke Park Agreement and the need to operate at lowest cost having regard to the accommodation available in existing locations. In determining Mullingar as a headquarter location, I was aware that both Co. Westmeath and Co. Longford VECs are very closely matched. I am satisfied that geographically, Mullingar is the most favourable location for the HQ.

Questions Nos. 156 to 158, inclusive, answered with Question No. 153.

Special Educational Needs

159. **Deputy Dara Calleary** asked the Minister for Education and Skills the reason an application from a school (details supplied) in County Mayo for an administrative principal position has been refused when another school has been successful; and the reason the ancillary grant for this school is less than other schools of same study. [28688/11]

Minister for Education and Skills (Deputy Ruairí Quinn): As the Deputy will be aware the National Council for Special Education (NCSE) is an independent agency with responsibility for determining the appropriate staffing levels in relation to the support of pupils with special educational needs in mainstream and special schools. The NCSE operates within my Department's policy in allocating this support. The special school referred to by the Deputy has an authorised staffing of 1 Principal and 3 full-time teachers. My Department has previously outlined directly to the school, the position in relation to the provision of an administrative principal post in the school. The Report of the Special Education Review Committee outlines that an administrative principal post should be appointed in a special school at the point at which the six teacher (5th assistant) is about to be appointed to a school. Special schools are paid an ancillary services grant based on the number of authorised full-time teaching staff approved for the school. The special school referred to by the Deputy receives an ancillary services grant of €24,050.00, based on its authorised staffing level.

Departmental Funding

160. **Deputy Peter Mathews** asked the Minister for Education and Skills his views on the

[Deputy Peter Mathews.]

cuts that have been made regarding fee-paying religious schools; and if he will make a statement on the matter. [28700/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I assume the Deputy is referring to the decision of the previous Fianna Fail — Green Party Government to increase the pupil/teacher ratio in schools and to remove certain funding from Protestant fee-charging schools in the Budget of October 2008. There are currently 55 fee-charging second level schools in the country, of which 20 are Protestant, two Inter-denominational, one Jewish and the remaining 32 Catholic. It is estimated that the withdrawal, with effect from 1 January 2009, of the ancillary grant to fee-charging schools with a Protestant ethos has realised an annual saving of €2.8m to the Exchequer. The grant was withdrawn due to concerns about the constitutionality of making it available to fee-charging schools of one ethos and not to those of another.

Fee-charging schools do not receive capitation or related supports and since becoming Minister, I have prioritised the limited funding available for Summer Works Schemes to non fee-paying schools on the grounds of equity. The previous Government also decided in October 2008 to make changes to how fee-charging schools should be treated in relation to the number of publicly funded teaching posts they are allocated. Teachers in fee-charging schools are now allocated at a pupil teacher ratio of 20 to 1, which is a point higher than allocations in non fee-charging post-primary schools.

Teachers in all fee-charging schools are paid by the State; this arrangement predated the introduction of free education arrangements and has existed since the foundation of the state. The estimated cost of these posts in 2011 is in the order of €100m and the estimated saving for a one point increase in the pupil/teacher ratio is €3 million. I am already on record as saying that this is not a simple matter as these arrangements, which are historic and of long standing, impact upon a substantial number of schools which cater for religious minorities.

Special Educational Needs

161. **Deputy Michael Lowry** asked the Minister for Education and Skills the reason for the refusal to grant an additional preschool teacher to a school (details supplied) in County Tipperary; the cost to the State of providing such a preschool teacher for a fixed period of one year; and if he will make a statement on the matter. [28712/11]

Minister for Education and Skills (Deputy Ruairí Quinn): As the Deputy will be aware, the National Council for Special Education (NCSE), through the local special educational needs organisers (SENOs), is responsible for processing applications from primary and post primary schools for special educational needs supports including the approval of special classes for autism. The NCSE operates within my Department's criteria in allocating such support. All schools have the names and contact details of their local SENO. Parents may also contact their local SENO directly to discuss their child's special educational needs, using the contact details available on www.ncse.ie. I understand that the NCSE is currently engaging with the school in question in relation to staffing levels and the approval of an additional class for children with autism. I have arranged for the information requested by the Deputy to be forwarded to the NCSE for their direct reply. The annual cost of a pre school teacher is approximately sixty thousand euro per annum.

Departmental Agencies

162. **Deputy Seán Kenny** asked the Minister for Education and Skills the date on which each

member of the board of FÁS and the State Examination Commission was appointed; and the date on which the term of each member of both boards is due for renewal. [28720/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The information requested by the Deputy is contained in the table.

An Foras Áiseanna Saothair (FÁS)	Name	Date Appointed	Renewal Date
	Michael Dempsey (Chair)	21/01/2010	21/01/2015
	Tony Dempsey	22/01/2010	21/01/2013
	Michael Moriarty	28/07/2011	21/01/2015
	Emer Gilvarry	21/01/2010	21/01/2014
	Martin Hogan	21/01/2010	21/01/2013
	Annette Hughes	21/01/2010	21/01/2014
	Paddy McDonagh	16/06/2010	21/01/2014
	Brendan Murphy	21/01/2010	21/01/2013
	Sean O'Longáin	21/01/2010	21/01/2015
	Margaret Sweeney	21/01/2010	21/01/2015
	Paul O'Toole (DG FÁS)	21/01/2010	21/01/2015
State Examinations Commission (SEC)	Richard Langford (chair)	06/03/2006*	06/03/2012
	Breda Nolan (deputy chair)	06/03/2009	06/03/2012
	Eleanor Walsh	06/03/2006*	06/03/2012
	Ivor Gleeson	06/03/2006*	06/03/2012
	Tony Behan	06/03/2009	06/03/2012

*First appointed on 06/03/2006. Re-appointed on 06/03/2009.

Bullying in Schools

163. **Deputy Patrick O'Donovan** asked the Minister for Education and Skills if there is legislation or a code of practice in the area of school bullying. [28754/11]

Minister for Education and Skills (Deputy Ruairí Quinn): Responsibility for tackling bullying falls to the level of the individual school, as it is at local level that an effective anti-bullying climate must be established and at that level that actions should be taken to address allegations of bullying.

Under the Education (Welfare) Act 2000, all schools are required to have in place a Code of Behaviour and this code must be drawn up in accordance with the guidelines of the National Educational Welfare Board (NEWB). The NEWB guidelines were issued to schools in 2008 and make it clear that each school must have policies to prevent or address bullying and harassment and schools must make clear in their code of behaviour that bullying is unacceptable. The guidelines further state that as well as making explicit that bullying is prohibited in the school, and having an anti-bullying policy, the code of behaviour should indicate what action the school will take in relation to alleged breaches of the school's bullying policy.

Every school therefore must have in place a policy, within the framework of the school's overall school code of behaviour, which includes specific measures to deal with bullying behaviour. Such a code, developed through consultation with the whole school community and properly implemented, can be the most influential measure in countering bullying behaviour in schools.

[Deputy Ruairí Quinn.]

My Department has also issued Guidelines on Countering Bullying Behaviour as an aid to schools in devising measures to prevent and deal with instances of bullying behaviour. These guidelines were drawn up following consultation with representatives of school management, teachers and parents, and are sufficiently flexible to allow each school authority to adapt them to suit the particular needs of their school.

As a further aid to post-primary schools, my Department published a template that can be used by post-primary schools in developing an anti-bullying policy. The anti-bullying policy template is based primarily on the key document Guidelines on Countering Bullying Behaviour. However, it also takes account of more recent legislative and regulatory changes, and reference is made to issues of contemporary concern such as the need to tackle text bullying, cyber-bullying and homophobic bullying.

Vocational Education Committees

164. **Deputy Robert Troy** asked the Minister for Education and Skills if he will, for a set period of time, permit the recruitment of extra staff to Westmeath Vocational Education Committee in order to deal with the backlog of applications for student grants. [28756/11]

Minister for Education and Skills (Deputy Ruairí Quinn): A moratorium on recruitment and promotion in the public sector is being implemented following a decision by the previous Government in March 2009, and is binding upon all Government departments, non-commercial state bodies and agencies. No public service post, however arising, may be filled by recruitment, promotion or payment of an allowance for performance of duties at a higher grade. Where vacancies arise, departments and agencies must reallocate or reorganise work or staff accordingly. The Department of Finance has advised that any exceptions to this principle will arise in very limited circumstances only and will require the prior sanction of the Minister for Finance. To date, my Department has not received any correspondence from Co. Westmeath Vocational Education Committee in relation to the matter raised by the Deputy.

Schools Building Projects

165. **Deputy Gerald Nash** asked the Minister for Education and Skills if he will consider the construction and development of a new primary level school in the Dundalk area of County Louth; and if he will consider a group (details supplied) as a patron for any new primary school that may be planned for Dundalk. [28764/11]

Minister for Education and Skills (Deputy Ruairí Quinn): In June of this year I 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 to cater for the increase in school going population across these identified locations. It is not proposed to open a new primary school in the general Dundalk area as the demographics of the area do not support the need for a new school.

Special Educational Needs

166. **Deputy Micheál Martin** asked the Minister for Education and Skills if he will reinstate the two teaching posts at a school (details supplied) in County Cork. [28777/11]

167. **Deputy Micheál Martin** asked the Minister for Education and Skills if he will retain the full complement of special needs assistant staffing at a school (details supplied) in County Cork. [28778/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 166 and 167 together.

The Deputy will be aware the National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOs) for allocating teaching staff and Special Needs Assistants (SNAs) to special schools to support children with special educational needs. The NCSE operates within my Departments criteria in allocating such support, which now includes a requirement for the NCSE to have regard to an overall cap on the number of SNA posts.

As set out in my Departments Circular 0042/2011, in order for the NCSE to complete the processing of applications for mainstream schools in the first instance, the existing 2010/11 level of SNA supports have been maintained in special schools for the coming school year, other than for schools with declining enrolments, with a review to take place in Autumn of the 11/12 school year. The school referred to by the Deputy has therefore not received a reduction in its SNA staff levels over those applying at the end of the last school year. The review of SNA support at special schools is currently ongoing.

In relation to teaching posts, Circular 0042/11 states that there are a small number of special schools which have significant excess teacher posts and that the NCSE may therefore contact such schools to review the individual circumstances in these schools. The Circular indicated that the NCSE may suppress a post in schools which have excess teaching posts in order to create a post in a school which does not have excess posts and which has growing pupil numbers.

The special school referred to by the Deputy caters for pupils with severe/profound disability and ASD. The correct teacher allocation ratio for schools catering for children with severe and profound disability is 6:1. In 2010/11 the school had 7 approved class teaching posts and 3 surplus posts and 28 SNAs. The enrolment is 38 pupils, including the 9 new children enrolled for September 2011. One of the surplus teachers retired at the end of the last school year and the school is not eligible for a replacement. A further surplus post has been withdrawn leaving the school with 1 surplus post above recommended staffing allocation levels.

It is the position of both my Department and the NCSE that given the exceptionally high levels of teaching and support staff which have been allocated to the school, that the school has sufficient support within its overall allocation to enable it provide for the teaching and care support requirements of all of the children enrolled to the school. I understand that all of the children enrolled to the school are now attending the school.

Vocational Education Committees

168. **Deputy Barry Cowen** asked the Minister for Education and Skills if he will confirm that the lease for County Offaly Vocational Education Committee head office at Castle Buildings, Tara Street, Tullamore, which includes 766.63 square metres of office space with immediate capacity for 30 additional staff at no extra cost, has 16.5 years remaining at a minimum cost of €2,225,000 to the Exchequer or Department; and if he will provide the cost either through refurbishment or new build of accommodating the additional staff resulting from this merger at the current VEC head office, Portlaoise, County Laois. [28802/11]

Minister for Education and Skills (Deputy Ruairí Quinn): In November 2010, my officials sought information regarding head office accommodation from VECs the subject of merger proposals, including the VEC referred to by the Deputy. Information provided by Co. Offaly VEC on foot of that request, indicates that its head office has 766.63 square meters of office

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space with capacity for a total of 44 staff, that the lease has approximately 15 years and 7 months to run and that there are 14 staff in the office.

The information provided by Co. Laois VEC indicates that its head office, which is owned by the VEC, has 652 square meters of office space with capacity for 35 staff and that there are some 15 staff in the office. In addition, Co. Laois VEC owns other property close by which has an estimated capacity for up to 65 staff. The detail in relation to the disposal of existing property interests and any upgrading or refurbishment of accommodation that arises will be worked through by my Department in conjunction with the VECs involved and the new merged body when established.

Expenditure Reviews

169. **Deputy Terence Flanagan** asked the Minister for Public Expenditure and Reform when he will publish the results of the comprehensive review of expenditure process; and if he will make a statement on the matter. [28153/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): 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.

Regulatory Reform

170. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Public Expenditure and Reform if he will report on the meeting of the annual regulatory forum on 2 June last; the issues discussed and actions agreed; and if he will make a statement on the matter. [28198/11]

197. **Deputy Dominic Hannigan** asked the Minister for Public Expenditure and Reform the number of staff that are working in the better regulation unit of his Department; their roles; the remit of this unit; and if he will make a statement on the matter. [28797/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I propose to take Questions Nos.170 and 197 together.

In line with the 2009 Government Statement on Economic Regulation, the Taoiseach and relevant Cabinet Ministers met with key economic regulators on 2 June this year. The meeting was chaired by the Taoiseach and attended by the Ministers for Finance; Jobs, Enterprise & Innovation, and Communications, Energy and Natural Resources. The Minister for Transport, Tourism and Sport was represented by his Secretary General. Representatives of the Central Bank, the Commission for Energy Regulation, the Commission for Communications Regulation, the Commission for Aviation Regulation, the Broadcasting Commission of Ireland, the National Transport Authority, the Competition Authority and the National Consumer Authority were also in attendance.

The purpose of the meeting was to examine ways in which Ireland's regulation of major sectors of the economy, such as energy, financial services, transport and post and telecommunications, can contribute to stronger economic recovery through facilitating investment and employment growth and minimising business costs. The agenda specifically included discussions of: investment and innovation; business costs; consumer welfare and competition as well as broader regulatory issues.

Participants at the Forum recommitted their organisations to cost minimisation and investment promotion in the interest of maintaining and growing jobs. All parties agreed to work together on developing benchmarks on utility costs and quality. There was also agreement on the need to progress the statutory underpinning of improved governance and accountability arrangements.

The Better Regulation function has historically been shared between the Departments of the Taoiseach and Jobs, Enterprise and Innovation. During the re-configuration of Departments following the appointment of this Government, the staff previously assigned to the Better Regulation Unit within the Department of the Taoiseach transferred to my Department but have been assigned to other duties. There is no specific Better Regulation Unit within my Department and the locus of responsibility for the Better Regulation agenda has yet to be finalised.

Departmental Properties

171. **Deputy Michael McNamara** asked the Minister for Public Expenditure and Reform if he will explain the delays in carrying out the conveyance of lands for the development of a new coast guard station at Doolin, County Clare (details supplied); and if he will make a statement on the matter. [28265/11]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes): The Commissioners of Public Works have been informed by the Chief State Solicitor's Office that the case involves a number of complex conveyancing issues; in particular, the easement required for the provision of drainage from the proposed coast guard station, which extends through several different properties. The Commissioners have been assured by the Chief State Solicitor's Office that the case is receiving urgent attention and will be dealt with as a matter of priority.

Public Sector Pay

172. **Deputy Terence Flanagan** asked the Minister for Public Expenditure and Reform the position regarding an income cap on public sector and private sector workers; and if he will make a statement on the matter. [28277/11]

177. **Deputy Terence Flanagan** asked the Minister for Public Expenditure and Reform if he will deal with a matter (details supplied) regarding the salaries of higher paid civil servants; and if he will make a statement on the matter. [28907/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I propose to take Questions Nos. 172 and 177 together.

Apart from instances where statutory rates of pay apply, pay rates in the private sector are generally a matter for negotiation between individual employers and employees and the Government has no direct input to that process. My responsibilities in relation to pay extend to the public service where the Government has a direct role in the determination of pay rates as employer. Pay rates in the public service have already been reduced by up to 15% and a progressive pension related reduction applied through the Financial Emergency Measures in the Public Interest Acts of 2009. More recently, the Government accepted my proposals to introduce a general pay ceiling of €200,000 for future appointments to higher positions across the public service, a general pay ceiling of €250,000 for future appointments to CEO posts within Commercial State Companies and a voluntary waiver system of up to 15% for current post holders who have salaries in excess of the relevant pay ceiling.

[Deputy Brendan Howlin.]

All new appointments to the Public Service are being made in line with the policy adopted by the Government on pay ceilings. New pay rates for Secretary Generals of Government Departments have been introduced effective from June 2011 with a maximum rate of €200,000. This represents a reduction of almost 30% on Secretary General Level I pay at September 2008 (€285,341). These new reduced pay rates will also reduce Exchequer pension costs into the future for those appointees. In addition, a significant number of existing incumbents of posts in the public service that attract salaries in excess of the general pay ceilings adopted by the Government have to date responded positively to the Government's request for a voluntary waiver of up to 15% of their salaries.

Departmental Staff

173. **Deputy Joan Collins** asked the Minister for Public Expenditure and Reform the number of apprentices from the Office of Public Works who have served their time and then not been kept on since the introduction of the moratorium on recruitment; if he will provide an estimate based on the current amount of apprentices in the OPW that will be serving their time in the next year who will also not be kept on due to the moratorium on recruitment; the number of apprentices that have been let go before serving their time since the introduction of the moratorium; if he will provide a breakdown of the trades and the years served of these apprentices; and if he will make a statement on the matter. [28328/11]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes): Thirteen apprentices (four carpenters, three stonemasons, two fitters, two electricians, one painter and one plasterer) are scheduled to complete their training within the next year. In order to meet exceptional operational requirements at key work location, the OPW may seek the sanction of the Minister for Public Expenditure and Reform to retain a small number of these apprentices, but at this juncture this consideration is still uncertain. Notwithstanding the requirements of the moratorium, as a matter of established practise, the OPW does not retain all of the apprentices that it trains. For instance, over the past ten years ninety-one apprentices were taken on, but only twenty-two were retained permanently on completion of training.

Since the introduction of the moratorium, the engagement of one apprentice carpenter was terminated prior to the completion of training. In addition to the foregoing, the OPW are also facilitating FÁS by providing placement for twenty-seven apprentices to complete their training under the Redundant Apprentice Programme.

Pension Provisions

174. **Deputy Luke 'Ming' Flanagan** asked the Minister for Public Expenditure and Reform if he will provide an actuarial breakdown of the extra yearly cost to the Exchequer for pensions awarded to those public servants who can retire at 50 years instead of 68 years; if these costs may be reconsidered due to the fact that civil servants retire at a much earlier age than ordinary workers; and if he will make a statement on the matter. [28339/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): Most Civil Servants recruited before 1 April 2004 may retire with immediate payment of pension from age 60. For those recruited to the Civil Service on or after 1 April 2004 (excluding Prison Officers) the minimum pension age is 65. Prison Officers recruited prior to 2004 may retire and receive immediate pension from age 50 provided they have completed 30 years service in the Prison Service. For those recruited since 2004 the corresponding minimum pension age is 55.

Civil Servants, who resign within 10 years of reaching the relevant preserved pension age, can apply for the immediate payment of preserved pension and lump sum, both of which will be actuarially reduced. Early retirement is also available on grounds of ill health. The new Public Service Single Pension Scheme proposes that the minimum pension age for future recruits to the Civil Service (other than Prison Officers) will be linked to the Social Welfare pension age. The minimum pension age for Prison Officers will not change under the new scheme.

The latest estimates on the annual cost of Civil Service occupational pension terms are contained in the Comptroller and Auditor General Report on Public Service Pensions (August 2009). This Report found that the annual gross cost for currently serving Civil Servants (excluding Prison Officers) to be 22.3% of pay. The cost for future recruits to the Civil Service was estimated to be 24.6% for established Civil Servants and 9.5% of pay for recruits with non-established pension terms. The Report found that the annual pension cost for currently serving Prison Officers was 29.6% of pay; the corresponding cost for Prison Officers recruited after 2004 was estimated at 27.8%. All these gross costs make no allowance for the pension contributions made by staff.

Legislative Programme

175. **Deputy Sean Fleming** asked the Minister for Public Expenditure and Reform when the Construction Contracts Bill will be introduced into Dáil Éireann; and in view of the regulatory impact assessment carried out if he will consider the non-binding adjudication, the restriction to limit the application of the Bill to figures of greater than €200,000 and the right to suspend work for non-payment must not be time restricted before the Bill is considered further; and if he will make a statement on the matter. [28705/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The Programme for Government contains a commitment to introduce new legislation to protect small building subcontractors that have been denied payments from bigger companies. In addition, you may be aware that the Construction Contracts Bill 2010 was introduced by Senator Feargal Quinn and passed Committee and remaining stages in the Seanad on 8 March 2011. It is now before the Dáil.

My colleague, Minister of State Mr Brian Hayes, has been working with Senator Quinn to develop the Bill into a robust piece of legislation. In this regard, Minister Hayes and Senator Quinn met relevant stakeholders and opposition spokespersons on 28 June 2011. This consultation highlighted a number of matters relating to the Bill that required further consideration. These have been taken into account now in the Regulatory Impact Assessment (RIA) on the Bill which was completed recently and published on 27 September. The Report is available on my Department's website: www.per.gov.ie/reports.

The RIA examined issues relating to payment practices in the construction sector and assessed the need for legislative intervention. It found that legislation is desirable to improve payment practices and to allow swift resolution of payment disputes by way of adjudication, allowing projects to be completed without wasting time and money in litigation. In addition, the RIA examined the main proposals to amend the Bill that were raised during the Seanad debate and subsequent consultation. It found that there were merits to considering amending the Bill in a number of respects e.g. to bring lower value contracts within its scope and to make the adjudicators award binding in payment dispute cases. It concluded that any such amendments should be formulated in such a manner that would protect the taxpayer.

[Deputy Brendan Howlin.]

In addition to the issues dealt with in the RIA, Minister Hayes has asked the relevant officials to re-examine other issues raised during the consultation, including the time limit on suspension, to see if a more effective solution can be formulated in such a manner that would protect the taxpayer. Minister Hayes will reflect on the findings of the RIA and incorporate them into the legislative proposals which will be brought to Government shortly for approval. It is essential that the solution to this issue needs to be balanced so as to avoid imposing regulatory or cost burdens on parties in dispute, the State or others.

176. **Deputy Michael McCarthy** asked the Minister for Public Expenditure and Reform his views that there is scope to strengthen the Construction Contracts Bill when it comes before the Dáil Eireann; when he expects this legislation to be forthcoming; and if he will make a statement on the matter. [28717/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The Programme for Government contains a commitment to introduce new legislation to protect small building subcontractors that have been denied payments from bigger companies. In addition, you may be aware that the Construction Contracts Bill 2010 was introduced by Senator Feargal Quinn and passed Committee and remaining stages in the Seanad on 8 March 2011. It is now before the Dáil.

My colleague Minister of State Mr Brian Hayes has been working with Senator Quinn to develop the Bill into a robust piece of legislation. In this regard, Minister Hayes and Senator Quinn met relevant stakeholders and opposition spokespersons on 28 June 2011. This consultation highlighted a number of matters relating to the Bill that required further consideration. These have been taken into account now in the Regulatory Impact Assessment (RIA) on the Bill which was completed recently and published on 27 September. The Report is available on my Department's website: www.per.gov.ie/reports. I understand that a note on this issue was recently circulated to all Oireachtas members.

The RIA examined issues relating to payment practices in the construction sector and assessed the need for legislative intervention. It found that legislation is desirable to improve payment practices and to allow swift resolution of payment disputes by way of adjudication, allowing projects to be completed without wasting time and money in litigation. In addition, the RIA examined the main proposals to amend the Bill that were raised during the Seanad debate and subsequent consultation. It found that there were merits to considering amending the Bill in a number of respects e.g. to bring lower value contracts within its scope and to make the adjudicators award binding in payment dispute cases. It concluded that any such amendments should be formulated in such a manner that would protect the taxpayer.

In addition to the issues dealt with in the RIA, Minister Hayes has asked the relevant officials to re-examine other issues raised during the consultation, including the time limit on suspension, to see if a more effective solution can be formulated in such a manner that would protect the taxpayer. Minister Hayes will reflect on the findings of the RIA and incorporate them into the legislative proposals which will be brought to Government shortly for approval. It is essential that the solution to this issue needs to be balanced so as to avoid imposing regulatory or cost burdens on parties in dispute, the State or others.

Question No. 177 answered with Question No. 172.

Pension Provisions

178. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform if

he will enforce sections 6 and 7 of the Superannuation and Pensions Act 1963 by rescinding special severance gratuity payments and added years awarded to existing senior civil servants such as Secretaries General and county managers on their retirement. [28653/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): Sections 6 and 7 of the Superannuation and Pensions Act 1963 provide for added years and severance for retiring civil servants in certain circumstances. They are discretionary and are only applied in the context of effecting efficiency and economy in the organisation. In the case of retiring Secretaries General, the enhanced retirement terms only apply where the individual has not been appointed to another post in the Civil or Public Service or in an international body.

A Secretary General is appointed for a fixed term which, as a result of the individual's age at the date of appointment, expires before age 65, and in many cases before age 60. In circumstances where an individual is obliged to retire at the end of his/her term and before age 65, a severance payment and enhanced retirement benefits may be granted, subject to certain conditions, in recognition of the fact that the individual has foregone the right to continue in employment to age 65 and accrue further pension benefits. These terms are designed to encourage younger people to apply for such posts who might otherwise wish to continue working until age 65.

The terms which have been approved on the appointment of Secretaries General will be honoured by this Government. These terms provide for a reassignment of the officer or the granting of superannuation terms in line with 1987 Government decision. I am conducting a full review of the TLAC terms in the context of new appointees as Secretary General. I would add that I have just published the new Single Public Service Pension Scheme Bill. This will provide for pension calculation on the basis of career-average. No enhancement of superannuation benefits will be applicable in the case of Single Scheme members in the future.

The Superannuation and Pensions Act 1963 does not cover the superannuation position of County Managers, whose terms are dealt with in section 78 of the Local Government (Superannuation) (Consolidation) Amendment Scheme 1998, as amended by Section 23 of the Local Government (Superannuation) (Consolidation) Amendment Scheme 2007 and made pursuant to section 47 of the Local Government Act 1991. This legislation is the responsibility of the Minister for Environment, Community and Local Government.

Public Sector Staff

179. **Deputy Stephen Donnelly** asked the Minister for Public Expenditure and Reform with regard to the public service moratorium on recruitment, if his attention has been drawn to the fact that the mechanism is leading to failures in the system, such as the effective closure of entire public sector operations or units which are left without the minimum level of staffing; his plans to address same; and if he will make a statement on the matter. [28895/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): It is unhelpful to Ireland's standing with our international funding partners if Deputies make unjustifiable claims of "failures in the system" when so many people in our public services are striving to deliver a first class service within reduced resources.

The Government has to deliver better value in the public sector in order to reduce the deficit and protect frontline services. Over the last number of years, enhanced numbers monitoring systems and multi-annual employment frameworks have been put in place. These arrangements will be strengthened to ensure that effect is given to Government decisions on public service numbers and will aid public bodies in planning future staffing levels. It is part of the day to day function of the Boards and Management of all public bodies to assess, budget and plan for

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current and ongoing staffing requirements including the identifying of key posts and services. Ireland is committed under the EU-IMF programme to reducing the overall size of the public service.

Delivering this reduction will require continued implementation of the moratorium on recruitment with exceptions being limited to only essential posts and the utilisation of redeployment as the primary mechanism to fill posts which have been approved. In order to protect frontline services, the Government is committed to making fundamental changes to the way the public service operates. This will inevitably mean changes in the way in which services to the public are delivered, however, I am certainly not aware of any so called catastrophic failures in the system.

In order to protect crucial services exceptions to the Moratorium may be granted on the following basis:

- a) statutory posts which have to be filled for legal reasons;
- b) where failure to fill posts would result in a breach of EU/international regulations and impact upon exports etc.;
- c) safety related posts — failure to fill them could leave the state open to potential legal liabilities or for security reasons;
- d) specialist/technical posts to ensure continuity of operations e.g. legal officers; laboratory staff, maritime safety, etc.;
- e) to ensure continuity of frontline services.

In the case of the Education and Health Sector a number of grades are exempted from the Moratorium in order to ensure that these vital services are maintained.

180. **Deputy Stephen Donnelly** asked the Minister for Public Expenditure and Reform with regard to the public service moratorium on recruitment, his views that including maternity leave in the moratorium is explicitly discriminatory; his plans to address same; and if he will make a statement on the matter. [28897/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The reason for any vacancy (maternity leave, career break, resignation, retirement etc) is not a factor in decisions relating to the Moratorium. It should be noted by the Deputy that a number of exceptions have been granted by my Department to cover maternity leave where the posts in question met the agreed exemption protocols in order to protect crucial services.

Ireland is committed under the EU-IMF programme to reducing the overall size of the public service. Delivering this reduction will require continued implementation of the moratorium on recruitment with exceptions being limited to only essential posts and the utilisation of redeployment as the primary mechanism to fill posts which have been approved. In order to protect frontline services, the Government is committed to making fundamental changes to the way the public service operates.

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c) safety related posts — failure to fill them could leave the state open to potential legal liabilities or for security reasons;

d) specialist/technical posts to ensure continuity of operations e.g. legal officers; laboratory staff, maritime safety, etc.;

e) to ensure continuity of frontline services.

All Government Departments and agencies simply have to deliver better value to the public in order to reduce the deficit and protect frontline services. Over the last number of years, enhanced numbers monitoring systems and multi-annual employment frameworks have been put in place. These arrangements will be strengthened to ensure that effect is given to Government decisions on public service numbers and will aid public bodies in planning future staffing levels.

It is part of the day-to-day function of the Boards and Management of all public bodies to assess, budget and plan for current and ongoing staffing requirements including the identifying of key posts. However, it remains a matter for local agency and parent Department management to decide on operational priorities within the framework of Government policy and resources allocated.

Questions Nos. 181 and 182 answered with Question No. 48.

Departmental Bodies

183. **Deputy Sean Fleming** asked the Minister for Public Expenditure and Reform if he has denied any requests to proceed with retaining or filling posts from any public sector entity which is working within the figures for an agreed employment control framework; and if he will provide details of such cases. [28362/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): Data on the third quarter of the year is currently being compiled and will be communicated to the Deputy as soon as it is to hand. The tables cover up to the 30th June 2011.

Table 1 — Civil Service

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
Courts Service	5 Legal Researchers	Legal Researchers	5	Approved	01-Jun-09	5	Approved but next 6 Tipstaff to be suppressed
	1 Co. in Limerick from PAS Co. panel	CO	1	Approved	18-Nov-09	1	1 Co. from PAS
	1 Co. in Waterford from PAS Co. panel	CO	1	Approved	18-Nov-09	1	1 Co. from PAS
	Dep Gen Solicitor (AP) acting to Gen Solicitor (PO) to be made substantive	Gen Solicitor	1	Approved	06-Nov-09	1	Sanctioned as substantive Gen Solicitor on basis of suppressing Dep Gen Solicitor post
	Tip staffs (criers and ushers) for judiciary	Tip Staff (criers and ushers)	5	Approved	11-Mar-10	5	Operational needs.
	Permanent Court messenger Galway	Court Messenger	1	Approved	21-Jan-10	1	Statutory requirements
	10 Judicial Fellowships to the High Court	Fellowships	10	Approved	16-Jun-10	10	Fellows considered to provide key support to the Judiciary
	4 Assistant Principal Officer posts in Dublin	Assistant Principal	4	Part Approved	01-Nov-10	2	3 to replace 4 normal retirements and 1 lateral transfer
	3 Executive Officers in Dublin	Executive Officer	3	Not Granted			2 to replace retirements and 1 to replace transfer
	1 Clerical Officer Wexford/Waterford	Clerical Officer	1	Not Granted			To replace staff member transferring to a Garda Station
	Service Officer with Allowance for Dublin	Service Officer	1	Not Granted			Vacancy created on retirement of incumbent
1 Higher Executive Officer Wexford	HEO	1	Approved	19-Oct-10	1		

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
	1 Executive Officer Clonmel	EO	1	Approved	19-Oct-10	1	Essential Post
	Judicial Secretaries	CO	2	Approved	19-Oct-10	2	
	Private Secretary to President High Court	CO	1	Approved	01-Nov-10	1	Operational needs.
	Registrar Special Criminal Court	AP	1	Refused			
	Tip staffs (criers and ushers) for judiciary	Tip Staff (criers and ushers)	1	Approved	20-Dec-10	1	Vacancies arising as a result of shorter working year Acting up allowance EO to HEO for 6 months
	Tip staffs (criers and ushers) for judiciary	Tip Staff (criers and ushers)	1	Approved	10-May-11	1	
	Temporary Clerical Officer Cover	TCO	3	Approved	10-May-11	3	
	Higher Executive Officer Donegal	Higher Executive Officer	1	Approved	10-May-11	1	
	Higher Executive Officer Ballinasloe	Higher Executive Officer	1	Under consideration	10-May-11		
	Tip staffs (criers and ushers) for judiciary	Tip Staff (criers and ushers)	2	Under consideration			
	Executive Legal Assistant to Chief Justice	Executive Legal Assistant	1	Under consideration			
	Judicial Researcher	Judicial Researcher	1	Under consideration			
	2 Supervisory Allowances for Service Officers	Service Officer	2	Under consideration			

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
PRA	Examiner of Maps	Examiner of Maps		Part Approved	20-Jan-00	20	20 Mapping Draughts persons promoted to next level. Old grade defunct while their new grade has big workload. Part Granted (no allowance for 15 staff)
	Deputy Registrar			Approved	01-Jan-00	1	Business Critical Post
	Mapping Advisor			Approved	01-Jan-00	1	Business Critical Post
	PO	PO		Approved	01-Jan-00	1	Business Critical Post
	AP	AP		Part Approved	01-Jan-00		Promotions
	Service Officer	Service Officer		Approved	03-Jan-00		
Assistant Sec	Assistant Sec		Part Approved	01-Jan-00			
JELR	CEO Legal Aid Board	CEO	1	Approved	28-Aug-09	1	Statutory Post, extension for a 5 year fixed term contract
	CEO Equality Authority	CEO	1	Approved	23-Apr-09	1	Statutory Post, extension for a 5 year fixed term contract
	Employment Assistance Officer (EAO)	Employment Assistance Officer	1	Approved	06-May-09	1	Existing Civil Servant, cost neutral
	Garda Inspectorate — 2 members	Garda Inspectorate	2	Approved	07-Aug-09	2	2 new members of Inspectorate sanctioned for a 2 year period
	Deputy Chief State Pathologist	Deputy Chief State Pathologist	1	Approved	07-Jul-09	1	Exception made to make temp contract established (see file)
	Head of IT	Head of IT	1	Approved	17-Feb-10	1	Acting up allowance for 1 year
	2 Legal Researchers -INIS/ORAC	Legal Researcher	2	Approved	02-Feb-10	2	Renewal of Contracts for 1 year
	Director General (Dep Sec)	DG	1	Part Approved	25-May-10	1	Approved at lower level.
	International Policy (Asst Sec)	Asst Sec	1	Suppressed	01-May-10	0	—
	JELR ISER 10 PO posts	PO	8	Part Approved	—	4	—

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
	JELR shared services (Payroll Project Team 1 AP, 2 HEOs and 1 EO)	Eo to AP	5	Under Consideration	—	—	—
	JELR shared services (1 AP, 2 EOs and 2 Cos)	Co. to AP	5	Under Consideration	—	—	—
	Appointment of Ministerial Staff	Personal Secretary, Assistant, Civilian drivers, special advisers	3	Approved	24-Mar-11		Ministerial Appointments
	12 Junior Solicitors — Legal Aid Board	Solicitors	12	Approved	15-Apr-10	12	Value for Money
	Office of Data Protection Commissioner Commissioner, 5 year contract	Asst Sec	1	Approved	26-May-10	1	Statutory Post, extension for a 5 year fixed term contract
	National Manager of Detention School Services		1	Under Consideration			
	Deputy Director Probation Services		1	Refused			
	1 Senior Legal Reseacher		1	Refused			
	4 Legal Researchers		4	Approved		3	Essential expertise needed
	Senior Investigations Officer GSOC	AP	1	Refused			
	3 Forensic Scientists Grade III		3	Refused			
	2 Scientists		2	Refused			
	Assistant Principal Probation Officer	AP	1	Refused			
	Probation Officers		5	Refused			

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
	3 Assistant Principal	AP	3	Part Approved	26-Aug-10	2	Business Critical Posts
	7 Executive Officers	EO	7	Part Approved	26-Aug-10	3	Business Critical Posts
	2 Senior Probation Officers	Senior Probation Officers	2	Approved	26-Aug-10	2	Business Critical Posts
	8 Probation Officers	Probation Officers	8	Approved	26-Aug-10	8	Business Critical Posts
	5 Community Service Supervisors	Community Service Supervisors	5	Part Approved	26-Aug-10	3	Business Critical Posts
	Refugee Appeals Tribunal Chairperson of Refugee Appeals Tribunal		1	Approved	30-Aug-10	1	Statutory Post
	A/Sec — Finance and Corporate	Asst Sec	1	Approved	30-Sep-10	1	
	2 Executive Officers Anti-Money Laundering Unit	EO	2	Approved	22-Oct-10	2	Business Critical Posts
	Extradition & Mutual Assisitance Unit, Increased e-data.	1 HEO, 2EOs, 2 Cos	5	Part Approved	09-Nov-10	3	Increased Statutory function
	GSOC Head of Communications	1 PO	1	Part Approved	December	1	Business Critical Posts
	Driver Inspector of Prisons	Driver	1	Approved	26-Oct-10	1	
	Allowance for GSOC PA	CO	1	Approved	08-Nov-10	1	
	Minister Alan Shatter	Special Advisor	1	Approved	24-Mar-11	1	Ministerial Appointment
		Special Advisor	1	Approved		1	Ministerial Appointment
		Personal Secretary	1	Approved		1	Ministerial Appointment
	Minister of State for Defence Paul Kehoe	Special Adviser	1	Approved		1	Ministerial Appointment

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
Irish Prison Service	Minister Alan Shatter	Personal Assistant	1	Approved	23-May-11	1	Ministerial Appointment
	10 Executive Officers INIS	Executive Officers	10	Under consideration			
	4 Higher Executive Officers INIS	Higher Executive Officers	4	Under consideration			
	4 Assistant Principal	Assistant Principal	4	Under consideration			
	Renewal of Contract for the Director General	Director General	1	Approved	June 09	1	Renewal of 5 year contract
	Chief Officer competition	Chief Officer	1	Approved	31-Jul-09	1	Prison operational reasons.
	40 Recruit Prison Officers	Prison Officer	40	Approved	31-Jul-09	40	Prison operational reasons.
	3 Governor 1's	Governor	3	Approved	31-Jul-09	3	Prison operational reasons.
	2 Governor 2 posts	Governor	2	Approved	20/10/09	2	Prison operational reasons.
	1 Governor 2 Post	Governor	1	Approved	20/10/09	1	Prison operational reasons.
	Recruit grade prison officers	Prison Officers	40	Part Approved	23-Oct-09	40	Prison operational reasons.
	Mandatory Drug Testing (Allowances)	—	2	Approved	13-Oct-09	2	Prison operational reasons.
	Governor posts	Governor	15	Approved	01-Feb-09	15	Fill front line vacancies in prisons
	Recruit grade prison officers	Prison Officer	40	Approved	22-Jan-10	40	38 recruit prison officers and 2 psychologists
	Assistant Chief Officer	Asst Chief Officer	15	Approved	11-Feb-10	1	—
	Governor III	Governor	1	Under Consideration			Required for Transformation Implementation Team
Assistant Governor	Asst Gov	1	Under Consideration			Required for Transformation Implementation Team	

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Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
	Assistant Principal	Assistant Principal	1	Under Consideration			Required for Transformation Implementation Team
	2 Clerical Officers	Clerical Officer	2	Under Consideration			Required for Transformation Implementation Team
	150 Prison Officers	Recruit Prison Officer	150	Approved	19-May-10	150	Prison operational reasons.
	14 promotions to Assistant Chief Officer	Assistant Chief Officer	14	Approved	05-Jul-10	14	Prison operational reasons.
	Allowance for campus Governor	Governor 1	1				
	1 Assistant Principal	AP	1	Approved	Oct	1	Required for Transformation Implementation Team
	2 Clerical Officers	CO	2	Refused			
	9 Chief Officer I	Chief Officer I	9	Part Approved	18-Oct-10	5	Prison operational reasons.
	9 Chief Officer II	Chief Officer II	9	Part Approved	18-Oct-10	5	Prison operational reasons.
	Psychologists Grade II	Psychologists Grade II	2	Approved	December	2	Prison operational reasons.
	4 Psychology Assistants	Psychology Assistants	4	Under Consideration			
	10 Nurse Officer Posts	Nurse Officers	10	Refused	October		
	Coordinator of Education		1	Under Consideration			

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
Garda Civilians	5 Governor III posts	Governor III	5	Approved	15-Jul-10	5	Prison operational reasons.
	2 Governor I posts	Governor I	2	Approved	15-Jul-10	2	Prison operational reasons.
	1 Assistant Governor	Asst Gov	1	Approved	15-Jul-10	1	Prison operational reasons.
	Psychologists Grade II	Psychologists Grade II	2	Approved	03-Sep-10	2	Prison operational reasons.
	150 Prison Officers	Prison Officers	150	Part Approved	27-Sep-10	79	
	Assistant Industrial Supervisors	Assistant Industrial Supervisors (prison officers)	64	Part Approved	01-Dec-10	32	Prison operational reasons.
	Acting up allowances			Not Granted	—	—	—
	GPO head of HR strategy	PO	1	Not Granted	—	—	—
	Head of Garda Infor Services centre	PO	1	Not Granted	—	—	—
	Head of Training unit Templemore	AP	1	Approved	12-Mar-10	1	1 year contract extension
	IT staff 9	Various	9	Part Granted	19-Apr-11	4	2 HEOs and 2 EOS subject of CMOD approval
	31 staff for emergency call answering	CO	31	Refused	01-Jun-10	—	—
	35 Staff for Garda Vetting Unit	CO	35	Part Granted	16-Feb-11	10	six month contracts to clear backlog
	Head of legal affairs	PO higher	1	Approved	19-Apr-11	1	
	OSCAM	Various	4	Part Granted	19-Apr-11	2	
	GISC	HEO	3	Approved	19-Apr-11	3	
	Accident Damage Manager	HEO	1	Not Granted	19-Apr-11	0	
Vehicle inspectors	EO	2	Part Granted	19-Apr-11	1		

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
D/E&S	Dr	Dr	1	Not Granted	19-Apr-11	0	
	HR manager	HEO	2	Approved	19-Apr-11	2	
	Crime analyst	HEO	2	Not Granted	19-Apr-11	0	
	GNIB	EO	6	Under consideration			
	Head Grooms Person — An Garda Síochána	Head Grooms Person	1	Under consideration		1	Replacement for retirement
	Programme for Govt 22 Psychologist & 3 SENO staff	Psychologists/SENO	25	Approved	25-May-09	25	Extending a service and reducing spend on panel scheme
	Chief Inspector vacancy from retirement	Chief Inspector	1	Approved	Nov 09	1	Business Critical Post
	A/Secretary post	Asst Secretary	2	Part Approved	08-Oct-09	1	Business Critical Post
	CEO of State Examinations Commission	Asst Secretary	1	Approved	08-Oct-09	1	Business Critical Post
	School Inspectorate	10 Retired School Inspectors	10	Approved	03-Feb-10	10	
	NCCA	8 Education Officers (temp.)	8	Approved	22-Jun-10	8	Business Critical Post
	SEC	EAM (maths)	1	Approved	16-Sep-10	1	Specialist post
	NCCA	Director Curr. Assess.	1	Approved	22-Sep-10	1	Business Critical Post
	SEC	Director (HEAD)	1	Approved	09-Mar-11	1	Business critical case (Junior & Leaving Certs)
Appointment of Ministerial Staff	Civilian drivers	2	Approved	07-Apr-11	2	Ministerial Appointments (Cannon)	

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
DES	Appointment of Ministerial Staff	Special Advisor	1	1 Approved	07-Apr-11	1	Min. appointment (Quinn)
DES	Appointment of Ministerial Staff	Personal Assistant	1	1 Approved	07-Apr-11	1	Min. appointment (Cannon)
DES	Appointment of Ministerial Staff	Personal Secretary	1	1 Approved	04-May-11	1	Min. appointment (Quinn)
DES	Appointment of Ministerial Staff	Personal Assistant	1	1 Approved	12-May-11	1	Min. appointment (Quinn)
DES	Appointment of Ministerial Staff	Civilian Driver	1	1 Approved	13-May-11	1	Min. appointment (Quinn)
DES	Appointment of Ministerial Staff	Special Advisor	1	1 Approved	02-Jun-11	1	Min. appointment (Quinn)
DES	Appointment of Ministerial Staff	Personal secretary	1	1 Approved	01-Jun-11	1	Min. appointment (Cannon)
DES	Appointment of Ministerial Staff	Civilian Driver	1	1 Approved	01-Jun-11	1	Min. appointment (Quinn)
DES	3 Post-primary Inspectors	Education	3	2 approved	20-May-11		to hold a competition for possible vacancies in the primary & post-primary inspectorate (specific sanction required for any appointment by D/Fin)
DES	4 Temp Cos form PAS + 2 redeployed from other local depts.	CO	6	6approved	03-Jun-11	6	4 Temp Cos form PAS + 2 redeployed from other local depts to cover absences in large scale operational areas.
NCCA	1 new education officer	Officer	1	1 approved	05-Jul-11		new post had been approved previously. 2 other staff retiring in august will also be replaced.
DES	replace senior statistician on 5 year secondment	Senior statistician	5	approved	06-Jul-11		replacement will return to Cso when DES statistician returns from ICTU

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
D/Social Protection	New Management Board Structure	A/Sec and Director	4	Agree in principle to fill two of three A/Sec arising in '09 and to replace over '09 and '10 four departing Directors by two /Secs.	Decision by Minister 8/10/09 to proceed. Sanction issued 19 April '10 to appoint 2 A/Secs to replace 4 departing Directors.	4	Agreed to restructure responsibilities at Mgt Board level from 5 A/Sec and 5 Directors to 6 A/Sec and 1 Director.
	To fill vacancy resulting from retirement in Child Family & Supplementary Policy & Services	Asst Secretary	1	Approved	Oct-09	1	Business Critical Post
	Regional & Pensions Service Delivery	Asst Secretary	1	Approved	Oct-09	1	Business Critical Post
	General Register Office	Asst Secretary	1	Refused	—	0	—
	GPs required to operate med assessment scheme	Medical Assessors	4	Approved	09-Nov-09	4	Control function in monitoring validity of illness cases
	Dep Head for med assessment scheme	Deputy Chief Medical Advisor	1	Approved	13-Jul-09	1	To provide management level to ensure appropriate monitoring of illness cases
	Director — This is a statutory post	Chief Appeals Officer	1	Approved	23-Oct-09	1	Statutory Requirement to have Director in place
	Head of Office — renewal of contract	Pension Ombudsman	1	Approved	01-Apr-09	1	Statutory requirement to have Ombudsman in place
	3 posts sanctioned for Buncrana Office Donegal	Service Officer	3	Approved	24-Aug-09	3	Not possible to recruit Service Officer staff locally or via CAF
	8 Buncrana Office Donegal	Staff Officer	8	Approved	06-Oct-09	8	Supervisory posts

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
	Promotions (Dundalk)	Co. to SO	20	Approved	01-Jul-09	20	Reduce Live Register “waiting time” for new claimants
	Promotions Dundalk Initiative	Co. to SO	25	Approved	23-Dec-09	25	Reduce Live Register “waiting time” for new claimants
	Sanction to run competition for PO post in Sligo	Principal Officer		Approved	18-Jan-10	1	No assignment to date
	Package of up to 100 posts being requested — 50 promotions in 2010 and 50 in 2011.	SO, EO and HEO, AP,	100	Part Approved	25-Mar-10	20	To deal with increases in the Live Register
	Social Welfare Appeals Officers (Retired)	AP	12	Approved	20-May-10	12	Backlog of Appeals office Claims requiring decisions
	Special Adviser to Minister	PO Standard	1	Approved	06-May-10	1	Ministerial appointments to D/SP
	Special Media Adviser to Minister	PO Standard	1	Approved	06-May-10	1	Ministerial appointments to D/SP
	Personal Assistant to Minister	HEO	1	Approved	06-May-10	1	Ministerial appointments to D/SP
	Personal Secretary to Minister	Personal Secretary	1	Approved	06-May-10	1	Ministerial appointments to D/SP
	Request to fill posts by internal competition	PO, AP and HEO	3	Approved	17-Aug-10	3	Essential to the maintenance of critical IT projects connected with increased workload arising from increases in the Live Register and also resulting from the integration of IT systems associated with transfers of functions to the D/SP. PO post is to be filled from existing internal panel while other 2 posts are to filled from redeployment if possible.

[Deputy Brendan Howlin.]

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
	Medical Assessors	Medical Assessors			13-Jul-10		Approval given to run competition — additional sanction will be required to fill posts. The Medical Review and Assessment Services (MRAS) is the principal control mechanism for illness, disability and carer payment schemes administered by DSP.
	Filling of Senior Management Posts	1 Deputy Secretary and 1 Assistant Secretary	2	Under Consideration			Business Critical Posts
	Appointment of Ministerial Staff	Personal Secretary	1	Approved	20-Apr-11	1	Ministerial Appointment
	Filling of Senior Management Posts	1 Assistant Secretary	1	Approved	27-Apr-11	1	Approved on a redeployment basis
	Payment of PO acting up allowance	PO	2	Approved	10-May-11	2	
	Appointment of civilian driver	Civilian Driver	1	Approved	25-May-11	1	Ministerial Appointment
	Appointment of Ministerial Staff	Advisor	1	Approved	15-Jun-11	1	Ministerial Appointment
	Appointment of civilian driver	Civilian Driver	1	Approved	16-Jun-11	1	Ministerial Appointment
	Appointment of Ministerial Staff	Advisor	1	Approved	28-Jun-11	1	Ministerial Appointment

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D/AFF	Filling of 2 A/Sec posts	Assistant Secretary	2	Part Approved	19-Mar-10	1	
	Filling of vacancy in Direct Payment Schemes	Assistant Secretary	1	Approved	10-Jul-09	1	Business Critical Post
	Senior Management, technical and scientific (45) to address skills deficits and ensure EU directives compliance	Various	45	Part Approved	19-Mar-10	21	—
	Statutory posts	Audit & Senior management	2	Approved	19-Mar-10	2	—
	Acting up allowance	HEO	1	Approved	2/10/09	1	
	Senior Management and Technical Posts	Various	54	Part Approved	22-Sep-10	3	To cover financial risk re management of Programmes. Remainder of request still under consideration.
	Appointment of Ministerial Staff	Personal Secretary, Assistant, Civilian drivers, special advisers	8	Approved	10-Mar-11	8	Ministerial Appointments
	appointment of AP	AP	1	Approved	21-Apr-11	1	15 Aps retired in the previous 2 years. Consequential HEO vacancy will not be filled
	Filling of vacancies in service delivery posts	Various	42	Part Approved		18	Delivery of service

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
D/EH&LG	To replace retiring and promoted Assistant Secretary	Assistant Secretary	1	Approved	19/6/09	1	Business Critical Post
	Request for 35 posts, 14 via promotion and 21 via recruitment	various Tech and administrative grades	35	Part Approved	27/03/2010	22	<p><i>8 Posts in the National Parks & Wildlife Service:</i> 1 Grade 1 Inspector, 1 Grade 11 Inspector, 4 Grade 111 Inspectors, 2 Conservation Rangers.</p> <p><i>6 Posts in Met Éireann:</i> 1 Assistant Director, 1 Meteorologist, 4 Meteorological Officers</p> <p><i>3 Other Professional/Technical Posts</i> 1 Water Quality Inspector, 1 Principal Adviser (Environment Inspectorate), 1 Inspector Grade 111,</p> <p><i>5 General Service Posts</i> 1 Principal Officer, 2 Assistant Principals, 1 Administrative Officer, 1 Executive Officer.</p>
	Met Eireann — Director	Director	1	Approved	18-Sep-09	1	Business Critical Post
	To replace Principal on loan	PO	1	Approved	29/1/10	1	Acting position
	To replace retired assistant secretary — Heritage Division	Assistant Secretary	1	Approved	21-Apr-10	1	Business Critical Post — already deferred for 1 year
	Replace retiree	GIS Manager	1	Approved	10-Jun-10	1	Required technical post
	Appointment of Ministerial Staff	Personal Secretary, Assistant, Civilian drivers, special advisers	5	Approved	various 10 March 2011 to 21 March 2011	5	Ministerial Appointments

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
Enterprise, Trade and Innovation Labour Relations Commission DETI DETI ET&I (Labour Relations Commission) ET&I (Labour Court)	Appointment of Ministerial Staff	Civilian Drivers and Special Advisors	5	Approved	various 9 May 2011 to 19 July 2011	5	Ministerial Appointments
	Met Eireann — Principal Meterological Officer	Principal Meterological Officer	1	Pending			
	Reappointment of 2 Rights Commissioners	PO equivalent	2	Approved	28/04/2009	2	Non-discretionary volume of LRC cases and need to maintain state IR machinery.
	Personal Assistant, Personal Secretary and 2 Civilian Drivers for Minister of State Kelleher	HEO, EO, Civilian Driver	4	Approved	06/05/2009	4	Political Appointments
	Personal Assistant, Personal Secretary and 2 Civilian Drivers for Minister of State Lenihan	HEO, EO, Civilian Driver	4	Approved	12/05/2009	4	Political Appointments
	Deputy Director of Conciliation Services	PO	1	Approved	29/5/2009	1	Business Critical Post in LRC necessary to maintain state IR machinery.
	Personal Assistant, Personal Secretary and 2 Civilian Drivers for Minister of State Calleary	HEO, EO, Civilian Driver	4	Approved	09/06/2009	4	Political Appointments
	Reappointment of 2 Members of Labour Court	N/A	2	Approved	02/06/2009	2	Statutory posts needed for operation of divisions of Labour Court

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
ET&I (Office of Director of Corporate Enforcement)	Part-time services of retired High Court Judge	High Court Judge	1	Approved	03/06/2009	1	To adjudicate on legal documents in Anglo Irish Bank investigation
ET&I (Labour Relations Commission)	Reappointment of 2 Rights Commissioners	PO equivalent	2	Approved	13/08/2009	2	Non-discretionary volume of LRC cases and need to maintain state IR machinery.
ET&I (National Employment Rights Authority)	Solicitor	Solicitor	1	Application was refused	10/09/2009	0	
ET&I (Patents Office)	Request for higher duties allowances for 2 EOs	HEO	2	Approved	10/09/2009	2	Temporary replacements in Trademarks Division
ET&I	Renew contracts of 2 legal researchers	EO	2	Approved	16/09/2009	2	To provide research for drawing up Companies Consolidation bill. 2 EO posts to be suppressed for duration of temporary contract.
ET&I (Labour Court)	Deputy Chairman of Labour Court	Assistant Secretary	1	Approved	31/01/2010	1	Statutory post. Filled by agreement by ICTU nominee.
ET&I	Additional 10 IT posts	HEO and EO	10	Partly approved	02-Jun-10	3	Critical ICT posts.
ET&I	Appointment of Legal Advisor on secondment from Office of AG	Legal Advisor	1	Approved	24-May-10	1	Critical legal skills requirement.
ET&I (Labour Court)	Filling of Ordinary member of Labour Court post	Principal Officer Higher	1	Approved	26-May-10	1	Statutory post. Filled by retention of member until new nomination is received.
Enterprise, Trade & Innovation	Minister O'Keeffe's Special Advisors	Principal Officer	2	Approved	18-May-10	2	Political Appointment

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
	Minister O’Keeffe’s Personal Assistant	Higher Executive Officer	1	Approved	18-May-10	1	Political Appointment
	Minister O’Keeffe’s Personal Secretary	Executive Officer	1	Approved	18-May-10	1	Political Appointment
	Minister of State Lenihan’s Personal Secretary	Executive Officer	1	Approved	21-Jun-10	1	Political Appointment
	To give Acting Up to and AO for AP and consequential to EO and CO	AP, HEO, EO	3	Under consideration			
	To hold an internal competition to fill 2 AP posts	Assistant Principal	2	Under consideration			
177 Enterprise, Trade & Innovation	To renew the contracts of 2 Legal Researchers		2	Approved	09-Aug-10	2	Contractors working on legislation
Labour Court	To re-appoint the Chairman and 2 Ordinary Members		3	Approved	19-Jul-10	3	Statutory posts.
Labour Relations Commission	Re-appointment of a Rights Commissioner		1	Approved	19-Jul-10	1	Statutory post
NERA	To fill Legal Advisor vacancy	Solicitor (AP)	1	Approved.	13-Sep-10	1	Critical post that will save expenditure on external legal services.
Enterprise, Trade and Innovation	To fill PO vacancies	PO	3	Under consideration			
Enterprise, Trade & Innovation	Assistant Secretary post	Assistant Secretary	1	Under consideration			Ass Sec posts have reduced from 7 to 4 since April. Post in CSD area — arises due to retirement
NERA	To fill Accountant vacancy	Accountant Grade I	1	Under consideration			

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Minister of State Sean Sherlock	Appointment of Ministerial Staff	Personal Secretary, Assistant, Civilian drivers, special advisers	13	Approved	various 10 March 2011 to 11 April 2011	13	Ministerial Appointments
	WAM project — temporary placement	graduate	1	Approved	15/03/2011	1	Temporary replacement for 6 months- administered by the Association of Higher Education Access Disability (AHEAD)
	Personal Assistant	Personal Assistant	1	Approved	01/04/2011	1	Required for Ministerial Office
	Personal Secretary	Personal Secretary	1	Approved	01/04/2011	1	Required for Ministerial Office
	Civilian Driver	Civilian Driver	1	Approved	01/04/2011	1	Required for Ministerial Office
	Civilian Driver	Civilian Driver	1	Approved	01/04/2011	1	Required for Ministerial Office
Minister Richard Bruton	Personal Secretary, Assistant, Civilian drivers, special advisers	Personal Secretary, Assistant, Civilian drivers, special advisers	4	Approved	21/03/2011	4	
	Personal Assistant	Personal Assistant	1	Approved	12/04/2011	1	Required for Ministerial Office
	Personal Secretary	Personal Secretary	1	Approved	12/04/2011	1	Required for Ministerial Office
	Press Adviser	Press Adviser	1	Approved	12/04/2011	1	Required for Ministerial Office

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EJ&I	To fill AP Vacancy	AP	6	Under Consideration			
	To Fill PO Vacant	PO	4	Under Consideration			
CEGA	To start up and oversee new Irish SI translation unit.	Director	1	Approved	08/04/2009	1	Response to High Court ruling.
	To manage the translation of Statutory Instruments into Irish	Aistritheoir Grád II	1	Approved	08/04/2009	1	Response to High Court ruling.
	To manage the translation of Statutory Instruments into Irish	Aistritheoir Grád III	1	Approved	08/04/2009	1	Response to High Court ruling.
	Ministerial Staff	Personal Assistant (HEO)	1	Approved	06/05/2009	1	Political Appointment
	Ministerial Staff	Personal Secretary	1	Approved	06/05/2009	1	Political Appointment
	Ministerial Staff	Civilian Driver	1	Approved	30/04/2009	2	Political Appointment
	To translate documents into Irish for EU.	Detached National Expert	3	Approved	05/11/2009	3	Temporary fixed term contracts renewed for 1 year.
	To replace 2 Assistant Secretaries, one of whom had retired and the other promoted.	Assistant Secretary	2	Approved	23/04/2010 & 14/05/2010	2	Department was operating with only 1 Assistant Sec. Business critical post

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
Charitable, Donations and Bequests Office	To renew contract of Secretary to Commissioners.	Solicitor (AP)	1	Approved	11-Mar-10	1	Need for continuity during the changeover period leading to the setting up of the Charities Regulatory Authority.
National Advisory Committee on Drugs	To recruit researcher into drugs.	Researcher (AP)	1	Approved	11-Mar-10	1	Sanction granted to Health Research Board to recruit and second the Researcher to the NACD. Post considered a 'Business Critical Post'.
	Minister Carey's Special Advisor	Principal Officer	1	Approved	19-Apr-10	1	Political Appointment
	Minister Carey's Media Advisor	Principal Officer	1	Approved	19-Apr-10	1	Political Appointment
	Minister Carey's Personal Assistant	Higher Executive Officer	1	Approved	19-Apr-10	1	Political Appointment
	Minister Carey's Personal Secretary	Executive Officer	1	Approved	19-Apr-10	1	Political Appointment
	Minister of State White's Personal Assistant	Higher Executive Officer	1	Approved	19-May-10	1	Political Appointment
	Minister of State White's Personal Secretary	Executive Officer	1	Approved	19-May-10	1	Political Appointment
	Minister of State White's Civilian Drivers	Civilian Driver	2	Approved	19-May-10	2	Political Appointment
	Ministerial Staff (Minister of State White)	Special Advisor	1	Approved	24-May-10	1	Political Appointment
	Additional Assistant Secretary Post	Assistant Secretary	1	Refused but Director post approved	22-Jul-10	1	Critical management post

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Equality Authority	Filling of Legal Advisor post	PO	1	Under consideration			
	Appointment of Ministerial Staff	Personal Secretary, Assistant, Civilian drivers special advisers	3	Approved	21-Mar-11	3	Ministerial Appointments
	To allow substantive AP grade for 4 HEOs who have been on acting up basis for 3 years	AP	4	Approved	09-Mar-11	4	Duration of acting up period.
Finance	Banking specialist (temporary fixed term contract for 3 years)	Banking Specialist (Assistant Secretary level)	1	Approved	21/8/09	1	Urgent need for expertise in banking area.
	Package of IT posts.	1 ICT AP, 2 ICT E0s, 1 promotion EO to HEO (ICT)	4	Approved	23/12/09	4	Is in line with the ICT staffing recommendations made by the Special Group on Public Service Numbers and Expenditure Programmes
	Assistant Secretary in CMOD	Assistant Secretary	1	Approved	Jan 2010	1	Business Critical Post
	Secretary General	Secretary General	1	Approved	01-Feb-10	1	Business Critical Post
	8 POs	Principal	8	Approved	12-Apr-10	8	Business Critical posts in situation where staffing levels were already below approved revised limits
	Director						

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Revenue	Director, Language Training Unit; higher duties allowance	Assistant Principal	1	Approved	01-Oct-09	1	Business Critical post
	Employee Assistance Officer	Higher Executive officer	1	Under consideration			
	Staff Officer	Staff Officer	1	Approved	28-June-201	1	Business critical post
	Second Secretary Financial Services Division	Second Secretary	1	Approved	21-Jul-10	1	Business critical post
	Senior Economic Adviser	Senior Economic Adviser	1	Approved	27-Sep-10	1	Business critical post — 3 Year Contract
	Appointment of Ministerial Staff	Personal Secretary, Assistant, Civilian drivers, special advisers	3	Approved	03-May-11	3	Ministerial Appointments
	Promotion of 2 COs to EO	EO	2	Approved	24/6/09	2	Skilled staff. Newly commissioned Cutter to be launched and used in fight against illegal importation of drugs
	Package of 200 posts.	Various Grades	200	Approved	22/12/09	200	To fill key management, audit and policy posts to ensure effective tax collection through a mix of redeployment, internal promotion and open competition.

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Valuation Office	To have internal competition for 2 Co. positions in Print Room.	Clerical Officer	2	Approved	17-Feb-10	2	Open to Service Officers — regrading of 2 Service Officer posts to Co. and filled by redeployment — with no overall increase in numbers.
	Completion of final 2 phases of 2003 Uplift Agreement i.e. uplift of 20 Tax Officers to EO; 28 Higher Tax Officers to HEO & 5 Co. Programmers to EO JSA	Uplift of 20 Tax Officers to EO; 28 Higher Tax Officers to HEO & 5 Co. Programmers to EO JSA	53	Approved	30-Mar-10	53	Revenue Integration to General Service grades. This was a legacy of the Revenue Agreement on Integration agreed with the Unions following the integration of Customs staff with Tax staff. End result is more effective casework management following targeted training.
	Revenue Solicitor and Asst Secretary post in Investigations and Prosecutions Division	Revenue Solicitor and Asst Secretary	2	Approved	22-Apr-10	2	Particular responsibilities attaching to each post.
	Creation of additional posts with allowances at Terminal 2 Dublin Airport	6 Eos, 12 Cos	18	Under consideration			
	Promotions	Chief Superintendents of Mapping	2	Approved		2	Element of restructuring plan for VO.
	Higher Superintendents of Mapping	Higher Superintendents of Mapping	2	Approved		2	Element of restructuring plan for VO.
	Appeal Officer	Appeal Officer	1	Approved	01-Sep-09	1	Internal competition — no backfilling of resulting vacancies — overall numbers not affected.

[Deputy Brendan Howlin.]

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	A minimum of 1 Asst Registrar (HEO) and 3 COs for Valuation Tribunal to deal with ongoing Tribunal Appeals arising from National Revaluation	1 Asst Registrar (HEO) and 3 COs	4	Approved	15-Apr-10	4	To ensure that the statutory deadlines for processing of appeals following the Revaluation process be met. Sanctioned on basis that an EO post be suppressed for 1 year, while an EO filled the HEO position on an acting up basis. 1 Co. post to be filled on redeployment and the other 2 on temp contract for 11 mths each.
	3 Student Valuers	3 Student Valuers @ Co. level	3	Approved	17-Jun-10	3	On 1 year contracts on 1st pt of the Co. scale, replacing students
	To replace Service Officer retiring on age grounds	Service Officer	1	Approved	01-Oct-10	1	To be filled by redeployment, and that the overall number of Service Officers be reduced from 4 to 3 by end 2010
	1 Managing Valuer (PO equiv)	1 Managing Valuer	1	Approved	05-Nov-10	1	To be filled internally with no backfilling i.e. suppress resulting AP equiv post
	1 Cleaner and a promotion in situ of a Cleaner to Superintendent of Cleaners to replace upcoming retiree in latter grade	Cleaner & Superintendent of Cleaners	2	Part approved	17-Dec-10	1	To be filled through redeployment.
C&AG	Vacancies at various Grades	4 PO, 4.7 AP, 14.5 HEO/EO, 1.7 Co. (Total 24.9)	24.9	Approved	15-Mar-10	24.9	Extra responsibilities e.g. NAMA, new Accounting Standards, extra work on Revenue account

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
OPW	1 Director of Audit	Assistant Sec level	1	Approved	30-Apr-10	1	Scale of operations and complex issues involved.
	Trainee Auditor to fill vacancies	Trainee Auditor	2	Approved	03-Aug-10	2	Temporary appointment to cover vacancy caused by secondment of a Detached National Expert to the EU, and relocation of other staff member.
	Trainee Auditor	Trainee Auditor	1	Approved	28/04/2011	1	To replace Auditor recently deceased, during busiest period for auditing.
	Upgrade	Architect	1	Refused	29/5/09	0	
	To fill vacancies	Service Officers	3	Approved	22/6/09	3	No viable alternatives to filling vacancy
	Commissioner (Property Management Services)	Commissioner (Assistant Secretary)	1	Approved	26-Aug-09	1	To enable OPW to effectively deliver on the current demands for its services made by Government, other Departments and their agencies and the public.
	Recruit 16 graduates at a reduced salary to replace those finishing the Graduate Architect Training Scheme.	Architect training programme	16	Approved	14/08/09	16	Participation in scheme for 5 years, — reduced salaries and fees
	To fill vacancy in new section	Quantity Surveyor	1	Approved	08/12/09	1	NPPOU section in Trim
To fill possible vacancy in Director of the Botanic Gardens pending decision on 3 yr career break for incumbent to assume major positions in US	Acting up Director of Botanic Gardens	1	Approved	01-Apr-10	1	Provided that the previous post of the new Acting Director remain unfilled for the duration of the Director's absence on career break	

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Attorney General	Filling of Management/ Administration and Technical Posts	Various	142	Part Approved	24-Sep-10	2	Employee Assistance Officer and Payroll expert approved — business critical posts. Remainder of submission under consideration.
	National Procurement Service (NPS)	Various	21	Approved	04-Aug-10	21	Staffing of NPS — 12 Buyers, 2 solicitors, 1 analyst & 6 Admin, 1 Admin officer
	Appointment of Minister of State Staff	Personal Secretary, Assistant, Civilian drivers	4	Approved	various 10 March 2011 to 25 March 2011	4	Ministerial Appointments
	Temporary district Inspector	Temporary district Inspector	1	Approved	13-May-11	1	3 month contract retention so as to allow continuation of maintenance work
	Regrading to architect	Architect	2	Refused			
	Retention	Employee Assistance officer	1	Approved	02-Jun-11	1	Retention for 3 months to allow business continuity
		District inspector	1	Approved	02-Jun-11	1	Retention for 12 weeks to allow business continuity
	Grade 3 engineer	Grade 3 engineer	1	Approved	02-Jun-11	1	Vacancy filled by redeployment
	Advisory Counsel Grade 111	Advisory Counsel Grade 111	1	Approved	18-Feb-10	1	Important legal post
	Head of Administration	HEO	1	Approved	01-Jan-00	1	Principal post in charge of the office
Assistant Parliamentary Counsel Grade 11	Assistant Parliamentary Counsel Grade 11	3	Approved		3	Important legal posts	

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Chief State Solicitor	Advisory Counsel Grade 1 (Vacancy)	Assistant Secretary Level	1	Approved (acting-up basis for 3 yrs)	21-Sep-09	1	Business Critical Post
	Advisory Counsel Grade 11	Advisory Counsel Grade 11	1	Approved		1	Important legal post because of the workload in the office
	Dep Director	Deputy Secretary level	1	Approved	23-Feb-10	1	Business Critical Post (Internal TLAC type competition. Consequentials, if any, also sanctioned within ECF.)
	Advisory Counsel Grade 111	Advisory Counsel Grade 111	1	Approved		1	Important legal post because of the workload in the office
	Promotion AP to PO	PO	1	Approved		1	
	Promotion AP to PO	PO	1	Approved		1	
	Temp Asst Project Manager	Asst. Proj Manager	1	Approved	22-Oct-10		9 month contract not to exceed 15,000 @125.00 per day
	Drafter	Contractor	2	Approved	03/12/2010	2	Max 6 months
	Executive Officer	Executive Officer	1	Approved	28/01/2011	1	Business needs of office
	Special Advisor	PO	1	Approved	29/03/2011	1	Ministerial Appointment
	3 Legislative Drafters	Legislative Drafter	3	Refused	14/04/2011	0	
	2 Civilian Drivers	Civilian Driver	2	Approved	11/05/2011	2	Government Decision
	CO	CO	1	Approved	15/04/2011	1	Long term sick leave case
	Solicitor	Solicitor	1	Approved	23-Jun-10	1	Official appointed on completion of apprenticeship
	Solicitor	Solicitor (temp.) NAMA	1	Approved	08-Jul-10	1	High Court NAMA case

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Central Statistics Office	Promotion Law Clerk to Legal Executive	Legal Executive	2	Approved	31-Aug-10	2	Trainee scheme
	Temp State Solicitor	150 State Solicitor Manweeks	1	Approved	13-Apr-11	150 State Solicitor Manweeks	Mat. Leave cover etc business case.
	Apprentice Solicitor and Trainee Law Clerk Schemes	Solicitor and Legal Executive	2	Not approved.	13-Apr-11	0	Involves guaranteed promotion contra moratorium.
	CO	CO	1	Approved	13-Apr-11	1	Business needs of office
	CO	CO	1	Approved	17-Jun-11	1	Business needs of office
	Assistant Director General	Assistant Director General	1	Approved	22-Oct-09	1	Business Critical Post -approved on the basis any resultant internal vacancy is suppressed
	Assistant Director General for Macroeconomic and Environment Divisions	Assistant Director General	1	Approved	Agreed by Minister 14 April 2010	1	Business Critical Post
	Senior Statistician	Senior Statistician	1	Approved	30-Apr-10	1	Business case
	EO	EO	2	Approved	23-Jun-10	2	To assist BIM decent.
	QNHS/EU-SILC Survey	Interviewer	8	Approved	27-May-11	8	Business case
Defence	Night watchman	Night Watchman	1	Approved		1	To provide security at the Galway premises
	Director of Military Prosecutions	Director of Military Prosecutions	1	Approved		1	Statutory post
	Assistant Principal/Senior Systems Analyst	Assistant Principal/Senior Systems Analyst	1	Approved		1	Sanctioned in Galway as a result of the suppression of a PO and the transfer of his duties to Dublin

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	Head Services Officer	Head Services Officer	1	Approved		1	Needed for the decentralisation of premises to Newbridge
	Services Officer	Services Officer	1	Approved		1	—
	Director	Director	1	Approved		1	—
	Principal Officer	Principal Officer	1	Approved		1	—
	Special Adviser	Special Adviser	1	Approved	09-Apr-10	1	Ministerial staff
	Special Adviser	Special Adviser	1	Approved	16-Apr-10	1	Ministerial staff
	Personal Assistant	Personal Assistant	1	Approved	09-Apr-10	1	Ministerial staff
	Personal Secretary	Personal Secretary	1	Approved	09-Apr-10	1	Ministerial staff
	Principal Officer	Principal Officer	1	Approved	05-Aug-10	1	PO vacancy arising from appointment of Director
	Principal Officer	Principal Officer	1	Approved	05-Aug-10	1	Retirement of PO in Galway
	Assistant Principal	Assistant Principal	2	Approved	05-Aug-10	2	Arising from filling of PO posts
	Prof. Accountant Grade I (Temporary)	Prof. Accountant Grade I	1	Approved	24-Mar-11	1	Business critical case
	Contract Archivists	Temporary archivist	6	Approved	10-May-11	6	Work on 2016 project
	Allowance	1 EO, 1 HEO	2	Approved	27-May-11	2	Allowances approved for temporary upgrades at a cost of €5,000 to allow cost effective delivery of a project valued at €1m

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
DPP	To fill retirement vacancy	Head of Directing Division (between Asst Sec and Dep Sec)	1	Approved	05-Jun-09	1	Business Critical Post
	Chief Prosecution Solicitor	Chief Prosecution Solicitor (between Asst Sec and Dep Sec)	1	Approved	02-Nov-09	1	Business Critical Post
	Internal Promotion to Deputy Chief Prosecution Solicitor	Deputy Chief Prosecution Solicitor	1	Approved	23-Apr-10	1	Business Critical Post
	Internal Promotion to PO	PO (higher)	1	Approved	23-Apr-10	1	Business Critical Post
	Legal Researcher (temp.)	Legal Researcher (temp.)	1	Approved	23-Apr-10	1	Business Critical Post
	Head of Admin (allowance)	Head of Admin (allowance)	1	approved	23-Apr-10	1	Business Critical Post
	Legal Researcher (temp.)	Legal Researcher (temp.)	1	Approved	13-Apr-11	1	Business critical case
Foreign Affairs	5 Third Secretaries	Third Secretaries	5	Approved		5	From the 2008 competition to provide for succession planning
	Assistant Secretary	Assistant Secretary	1	Approved	19-Feb-10	1	Business Critical Post
	Counsellor and First Secretary	Counsellor and First Secretary	2	Approved		2	Business Critical Post

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
191 Taoiseach	Chairmanship of OSCE — temporary hiring of staff	3 Assistant Secretaries, 1 PO, 1 AP, 1 Third Sec, 2 Eos and 3 Clerical Officers	11	Under consideration			Business Critical posts essential to chairmanship of OSCE which has been approved by government
	staff in audit and control area of ODA	AP level dealing with audit, control and monitoring functions of ODA	10	Approved		10	Arises from FGS Irish Aid Management Review
	Special adviser to Minister	Special Adviser	1	Under consideration			Secondment from HEA
	Appointment of Ministerial Staff	Personal Secretary, Assistant, Civilian drivers, special advisers	8	Approved	Various 29 March 2011 to 8 April 2011	8	Ministerial Appointments
	Assistant Principal	Assistant Principal	1	Approved		1	Head of the IT Unit to be filled from redeployment
	Administrative Officers	Administrative Officers	3	Approved		3	For succession planning
	Special Adviser to Minister of State Curran, Chief Whip	Special Adviser	1	Approved	30-Apr-10	1	Transfer of staff to Minister from previous Dept
	Staff for Minister of State/Chief Personal Staff	PA & 2 x Worksharing Sec Assistants	2	Approved	06-May-10	2	Transfer of staff to Minister from previous Dept
	Special Advisor to Taoiseach	Special Adviser	1	Approved	15/06/2010	1	Transfer from DFA

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
	Promotion HEO to AP	AP	1	Approved	15/06/2010	1	Business Case
	Promotion AP to PO	PO	1	Approved	15/06/2010	1	Business Case
	Deputy Government Press Secretary	Principal Officer (Higher)	1	Approved	04/02/2011	1	Transfer of staff at Request of Taoiseach
	Personal Assistant to Taoiseach	AP	1	Approved	04/02/2011	1	Transfer of staff at Request of Taoiseach
	Special Advisers	PO Std Scale	2	Approved	04/05/2011	2	Ministerial Appt
	Special Advisers	Dep Secretary	2	Approved	04/05/2011	2	Ministerial Appt
	Personal Assistant to Taoiseach	AP	1	Approved	04/05/2011	1	Business Case
	Personal Assistant to Taoiseach	AP	1	Approved	04/05/2011	1	Business Case
	Personal Assistant to Taoiseach	AP	1	Approved	04/05/2011	1	Business Case
	Personal Assistant to Taoiseach	AP	1	Approved	04/05/2011	1	Business Case
	Personal Secretary to Taoiseach	EO	1	Approved	04/05/2011	1	Business Case
	Civilian Drivers for Chief Whip	Civilian Driver	2	Approved	27-May-11	2	Ministerial Appts
	Civilian Driver for Leader of Seanad	Civilian Driver	1	Approved	23/06/2011	1	Necessary to fill post
	Govt Press Secretary	Asst Sec Equiv	1	Approved	10/06/2011	1	Up to 1 Sept 2011 maximum for smooth changeover
	Personal Assistant to Govt Chief Whip	Personal Assistant	1	Approved	05/07/2011	1	Business Critical
	Govt Press Secretary		1	Under consideration			
	Dep Gov Press Secretary	Principal Officer (Higher)	1	Under consideration			

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
Transport	Asst Gov Press Secretary	Principal Officer (Std Scale))	1	Under consideration			
	Special Adviser to Govt Chief Whip	Principal Officer (Std Scale)	1	Under consideration			
	Coastal Sector Unit Managers	Coastal Sector Unit Managers	3	Approved		3	Needed for health and safety reasons
	Operations and Training Officer in the coastal service	Operations and Training Officer in the coastal service	1	Approved		1	Needed for health and safety reasons
	Assistant Secretary Vacancy from retirement (Public Transport)	Assistant Secretary	1	Approved	22-Oct-09	1	Key management level post
	A/Sec vacancy	Assistant Secretary	1	Refused			—
	Principal Officer	Principal Officer	2	Refused			To be filled from internal competition.
	Acting Up	Principal Officer	1	Approved	28-Feb-10	1	Pressures in connection with the setting up of the National Transport Authority
	Personal Staff for Minister for State Ciarán Cuffe T.D	1 x PA & 1 x Personal Sec	2	Approved	21-Apr-10	2	
	Special Advisor for MoS Cuffe	Principal Officer	1	Approved	01-Jun-10	1	Political appointment

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
	Chief Maritime Accident Investigator	Principal Officer	1	Approved (originally approved Nov 09). Transport sought amendment to condition of sanction but original sanction stands.	18-Aug-10	1	Critical post in new National Transport Investigation Unit
	Filling of existing and forthcoming vacancies in the Irish Coast Guard.	Various from EO to PO	31	5 approved with redeployment condition: Manager Volunteer Services (AP1), Divisional Controller (AP), Shift Watch Keeping Officer (EOx3)	19-Aug-10	5	Critical posts in the Irish Coast Guard
	Filling of vacancies in the Marine Survey Office	various up to PO	11	2 approved with redeployment condition: Deputy Divisional Controller (AP), Surveyor in Charge (PO).	19-Aug-10	2	Critical posts in the Marine Survey Office

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
Health	Filling of PO post which had been deferred since Feb 2010	PO	1	Under consideration			Post has been deferred since Feb 2010- from Internal Panel
	Appointment of Ministerial Staff	Personal Secretary, Assistant, Civilian drivers, special advisers	14	Approved	various 10 March 2011 to 26 April 2011	14	Ministerial Appointments
	DG of OMCYA	Deputy Secretary	1	Approved	23-Dec-09	1	Head of Office of Min for Children etc
	CEO Designate of Adoption Authority	Assistant Secretary level	1	Approved	01-Sep-10	1	Head of Adoption Authority as required under Adoption Act 2010
	Assessor of Youth Work	AP	1	Approved	30-Aug-10	1	Statutory Post
	Appointment of Ministerial Staff	Personal Secretary, Assistant, Civilian drivers, special advisers	12	Approved	Various 10 March to 18 April 2011	12	Ministerial Appointments
	Regularization of Contract for Services	Health Promotion Policy Advisor (AP Equivalent)	1	Approved	04/05/2011	1	
	Temp Cover for Sick Leave	Personal Secretary	0.4	Approved	02/06/2011	0.4	

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
Children & Youth Affairs	Appointment of senior specialist with experience in the area of child welfare and protection services	PO Equivalent	1	Approved	01-May-11	1	Required in response to recommendations in the Ryan Report into institutional child abuse. Secondment from D/Health & Children
	Secretary General appointment	Secretary General	1	Approved	01-Jul-11	1	Required for new Department
Tourism, Culture & Sport	Filling of two posts in Minister's Constituency Office by transfers from other Departments	Executive Officer	2	Approved	20-May-10	2	Posts vital to the functioning of the Constituency Office
	Minister Hannifin's Special Advisor	Principal Officer	1	Approved	27-Apr-10	1	Political Appointment
	Minister Hannifin's Press Advisor	Higher Executive Officer	1	Approved	27-Apr-10	1	Political Appointment
	Minister Hannifin's Personal Assistant	Higher Executive Officer	1	Approved	27-Apr-10	1	Political Appointment
	Renewal of contract for Director in Culture Ireland	Assistant Principal	1	Approved		1	Critical function of the Dept. Government priority. Equivalent post to be suppressed.
	Minister Hannifin's Personal Secretary	Executive Officer	1	Approved	27-Apr-10	1	Political Appointment
	Filling of PO vacancy	Principal Officer	1	Under consideration			Post is in CSD, which covers a wide area , and Dept already carrying other PO post which has not been filled

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
	Personal Secretary, Assistant, Civilian drivers special advisers	Personal Secretary, Assistant, Civilian drivers special advisers	4	Approved	21/03/2011	4	
National Archives	Filling of vacancies to avoid the closure of the reading room	CO, EO and Service Officers	6	Part approved to fill 3 posts (1 Co. and 2 Service Officers) by redeployment. Service Officers not available via redeployment so sanction given to recruit.	June/July/Aug 2010	3	Business critical, frontline posts.
Ombudsman	Senior Investigator	Principal Officer	1	Approved	30-Apr-10	1	Business critical management post.
State Laboratory	4 Student Analysts	Students	4	Approved	03-Aug-10	4	Temporary 7 month appointments
CENR	Assistant Secretary	Assistant Secretary	1	Approved	26-May-10	1	TLAC competition
	Temporary EO for 6 months	EO	1	Refused			
	To suppress 2 Co. posts and replace with 2 EO posts	EO	2	Approved	01-Jun-10	2	Business needs of Department
	AO vacancy filled	AO	1	Approved	01-Jun-10	1	Business needs of Department

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
National Gallery	Appointment of Ministerial Staff	Personal Secretary, Assistant, Civilian drivers, special advisers	6	Approved	31-Mar-11	6	Ministerial Appointments
	Assistant Secretary	Assistant Secretary	1	Approved	26-May-10	1	TLAC competition
	EO	EO	1	Refused			
	EO	EO	2	Approved	01-Jun-10	2	Business needs of Department
	AO	AO	1	Approved	01-Jun-10	1	Business needs of Department
	Personal Secretary, Assistant, Civilian drivers, special advisers	Personal Secretary, Assistant, Civilian drivers, special advisers	6	Approved	31-Mar-11	6	Ministerial Appointments
	EO	EO	1	Approved	25-May-11	1	To facilitate a commitment to allow a staff member to decentralise. Consequential Co. post suppressed.
	Renewal of temporary contracts	Security Attendant	15	Under consideration			
	Appointment of contractors to permanent posts	Security Attendant	7	Under consideration			
	Regularise position of Head of Conservation	Engineer Grade II (AK I)	1	Under consideration			

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
Public Expenditure & Reform	To appoint staff on a fixed term basis for Master Development Plan	Head of Art Handling (HEO), MDP Project Manager (HEO), Paper Conservator (AKII), Painting Conservator (AKII), Art Handlers (x3)	7	Under consideration			
	Filling of permanent positions	Head of Exhibitions (AK I), Senior Curator (AK I), HEO, EO, Website Administrator (AK II), IT Officer (CO)	6	Under consideration			
	Filling of post of Director	Director	1	Approved	10-Jan-11	1	Statutory Post
	Secretary General	Sec-Gen	1	Approved	26/04/2011	1	Govt Appointment
	Special Adviser	Principal Standard	1	Approved	03/05/2011	1	Critical to operation of Minister's Office
	Special Adviser	Special Adviser	1	Approved	18/05/2011	1	Critical to operation of Minister's Office
	Personal Assistant	Personal Assistant	1	Approved	03/05/2011	1	Critical to operation of Minister's Office
	Personal Secretary (Constituency Secretary)	Personal Secretary	1	Approved	02/05/2011	1	Critical to operation of Minister's Office

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
			2336.3		TOTAL	1534	
Temporary Posts for CENSUS of Population 2011 [CENTRAL STATISTICS OFFICE]							
Central Statistics Office	Staff for the Household Budget Survey i.e. interviewers etc	Staff for the Household Budget Survey i.e. interviewers etc		Approved		85	These staff required for the Household Budget, Business Register and Annual Services Inquiry — 85 Temporary Contracts during 2009 & 2010
	ICT Executive Officer	ICT Executive Officer		Approved		2	Required for preparatory work on the Census of Population 2011
	Executive Officer	Executive Officer		Approved		4	Required for 18 months to work on the Census. Will be re-assigned to another department on completion of that work
	Clerical Officer	Clerical Officer		Approved		24	The CSO was asked to seek staff from other departments for a period of 10 months for Census of Agriculture work. In the event, staff were not available so sanction was later granted to appoint COs on temporary contract
	Statistician	Statistician		Approved		1	To work full time on an OECD 'Programme for International Assessment of Adult Competencies'
	Executive Officer	Executive Officer		Approved		2	Also required for this programme

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
	Grades from Clerical Officer to Assistant Principal	Grades from Clerical Officer to Assistant Principal		Approved		158	These are internal CSO staff required from early 2010 to end 2011 to prepare for and finalise the Census 2011
	Census Liaison Officers, Regional Supervisors, Field Supervisors and Clerical Officers	Census Liaison Officers, Regional Supervisors, Field Supervisors and Clerical Officers		Under Consideration	—	—	—
	Temporary part-time enumerators	Temporary part-time enumerators		Under Consideration	—	—	—
				Total posts approved for CSO (temps):		276	

¹The Deputy may wish to note that an Independent Review Panel of the Department of Finance, comprising 3 Members, has also been established, chaired by Mr. Rob Wright. A Chairperson has also been appointed to the Implementation group on the Croke Park Agreement.

Table 2 — Requests for Exceptions in the Public Service

Department of Enterprise, Trade and Innovation

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
1	DETE- Enterprise Ireland	Retirement	Manager	1	Yes — on a permanent basis	1	May-09	Retirement
2	DETE- Enterprise Ireland	Graduate	Graduate	16	Yes — on a temporary/acting basis	16	May-09	16 graduate posts
3	DETERoscommon CEB	Vacancy	CEO	1	No	0	May-09	Vacancy
4	DETE Cork CEB	Replacing maternity leave	Administrative Officer	1	No	0	Jun-09	Replacing maternity leave
5	DETE — FAS DG	Statutory post	DG	1	Yes — on a permanent basis	1	Jun-09	Statutory post
6	DETE -NCA Registrar	No vacancy	AP-HAD	1	Yes — on a permanent basis	1	Jun-09	Registrar
7	DETE — Enterprise Ireland	Rollover of contract posts for overseas (4 sanctioned)	Various	53	Yes — on a temporary/acting basis	4	Jun-09	Rollover of contract posts for overseas (4 sanctioned)
8	DETE -PIAB	Renewal of contract posts (5 sanctioned)	CO	6	Yes — on a temporary/acting basis	5	Jul-09	Renewal of contract posts (5 sanctioned)
9	DETE -NCA student		Student	1	Yes — on a temporary/acting basis	1	Jun-09	Student
10	DETE — NCA	Retirement — Head of Corporate Services (other than the Incentivised Scheme of Early Retirement)	AP — STANDARD	1	Yes — on a permanent basis	1	Aug-09	Retirement (other than the Incentivised Scheme of Early Retirement)

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
11	DETE — NCA	Retirement (other than the Incentivised Scheme of Early Retirement)	AP — STANDARD	1	Yes — on a permanent basis	1	Aug-09	Retirement (other than the Incentivised Scheme of Early Retirement)
12	DETE — NCA	Retirement — Commercial Practises Division (other than the Incentivised Scheme of Early Retirement)	HEO (x5)	5	Yes — on a permanent basis	5	Aug-09	Retirement (other than the Incentivised Scheme of Early Retirement)
13	DETE — NCA	Retirement (other than the Incentivised Scheme of Early Retirement)	EO (X3)	3	Yes — on a permanent basis	3	Aug-09	Retirement (other than the Incentivised Scheme of Early Retirement)
14	DETE — NCA		Co. (X2)	2	Yes — on a permanent basis	2	Aug-09	
15	DETE — IAASA	Vacancy	Accountant	1	No	0	Aug-09	Vacancy
16	DETE — FAS	Decision of Rights Commissioner	Training Instructor	1	Yes — on a permanent basis	1	Sep-09	Decision of rights Commissioner
17	DETE — Interreg — Tradelinks 2 project	new project	Project Manager	1	Yes — on a temporary/acting basis	1	Sep-09	new project
18	DETE — Interreg — Tradelinks 2 project	new project	Financial Administrator	1	Yes — on a temporary/acting basis	1	Sep-09	new project
19	DETE — Interreg — Tradelinks 2 project	new project	4 Regional Coordinators	4	Yes — on a temporary/acting basis	4	Sep-09	new project
20	DETE — Interreg — Tradelinks 2 project	new project	4 Support Co-ordinators	4	Yes — on a temporary/acting basis	4	Sep-09	new project
21	DETE — Competition Authority	Incentivised Scheme of Early Retirement in the Public Service	Case Officer	1	No	0	Oct-09	Incentivised Scheme of Early Retirement in the Public Service

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
22	DETE — FÁS	Retirement (other than the Incentivised Scheme of Early Retirement)	ADG — Finance & IT	1	Yes — on a permanent basis	1	Oct-09	Retirement (other than the Incentivised Scheme of Early Retirement)
23	DETE — Forfas	New project — Self Financing — Manager of European Space Research Office	Manager	1	Yes — on a temporary/acting basis	1	Dec-09	New project — Self Financing
24	DETE — PIAB	Incentivised Scheme of Early Retirement in the Public Service	Legal Services Manager	1	Yes — on a temporary/acting basis	1	Jan-10	Incentivised Scheme of Early Retirement in the Public Service
25	DETE- Enterprise Ireland	Temporary Overseas Contract posts	Contract Posts (Overseas Jan-Mar 10) — Various Grades	2	Yes — on a temporary/acting basis	2	Feb-10	Temporary Overseas Contract posts
26	DETE — Enterprise Ireland	Support for Credit Review	CO	1	Yes — on a permanent basis	1	Mar-10	Support for Credit Review
27	DETE — Competition Authority	Request under consideration	Board Members 2	2	Request under consideration	0	Mar-10	Request under consideration
28	DETE — Competition Authority	Statutory post	Chairperson of Board	1	Yes — on a temporary/acting basis	1	Mar-10	Statutory post
29	DETE — SFI	City of Science Project	Project Manager	1	Yes — on a temporary/acting basis	1	Mar-10	City of Science Project
30	DETE — SFI	City of Science Project	CO	1	No	0	May-10	PA for Dublin City of Science
31	DETE — FAS	Request under consideration		4	Request under consideration	0	Mar-10	Request under consideration
32	DETE — NSAI	Ongoing contracts	Various	4	Yes — on a temporary/acting basis	4	Apr-10	Ongoing contracts
33	DETE — NCA		3 Student posts	3	Yes — on a temporary/acting basis	3	May-10	

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
34	DETI — Forfás	Request under consideration	PO	1	Request under consideration	0		Request under consideration
35	DETI — Competition Authority	internship	CO	2	Yes — on a temporary/acting basis	2	Jun-10	Request under consideration
36	DETI — Competition Authority		Board Members 2	2	Yes — on a temporary/acting basis	2	Jun-10	
37	DETI — IAASA		Various	3	Yes — on a temporary/acting basis	3	Sep-10	
38	DETI — CEB	CEO	CEO	1	Request under consideration			Request under consideration
39	DETI — IDA		Various	10	Yes — on a temporary/acting basis	10	SEP -10	
40	DETI — Competition Authority	Chair/CEO Designate		1	Request under consideration	1	Jul — 10	
41	DETI — NSAI		Certification Officer	1	Request under consideration			Request under consideration
42	DETI — Enterprise Ireland		Various	12	Yes — on a temporary/acting basis	12	Oct — 10	
43	DETI — Forfás		Various	5	Yes — on a temporary/acting basis	2	Dec 2010	
44	DETI — SFI		Researchers	3	Yes — on a temporary/acting basis	3	Dec — 10	
45	DETI — SFI		DG	1	Yes — on a temporary/acting basis	1	Dec — 10	
46	DETI — Inward Investment North/South		Research Officer	1	Request under consideration			Request under consideration

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
47	DETI — NSAI	Statutory post	Various	2	Request under consideration	2	July — 10	Request under consideration
48	DETI — Forfás		1 AP 1 EO	2	Request under consideration			Request under consideration
49	DETI — PIAB		Various	11	Yes — Redeployment			From redeployment from within the DETI Vote
50	DETI -Forfás		2 AP	2	Request under consideration			Request under consideration
51	DETI — IDA		Chief Accountant & Head of Corporate Communications	2	Yes — on a temporary/acting basis			
52	DETI — IAASA		CEO	1	Request under consideration			Request under consideration
53	DJEI — EI		Various	3	Request under consideration			Request under consideration
54	DJEI — SFI		Research Officers	7	Request under consideration			Request under consideration
55	DJEI — IDA		Various	8	Request under consideration			Request under consideration
56	DJEI — EI		Various	5	Request under consideration			Request under consideration

Department of Social Protection

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
1	Family Support Agency	To cover Term-time vacancies in front line mediation service — Portlaoise + Sligo		1	Yes	1		
2	Family Support Agency	To cover Term-time vacancies in front line mediation service — Raheny + Wexford		0.8	Yes	0.8		
3	Family Support Agency	Temporary appointment due to end June 2009 — Castlebar FMS office		0.5	Yes	0.5		
4	Family Support Agency	Temporary appointment due to end June 2009 — Letterkenny office		0.4	Yes	0.4		
5	Family Support Agency	Supervision + Management of Mediation Service in Southern and Westerns Regions — temporary appointment due to end June 09		1.6	Yes	1.6		
6	Family Support Agency	Supervision + Management of Mediation Service in Southern and Westerns Regions — temporary appointment due to end January 10		1.6	Yes	1.6		

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
7	Family Support Agency	To cover Shorter Working Year Scheme vacancies in front line mediation service — Letterkenny, Portlaoise, Sligo, Raheny, Athlone, Wexford & HQ		4.5	Yes	4.5		
8	Family Support Agency	Temporary appointment due to end June 2010 — Castlebar FMS office		0.5	Yes	0.5		
9	Family Support Agency	Temporary appointment due to end June 2010 — Letterkenny office		0.4	Yes	0.4		
10	Citizens Information Board	Temporary ICT contracts due to end March 2010 — Dublin HQ		2	Yes	2		
11	Pensions Board	Staff required due to developments in the pensions arena	1 PO 4 APs 4 HEOs 3 EOs	12	Sanction was given for the transfer of 6 posts from the Department of Social Protection's ECF by end-2012; Sanction was given for 6 posts to be recruited on fixed-term contracts for a period of no more than 3 years.	12 (6 posts to be transferred from DSP and 6 posts to be recruited externally on a three year fixed-term contract)	11 March 2011	

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
12	Citizens Information Board	ICT manager post to cover maternity leave and Regional Manager post to be filed internally	Grade 7 (HEO) post and Regional Manager	2	Approved Grade 7 post to end November 2011 and Regional Manager post to be filled internally	2	2 March 2011	
13	Citizens Information Board	This was to fill the position made vacant by the resignation of an administrator who was acting up into an ICT project management role until 31 March 2011;	Grade 4 ICT Administrator Post	1		1	31 March 2011	

Department of Defence

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
1	Defence Forces	To retain the capacity of the organisation to operate effectively across all roles while contributing to the necessary public service economies	Cadets and army/naval service recruits. Promotion across a range of ranks. Acting up appointments for overseas deployment.	529	Yes	207	July 2009 and November 2009	Recruitment of 42 cadets and promotions across a range of ranks. 100 acting up appointments.
2	Defence Forces	Retirement of Military Judge which is a statutory post	Colonel	1	Yes	1	April 2010	Statutory post
3	Defence Forces	Retirement of Director of Military Prosecutions which is a statutory post	Colonel	1	Yes	1	June 2009	Statutory post
4	Defence Forces	Civilian employees. Temporary post and extension of contract.	Pharmacist	2	Yes	2	July 2009	
5	Defence Forces	Civilian employee contract extension.	Social Worker	1	Yes	1	July 2009	
6	Defence Forces	Civilian Employee. Management of provision of electrical services.	Foreman	1	Yes	1		
7	Defence Forces	Civilian employee to assist in the re-fit of Naval ships.	Welder	1	Yes	1	April 2010	
8	Defence Forces	Filling of GOC Air Corps	Brigadier General	1	Decision Awaited			Decision Awaited

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
9	Defence Forces	Filling of DCOS (Operations) vacancy which is a statutory post	Major General	1	Yes	1	July 2010	Statutory post
10	Defence Forces	Civilian employee. Management of provision of social worker service for the Defence Forces.	Principal Social Worker	1	Yes	1	September 2010	

Department of Tourism, Culture & Sport

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
1	National Library of Ireland	To fill Director post	Director	1	1. Yes, application was approved	1	18/12/09	Statutory position
2	National Library of Ireland	2 vacancies due to retirement and internal promotion	Keeper, Asst Keeper	2	1. Yes, application was approved	2	22/9/09	Due to the specialised nature of the work of the Library
3	Irish Sports Council	To fill Director post	CEO	1	1. Yes, application was approved	1	14/5/09	Statutory position
4	Arts Council	To fill Director post	Director	1	1. Yes, application was approved	1	20/8/09	Statutory position
5	Failte Ireland	temporary posts	Principal Officer (temporary)	1	4. Application was refused	0		
6	Failte Ireland	temporary posts	Principal Officer (temporary)	1	1. Yes, application was approved	1	13/1/10	Payment of acting up allowance paid temporarily due to maternity leave
7	Failte Ireland	E Business manager	Assistant Principal	1	1. Yes, application was approved	1	13/1/10	Post filled as a necessity for the development of the Tourism Sector
8	National Concert Hall	Fixed term contract post	IT Manager	1	1. Yes, application was approved	1	19/11/09	Key post for the successful running of the National Concert Hall
9	National Concert Hall	Fixed term contract post	Financial Accountant	1	1. Yes, application was approved	1	19/11/09	Key post for the successful running of the National Concert Hall
10	National Concert Hall	Fixed term contract post	Learn & Explore Administrative Assistant	1	1. Yes, application was approved	1	19/11/09	Key post for the successful running of the National Concert Hall

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
11	National Concert Hall	Fixed term contract post	Graphic Designer	1	1. Yes, application was approved	1	19/11/09	Key post for the successful running of the National Concert Hall
12	National Concert Hall	Fixed term contract post	On line Marketing Executive	1	4. Application was refused	0		
13	National Concert Hall	Fixed term contract post	Lighting Technician/stage hand	1	4. Application was refused	0		
14	National Concert Hall	Fixed term contract post	Box Office Cashier Supervisor	1	4. Application was refused	0		
15	National Concert Hall	Fixed term contract post	Operations Assistant Manager	1	4. Application was refused	0		
16	National Concert Hall	Fixed term contract post	Own Promotions Executive	1	4. Application was refused	0		
17	National Concert Hall	Fixed term contract post	Director of NCH	1	1. Yes, application was approved	1	14/12/2010	Statutory Post
18	Chester Beatty Library	To fill Director post	PO 1	1	1. Yes, application was approved	1	29/3/10	Key post
19	Irish Film Board	To fill Chief Executive Post	CEO	1	1. Yes, application was approved	1	1/9/2010	Statutory position
20	Irish Museum of Modern Art	To fill post of Director	Director	1	1. Yes, application was approved	1	28/4/2011	Statutory Post

Department of Health

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
1	HSE	Front line post	Senior Locum	0.6	3. No decision to date	0		Further info awaited
2	Galway University Hospital	Critical management post	General Manager	1	1. Yes, application was approved	1	17/06/2009	
3	HIQA	Level of expenditure on external advice	Legal Advisor (AP1)	1	1. Yes, application was approved	1	31/07/2009	
4	HIQA	Operational reasons	Regional Operations Manager (PO)	1	1. Yes, application was approved	1	31/07/2009	
5	HIQA	Value for money	Health Technology Assessment — AP1	2	1. Yes, application was approved	2	31/07/2009	
6	HIQA	Value for Money	HTA — Engineer Grade I	2	1. Yes, application was approved	2	31/07/2009	
7	HIQA	Value for Money	HTA — Engineer Grade III	2	1. Yes, application was approved	2	31/07/2009	
8	HSE	New HSE structure	Regional Operation Director (Assist Nat., Dir)	4	1. Yes, application was approved	4	07/07/2009	
9	HSE	New HSE structure	Care Group (Assistant National Director)	4	1. Yes, application was approved	4	07/07/2009	
10	Mental Health Commission	Front line post	Consultant Psychiatrist	5	1. Yes, application was approved	5	31/07/2009	
11	Mental Health Commission	Front line post	Assistant Inspector (Occupational Therapist)	1	1. Yes, application was approved	1	31/07/2009	
12	Mental Health Commission	Service reasons	Staff Officer (Temp Contract Renewal)	1	1. Yes, application was approved	1	31/07/2009	
13	National Treatment Purchase Fund	Fair Deal requirements	EO / HEO	6	1. Yes, application was approved	6	31/07/2009	
14	Central Mental Hospital	Front line post	Mental Health Nurses	23	1. Yes, application was approved	23	31/08/2009	
15	St Loman's Hospital	Front line post	Mental Health Nurses	36	1. Yes, application was approved	36	31/08/2009	

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
16	Temple Street Hospital	Critical nursing management post	Director of Nursing	1	1. Yes, application was approved	1	20/10/2009	
17	Galway University Hospital	Key post for flu pandemic	Chief Medical Scientist	1	3. No decision to date	0		Further info awaited
18	HSE	Front line post	General Dental Surgeon	3	1. Yes, application was approved	2	25/11/2009	Sanction was only given for two of the three posts
19	HSE	Front line post	Principal Environmental Health Officers	2	3. No decision to date	0		Further info awaited
20	HSE	Front line post	Fire Prevention Officer	1	3. No decision to date	0		Further info awaited
21	HSE	Front line post	Clinical Perfusionist Post	1	3. No decision to date	0		Further info awaited
22	Children's Hospital, Crumlin	Front line post	Paediatric Intensive Care Unit (PICU) Nurses	5	1. Yes, application was approved	5	8/12/1009	The filling of these posts was to be met through redeployment first, and where this was not possible, suppression
23	Temple Street Hospital	Front line post	Paediatric Intensive Care Unit (PICU) Nurses	2	1. Yes, application was approved	2	8/12/1009	The filling of these posts was to be met through redeployment first, and where this was not possible, suppression
24	HSE	Development post for Primary Care Teams	Senior Dietician (Sligo/Leitrim/Cavan)	1	1. Yes, application was approved	1	18/01/2010	
25	HSE — St. James, Dublin	Critical maintenance post	Maintenance Manager	1	1. Yes, application was approved	1	18/01/2010	
26	HSE — St. Lukes Kilkenny	Front line post	Clinical Nurse Manager II	2	1. Yes, application was approved	2	18/01/2010	

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
27	An Bord Altranais	Front line post	Director of Operations	1	1. Yes, application was approved	1	01/07/2010	
28	Pharmaceutical Society of Ireland	Front line post	Pharmacist Chief II	1	1. Yes, application was approved	1	01/07/2010	
29	Pharmaceutical Society of Ireland	Front line post	Senior Pharmacist	3	1. Yes, application was approved	3	01/07/2010	
30	Food Safety Authority of Ireland	Critical to meeting statutory obligations / essential health & public safety requirements	Auditor — AP level	2	1. Yes, application was approved	2	01/07/2010	
31	Health and Social Care professions Council	Critical to meeting statutory obligations / essential health & public safety requirements	HEO	3	1. Yes, application was approved	3	01/07/2010	
32	Health and Social Care professions Council	Critical to meeting statutory obligations / essential health & public safety requirements	EO	1	1. Yes, application was approved	1	01/07/2010	
33	Mental Health Commission	Critical to meeting statutory obligations / essential health & public safety requirements	Co. (temporary contract renewal)	3	1. Yes, application was approved	3	01/07/2010	
34	National Cancer Registry Board	Critical to meeting statutory obligations / essential health & public safety requirements	Statistician (Grade V)	1	1. Yes, application was approved	1	01/07/2010	

Note: Includes HSE and Health NCSAs exceptions sought between May 2009 and end December 2010. Under the 2011-2014 ECF within overall numbers reduction targets the HSE is responsible for filling of specified exempted posts and exceptions to the moratorium while the Department of Health is responsible for approving exceptions for health NCSAs. There must be suppression of a post or posts of an equivalent value in non-priority areas for each new exempted post or post filled on an exceptional basis.

Department of Children and Youth Affairs

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
	NEWB	EWO — Helpline Services	EWO — Helpline Services		Refused			
	NEWB	HEO — Office Manager	HEO — Office Manager		Refused			
	NEWB	AP — Regional Manager (West North West)	AP — Regional Manager (West North West)		Refused			
	NEWB	AP — Regional Manager (Dublin City)	AP — Regional Manager (Dublin City)		Refused			
	NEWB	CEO	CEO		Accepted			
	NEWB	Interim CEO — Director Level	Interim CEO — Director Level		Accepted			
	NEWB	PO — Director of Educational Welfare Services (Temporary Filling)	PO — Director of Educational Welfare Services (Temporary Filling)		Accepted — but possible backfilling refused			Interim Director Post not filled due to backfilling being refused
	NEWB	Director Level — PO — Director of Integration	Director Level — PO — Director of Integration		Refused			Replacement of posts under National Co-ordinator SCP and HSCL
	NEWB	1 x Executive Officer, 1 x Research and Development Manager	1 x Executive Officer, 1 x Research and Development Manager		Accepted			Staff transferred from Curriculum Development Unit
	NEWB	EWO — Fixed Term Contract Renewal	EWO — Fixed Term Contract Renewal		Accepted			

[Deputy Brendan Howlin.]

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
	NEWB	Clerical Officer — Fixed Term Contract Renewal	Clerical Officer — Fixed Term Contract Renewal		Refused			Re-deployment of staff member of Department of Justice
	NEWB	EWO — Dublin City	EWO — Dublin City		Under Consideration			
	NEWB	AP — Communications Manager	AP — Communications Manager		Under Consideration			

Department of Transport

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
1	Road Safety Authority (RSA)	New Posts	Assistant Principals	3	not approved			
		New Posts	Higher Executive Officers	3	not approved			
		New Posts	Executive Officers	2	not approved			
		New Posts	Clerical Officers	3	not approved			
		New Posts	Vehicle Inspector	11	not approved			
2	Commission for Aviation Regulation (CAR)	Renew Contract	Principal Officer	1	Approved	1	Dec-09	Vacancy filled to meet statutory obligation
		Renew Contract	Assistant Principals	2	Approved	2	Dec-09	Vacancy filled to meet statutory obligation
		Renew Contract	Executive Officers	3	Approved	3	Dec-09	Vacancy filled to meet statutory obligation
3	National Accident Investigation Office	Filling Post	Principal Officer	1	Approved	1	Nov-09	Important for safety purposes
4	National Transport Authority	New Posts	CEO	1	Approved	1	Jan-10	Newly established Authority
		New Posts	Senior Management	4	Approved/ Not approved	3	Jan-10	Newly established Authority
5	Medical Bureau of Road Safety (MBRS)	Filling Post	Admin Manager	1	Decision	1	28/6/11	Re-deployment
		Filling Post	Scientist	3	Decision	3	28/6/11	Re-deployment
		Filling Post	Manager	1	No decision to-date			
6	Commission for Aviation Regulation (CAR)	Renew Contract	Head of Economics and Air Passengers Rights Executive posts	1	Approved	1	28/6/11	Renewal of employment contracts

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
7	Railway Safety Commission	Contract	External expertise	1	Approved	1	28/06/11	The short-term engagement of external expertise to provide technical know-how relating to regulatory supervision of railway activities and EU regulations
8	National Transport Authority	Renew Contract	Specialist Roles	5	Approved	3	28/06/11	Renewal of employment contracts of 3 transport modelling staff on contract for so long as the specialist work they are involved in forms part of the workload of the Authority.

Commission for Aviation Regulation

- The renewal of employment contracts for the Head of Economics and Air Passengers Rights Executive posts;
- The filling of the Deputy Head of Economics post by means of redeployment from the Public Service Redeployment Panel. Only if a candidate with the required skills set is not available can the post be filled by means of external recruitment;
- The filling of 2.3 (WTE) administrative staff by means of redeployment from the Public Service Redeployment Panel.

Medical Bureau of Road Safety

- The temporary redeployment of 3 locum scientists from within science staff at University College Dublin to help deliver breath testing programmes;
- The filling of 1 administrative post by means of redeployment from the Public Service Redeployment Panel.

Road Safety Authority

- The filling of a HEO equivalent post on an acting up basis from within the existing staff cohort subject to the post vacated by the successful candidate being suppressed.

Railway Safety Commission

- The short-term engagement of external expertise to provide technical know-how relating to regulatory supervision of railway activities and EY regulations.

National Transport Authority

- The retention of 3 transport modelling staff on contract for so long as the specialist work they are involved in forms part of the workload of the Authority.
- To fill a clerical officer post from the redeployment from the Public Service Redeployment Panel.

Department of Agriculture, Fisheries and Food

[Deputy Brendan Howlin.]

Questions—

11 OCTOBER 2011.

Written Answers

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
	Teagasc	These posts are long-term recurring positions that are filled on an academic year basis (Sept — June) only. The posts are of importance to the operation of Teagasc Colleges and to the welfare, health & safety of students	Student Supervisors, part time lecturers	3.5	Application was refused			Ban on recruitment and promotion in public service applies
	Teagasc	To support the delivery of the WIT funded B.Sc. (Hons) Business Management/ Agriculture (Level 8) programme at Kildalton College in the 2009/10 Academic year, as it was not possible to deliver the programme from within existing resources.	part-time Lecturer	0.5	Application was refused			
	Teagasc	To fill three senior management posts, following the retirement of 5 Heads of Directorate (3 age grounds, 2 ISER)	Heads of Directorate — Assistant Secretary	3	Yes, application was approved	3	26/11/2009	

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
	Teagasc	Request for sanction to appoint a General Manager for Moorepark Technology Limited (MTL) (51% Teagasc ownership) following the retirement of the previous General Manager at MTL.	SPRO (Senior Professional Research Officer)	1	Application pending			MTL plays a critical role in technology transfer for Teagasc.
	Teagasc	Recruitment of a Research Scientist who won a prestigious EU grant (FP7 Marie Curie Intra European Fellowship) x 2 years.	Research Scientist	1	Yes, application was approved	1	13/04/2010	This is a fully-funded contract post and there will be no draw on exchequer funds.
	Teagasc	Retention of 10 joint self-financing Teagasc/Dairy Industry contract staff for three years to assist in the deliver of the joint Dairy Development programme.	Contract Advisors	10	Yes, application was approved	10	26/08/2010	Extension of the contracts of 8 self-funding contract advisers and recruitment of two self-funding contract advisers. These posts are fully funded. This programme is part of Teagasc's strategy to maximise industry involvement in Teagasc programmes to help achieve its goal of competitiveness as stated in the Teagasc statement of strategy.

[Deputy Brendan Howlin.]

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
	Teagasc	To recruit nine scientists for the Teagasc Agriculture & Horticulture research programmes.	Scientists	9	Application pending			Recent changes have seriously impacted on Teagasc's agriculture and horticulture research programmes. Opportunities for internal redeployment are quite limited due to the specialised nature of the roles and the lack of suitable staff to redeploy.
	Teagasc	Redeployment of 14 (Private College) employees to Teagasc following the closure of Warrenstown Private College	Teachers	14	Yes, application was approved	14	26/06/2009	This sanction was granted on condition that Teagasc identified savings in the wider organisation to facilitate the redeployment of these staff
	Teagasc	Teagasc have sought to redeploy another 38 Private College staff into the Organisation	29 Teachers, 3 secretarial, 3 matron, 3 maintenance	38	Application pending			Similar to Warrenstown, Teagasc is committed to identifying savings in the wider organisation to facilitate this redeployment proposal.
	Teagasc	Fully funded research posts	Contract Research Officers	43	Yes, applications approved	43	On a case by case basis between Nov 2009 and April 2010	These are fixed term contract posts and are self financing.
	Teagasc	REPS Staff	Advisory	18	Yes, application was approved	18	02/03/2010	Sanction to grant contracts of indefinite duration to these staff following Labour Court recommendation.

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
	Teagasc		Senior Management posts	6	Application has recently been received and has not yet been submitted to Dept. of Finance			
	Bord Iascaigh Mhara	Delivery of service	Eng. Grade 3	5	No Decision	2	30/06/2010	1 Seafood Technology Post 1 Inshore Survey Officer
	SFPA	fishery Control	See Comment	9	Application pending	—	—	1 National Director 2 Senior port Officers, one based at Castletownbere/Dingle and the second at Clonakilty 5 Sea Fisheries Protection Officers based at port offices and at Clonakilty 1 Clerical Officer based at Clonakilty
	MI	Temporary Laboratory Analysts	Lab services	2	Yes, application was approved	2	26/07/2010	Temporary labs analysts, fully funded EU posts
	Teagasc	Improve efficiency of education delivery	Contract Teachers	16	Sanction was given for six posts	6		Contract Teachers(3 years max)

Department of Communications, Energy and Natural Resources

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
1	Central Fisheries Board	To meet legal obligations under the Water Framework Directive	Technician (Hydroacoustics)	1	1. Yes, application was approved	1	28/07/2009	1 year temporary position. Necessity to protect recent investment in the Inland Fisheries resource and in recognition of EU and statutory requirements applying to the Fisheries Boards.
2	Central Fisheries Board	To meet legal obligations under the Water Framework Directive	Research Officer	1	1. Yes, application was approved	1	28/07/2009	1 year temporary position. Necessity to protect recent investment in the Inland Fisheries resource and in recognition of EU and statutory requirements applying to the Fisheries Boards.
3	Central and Regional Fisheries Boards	To meet legal obligations under the Water Framework, Habitats and Eels Directives	Fishery Officers	23	1. Yes, application was approved	23	28/07/2009	4 month seasonal positions. Necessity to protect recent investment in the Inland Fisheries resource and in recognition of EU and statutory requirements applying to the Fisheries Boards.

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
4	Eastern Regional Fisheries Board	For increased surveillance in the Dublin, Dundalk and Wexford districts.	Fishery Officers	3	1. Yes, application was approved	3	28/07/2009	6.5 month temporary positions. Necessity to protect recent investment in the Inland Fisheries resource and in recognition of EU and statutory requirements applying to the Fisheries Boards.
5	Shannon Regional Fisheries Board	To fill recently vacated post	Fisheries Environmental Officer	1	1. Yes, application was approved	1	28/07/2009	1 year temporary position. Necessity to protect recent investment in the Inland Fisheries resource and in recognition of EU and statutory requirements applying to the Fisheries Boards.
6	Western Regional Fisheries Board	Cover for maternity leave	Administrative Assistant, Grade IV	1	1. Yes, application was approved	1	28/07/2009	1 year temporary position. Necessity to protect recent investment in the Inland Fisheries resource and in recognition of EU and statutory requirements applying to the Fisheries Boards.

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
7	Western Regional Fisheries Board	For housekeeper at Aasleagh Lodge	Summer Student	1	1. Yes, application was approved	1	28/07/2009	4 month seasonal position. Generates substantial own resources income for the Board.
8	North Western Regional Fisheries Board	To fill recently vacated post	Assistant Inspector	1	1. Yes, application was approved	1	28/07/2009	Permanent position. Necessity to protect recent investment in the Inland Fisheries resource and in recognition of EU and statutory requirements applying to the Fisheries Boards.
9	North Western Regional Fisheries Board	For increased salmon protection effort	Fishery Officers	3	1. Yes, application was approved	3	28/07/2009	3 month seasonal positions. Necessity to protect recent investment in the Inland Fisheries resource and in recognition of EU and statutory requirements applying to the Fisheries Boards.
10	Northern Regional Fisheries Board	To fill recently vacated post	Fisheries Environmental Officer	1	1. Yes, application was approved	1	28/07/2009	Permanent position. Necessity to protect recent investment in the Inland Fisheries resource and in recognition of EU and statutory requirements applying to the Fisheries Boards.

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
11	Northern Regional Fisheries Board	For administrative support for the CEO/Assistant CEO	Administrative Assistant, Grade IV	1	1. Yes, application was approved	1	28/07/2009	6 month temporary position. Necessity to protect recent investment in the Inland Fisheries resource and in recognition of EU and statutory requirements applying to the Fisheries Boards.
12	Northern Regional Fisheries Board	To meet minimum staffing levels required to run angling centres.	General Operatives	2	1. Yes, application was approved	2	28/07/2009	5 month seasonal positions. Necessity to protect recent investment in the Inland Fisheries resource and in recognition of EU and statutory requirements applying to the Fisheries Boards.
13	Central Fisheries Board	For EU Life+ Programme	Research Officers (including Project Manager)	3	1. Yes, application was approved	3	28/07/2009	4 year contract positions. Externally funded: 50% EU, 50% National Parks and Wildlife Service. Necessity to protect recent investment in the Inland Fisheries resource and in recognition of EU and statutory requirements applying to the Fisheries Boards.

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
14	Central Fisheries Board	For EU Life+ Programme	Fisheries Assistant	1	1. Yes, application was approved	1	28/07/2009	4 year contract position. Externally funded: 50% EU, 50% National Parks and Wildlife Service. Necessity to protect recent investment in the Inland Fisheries resource and in recognition of EU and statutory requirements applying to the Fisheries Boards.
15	Shannon Regional Fisheries Board	Protection and conservation work at Scartleigh Dam	Fishery Officer	1	1. Yes, application was approved	1	28/07/2009	1 year contract position. Board would be unable to carry out contract with Kerry County Council who are fully funding this post.
16	Shannon Regional Fisheries Board	To fulfil contract with ESB to provide fisheries enforcement services on ESB fisheries in the Shannon region	Fishery Officers	2	1. Yes, application was approved	2	28/07/2009	1 year contract positions. Board would be unable to carry out contract with ESB who are fully funding this post.

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
17	Shannon Regional Fisheries Board	For EU Life+ Programme	Project Manager	1	1. Yes, application was approved	1	28/07/2009	5 year contract position. Externally funded: 50% EU, 50% National Parks and Wildlife Service and others. Necessity to protect recent investment in the Inland Fisheries resource and in recognition of EU and statutory requirements applying to the Fisheries Boards.
18	Shannon Regional Fisheries Board	For EU Life+ Programme	Research Officer	1	1. Yes, application was approved	1	28/07/2009	5 year contract position. Externally funded: 50% EU, 50% National Parks and Wildlife Service and others. Necessity to protect recent investment in the Inland Fisheries resource and in recognition of EU and statutory requirements applying to the Fisheries Boards.
19	Central Fisheries Board	For Marine Sports Fish Programme	Technician (Data Mining)	1	1. Yes, application was approved	1	28/07/2009	1 year contract position. Funded by Marine Institute and own resources

[Deputy Brendan Howlin.]

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
20	Geological Survey of Ireland	To facilitate participation by the INFOMAR programme team in two EU sponsored marine geology projects.	Specialist contract staff	4	1. Yes, application was approved	4	23/10/2009	Posts funded from EU sources at no cost to Exchequer. Participation in the projects will leverage external funding to the benefit of the economy. Participation in and attraction of such projects is a stated objective of the INFOMAR programme. The posts are for a three-year fixed term under specific purpose contracts linked to EU projects.
21	Commission for Energy Regulation	To replace retiring Commissioner for Energy Regulation	Commissioner	1	1. Yes, application was approved	1	09/11/2009	5 year contract. Current and future role of the CER, both nationally and at a regional and EU level, justifies a full-time multi-member Commission.
22	Department of Communications, Energy and Natural Resources	To extend the contract of the Department's Research Coordinator by 50 weeks.	Research Coordinator	1	1. Yes, application was approved	1	18/11/2010	Work to be undertaken is a critical time-defined component of the Knowledge Society Strategy. No further renewal of contract beyond period specified.

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
23	Commission for Energy Regulation	To renew contract of employment of legal advisor	Level 4, Band A	1	1. Yes, application was approved	1	21/01/2010	Permanent contract. Significant savings can be realised from use of in-house legal advice compared with cost of procuring such advice from external sources.
24	Broadcasting Authority of Ireland	Replace Finance Officer	Finance Officer	1	1. Yes, application was approved	1	04/02/2010	Sanctioned on basis of redeployment from within the public service.
25	Central Fisheries Board	To formally assign staff member to role of Director of Finance and pay higher duties allowance in absence of post holder who is on sick leave.	Director	1	1. Yes, application was approved	1	16/03/2010	Agreed for up to six months.
26	Commission for Energy Regulation	For design and implementation of the Petroleum Safety Framework	Petroleum Safety Manager	1	1. Yes, application was approved	1	31/03/2010	Permanent post. Sanctioned on basis that new functions for petroleum safety conferred on the CER require specialist expertise.
27	Commission for Energy Regulation	To assist the Petroleum Safety Manager (see above) in the design and implementation of the Petroleum Safety Framework.	Support Analyst	2	1. Yes, application was approved	2	31/03/2010	Permanent posts. Sanctioned on basis that new functions for petroleum safety conferred on the CER require specialist expertise.

[Deputy Brendan Howlin.]

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
28	Sustainable Energy Authority of Ireland	Provide expert financial advice and support to CEO and board. Responsibility for organisation's financial control function.	Head of Department	1	1. Yes, application was approved	1	07/09/2010	Permanent post. Sanctioned on the basis that finance function requires specialist expertise.
29	Sustainable Energy Authority of Ireland	Manage, introduce and operate systems for financial resource allocation and business planning.	Senior Accountant	1	1. Yes, application was approved	1	07/09/2010	Permanent post. Sanctioned on the basis that finance function requires specialist expertise.
30	Sustainable Energy Authority of Ireland	To lead and manage the design, development and delivery of a range of initiatives across domestic and non-domestic sectors through the Retrofit Programme.	Programme Manager EDRT	1	Application was approved	1	September 2010	Sanction subject to suitable staff being available from redeployment panel.
31	Sustainable Energy Authority of Ireland	Manage the design, development, implementation, maintenance and review of technical specifications for SEAI administered retrofit programmes.	Technical Standards Development Manager	1	Application was approved	1	September 2010	Sanction subject to suitable staff being available from redeployment panel.
32	Sustainable Energy Authority of Ireland	Support and assist initiatives on fuel poverty in context of retrofit programme	Programme Executive Domestic Energy Efficiency	1	Application was approved	1	September 2010	Sanction subject to suitable staff being available from redeployment panel.

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
33	Sustainable Energy Authority of Ireland	Provide advice and support to the National Energy Efficiency Retrofit Programme on contract framework agreements and Save As You Pay mechanisms.	Legal and Contracts Executive	1	Application was approved	1	September 2010	Sanction subject to suitable staff being available from redeployment panel.
34	Sustainable Energy Authority of Ireland	To design, implement and oversee a harmonised quality assurance framework across all retrofit programmes.	QA and Inspection Manager	1	Application was approved	1	September 2010	Sanction subject to suitable staff being available from redeployment panel.
35	Sustainable Energy Authority of Ireland	To deliver and manage the Triple E register of energy efficient products that underpin the ACA scheme.	Programme Manager — Accelerated Capital Allowances	1	Application was approved	1	September 2010	Sanction subject to suitable staff being available from redeployment panel.
36	Sustainable Energy Authority of Ireland	To manage and drive the development of energy modelling activity.	Programme Manager — Energy Modelling	1	Application was approved	1	September 2010	Sanction subject to suitable staff being available from redeployment panel.
37	Sustainable Energy Authority of Ireland	Provide a statistical data management and analysis service within the Authority's Energy Policy Statistical Support Unit	Data Management Executive	1	Application was approved	1	September 2010	Sanction subject to suitable staff being available from redeployment panel.
38	Sustainable Energy Authority of Ireland	Ongoing management and development of the Home Energy Savings Scheme	Programme Manager — Sustainable Energy	1	Application was approved	1	September 2010	Sanction subject to suitable staff being available from redeployment panel.

[Deputy Brendan Howlin.]

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
39	Commission for Communications Regulation	To provide high-level, strategic, mission critical legal advice to the Commissioners and the organisation and to manage all legal matters arising from ComReg's remit and activities	Senior Legal Counsel	1	Application was approved	1	21 January 2010	Sanctioned on basis of being most cost effective means of procuring legal advice.
40	Inland Fisheries Ireland	Surveillance support	Fishery Officers	6	1. Yes, application was approved	6	20/09/2010	2 month seasonal positions. Sanctioned on basis that appointments in line with agreement on seasonal staff at IFI in Employment Control Framework
41	Inland Fisheries Ireland	Operational support	Fishery Assistants	23	1. Yes, application was approved	23	20/09/2010	2 month seasonal positions. Sanctioned on basis that appointments in line with agreement on seasonal staff at IFI in Employment Control Framework
42	Inland Fisheries Ireland	To run angling centres	General Operatives	3	1. Yes, application was approved	3	20/09/2010	2 month seasonal positions. Sanctioned on basis that appointments in line with agreement on seasonal staff at IFI in Employment Control Framework

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
43	National Oil Reserves Agency	To meet regulatory compliance responsibilities that arise from NORA's management of both Ringsend and Tarbert storage facilities, and the mitigation of risks associated with same to acceptable levels	Operations Engineer (Engineer Grade II)	1	Application was approved	1	9 November 2010	Approved on basis that Ringsend storage facility about to come on line and need for suitably qualified staff to manage it.
44	Commission for Energy Regulation	Downstream gas and electricity safety staff	CER Analyst	10	Application was approved	10	15 December 2010 & 22 June 2011	Approved on basis that required for CER's new functions. Original sanction (Dec 2010) for 8 posts plus 2 returnees from career break. Updated sanction (June 2011) for 9 posts (2 redeployed from NBA) and 1 returnee from career break.
45	Inland Fisheries Ireland	To fill vacancy created by retirement	Laboratory Chemist	1	No decision to date			
46	Inland Fisheries Ireland	To fill vacancies created by retirements	Inspector	2	No decision to date			
47	Inland Fisheries Ireland	To fill vacancies created by retirements	Administrator Grade 4	2	No decision to date			
48	Inland Fisheries Ireland	New positions in procurement, business development and operational support	HEO	3	No decision to date			

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
49	Inland Fisheries Ireland	To fill vacancies created by retirements	Assistant Inspector	2	No decision to date			
50	Inland Fisheries Ireland	To fill vacancies created by retirements	Fishery Officers	3	No decision to date			
51	Commission for Communications Regulation	To fill vacancy created by retirement	Commissioner	1	Application was approved	1	January 2011	
52	Inland Fisheries Ireland	To fill seasonal posts	Fishery Officer	32	Application was approved	32	9 May 2011	4 month seasonal positions. Sanctioned on basis that appointments in line with agreement on seasonal staff at IFI in Employment Control Framework
53	Commission for Energy Regulation	Cover for maternity leave	Legal Advisor	1	Application was approved	1	2 June 2011	Sanctioned on basis of being most cost effective means of procuring legal advice.
54	Commission for Energy Regulation	To fill vacancy created by retirement	Commissioner	1	No decision to date			
55	Commission for Communications Regulation	To fill vacancy created by retirement	Director, Retail & Consumer Services	1	No decision to date			
56	Commission for Communications Regulation	To fill vacancy created by retirement	Postal manager	1	No decision to date			
57	Commission for Communications Regulation	New post arising from opening of postal market	Analyst	1	No decision to date			
58	Commission for Communications Regulation	Renewal of contract	Commissioner	1	No decision to date			

Department of Education and Skills

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
1	Co. Roscommon VEC	To replace retiring CEO; statutory post	Chief Executive Officer, VEC	1	1. Yes, application was approved	1	26/6/09	Temporary 6 month appointment pending reorganisation of VECs. Extended to 28 Feb 2010. 17 February 2010 — further extended to 30 April 2010.
2	Department of Education & Science	Renewal of secondment of 276 teachers to Education Services	Teacher	276	1. Yes, application was approved	170	6/7/09	Continuation of highest priority teacher training and support. Partial approval granted. 276 posts were sought of which 170 were approved.
3	Church of Ireland College of Education	To replace retiring principal	Principal, College of Education	1	1. Yes, application was approved	1	6/7/09	Need for head of organisation.
4	Vocational Education Committees	To award a fixed term contract to fill one existing caretaker vacancy on a temporary basis to ensure the smooth running of Certificate examinations during June 2009. To give	Caretaker	1	1. Yes, application was approved	1	27/5/09	To ensure uninterrupted running of State examinations. One immediate post sanctioned; delegated sanction to appoint others should the need arise.

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
5	NCTE	delegated sanction to award similar contracts in other VECs, in similar circumstances, during June 2009, should the need arise. To fill 1 National Coordinator post; Renewal of contracts of 2 Project Officers; Renewal of either 1 Senior Administrative Assistant or 1 Secretary Grade III post	National Coordinator; 2 Project Officers; Senior Admin Asst or Secretary Grade III	4	1. Yes, application was approved	4	31/7/09	Majority of staff of NCTE employed on fixed term contracts. Need to reappoint a minimum number of these staff (4) to maintain services.
6	Co. Dublin VEC	Replace CEO	Chief Executive Officer, VEC	1	1. Yes, application was approved	1	15/10/09	Temporary 3 month acting appointment pending reorganisation of VECs. 17 February 2010 — further extended to 30 April 2010.
7	Co. Offaly VEC	Replace CEO	Chief Executive Officer, VEC	1	1. Yes, application was approved	1	9/10/09	Temporary 3 month acting appointment pending reorganisation of VECs. Extended to 28 Feb 2010. 17 February 2010 — further extended to 30 April 2010.

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
8	City of Waterford VEC	Replace CEO	Chief Executive Officer, VEC	1	1. Yes, application was approved	1	15/10/09	Temporary 3 month acting appointment pending reorganisation of VECs. Extended to 28 Feb 2010. 17 February 2010 — further extended to 30 April 2010.
7	Co. Westmeath VEC	Replace CEO	Chief Executive Officer, VEC	1	1. Yes, application was approved	1	15/10/09	Temporary 3 month acting appointment pending reorganisation of VECs. 17 February 2010 — further extended to 30 April 2010.
8	Co. Donegal VEC	Replace CEO	Chief Executive Officer, VEC	1	1. Yes, application was approved	1	15/10/09	Temporary 3 month acting appointment pending reorganisation of VECs. 17 February 2010 — further extended to 30 April 2010.
9	City of Limerick VEC	Replace CEO	Chief Executive Officer, VEC	1	1. Yes, application was approved	1	15/10/09	Temporary 3 month acting appointment pending reorganisation of VECs. 17 February 2010 — further extended to 30 April 2010.
10	Institute of Technology Tralee	To employ two Technicians to ensure the continued provision of certain courses	Laboratory Technicians	2	1. Yes, application was approved	2	23/9/09	To ensure the continued provision of certain courses

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
11	New Body amalgamating HETAC, FETAC & NQAI	CEO of NQAI/Interim CEO of new qualifications and QA Body	Chief Executive Officer	1	1. Yes, application was approved	1	22/12/09	CEO of NQAI and Interim appointment of CEO for the new body to be established amalgamating HETAC, FETAC and the NQAI
14	DLIADT	To replace 4 Technicians	Technician	4	1. Yes, application was approved	4	13/10/09	Health and Safety. Courses would have to be suspended
15	IoT Carlow	To replace 4 Technicians	Technician	4	1. Yes, application was approved	4	17/11/09	Health and Safety. Courses would have to be suspended
16	Galway-Mayo IoT	To replace 2.5 Technicians	Technician	2.5	1. Yes, application was approved	2.5	17/11/09	Health and Safety. Courses would have to be suspended
17	IoT Tallaght	To replace 2 Technicians	Technician	2	1. Yes, application was approved	2	17/11/09	Health and Safety. Courses would have to be suspended
18	IoT Tralee	To replace 2 Technicians	Technician	2	1. Yes, application was approved	2	17/11/09	Health and Safety. Courses would have to be suspended
19	IT Blanchardstown	To replace 5 staff on maternity leave	4 Lecturers and 1 Asst Lecturers	5	1. Yes, application was approved	5	16/10/09	Fixed purpose contracts to cover 5 staff on mat leave
20	IoT Sligo	Project Manager Higher Certificate in Custodial Care	Project Manager	1	1. Yes, application was approved	1	26/10/09	Fixed term contract to coincide with contract with Prison Service
21	Dublin Institute of Technology	To replace 6 Technicians	Technician	6	1. Yes, application was approved	6	17/11/09	Health and Safety. Courses would have to be suspended
22	Athlone IoT	To replace 1 Technician	Technician	1	1. Yes, application was approved	1	17/11/09	Health and Safety. Courses would have to be suspended

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
23	Commission to Inquire into Child Abuse	to retain 6 staff on rolling 3 month contracts to continue work of commission	2 x f/t EO, 1 x p/t EO, 1 x p/t IT Manager, 2 x p/t SO	4	1. Yes, application was approved	4	6/1/2010	To continue essential work of the Commission to Inquire into Child Abuse. Please note that the 6 posts equate to less than 4 WTE
24	FETAC	Appt of 3 staff on 3 year fixed term contracts to carry out EQARF project. Fully EU funded.	Director, Policy Officer, Project Administrator	3	1. Yes, application was approved	3	12/2/10	Fully funded by EU. FETAC won tender to carry out EQARF project.
25	Vocational Support Services Unit (VSSU)	To replace the deceased Director of the Vocational Support Services Unit	Professional Accountant Grade I	1	4. Application was refused			
26	Comhairle um Oideachas Gaeltachta agus Gaelscolaíochta (COGG)	Appt of 4 staff on initial one year renewable contracts to carry out the functions of COGG. 3 x Development Officer posts and one Co. post. Upgrade one existing EO post to HEO level.	3 x Engineer Grade II, 1 x CO, 1 EO to HEO upgrade	4	4. Application was refused			To perform the functions of COGG. The provision of supports for the teaching of Irish at 1st and 2nd level.
27	FETAC	Ext of contracts for 1 year of 3 FETAC Monitors for monitoring and assessment of education providers	3 Monitors	3	4. Application was refused	0	28/4/10	
28	HEA	Ext of contracts of 3 EOs for various tasks	3 EOs	3	1. Yes, application was approved	3	28/4/10	Part approval granted — 3 posts for 7 months. 1 year extension sought.

[Deputy Brendan Howlin.]

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
29	DIAS	To appoint one experienced researcher, on a 13-month fellowship contract to assist on an externally-funded research project (Marie Curie Early Stage Research Training Project)	Researcher	1	1. Yes, application was approved	1	19/5/2010	To assist in the completion of an externally-funded research project. 1 x 13 month fixed-term contract
30	DIAS	To employ one junior post-doctoral researcher on a fixed-term contract for a six month period.	Junior post-doctoral researcher	1	3. No decision to date			
31	NEWB	Replacement of CEO	CEO	1	1. Yes, application was approved	1	20 May 2010	To continue the work of the CEO. 1 x 5 year fixed-term contract
32	Mayo VEC	Replacement of Education Officer	Education Officer	1	1. Yes, application was approved	1	11 May 2010	to replace vacancy at EO level. 1 for 6 months
33	Wexford VEC	Replacement of CEO	CEO	1	1. Yes, application was approved			To replace, on an acting basis, the serving CEO who is on extended sick leave
34	Longford VEC	Replacement of CEO	CEO	1	1. Yes, application was approved			To replace, on an acting basis, the retiring CEO (retirement effective 17 July 2010), appointment requested from 17 July 2010 to 30 September 2010

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
35	CDVEC	To renew the contracts of 21 School Librarians	Librarian	21	1. Yes, application was approved	21		
36	NCTE	To appoint 2 Project Coordinators to work on a pilot project to deliver Next Generation broadband to post-primary schools		2	4. Application was refused			
37	VECs	To fill vacancies of cleaning/maintenance staff in 33 VEC administrative offices, as they arise	Cleaner	33	4. Application was refused			
38	DIAS	To re-engage one Fellowship researcher for a 6-month period on an externally-funded research project (Marie Curie Project)	Researcher	1	1. Yes, application was approved	1 for 6 months		To continue working on an externally-funded research project
39	HEA	To engage 1 EO to provide admin support for the co-ordination of programme activities on the context of a European e-infrastructure project for which the HEA has secured funding under FP7	EO	1	1. Yes, application was approved	1 for period ending no later than 31 December 2010		To provide admin support for the co-ordination of programme activities on the context of a European e-infrastructure project for which the HEA has secured funding under FP7

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
40	NEWB	Transfer of one EO and one R&D Officer from SCP to NEWB on foot of amalgamation of school support services	EO and R&D Officer	1	1. Yes, application was approved	1	1 Sept 2010	
41	FÁS	temporary CO's to cover SWY	CO	40 TCO's max and 20 acting up assignments	approved		11 Mar 2011	Temp Co. staff to cover SWY in FÁS in 2011.
42	NEWB	1 x director of services 1 x director of integration 1 regional manager 2 x education welfare officer 1 x clerical officer post	Various	6	1 EWO post extended by 6 months	1 extension	24 Mar 2011	1 post extended as due to expire 29 March 2011
43	Co. Mayo VEC	Temp extension pending VEC amalgamation	Acting Education Officer	1	Approved until 30 Sept 2011	1	29 Mar 2011	Temporary extension of essential post until VEC rationalisation
44	Teaching Council	Renew contracts of 5 Temp Cos to complete registration of existing and new teachers for 2011/2012 academic year	Clerical Officer	5	Approved until 31 August 2011 only	5	31 Mar 2011	To finalise registration of existing and new teachers in time for September 2011 academic year.

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
45	FÁS	Specialised Instructor in FÁS in Biopharmaceutical Training Facilities in Cork	Specialised Training Instructor	1	Contract of Specific Purpose	1	28 Jun 2011	Contract of specific purpose from July 2011 whose duration would relate specifically to however long the attributes of the post were specifically needed.
46	VEC	Further Extend acting-up appointments to CEO for the 11 VECs to 30 Sept 2011	CEO	11	Approved until 30 Sept 2011	11	1 Jul 2011	Further Extend acting-up appointments for the 11 VECs (Cities of Limerick and Waterford and Counties of Cork, Donegal, Dublin, Kerry, Kilkenny, Longford, Offaly, Roscommon and Westmeath) to 30 Sept 2011

Footnote:

Special arrangements have been agreed with the Department of Education & Science for the filling of certain key posts in the Education sector on a delegated basis, as an exception under the Moratorium, without having to receive the specific approval of the Minister for Finance on a case by case basis. These include:

- (1) Vacancies arising in Principal, Vice-Principal, Teaching and Special Needs Assistant posts in schools, which may continue to be filled as they arise, within and subject to an overall ceiling on the number of such posts;
- (2) Vacancies arising in essential support posts (secretarial & caretaking) in Community & Comprehensive and VEC schools, which may continue to be filled on a minimalist basis, where schools would otherwise be forced to close or new schools would be unable to open in the absence of such support staff;
- (3) Vacancies arising in posts of responsibility in schools, in certain cases, where this is considered to be necessary for the continued operation of the schools in question;
- (4) Certain specific vacancies arising in the Higher Education sector may continue to be filled subject to achieving a targeted reduction in employment numbers by year end.

Department of Justice & Equality

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
1	Garda	Appointment of 3 Chief Superintendents & 10 Superintendents & 1 Assistant Garda Commissioner	1 Assistant Garda Commissioner, 3 Chief Superintendents, 10 Superintendents	14	Yes, application was approved.	14	22/05/2009	To replace key staff who are retiring
2	Garda	Appointment of 1 Assistant Garda Commissioner	1 Assistant Garda Commissioner	1	Yes, application was approved.	1	28/09/2009	To replace key staff who are retiring
3	Garda	Appointment of 1 Assistant Garda Commissioner, 9 Chief Superintendents, 14 Superintendents, 28 Inspectors, 120 Sergeants (172 posts in total)	1 Assistant Garda Commissioner, 9 Chief Superintendents, 14 Superintendents, 28 Inspectors, 120 Sergeants	172	No formal sanction given as an Employment Control Framework is in the process of being agreed with the Department of Justice for the Justice Sector. Its will then be a matter for the Garda to manage staff numbers within the agreed Framework and associated pay allocation.			

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
4	Garda	Reappointment of Garda to Garda Technical Bureau	1 Garda	1	Yes, application was approved.	1	09/03/2010	Reappointment of a Guard who had left force who had previously been given technical training and worked in the Bureau. 3 staff due to retire from the Bureau this year and this guard's training and experience would make him suitable to fill one of these posts.

[Deputy Brendan Howlin.]

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
5	Garda	Reappointment of Garda to the Garda Force	1 Garda	1	Yes, application was approved.	1	16/04/2010	Sanction was given on foot of legal advice from the Office of the Attorney General which advised that this Garda had a legitimate expectation that she would be re-appointed on the basis of an agreement between the Minister for Justice and the Garda Commissioner in 1980 regarding the extension of the categories to be considered for re-appointment which included members who resign from the Force to take up a post with UN.
6	Garda	Reappointment of 2 Garda to the Garda Force	2 Garda	2	Yes, application was approved.	2		Justice are seeking approval to the reappointment of 2 garda, 1 of whom who left the Force to take up UN posts and another who left to set up a Driving school.

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
7	Irish Youth Justice Service	Extension of contracts for 27 staff employed in the Finglas and Oberstown Children Detention Schools.	10 Residential Childcare Workers, 4 Night Supervisors, 6 General Operatives, 1 Chef, 1 Assistant chef, 1 Assistance Maintenance Officer, 2 Clerical Officer, 1 Night Unit manager, 1 Assistant Deputy Director	27	Yes, application was approved.	27	26/06/2009	To facilitate the ordered restructuring of staffing in the youth detention centres prior to the closure of one detention centre.
8	Irish Youth Justice Service	Extension of contract for 1 worker at Trinity House	1 General Operative	1	Yes, application was approved.	1	02/09/2009	To maintain catering services at weekends.
9	Irish Youth Justice Service	Extension of contract for 5 workers at Trinity House	2 Residential Childcare Workers, 2 Night Supervisors, 1 Clerical Officer	5	Yes, application was approved.	5	18/09/2009	To facilitate the ordered restructuring of staffing in the youth detention centres prior to the closure of one detention centre.
10	Irish Youth Justice Service	Extension of contracts for 68 staff employed in the Children Detention Schools to 31 March 2010.	31 Residential Childcare Workers, 12 Night Supervisors, 13 General Operatives, 1 Chef, 1 Assistance Maintenance Officer, 6 Clerical Staff, 3 Night Unit Managers, 1 Assistant Night Unit Manager	68	Yes, application was approved.	68	25/09/2009	To facilitate the ordered restructuring of staffing in the youth detention centres prior to the closure of one detention centre.

[Deputy Brendan Howlin.]

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
11	Irish Youth Justice Service	Contract expired	1 assistant maintenance Officer1 Childcare Worker	2	Yes sanction was given on a permanent basis	2	20/12/2010	Both staff members had particular skills and training which were deemed essential to the running of Oberstiown youth detention centre.

Department of the Environment, Community and Local Government

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
1	An Bord Pleanála	Delay in filling staff complement due to industrial relations issue	SEO	1	Sanction was refused	0	09.06.09	Request for sanction does not fall within the “very limited circumstances” where Ministerial exceptions can be sought.
2	Private Residential Tenancies Board	PRTB wish to engage 30 COs rather than 22 agency staff for same cost	CO	30	Sanction was refused	0	21.05.09	Request for sanction does not fall within the “very limited circumstances” where Ministerial exceptions can be sought.
3	Environmental Protection Agency	Reappointment as term has expired	Director	1	Yes, sanction was given — on a permanent basis	1	11.09.09	Post is vital for operation of services.
4	Wicklow County Council *	Incentivised Scheme of Early Retirement in the Public Service	Director of Services	1	Yes, sanction was given — on a temporary/acting basis	1	18.12.09	Post is vital for operation of services.
5	Irish Regions Office	Contract expired	EU Programmes & Communication Officer	1	Yes, sanction was given — on a permanent basis	1	27.01.10	Post is vital for operation of services.
6	BMW Regional Assembly	Contract expired	Auditor	1	Yes, sanction was given — on a permanent basis	1	24.03.10	Post is vital for operation of services.
7	Environmental Protection Agency	New Post to Manage Dumping at Sea Permits	Technical Manager	1	Sanction was refused	0	08.03.10	Request for sanction does not fall within the “very limited circumstances” where Ministerial exceptions can be sought.

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
8	Dublin Docklands Development Authority	Incentivised Scheme of Early Retirement in the Public Service	Secretary	1	No decision to date	0		
9	Dublin Docklands Development Authority	Contract is due to expire	Director of Finance	1	No decision to date	0		
10	Housing Finance Agency	To fill one full time and one part time EO posts to supply administrative support and loan book management	EO	1.5	Yes, sanction was given — on a permanent basis	1.5	08.03.10	Post is vital for operation of services.
11	Housing Finance Agency	To fill a jobshare Co. post due to a member of staff switching to job share	CO	0.5	Yes, sanction was given — on a permanent basis	0.5	08.03.10	Post is vital for operation of services.
12	Housing Finance Agency	To fill 1 full time & 1 part time Co. posts arising as consequential vacancies from the filling of the EO posts above	CO	1.5	Sanction was refused	0	08.03.10	Request for sanction does not fall within the “very limited circumstances” where Ministerial exceptions can be sought.
13	Radiological Protection Institute of Ireland	To fill the post of Director of Advisory Services following the departure of Dr. Colgan to the IAEA	PSO	1	Yes, sanction was given — on a permanent basis	1	08.03.10	Post is vital for operation of services.
14	Radiological Protection Institute of Ireland	Fill the consequential vacancy arising from filling the post of Director of Advisory Services	SSO	1	Sanction was refused	0	08.03.10	Request for sanction does not fall within the “very limited circumstances” where Ministerial exceptions can be sought.

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
15	Radiological Protection Institute of Ireland	Fill the consequential vacancy arising from filling the post of Director of Advisory Services	SO	1	Sanction was refused	0	08.03.10	Request for sanction does not fall within the "very limited circumstances" where Ministerial exceptions can be sought.
16	Local Government Management Agency	Director of OLAM	Director	1	Yes, sanction was given on a temporary/acting basis	1	19.05.10	Post must be filled through redeployment.
17	Southern & Eastern Regional Assembly	To fill a first level controller post to implement the systems of controls for the Ireland Wales Programme	Grade 1V	4	Yes, sanction was given — on a permanent basis	1	19.04.10	Post is vital for operation of services.
18	An Bord Pleanála	Contract Expired. Application to extend contract for 1 year	Planning Inspector	1	Yes, sanction was given — on a temporary/acting basis	1	23.04.10	Post is vital for operation of services.
19	Dublin Docklands Development Authority	Sanction sought to acting up allowance for the Acting CEO	Acting CEO	1	Yes, sanction was given — on a temporary/acting basis	1	24.06.10	Post is vital for operation of services.
20.	Private Residential Tenancies Board	Sanction sought to extend temporary contract by 12 months	ICT Administrator	1	Yes, sanction was given — on a temporary/acting basis	1	15.07.10	Vital to ensure project completion which will negate the need for Agency staff
21.	Irish Water Safety Association	Sanction for a three year contract post sought	Educational Development Officer	1	Sanction was refused	0	05.08.10	Request for sanction does not fall within the "very limited circumstances" where Ministerial exceptions can be sought.

[Deputy Brendan Howlin.]

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
22.	Environmental Protection Agency	To fill the Programme Manager — Laboratory Services post after a retirement	Programme Manager — Level 1	1	Sanction was refused	0	05.10.10	Request for sanction does not fall within the “very limited circumstances” where Ministerial exceptions can be sought.
23.	Environmental Protection Agency	To fill the Programme Manager — Aquatic Environment post after a retirement	Programme Manager — Level 1	1	Sanction was refused	0	05.10.10	Request for sanction does not fall within the “very limited circumstances” where Ministerial exceptions can be sought.
24.	Environmental Protection Agency	To fill the post in the Office of Climate, Licensing & Resource Use after a retirement	Senior Scientific Officer — Level 2	1	Sanction was refused	0	05.10.10	Request for sanction does not fall within the “very limited circumstances” where Ministerial exceptions can be sought.
25.	Environmental Protection Agency	8 temporary fixed term purpose contract staff sought to cover maternity leave	Level 5 or 6 as appropriate	8	Sanction was refused	0	05.10.10	Request for sanction does not fall within the “very limited circumstances” where Ministerial exceptions can be sought.
26.	Housing & Sustainable Communities Agency	Fill the post of Director of Asset Management, Planning, Procurement & Shared Services	PO — Standard Equivalent	1	Yes, sanction was given — on a permanent basis	1	30.09.10	Post is vital for operation of services. Post will be filled through redeployment.

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
27.	Housing & Sustainable Communities Agency	To fill the post of Director of Research, Policy Standards & Regulations	PO — Standard Equivalent	1	Yes, sanction was given — on a permanent basis	1	30.09.10	Post is vital for operation of services. Post will be filled through redeployment.
28.	Housing & Sustainable Communities Agency	To fill the post of Director of Local Authority Services	PO — Standard Equivalent	1	Yes, sanction was given — on a permanent basis	1	30.09.10	Post is vital for operation of services. Post will be filled through redeployment.
29.	Irish Water Safety	Sanction for a three year contract post sought	Educational Development Officer	1	Yes, sanction was given — on a temporary/acting basis	1	29.10.10	Post will be filled through redeployment.
30.	An Bord Pleanála	To fill an Ordinary Board Member post	Ordinary Board Member	1	Yes, sanction was given — on a temporary/acting basis	1	22.12.10	Post to be filled for one year while regarding of Board Members is examined
31.	Housing & Sustainable Communities Agency	To fill Housing Administrator Post	Staff Officer	1	Sanction was refused	0	22.12.10	Request for sanction does not fall within the “very limited circumstances” where Ministerial exceptions can be sought.
32.	An Bord Pleanála	To fill the post of Chairperson	Chairperson	1	Yes, sanction was given — on a permanent basis	1	14.02.11	Post was advertised stating that pay is being reviewed & may be subject to downward revision
33.	An Bord Pleanála	To fill the post of Deputy Chairperson	Deputy Chairperson	1	Yes, sanction was given — on a permanent basis	1	18.02.11	Post to be filled for one year while regarding of Board Members is examined

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
34.	Southern & Eastern Regional Assembly	To fill the post of National Contact Point	National Contact Point	1	No decision to date	0		
35.	Environmental Protection Agency	To fill the Director General Post	Director General	1	No decision to date	0		
36.	Western Development Commission	To fill the Chief Executive Officer Post	CEO	1	No decision to date	0		

Please note that D/ECLG has a delegated sanction to apply the moratorium in the local authority sector.

Note: A Commission of Investigation into the Banking Sector has also been established, chaired by Mr. Peter Nyberg. The Commission is making a number of appointments to assist it in its work.

Department of Tourism, Culture and Sport

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
1	Irish Museum of Modern Art	To enable the post of Director to be filled	Principal Officer, Standard Scale	1	Grant	1	28 April 2011	

Fáilte Ireland also requested 80 seasonal Tourist Information Officers (clerical) to staff its Information Offices for the tourist season. Sanction granted on 20th of April. Shannon Development was also granted 12 Tourist Information Officers on the same basis. Such sanctions are given on the understanding that the pay can be met from within existing budgetary resources

184. **Deputy Willie O’Dea** asked the Minister for Public Expenditure and Reform the details of any organisation under his Department which has informed him of staffing difficulties which may impinge upon its ability to effectively oversee the spending of public funds; and his views regarding same. [28375/11]

185. **Deputy Willie O’Dea** asked the Minister for Public Expenditure and Reform if he will outline the organisations under his Department for which an employment control framework has been agreed; the current numbers they have in place; if they have been waiting more than one month to receive sanction to proceed to fill or retain any positions in spite of such positions falling below the agreed ECF ceiling. [28391/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I propose to take Questions Nos. 184 and 185 together.

The table outlines the ECF for 2011 and 2012 for my Department and organisations under the aegis of my Department.

DEPARTMENT/OFFICE	2011 ECF	2012 ECF
PUBLIC EXPENDITURE AND REFORM	323	320
COMMISSION FOR PUBLIC SERVICE APPOINTMENTS	8	9
OFFICE OF PUBLIC WORKS	1,857	1,853
OMBUDSMAN	89	89
PRESIDENTS ESTABLISHMENT	21	22
PUBLIC APPOINTMENTS SERVICE	93	91
STATE LABORATORY	91	91
VALUATION OFFICE	146	146
TOTAL	2,627	2,621

It is important in any reply to clarify that the ECF is not a target number of posts to be filled. It is simply a ceiling on serving numbers below which Departments and Offices must ensure total serving numbers remain. The Moratorium on recruitment and promotion effectively means that any exception i.e. filling of a post, will arise in “very limited circumstances only”,

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and will require the prior sanction of the Minister. I am not aware of any staffing difficulties which may impinge upon the organisation’s ability to effectively oversee the spending of public funds.

Pension Provisions

186. **Deputy Derek Keating** asked the Minister for Public Expenditure and Reform the circumstances that justify the payment of a large pension, a bonus payment on top of a large pension and a severance package for senior civil servants and public officials; and if he will make a statement on the matter. [27390/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): In relation to the Civil Service for which I am responsible, I assume the Deputy is referring to the enhanced retirement benefits and severance payment available in certain circumstances for departing Secretaries General (there is no bonus payment as suggested).

A Secretary General is appointed for a fixed term which, as a result of the individual’s age at the date of appointment, expires before age 65, and in many cases before age 60. In circumstances where an individual is obliged to retire at the end of his/her term and before age 65, a severance payment and enhanced retirement benefits may be granted, subject to certain conditions, in recognition of the fact that the individual has foregone the right to continue in employment to age 65 and accrue further pension benefits. These terms are designed to encourage younger people to apply for such posts who might otherwise wish to continue working until age 65. These terms are being examined at present.

Tribunals of Inquiry

187. **Deputy Derek Keating** asked the Minister for Public Expenditure and Reform the cost to the State and the name and purpose of all tribunals current or past since 1987 to date in tabular form; if he will break down the costs and payments of barristers, senior counsel and administrators; and if he will make a statement on the matter. [21415/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): Based on bi-monthly reports made to the Department of Public Expenditure and Reform on expenditure incurred by the Departments with responsibility for the individual tribunals from 1987 listed as follows, the cumulative cost of completed and sitting Tribunals up to end-August 2011, is estimated at €315.747 million, of which €72.515 million comprised administration and €243.232 million derived from legal costs. The legal costs figures include €118.354 million for third-party legal costs that are already paid. Further third party legal costs have yet to be presented and taxed.

Tribunal Costs to End-August 2011	Admin Costs	State Legal Costs	3rd Party Legal Costs	Other*	Total Costs
	€m	€m	€m	€m	€m
Beef Tribunal of Inquiry to enquire into allegations of improper practices within the beef industry and the abuse of the EU export credit refund scheme (established May 1991; Report presented to Relevant Minister, July 1994).	5.320	4.630	17.283		27.233

Tribunal Costs to End-August 2011	Admin Costs	State Legal Costs	3rd Party Legal Costs	Other*	Total Costs
	€m	€m	€m	€m	€m
McCracken Tribunal of Inquiry into the Dunne's payments to politicians (established February 1997: Report presented to Relevant Minister, August 1997).	0.100	0.860	5.600		6.560
Finlay Tribunal of Inquiry into the Blood Transfusion Service Board (established October 1996: Report presented to Relevant Minister, March 1997).	0.500	0.700	3.500		4.700
Lindsay Tribunal of Inquiry into the Infection with HIV and Hepatitis C of Persons with Haemophilia and Related Matters (established September 1999: Report presented to Relevant Minister, September 2002).	3.133	4.350	39.166		46.649
Moriarty Tribunal of Inquiry into Payments to Messrs. Haughey and Lowry (established September 1997 — Report presented March 2011).	8.471	34.235	0.0	3.242	42.706
Costs paid by D/CENR in respect of Moriarty Tribunal.	0.202			3.242	3.444
Mahon Tribunal of Inquiry into Certain Planning matters and Payments (established November 1997 — ongoing).	29.121	56.974	10.073		96.168
Morris Tribunal of Inquiry into certain Garda activities in Donegal (established 2002: Report presented to relevant Minister 2008).	17.320	10.546	31.274		59.140
Barr Tribunal of Inquiry into the Facts and Circumstances Surrounding the Fatal Shooting of John Carthy at Abbeylara, Co. Longford (established 2002: Report presented to relevant Minister July 2006).	4.170	5.083	11.390		20.643
Smithwick Tribunal of Inquiry into the Fatal Shootings of RUC Chief Superintendent Harry Breen and Superintendent Robert Buchanan (established 2005 — ongoing).	4.178	4.258	0.068		8.504
Total	72.515	121.636	118.354	3.242	315.747

*The figure of €3.242m in the "Other" column relates to expenditure by the Department of Communications, Energy and Natural Resources on legal representation at the Moriarty Tribunal.

Foireann na Seirbhíse Poiblí

188. **D'fhiafraigh Peadar Tóibín** den an Aire Caiteachais Phoiblí agus Athchóirithe an bhfuil an Rialtas chun córas nua earcaíochta agus oiliúna a chur i bhfeidhm a rachaidh i ngleic leis an easpa foirne sa chóras poiblí le cumas dátheangach; agus an ndéanfaidh sé ráiteas ina thaobh. [21781/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): Tá srian ar na deiseanna atá ann maidir le fostaíocht san earnáil poiblí i gcoitinne de bharr an moratóir ar earcaíocht agus ar ardaithe céime a tugadh isteach ar an 27 Márta 2009. Tá feidhm ag an moratóir,

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ach amháin i gcásanna eisceachtúla theoranta, ar an stát seirbhís, údaráis áitiúla, comhlachtaí stáit neamh-thráchtála, an Garda Síochána, na Forsaí Cosanta buana agus roinnt comhlachtaí a bunaíodh de réir reachtaíochta agus a fhaigheann ar a laghad cuid dá gcuid maoiniúón gCiste Lárnach. Tá na socraithe seo á gcur i bhfeidhm ar bhealaí ar leith i gcás na n-earnáil oideachais agus sláinte, ag tógáil riachtanais na n-earnáil sin san áireamh. Is é an sprioc atá ag an moratóir ná uimhreacha iomlána sa tseirbhís poiblí a ísliú chun leasa airgead an stáit.

Maidir leis an stát seirbhís, go bhfuil mise freagrach as go díreach, níl i gceist faoi láthair breis foirne le cumas Gaeilge a earcú.

Mar is eol don Teachta, leagann Acht na dTeangacha Oifíúla 2003 dualgais ar chomhlachtaí poiblí i leith na Gaeilge. Is gnó do gach comhlacht poiblí agus do gach Roinn/Oifig de chuid na stát seirbhíse scéim teanga a chur le chéile, nuair a iarann an t-Aire Ealaíona, Oidhreacht agus Gaeltachta orthu é sin é a dhéanamh, agus é a chur i bhfeidhm.

Leagtar amach sa scéim na seirbhísí go bhfuil i gceist ag an comhlacht poiblí a sholáthar:

- i nGaeilge amháin
- i mBearla amháin
- go dátheangach

Ní mór a shonrú chomh maith na céimeanna go bhfuil i gceist ag an gcomhlacht poiblí a thógáil chun na seirbhísí atá sonraithe a sholáthar i nGaeilge nó go dátheangach.

Is gnó do gach Roinn/Oifig a chuid dualgas faoin Acht a chomhlíonadh. Is iad na Ranna/Oifigí féin is fearr atá in ann a gcuid riachtanas maidir le scileanna a mheas, ag tógáil a scéim teanga féin san áireamh, agus pé riachtanais traenála atá acu a mheas agus freastal orthu.

Translation in English

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 27 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. The moratorium is aimed at reducing overall public service numbers in order to consolidate the public finances.

In relation to the civil service, the area for which I have direct responsibility, there are currently no plans to recruit additional staff with competencies in the Irish language.

As the Deputy is aware, the Official Languages Act 2003 confers duties on public bodies in relation to the Irish Language. It is a matter for each public body and civil service Department/Office to devise a language scheme when requested to do so by the Minister for Arts, Heritage and the Gaeltacht and to implement it.

The scheme describes the services which the public body proposes to provide:

- in Irish only
- in English only or

- bilingually.

It is necessary also to specify the steps which the public body intends to take to provide the stated services in Irish or bilingually.

It is a matter for each Department/Office to meet their obligations under the Act. Individual Departments/Offices are best placed to determine their skills requirements, having regard to their own language scheme, and to identify and meet any training needs required.

Freedom of Information

189. **Deputy Gerry Adams** asked the Minister for Public Expenditure and Reform when he expects the consultation period to conclude on the reform and restructuring of the Freedom of Information Act. [21200/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): My Department is engaged in the necessary preparatory work and consultations to give effect to the commitments in the Programme for Government in relation to Freedom of Information. I hope to be in a position to introduce the necessary legislative measures to give effect to the commitments in the Programme for Government early in the New Year.

Civil Service Staff

190. **Deputy Gerry Adams** asked the Minister for Public Expenditure and Reform the steps he has taken to reduce salaries and pensions for senior staff in the Department of An Taoiseach. [23770/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The rates of pay currently applying to grades in the civil service are set out in *Circular 28/2009: Revision of pay of Civil Servants Application of pay adjustments in accordance with the Financial Emergency Measures in the Public Interest (No. 2) Act, 2009*. This circular can be accessed at <http://per.gov.ie/circulars2009/>. Following the introduction by the Government in June last of a pay ceiling of €200,000 p.a. for senior public service posts, all current incumbents of Secretary General posts voluntarily waived their entitlement to any salary in excess of €200,000 p.a. New appointees to such posts are subject to the €200,000 p.a. pay ceiling.

The superannuation terms applying to grades in the civil service are set out on my Department's website www.cspensions.gov.ie. There are special provisions for Secretaries General, whose terms of appointment included the Top Level Appointments Committee (TLAC) exit terms. These terms are currently being reviewed by me. In addition, the Deputy will also be aware that the Single Public Service Pension Scheme, the bill for which has been published by the Government, includes the following provisions.

1. Raise the minimum public service pension age — it is proposed this be increased initially to 66 to bring it into line and link it henceforth with the social welfare state pension age, rising on a phased basis to 67 and 68.
2. Set a maximum retirement age of 70 — at present for most new entrants to the public service, there is no maximum retirement age.
3. Move to the calculation of pensions on the basis of “career average” earnings rather than final salary — the introduction of a career average rather than a final salary system is

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fairer and more equitable than a final salary system in that it affects the pension paid to those who have high earnings especially in late career (for example, a person promoted to top management later in their career) more than those who may have a relatively 'flat' career progression (for example, nurses, teachers).

These provisions will apply after commencement of the legislation to new recruits to the Civil/Public Service, and to those who are not existing civil/public servants within 6 months of taking up their employment.

Constitutional Amendments

191. **Deputy Gerry Adams** asked the Minister for Public Expenditure and Reform the consultations that he has held with political parties and non-governmental organisations regarding proposals for forthcoming referenda on constitutional amendments. [24417/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): In relation to the upcoming referendum to amend the Constitution to enable the Houses of the Oireachtas to undertake full inquiries I have always made it clear that it is my intention to facilitate a comprehensive discussion and an informed debate on the issues involved in the constitutional amendment. In a letter of 27 July, I circulated a copy of the draft wording for the proposed Constitutional amendment to the Opposition Spokespersons on Public Expenditure and Reform, all Party Whips, the Ceann Comhairle of Dáil Éireann and the Cathaoirleach of Seanad Éireann.

At the time I indicated that the final proposed wording for the Constitutional amendment would be the subject of further discussions and agreement with the Attorney General. Copies of the final wording of the proposed constitutional amendment, as contained in the Referendum Bill, were circulated to the Opposition Spokespersons on Public Expenditure and Reform, the Ceann Comhairle of Dáil Éireann and the Cathaoirleach of Seanad Éireann in advance of its publication on 12 September 2011.

Before the Bill was debated in the Dáil and Seanad, briefing sessions by officials from my Department were held with representatives of Fianna Fail, Sinn Fein and the Technical Group. I also met with the Joint Oireachtas Investigations, Oversight and Petitions Committee on 13 September to brief them on the proposed future role of the Committee.

Public Service Agreements

192. **Deputy Micheál Martin** asked the Minister for Public Expenditure and Reform the specific initiative he will take as a result of his meeting with the Croke Park agreement implementation group; and if he will make a statement on the matter. [18838/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The Taoiseach and I met with the Implementation Body for the *Public Service Agreement 2010-2014* on 29th June last. We had a constructive engagement on the key issues relating to driving the reform agenda across the public service. While we welcomed the tangible progress that has been made in the first year of the Agreement, as outlined in the Body's first progress report published on 15th June last, we were clear that there has to be an acceleration of progress over the coming months. We emphasized the need to build on the flexibilities already agreed to in the Croke Park Agreement. We also made it clear that the Government wishes to honour the commit-

ments given in the Agreement. However, this will only be possible if the Agreement is implemented in full.

On foot of our interaction, the Implementation Body has, over recent weeks, undertaken a series of meetings with senior managements from the key sectors of the public service. The purpose of these meetings has been to consider how progress can be accelerated on implementing sectoral Action Plans and how to ensure that priority measures are delivered on over the remainder of 2011, in light of the challenges ahead.

I will continue to monitor developments closely and, in that regard, I look forward to the outcome of the second phase of progress reporting on the implementation of the Action Plans under the Croke Park Agreement which is underway at present. Sectors are due to submit updated progress reports to the Implementation Body during October. It is expected that Action Plans will need to be revisited later in the year when decisions have been taken by Government on the Comprehensive Review of Expenditure.

Heritage Sites

193. **Deputy Michael Healy-Rae** asked the Minister for Public Expenditure and Reform the position regarding the extension to the Abbey Island cemetery and the Derrynane national park, County Kerry; and if he will make a statement on the matter. [28446/11]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes): Department of Finance sanction has been sought by the Office of Public Works to transfer lands vested in the Commissioners of Public Works at Abbey Island, Derrynane National Historic Park, Caherdaniel, Co. Kerry, to Kerry County Council. On receipt of such sanction the transfer can be effected through the Chief State Solicitor's Office

Pension Provisions

194. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform his views on the finding in the Trident report commissioned by the teacher unions on the proposed changes to public service pensions which show that several categories of teachers will pay more into the scheme than they will receive. [28741/11]

195. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform the action he proposes to take in view of the findings in the Trident report which show that several categories of teachers will pay more into the scheme than they will receive. [28742/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I propose to take Questions Nos. 194 and 195 together.

I do not accept as suggested by the Trident Report that the value of benefits payable to teachers in the proposed Single Public Service Pension Scheme will exceed the value of employee contributions. It is true that the teacher unions have voiced concerns along these lines, based on the analysis presented in a report by Trident Consulting entitled "Future Pension Provision" which was commissioned by the ASTI, the INTO and the TUI. In quantifying employee contributions to the single scheme, the Trident report appears to regard the public service pension-related deduction as a pension contribution. However section 7(2) of the Financial Emergency Measures in the Public Interest Act 2009 makes clear that the pension-related deduction is not a pension contribution.

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To appreciate how the single scheme will continue to provide valuable pensions to teachers, it is instructive to look at the 2009 Report of the Comptroller and Auditor General on public service pensions which estimated the annual pension cost for teachers (including primary teachers, post-primary teachers and Special Needs Assistants) to be 22.4 per cent of pay. The single scheme is expected to reduce that cost by approximately one-third, to around 15 per cent. The employee contribution in the single scheme continues to be 6.5 per cent. This is comprised of 3 per cent on pensionable pay and 3.5 per cent on net pensionable pay (i.e. reduced for social welfare integration), which is equivalent to 4.9 per cent of pensionable pay according to the Comptroller and Auditor General's report, leaving approximately a 10 per cent employer contribution.

196. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform if the administrative costs of the proposed single pension scheme for all public servants have been costed by him; and the savings if any that will be realised. [28743/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I am determined that the eventual administrative arrangements will be efficient and cost-effective, and will maximize the potential for money savings inherent in replacing a multitude of schemes featuring disparate terms with a single scheme featuring standard terms. In the short-term there may be some set up costs, for example if the payroll computer systems need to be adapted, but in the medium-term it is anticipated that the scheme will lend itself to achieving administrative efficiencies in step with initiatives around shared services.

The Bill envisages the Minister for Public Expenditure and Reform being the relevant authority for the scheme and allows this to be delegated to other relevant authorities (in effect those bodies who pay the scheme member during their career and who pay the pension in retirement). The employers will, through their payroll systems, collect and remit contributions, and it is envisaged that they may also calculate the accrued pension and lump sum benefits and supply pension benefit statements as required under the Pensions Act (or provide information for the preparation of such statements).

Question No. 197 answered with Question No. 170.

198. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform, further to Parliamentary Question No. 185 of 27 September 2011, the saving if all existing public service pension payments were capped at €35,000 applying the comparable trend as applied to his calculation for capping all existing civil service pensions payments at €35,930. [28811/11]

199. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform the saving to the State if all existing and future public and civil service pension payments were capped at €35,000 per year. [28812/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I propose to take Questions Nos. 198 and 199 together.

It is estimated that the imposition of a cap of €35,000 on the annual pension payments to Civil Service pensioners would result in an annual saving of €47m. This estimate does not allow for the Public Service Pension Reduction (PSPR). If a cap of €35,000 is applied after allowing

for the PSPR, the saving would be €37m. The corresponding annual savings for a cap of €35,930 would be €44m and €35m respectively based on the most recent data available.

These estimates take no account of the reduction in tax and other statutory deductions that would arise from the imposition of a cap. If these reductions were allowed for, the net saving to the Exchequer would be significantly lower. Comparable data are not available for the Public Service as a whole.

200. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform the savings to be State if career averaging were applied to all existing civil and public service pensions. [28813/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): It is presumed that the Deputy is asking about the savings which would arise if career-average accrual were to apply to the future service of pensionable public servants. Such a change would undoubtedly deliver significant pension savings to the Exchequer. However a precise quantification of the savings which would arise is not available, and would require a large-scale actuarial exercise. Government public service pensions policy does not include the application of career-average accrual to the future service of serving staff.

201. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform the name, position and a breakdown of the retirement packages for all senior civil servants eligible to retire before February. [28815/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I understand that this question relates primarily to Secretaries General and other senior Civil Servants who will benefit from enhanced terms. The retirement terms of Secretaries General are provided for in the Government decision of 5 March 1987. These terms provide for a reappointment in the Civil or Public Service or an international body for those who are under 60 years of age at the end of their term. Alternatively, a retirement package including severance and immediate payment of pension, will be provided.

For those over 60 years of age, a retirement package including severance and immediate payment of pension, will be provided. The two Civil Servants whose terms of appointment include TLAC terms and whose term of office is due to end by 29 February 2012 are:

Secretary General, Department of Jobs, Enterprise and Innovation;

Secretary General, Department of Education and Skills.

The Prosecution of Offences Act 1974 provides for a scheme to be made for the Director of Public Prosecutions, who is also due to retire before end-February 2012. His scheme provides for full pension on completion of his term. No severance is applicable in his case.

Public Service Staff

202. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform the number of persons employed in each area in the public sector over the past ten years and to date in 2011; the extent to which skills and salaries have altered over this period; the ratio of management to employees; the extent to which public service reform is likely to affect such ratios; and if he will make a statement on the matter. [28855/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): Much of the data the Deputy is seeking is readily available on my Department's website, *www.per.gov.ie*, including employment numbers by sector. In relation to the wider public service such data is published, as matter of course, by the various public bodies. The table shows a breakdown of the main Civil Service grades since 2001. This gives an indication of the ratio of management to other grades.

MAIN GENERAL SERVICE GRADES	Dec-01	Dec-02	Dec-03	Dec-04	Dec-05	Dec-06	Dec-07	Dec-08	Dec-09	Dec-10	Jun-11
SECRETARY GENERAL	17.00	17.00	17.00	17.00	17.00	17.00	17.00	17.00	17.00	17.00	17.00
DEPUTY SECRETARY / ASSISTANT SECRETARY	121.00	135.00	140.00	140.00	140.00	147.00	149.60	158.00	155.00	137.00	149.90
PRINCIPAL ASSISTANT PRINCIPAL	501.50	532.00	604.65	635.10	649.35	711.00	760.70	797.95	709.95	654.90	635.80
ADMINISTRATIVE OFFICER	1,516.50	1,584.23	1,785.04	1,796.95	1,849.12	1,995.79	2,060.99	2,159.49	1,993.42	1,899.34	1,864.07
HIGHER EXECUTIVE OFFICER	200.50	246.30	241.05	218.70	200.75	217.45	225.80	239.00	229.50	250.50	242.90
EXECUTIVE OFFICER	2,615.00	2,794.11	3,006.63	3,022.93	3,049.64	3,175.17	3,261.59	3,421.32	3,279.29	3,215.90	3,158.90
STAFF OFFICER	3,818.00	4,019.12	4,339.69	4,581.86	4,595.99	4,774.63	4,995.61	5,197.26	5,043.15	4,934.60	4,805.85
CLERICAL OFFICER	1,259.50	1,291.01	1,364.20	1,475.13	1,465.86	1,468.40	1,493.52	1,524.85	1,494.38	1,507.97	1,479.32
SERVICE OFFICER	10,182.00	10,441.97	10,196.30	10,092.44	10,123.11	10,564.85	10,888.76	11,096.50	10,620.42	10,419.94	10,230.23
SERVICE ATTENDANT	605.00	628.70	635.40	618.70	604.20	610.06	611.52	609.82	589.22	562.22	551.51
	101.00	111.00	101.00	98.00	57.00	86.03	92.03	103.80	95.02	101.27	102.41
TOTAL	20,937.00	21,800.44	22,430.96	22,696.81	22,752.02	23,767.38	24,557.12	25,324.99	24,226.35	23,700.64	23,237.89

Public Sector Reform

203. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform the extent of the public sector reform if any undertaken over the past ten years; and if he will make a statement on the matter. [28856/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The Public Service Reform agenda has been pursued both centrally and by individual public bodies for many years. For example, under the Strategic Management Initiative of the mid 1990s, a series of changes were introduced in areas such as Human Resource Management and the Performance Management and Development System, Quality Customer Service and the creation of Customer Service Charters, better financial management, regulatory reform (particularly the introduction of Regularly Impact Analysis), Strategy Statements and Output Statements, and initiatives to improve openness and transparency.

More recently, the OECD Review of the Irish Public Service, commenced in 2006 and published in 2008, benchmarked the Public Service in Ireland against other comparable countries, and made recommendations as to the future direction of public service reform. On foot of the OECD Review, the Transforming Public Services programme was launched in November 2008 and set out an agenda for transformation across the Public Service.

During 2010, the Public Service Agreement was concluded with the public service unions and includes a significant number of commitments to Public Service reform. The first review by the Implementation Body set up under the Agreement has since concluded that solid and measurable progress is being made in its implementation. Notwithstanding developments to date, we are all clear that the cost of delivering public services must be reduced further, with fewer staff and tighter budgets, and that the Public Service must become better integrated and more customer-focused, as well as being leaner and more efficient.

For this reason and as outlined in the Programme for Government, this Government is committed to the most ambitious programme of Public Service Reform since the foundation of the State. This will take place in tandem with an equally significant programme of constitutional, political and institutional reform to ensure that there is a fundamental change in democratic and public governance, and a dramatic change in the cost efficiency and methods of delivery of public services. The Government wants to make progress on this issue quickly and a number of initiatives have already commenced. In addition, detailed implementation plans are being developed which encompass the commitments to Public Service Reform in the Programme for Government and priority areas from the aforementioned Transforming Public Services programme.

My Department has been given a clear mandate to drive and enable reform, and the focus now is on the key reforms required, and how and in what sequence they will be implemented, to ensure that substantive and tangible change is delivered within clearly defined timeframes. Our plans focus on actions to improve performance by organisations and individuals; ensure greater efficiency, effectiveness and economy; and ensure flexibility in the deployment of people and resources.

The ambitious programme of reform will be overseen by the Cabinet Committee on Public Service Reform, which is chaired by the Taoiseach and which I convene. A Reform and Delivery Office is being established within my Department to facilitate, drive and support the reform programme, and I announced the appointment of the Programme Director of this new office last week. This office will work closely with organisations across the Public Service, enabling them to drive the delivery of reform at a local level, as well as leading on cross-cutting reform initiatives.

Expenditure Reviews

204. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform the extent to which costs throughout the public service have been examined with a view to the identification of areas costing the Exchequer more than that in adjoining jurisdictions; and if he will make a statement on the matter. [28857/11]

209. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform the extent to which comparisons have been made between unit costs in the public sector here with those in adjoining jurisdictions; and if he will make a statement on the matter. [28862/11]

210. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform the extent to which comparisons have been made between costs in the public and private sectors; the issues emerging; and if he will make a statement on the matter. [28863/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I propose to take Questions Nos. 204, 209 and 210 together.

The final Comprehensive Review of Expenditure reports have been presented to the Economic Management Council and the results of the Review process will then be brought before Government for consideration and decision in the Budget and Estimates process later this year. The objective of the Comprehensive Review of Expenditure process is to provide the Government with a comprehensive set of decision options and assessment of the cost effectiveness of all expenditure programmes, including by reference to the considerations referred to by the Deputy.

The Government is also committed to ongoing Value for Money assessments of all areas of expenditure to ensure inter alia that administration and other costs across the public sector are kept to a minimum. The Value for Money assessments routinely involve analysis of unit costs in the different sectoral areas, which can include benchmarking with private sector and international comparators. The results of the VfM assessments are published as a matter of course. The ongoing Public Service reform programme, which includes a focus on the use of shared services, e-Government and alternative means of delivering public services, will also be instrumental in achieving efficiencies.

Procurement Policy

205. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform the degree to which he has examined the way costs can be reduced through more effective procurement policies; and if he will make a statement on the matter. [28858/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): In light of the need to accelerate the reform agenda, my Department is currently developing a Public Service Reform implementation plan. This Plan will outline the priority actions and timelines for reform in a broad range of areas including procurement, as well as setting out how implementation should be driven and monitored. New initiatives will build on the significant reforms that have been already introduced.

To date, the National Procurement Service (NPS) has been the key driver reforming the procurement function nationally, particularly in terms of developing centralised contracts for commonly used goods and services. On the basis of market analysis, the NPS has identified the top 50 categories of procurement expenditure that can be targeted for intervention. It currently has in excess of 45 national frameworks agreements and contracts in place for high spend requirements with a total value in excess of €450 million. These frameworks and contracts include energy, office supplies/ICT consumables, vehicles, fuel, advertising, clothing and foot-

[Deputy Brendan Howlin.]

wear, print services etc. In addition, my Department manages framework arrangements for Information and Communications Technology requirements and associated products and services. Such framework arrangements maximise volume discounts and provide for reductions in administrative and transaction costs for suppliers and for State bodies.

My Department is keen to streamline — consistent with its value for money, legal, transparency and priority objectives. In order to reduce the costs involved in participating or conducting the procurement function, the NPS is promoting standardisation and simplification of the public procurement function and in this regard has published a suite of model tendering and contract documents which will help both businesses and buyers to reduce administrative costs. The NPS is also actively involved in the education and development of both buyers and suppliers involved with public service procurement and promotes collaboration between sectors where this is appropriate.

In addition the National Procurement Policy Unit in my Department has developed contracts for Public Works and Construction-Related Services that give greater cost certainty at tender stage, for capital projects. The construction reform initiative has yielded substantial savings in capital procurement.

Question No. 206 answered with Question No. 58.

Public Service Reform

207. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform if a study has been carried out regarding the volume and scale of documentation now required by various Government Departments, local authorities and the health services notwithstanding the existence of advanced technology; the degree to which this has reduced the effectiveness and efficiency of respective Departments; and if he will make a statement on the matter. [28860/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I am not aware of any specific study in the area referred to. However, the Deputy will be aware that as part of the reform agenda significant work is ongoing, in Government Departments and the wider public service, to improve processes and make them more effective and efficient. Of particular note in this regard is the Organisational Review Program (ORP), which involves the undertaking of assessments of the capacities of individual Government Department and major Offices to meet the challenges ahead. These assessments are published on the ORP website at <http://www.orp.ie/>. Additionally, my Department is establishing a Business Consultancy Unit to provide independent advice and solutions to public bodies in relation to process, structure and service delivery business changes.

Question No. 208 answered with Question No. 58.

Questions Nos. 209 and 210 answered with Question No. 204.

Public Service Staff

211. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform the extent to which it is expected to meet staff reductions by way of voluntary or other retirements over the period of the plan announced following the EU-IMF bailout; and if he will make a statement on the matter. [28864/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I am confident that the Government will be able to meet the required level of staff reductions through natural

wastage and voluntary retirements which will facilitate a permanent, structural reduction in the numbers of staff serving in public service. This reduction in numbers serving is intended to contribute significant and ongoing savings to the Exchequer.

Liquor Licensing Laws

212. **Deputy Thomas Pringle** asked the Minister for Jobs, Enterprise and Innovation his plans to prevent the below cost sale of alcohol in supermarkets to restrict the access to alcohol for young persons; and if he will make a statement on the matter. [28180/11]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The sale of alcohol is essentially regulated by the liquor licensing laws, which are the policy responsibility of the Minister for Justice and Equality and I have no direct function in this matter. It is the responsibility of each licensee to comply with the liquor licensing laws, including the law regarding the age of persons purchasing alcohol.

The use of sales promotions and pricing strategies in any business is a legitimate marketing tool and is the normal outcome of the competitive process. I have no direct function in relation to such practices which are a matter for the retailer and are not an offence unless they involve abuse of a dominant position. A determination on whether a retailer is abusing a dominant position in the marketplace would necessitate a comprehensive investigation by the Competition Authority. The Authority is the independent statutory body responsible for enforcing competition law in the State and complaints of any alleged anti-competitive practice should be referred to it.

Departmental Agencies

213. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Jobs, Enterprise and Innovation when he plans to appoint the new chairman and members of the Competition Authority; and if he will make a statement on the matter. [28209/11]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): Following a Public Appointments Service recruitment and selection process for Chairperson of the Competition Authority, I appointed Ms Isolde Goggin as Chairperson with effect from 1 October 2011. The Public Appointments Service has completed the selection process for members of the Authority. I intend to appoint the members as soon as the necessary contractual details are finalised. In the meantime I have re-appointed three temporary members in accordance with section 35 of the Competition Act 2002, as amended by the Competition (Amendment) Act 2010.

Departmental Reports

214. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Jobs, Enterprise and Innovation, further to Question No. 149 of 21 June 2011, if he will outline the position concerning the work of the sales law review group: when does he expect to receive the final report of the group; and if he will make a statement on the matter. [28210/11]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): I received the final report of the Review Group on 2 August 2011. The arrangements necessary for the printing and launch of the report have been completed and it will be published on 14 October.

Industrial Development

215. **Deputy Robert Troy** asked the Minister for Jobs, Enterprise and Innovation the number of visits the Industrial Development Agency carried out with potential clients to the IDA park

[Deputy Robert Troy.]

in Marlinstown, Mullingar, County Westmeath since February 2011; and if he will make a statement on the matter. [28259/11]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): I have been informed by IDA Ireland that so far in 2011, the agency has hosted three site visits by potential investors to Mullingar. In selecting locations to show companies, IDA Ireland seeks to include locations which have been affected by closures or job losses. However, while IDA Ireland seeks to influence the selection of location, the final decision on location is taken in all cases by the promoting company.

Departmental Bodies

216. **Deputy Willie O’Dea** asked the Minister for Jobs, Enterprise and Innovation the details of any organisation under his Department which has informed him of staffing difficulties which may impinge upon its ability to effectively oversee the spending of public funds; and his views regarding same. [28373/11]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): As part of the Employment Control Framework, which is the mechanism for the management of reduction of overall staff numbers, my Department has agreed staff numbers and annual operational ceilings with the Department of Public Expenditure and Reform. These relate to the staffing levels of my Department, its offices and agencies for the period to 2014. In general, there is no indication that the reduced staffing levels will directly impinge on overall capacity to effectively oversee the spending of public funds. However, to deliver on the reduced staffing numbers will be, of course, very challenging and will mean delivering services in an even more efficient manner. My Department will continue to work closely with all of its agencies to assist them in meeting the challenges they face in carrying out their respective mandates, including in relation to the oversight of expenditure of public funds.

217. **Deputy Willie O’Dea** asked the Minister for Jobs, Enterprise and Innovation if he will outline the organisations under his Department for which an employment control framework has been agreed; the current numbers they have in place; if they have been waiting more than one month to receive sanction to proceed to fill or retain any positions in spite of such positions falling below the agreed ECF ceiling. [28389/11]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The information sought is as follows:

Organisations for which Employment Control Framework has been agreed	Current numbers in place (full-time equivalents)
The Competition Authority	37.1
35 x County Enterprise Boards	130.9
Enterprise Ireland	811
Forfás	105.5
The Health and Safety Authority	182.1
Irish Auditing and Accounting Supervisory Authority	14
IDA Ireland	246
National Consumer Agency	43.6
National Standard Authority of Ireland	163.55
The Personal Injuries Assessment Board	68
Science Foundation Ireland	46

Organisations for which Employment Control Framework has been agreed	Current numbers in place (full-time equivalents)
Shannon Free Airport Development Co. Ltd.	113
InterTrade Ireland	47.11

Requests for sanction to fill any vacancy must be made to the Department of Public Expenditure and Reform. There is currently one request for sanction awaiting decision. The request was made within the last month.

Registrar of Friendly Societies

218. **Deputy Joan Collins** asked the Minister for Jobs, Enterprise and Innovation the number of industrial and provident societies registered with the Registry of Friendly Societies which have not complied with the statutory obligations with regard to filing annual returns; the number of the societies that have failed to make annual returns consecutively for the past three, four and five years; the number of societies that have had their registration cancelled during the past five years for failing to meet their statutory obligations in respect of annual returns; and if he will make a statement on the matter. [28605/11]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): As advised the Deputy on 27 September, the annual report of the Registrar of Friendly Societies for 2009 (published on the websites of my Department and the Companies Registration Office) indicates that a total of 1,045 Industrial and Provident Societies on the register, and annual returns in respect of these societies are outstanding in 248 cases. The numbers of societies that have failed to submit annual returns consecutively for the past three, four and five years are 160, 125, and 93 respectively. The last year in which Industrial and Provident societies were cancelled for failing to submit annual returns to the Registrar was 2006, when 28 such societies were so cancelled. I previously advised the Deputy on 27 and 28 September that 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.

Trade Relations

219. **Deputy Seán Kenny** asked the Minister for Jobs, Enterprise and Innovation the level of trade with Brazil for the years 2008, 2009, 2010 and to date in 2011. [28732/11]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): Details of Ireland's trade with Brazil over recent years are set out in the following table:

	Merchandise Trade (€m)		Services Trade (€m)		Total Trade (€m)		Trade Surplus (€m)
	Exports	Imports	Exports	Imports	Exports	Imports	
2008	183	214	199	70	382	284	98
2009	211	158	218	10	429	168	261
2010	260	166	180	49	440	215	225
Jan to June 2011	138	91	*	*	*	*	*

*data not yet available

Health and Safety Regulations

220. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation if his attention has been drawn to the city and county managers, chief fire officers and assistant chief fire officers who have sought, through a change in the health and safety legislation, to get indemnity in the event of there being a fatality amongst the public or fire fighters; if he has been part of any discussions regarding this proposed indemnity; and if he will make a statement on the matter. [28790/11]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): I have had no direct correspondence or representations from city and county managers, chief fire officers and assistant chief fire officer or representatives on their behalf about indemnifying staff. The issue of indemnifying members of Local Authority staff does not fall within my remit. Any such matter is for the Local Authority concerned and, from a Ministerial perspective, would fall within the remit of the Minister for the Environment, Community and Local Government. The Minister for Public Expenditure and Reform may also have an interest in the issue of indemnities in the public sector. I understand that the Fire Services and the Health and Safety Authority have been in contact and that the Authority is finalising, for the guidance of the services, a Statement of Principles document on the Safety, Health and Welfare Duties of the Fire Services and that this work has been welcomed.

Departmental Agencies

221. **Deputy Jack Wall** asked the Minister for Jobs, Enterprise and Innovation his views regarding a matter (details supplied); the actions taken to date to determine the facts of this case; the actions taken to address the issues, if so needed; and if he will make a statement on the matter. [28896/11]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): These allegations were brought to the attention of my Department some time ago. Enterprise Ireland examined the issues at the time and was satisfied that there was no impropriety involved. Nonetheless, in light of the continuing concerns of the Deputy's correspondent, my Department asked Enterprise Ireland to investigate the matter further in October 2010. The matter was also referred to my Department by the Committee of Public Accounts in November 2010.

Following a tendering process, Enterprise Ireland engaged a firm of consultants (Deloitte) to investigate the allegations. Seven areas of complaint were investigated independently. The report found that the evidence put forward by the correspondent did not support the allegations. The board of Enterprise Ireland considered the matter at its meeting on 14 September 2011. A copy of the Deloitte Report has been forwarded to the Public Accounts Committee by my Department for its consideration.

Questions Nos. 222 and 223 withdrawn.

Social Insurance

224. **Deputy Brendan Griffin** asked the Minister for Social Protection if scale and polish treatments under the dental treatment benefit scheme (details supplied) will be restored; and if she will make a statement on the matter. [28757/11]

Minister for Social Protection (Deputy Joan Burton): The dental benefit scheme is paid from the Social Insurance Fund, which has come under serious pressure in the current economic climate. As part of a range of cost-saving measures to ease this pressure, the range of treatments

available under the scheme was reduced in Budget 2010. The free examination remains available to qualifying customers to encourage them to continue attending for regular check-ups and to assist in the early detection of dental-related health issues. Any future changes to the scheme, including the re-introduction of a free scale and polish, will have to reflect the realities of available funding and competing priorities.

Social Welfare Benefits

225. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Social Protection the number of young persons under 25 years in receipt of jobseeker's benefit for less than six months, for more than six months and less than 12 months, for more than 12 months and less than 24 months and those in receipt of this payment for more than 24 months; and if she will make a statement on the matter. [28213/11]

226. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Social Protection the number of young persons under 25 years in receipt of jobseeker's allowance for less than six months, for more than six months and less than 12 months, for more than 12 months and less than 24 months and those in receipt of this payment for more than 24 months; and if she will make a statement on the matter. [28214/11]

Minister for Social Protection (Deputy Joan Burton): I propose to take Questions Nos. 225 and 226 together.

The information requested by the Deputy is in the table. There were 71,064 claimants aged under 25 on Jobseeker's Allowance and 9,424 on Jobseeker's Benefit, making a total of 80,488. Half of these have been signing on for less than six months. Almost 6,900 of the total are 19 years of age or older and have been signing on continuously since they reached 18 years of age. A further 5,200 are 18 years of age and have been signing on for various durations of up to a year.

Number of Recipients of Jobseeker's Allowance and Jobseeker's Allowance

Under 25	< 6 Months	6-12 Months	1-2 Years	>2 Years	Total
Jobseeker's Allowance	31,550	10,653	12,450	16,411	71,064
Jobseeker's Benefit	8,029	1,284	101	10	9,424

Tax Code

227. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Social Protection the total number of persons who have applied for a health levy refund; the numbers who have been successful in their application; the total moneys refunded in the years 2007, 2008, 2009 and 2010; the total number of outstanding claims; and if she will make a statement on the matter. [28215/11]

Minister for Social Protection (Deputy Joan Burton): I understand that the Deputy is enquiring about the Under the Ceiling (UCR) category of Health Levy refund. In 2011 to date, 27,000 applications for the UCR Health Levy refund have been processed and a total of €6.8m refunded. There are approximately 10,000 applications on hand awaiting processing. The total monies refunded in respect of this category of refund in 2007, 2008, 2009 and 2010 are shown below.

[Deputy Joan Burton.]

Year	€
2007	361,129.83
2008	1,140,209.40
2009	1,135,623.89
2010	1,574,697.46

Departmental Bodies

228. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Social Protection the role and membership of the Tax and Social Welfare Commission; if she will receive a report from the commission in advance of this year's budget; if so, the areas she requested the commission to comment on; and if she will make a statement on the matter. [28216/11]

Minister for Social Protection (Deputy Joan Burton): Creating jobs and tackling poverty are two of the key challenges that we face. It is essential that our tax and social protection systems play their part in addressing these issues and ensure that work is worthwhile. To this end, I established an Advisory Group on Tax and Social Welfare in June of this year. The main rationale for setting up the Advisory Group is to harness expert opinion and experience in order to address a number of specific issues and to make cost-effective proposals for improving employment incentives and achieving better poverty outcomes, particularly child poverty outcomes.

The Group has been asked to examine a number of specific issues and make recommendations on these, including child and family income supports, working age income supports, the appropriate unit of assessment in both the tax and social welfare codes, the interaction of the tax and social welfare codes, issues concerning social insurance for self-employed people and any other issues that may be referred to it. I understand that the Group is currently prioritising the area of family and child income supports so that it can make a contribution in time for the 2012 Budget and that it will address other issues after that as part of its work programme.

The Advisory Group is chaired by Ms Ita Mangan, a barrister with considerable experience in public policy. In line with a practical, problem-focused and evidence-orientated approach, members of the Group have expertise from economic and social policy and other relevant areas and include individuals with a mix of experience and expertise from within and outside the public sector. A list of the members of the Group is set out in the Annex.

The Group's method of working is based on producing modular reports on the priority areas identified in the terms of reference. Where possible, the aim is to provide recommendations that can be acted upon in time for the annual budget/estimates and legislative cycle and to allow the Government to best address its commitments under the EU/IMF Programme of Financial Support.

Annex

Membership of the Advisory Group on Tax and Social Welfare as announced on 25th June 2011:

Ita Mangan, Chair John Bohan, Department of Social Protection.

Niall Cody, Office of the Revenue Commissioners.

Micheál Collins, Department of Economics, Trinity College Dublin.*

John Conlon, Department of Public Expenditure and Reform.

Catherine Hazlett, Department of Children and Youth Affairs.

Paul Kealy, Department of Jobs, Enterprise and Innovation.

Geralyn McGarry, Citizens Information Board.

Aebhric McGibney, Dublin Chamber of Commerce.

Pat Mahon, Pricewaterhouse Coopers (PwC).

Derek Moran, Department of Finance.

Mary P. Murphy, Department of Sociology, National University of Ireland, Maynooth.

Brian Nolan, School of Applied Social Science in UCD.

Marie Sherlock, SIPTU.

John Sweeney, National Economic and Social Council.

**Since moved to a position with the Economic Research Unit.*

Social Welfare Appeals

229. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Social Protection the progress made to date implementing the commitment in the programme for Government to clear the social welfare appeals backlog and introduce a consolidated appeals process; and if she will make a statement on the matter. [28217/11]

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 17,655 (a reduction of some 3,126 on this time last year). 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. In addition a number of initiatives have been undertaken with a view to increasing capacity and the combination of these initiatives and the additional staff resulted in 22,226 decisions being made by Appeals Officers in the first eight months of 2011, in comparison to 17,184 for the same period in 2010 and 10,911 in 2009. These initiatives included—

Appeals Officers took on additional work and more emphasis was placed on deciding claims on a summary basis where possible;

Enhanced business processes and ICT have also increased the capacity of the office;

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 by the end of this year. 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 and in the processing times.

In relation to a consolidated appeals process, as of last Monday the 3rd October, legislation was commenced which provides that all appeals for supplementary welfare allowance (SWA) will be made to the Social Welfare Appeals Office. Up to now, the legislation provided for a 2 step process, first to the HSE and, if still dissatisfied, to the Social Welfare Appeals Office.

[Deputy Joan Burton.]

It is estimated that approximately 10% or 1,000 SWA appellants availed of the 2 step process (based on 2010 figures). 10 former HSE Appeals Officers are now being integrated into the Social Welfare Appeals Office on foot of the transfer of these appeals from the HSE and it is hoped that there are synergies to be gained from that merger and the reduction in SWA appeals which will further enhance the capacity of the office.

Social Welfare Benefits

230. **Deputy Jack Wall** asked the Minister for Social Protection if there is any mechanism to claim a back to school allowance in respect of a person (details supplied); and if she will make a statement on the matter. [28242/11]

Minister for Social Protection (Deputy Joan Burton): The position remains the same as advised in question number 232, which I answered for the Deputy on 20th September — that is only one back to school clothing and footwear allowance is payable annually per qualified child. Under the Supplementary Welfare Allowance (SWA) scheme an exceptional needs payment (ENP) may be made to help meet an essential, once-off cost which the applicant is unable to meet out of his/her own resources. There is no automatic entitlement to this payment. Each application is determined by the HSE based on the particular circumstances of the case. Eligible people would normally be in receipt of a social welfare or HSE payment. The person concerned should contact the community welfare officer in the local health centre in order that an assessment of his entitlements can be examined.

Question No. 231 withdrawn.

232. **Deputy Noel Harrington** asked the Minister for Social Protection the position regarding a carer's allowance application in respect of a person (details supplied) in County Cork; and if she will make a statement on the matter. [28274/11]

Minister for Social Protection (Deputy Joan Burton): I confirm that the Department is in receipt of an application for carer's allowance from the above named person. On completion of the necessary investigations on all aspects of the claim a decision will be made and the person concerned will be notified directly of the outcome.

Social Welfare Appeals

233. **Deputy Noel Harrington** asked the Minister for Social Protection when a person (details supplied) in County Cork will receive a hearing date for all three appeals; and if she will make a statement on the matter. [28275/11]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that the three appeals, from the person concerned, were referred to an Appeals Officer who proposes to hold an oral hearing in all three cases.

There has been a very significant increase in the number of appeals received by the Social Welfare Appeals Office since 2007 when the intake was 14,070 to 2010 when the intake rose to 32,432. This has significantly impacted on the processing time for appeals which require oral hearings and, in order to be fair to all appellants, they are dealt with in strict chronological order. In the context of dealing with the considerable number of appeals now on hand, the Department made 9 additional appointments to the office earlier this year. While every effort is being made to deal with the large numbers awaiting oral hearing as quickly as possible, it is not possible to give a date when the person's oral hearing will be heard, but s/he will be informed when arrangements have been made.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Question No. 234 withdrawn.

Job Creation

235. **Deputy Michael McCarthy** asked the Minister for Social Protection the number of persons who have applied to the JobBridge scheme following recent changes to the criteria and who would have previously been ineligible; if there are any further elements of the scheme that are under review; and if she will make a statement on the matter. [28283/11]

Minister for Social Protection (Deputy Joan Burton): As prospective interns apply directly to host organisations, the number of applicants for each position is not available to the Department of Social Protection. The JobBridge scheme is kept continuously under review by the Department.

236. **Deputy Michael McCarthy** asked the Minister for Social Protection the number of internship placements which have been made available by organisations in the west Cork area through the JobBridge programme since its inception; the number of persons who have successfully secured one of these internships; the location, organisation name and role of the successful placements; the number of internships still available in the area, and in respect of advertised placements that remain unfilled; the length of time they have been vacant; and the nature of the role and the name of the organisation in tabular form. [28287/11]

Minister for Social Protection (Deputy Joan Burton): Figures are not available specifically for West Cork. Some 638 internships are currently being advertised in the FÁS Southern Region. Of these there are 85 internships on offer in Cork County. As of Friday 7th October a total of 1,769 individuals have commenced a JobBridge internship. However, it is not possible at this time, to provide a regional breakdown on the number of internships which have started. Details of all available internships are advertised on the JobBridge website.

Social Welfare Code

237. **Deputy Peter Mathews** asked the Minister for Social Protection her views regarding the increase in retirement age from 65 to 68 (details supplied); and if she will make a statement on the matter. [28290/11]

Minister for Social Protection (Deputy Joan Burton): The responsibility for setting retirement age in employment in the private sector rests with the individual employer who, in the main, sets retirement age under the contract of employment. Overall State responsibility for employment matters is held by my colleague, Mr Richard Bruton, the Minister for Jobs, Enterprise and Innovation.

My Department is working with the relevant agencies of State who have a role to play in identifying and breaking down barriers to remaining in work past the age of 65. The continued participation of older people in the labour market must be encouraged and facilitated to meet the challenge of an ageing society. Employees and employers need to be persuaded to change their attitudes to working longer. In the workplace, employers should try to retain older employees and create working conditions which make working longer both attractive and possible for the older worker. Where this is not possible and people leave paid employment before State pension age, they may be entitled to apply for another social welfare payment until they become eligible for a State pension. Means testing may or may not apply, depending on the scheme applied for.

[Deputy Joan Burton.]

The standardisation of State pension age at 66 in 2014 and the abolition of State pension (transition) removes the retirement condition associated with State pension (transition) which acts as an incentive to leave the workforce and has been widely criticised as a barrier to older people remaining in employment. There is no retirement condition attached to the State pension (contributory) which is currently payable from age 66.

Opportunities for older people to participate in education, employment and other aspects of economic and social life must be maximised. For the future, arrangements are being examined which would enable people to postpone receipt of State pension and receive an actuarially increased pension at a later date. In addition, changes are also being considered which would allow people with a shortfall in their PRSI contribution record at pension age to continue to make contributions beyond State pension age, if they continue in employment or self-employment.

Raising State pension is a necessary step in ensuring the sustainability of pensions into the future. There is an important and significant policy background to these changes which is that with increases in life expectancy, more people are living to pension age and living longer in retirement. This has obvious and significant implications in relation to the future costs of State pension provision. The fundamental principle involved here is that people need to participate in the workforce for longer 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.

Social Welfare Appeals

238. **Deputy Noel Coonan** asked the Minister for Social Protection when a carer's allowance appeal application will be finalised in respect of a person (details supplied) in County Tipperary; and if she will make a statement on the matter. [28303/11]

Minister for Social Protection (Deputy Joan Burton): I am advised by the Social Welfare Appeals Office that an Appeals Officer having fully considered all the available evidence disallowed the appeal of the person concerned by way of a summary decision. Notification of the Appeals Officers decision issued 20th May 2011. Under Social Welfare legislation, the decision of the Appeals Officer is final and conclusive and may only be reviewed by the Appeals Officer in the light of new evidence or new facts.

Following the submission of additional evidence the Appeals Officer has agreed to review the case. The person concerned will be contacted when the review of his appeal has been finalised. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

239. **Deputy Noel Coonan** asked the Minister for Social Protection when a carer's allowance appeal will be finalised in respect of a person (details supplied) in County Tipperary; and if she will make a statement on the matter. [28305/11]

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 21st June 2011. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by the Social Welfare Services on the grounds of appeal be sought. When received, the appeal in question will be referred to an Appeals Officer for consideration. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Social Welfare Benefits

240. **Deputy Noel Coonan** asked the Minister for Social Protection when a back to school and footwear scheme application will be finalised in respect of a person (details supplied) in County Tipperary; and if she will make a statement on the matter. [28310/11]

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. 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 30th August 2011 and it is expected she will be notified of the outcome of her claim shortly.

241. **Deputy Noel Coonan** asked the Minister for Social Protection when a back to school and footwear scheme application will be finalised in respect of a person (details supplied) in County Tipperary; and if she will make a statement on the matter. [28311/11]

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 the 26th September 2011.

242. **Deputy Noel Coonan** asked the Minister for Social Protection when a back to school and footwear scheme application will be finalised in respect of a person (details supplied) in County Tipperary; and if she will make a statement on the matter. [28312/11]

Minister for Social Protection (Deputy Joan Burton): The spouse of the person concerned has been awarded a back to school clothing and footwear allowance and a payment issued to his nominated account on the 20th August 2011.

Social Welfare Appeals

243. **Deputy Noel Coonan** asked the Minister for Social Protection when a carer's allowance appeal application will be finalised in respect of a person (details supplied) in County Tipperary; and if she will make a statement on the matter. [28315/11]

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 May 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 26th 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.

[Deputy Joan Burton.]

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.

244. **Deputy Catherine Byrne** asked the Minister for Social Protection the position regarding a domiciliary care allowance application in respect of a person (details supplied) in Dublin 10; the reason for the delay in processing an appeal in this case; and if she will make a statement on the matter. [28330/11]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that office on 15 August 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 06 October 2011 and the appeal will be assigned, in due course, to an Appeals Officer who will decide whether the case can be decided on a summary basis or whether to list it for oral hearing.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

School Meals Programme

245. **Deputy Michael McCarthy** asked the Minister for Social Protection the cost of the school meals programme to her Department in 2009 and 2010, specifying the separate costs to the urban school meals scheme and school meals local projects scheme; the number of companies engaged in each scheme; the name of each company; the amount paid per company in 2009 and 2010 in tabular form; the number of local companies who are currently under investigation by her Department for being suspected of billing in excess of the amount that they are owed; and if she will make a statement on the matter. [28336/11]

Minister for Social Protection (Deputy Joan Burton): The School Meals Programme gives funding towards the provision of food services for disadvantaged children through two schemes. The first is the statutory Urban School Meals Scheme, operated by local authorities and part-financed by this Department. The second is the School Meals Local Projects Schemes through which funding is provided directly to participating schools and local and voluntary community groups who run their own school meals projects.

Year	Urban School Meals Scheme	School Meals Local Projects Schemes	Total
2009	€1.2m	€33.6m	€34.8m
2010	€0.8m	€34.2m	€35m

The allocation for the programme for 2011 is €35 m.

The Department has no direct interaction with any company who are engaged in the provision of food services to individual groups/schools who take part in the School Meals programme and are not in a position to provide the information sought. Payments under the programme are made directly to the group/school. The Department has an ongoing programme of control work in relation to all of its schemes including the school meals programme. The Department does not comment in relation to individual cases.

Social Welfare Benefits

246. **Deputy Joe Costello** asked the Minister for Social Protection the amount the Health Service Executive paid in rent allowance in 2010 from centres (details supplied); the number of rent supplements paid to families or individuals by the centres; the number of inspections carried out by the centres prior to approving rent allowance; and the number of payments that have been withheld by the Health Services Executive at the centres as a result of a notification by Dublin City Council of non-compliance with housing standards. [28347/11]

Minister for Social Protection (Deputy Joan Burton): The community welfare service (CWS), and the community welfare officers providing it, transferred formally to the Department of Social Protection (DSP) from 1 October 2011. The service and the staff are now part of the DSP. The number of rent supplement tenancies in respect of the specified offices and the expenditure incurred are set out in the tabular statement.

It is standard practice, in the areas in question, that officers would view accommodation prior to the issue of rent supplement in order to verify the tenancy and ascertain the nature of the accommodation. However, a home visit is not always required, as the Department may already be familiar with the accommodation, and have established the applicant's residency.

In 2010, a total of 7 premises in the areas specified were notified to the CWS as not meeting the required Housing Standards. As these are multiple occupancy premises, i.e., bed-sits, flats or apartments, it is not possible to specify how many individual applications were refused as a consequence of notifications received from Dublin City Council. Prospective tenants of these notified accommodations would be advised, in advance of completing a tenancy agreement, of the non-availability of rent supplement for these premises.

Rent Supplement

Tenancies and Expenditure for selected offices — 2010

Department Office	Number of Tenancies	Expenditure €
Benburb Street	329	1,191,251
Botanic Avenue	14	60,359
East Wall	2	12,638
Lisburn Street	777	2,455,895
Millmount Avenue	3	7,200
North Stand	6	12,507
Quarry Road	2,062	8,083,252
Specialised Housing Unit	1,912	6,228,650
Summerhill	12	64,093

Departmental Bodies

247. **Deputy Willie O'Dea** asked the Minister for Social Protection the details of any organisation under her Department which has informed her of staffing difficulties which may impinge upon its ability to effectively oversee the spending of public funds; and her views regarding same. [28376/11]

Minister for Social Protection (Deputy Joan Burton): I have not been made aware of any staffing difficulties in any organisation under my Department's remit which may impinge upon its ability to effectively oversee the spending of public funds.

248. **Deputy Willie O’Dea** asked the Minister for Social Protection if she will outline the organisations under her Department for which an employment control framework has been agreed; the current numbers they have in place; if they have been waiting more than one month to receive sanction to proceed to fill or retain any positions in spite of such positions falling below the agreed ECF ceiling. [28392/11]

Minister for Social Protection (Deputy Joan Burton): There are two agencies under the Department of Social Protection which fall under the context of the Employment Control Framework. Please see below a breakdown of both in relation to agreed planned figures for 2011, and the current figures as they stand.

Agencies	Planned End 2011 Ceilings	*Amended End 2011 Ceilings	Current Staff Serving
Citizen’s Information Board	80.6	83.6	82.4
The Pensions Board	38.4	50.4	44
Total	119	134	126.4

*The ECF for Citizen’s Information Board was originally set at 80.6 and was then amended to 83.6 to take account of 3 of the Department’s staff on secondment to the Board.

*The ECF for the Pensions Board was originally set at 38.4. The current figure is 50.4 as a recent sanction provided for an additional 12 staff to be recruited, with the Department losing 6 staff from its ECF.

Social Welfare Appeals

249. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection the reason a person (details supplied) was refused domiciliary care allowance. [28409/11]

Minister for Social Protection (Deputy Joan Burton): An application for domiciliary care allowance (DCA) was received for the person concerned on 23rd September 2010. This application was referred to one of the Department’s Medical Assessors who found that the child was not medically eligible for the allowance. A letter issued on 24th November 2010 refusing the allowance. The person concerned subsequently lodged an appeal against the decision and she was informed by the Social Welfare Appeals Office on 20th June 2011 that the appeal had been disallowed. The decision/appeal process for this application is now complete. All the available information was provided to the appeals officer before the appeal was considered.

Social Welfare Code

250. **Deputy Luke ‘Ming’ Flanagan** asked the Minister for Social Protection the reason she does not allow fuel allowance to be paid in a lump sum ahead of time, as an option other than the weekly payment which may not be available to all; and if she will make a statement on the matter. [28412/11]

Minister for Social Protection (Deputy Joan Burton): The national fuel allowance scheme assists householders on long-term social welfare or health service executive (HSE) payments with meeting the cost of their heating needs during the winter season. The allowance represents a contribution towards a person’s normal heating expenses. It is not intended to meet those costs in full. Fuel allowance is now payable for 32 weeks and for the 2010/2011 season will benefit over 375,000 people at an aggregate cost of €255 million. The payment rate is now €20 per week.

In addition, electricity and gas allowances under the household benefits package, are payable throughout the year to over 390,000 pensioners, people with disabilities, and carer households

towards their heating, light and cooking costs at an estimated overall scheme cost of €382 m in 2011.

There would be a number of difficulties in paying the fuel allowance as a lump sum for some recipients while others receive it as part of their weekly payment. If the payment were given in advance as a lump sum, there could be significant over-payments if a recipient's circumstances were to change during the payment season. If it were paid in arrears, it obviously would create further budgeting difficulties. Many oil companies provide facilities for making payment by monthly instalment over a period of time which allows people to plan and budget for fuel expenses. I am satisfied that this arrangement is sufficient to meet the needs of our customers.

Social Welfare Benefits

251. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the outstanding documentation that must be submitted to her in order to resume payment of basic supplementary welfare allowance in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [28426/11]

Minister for Social Protection (Deputy Joan Burton): 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 supplementary welfare allowance (SWA). Additionally, if an individual has made an appeal where a primary payment has been refused, they may also receive a payment of SWA, subject to satisfying the qualifying criteria for the scheme.

Following the refusal of a primary payment from the Department, SWA was paid to the person concerned on an interim basis pending the provision of a copy of the relevant appeals documentation. However as the person concerned did not provide a copy of the relevant documents the payment of SWA was temporarily suspended. The person concerned has now furnished the relevant appeals documentation and the payment of SWA has been restored.

252. **Deputy Michael Healy-Rae** asked the Minister for Social Protection the position regarding financial support in respect of a case (details supplied); and if she will make a statement on the matter. [28445/11]

Minister for Social Protection (Deputy Joan Burton): The community welfare service (CWS), and the community welfare officers providing it, transferred formally to the Department of Social Protection (DSP) from 1 October 2011. The service and the staff are now part of the DSP. Under the supplementary welfare allowance (SWA) scheme a single payment may be made 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 (ENP) should be a single payment to meet an unforeseen and/or special need which cannot be met from a client's basic income. There is no application for an ENP from the person concerned. The person concerned should contact his local DSP office administering supplementary welfare allowance if he wishes to be considered for an ENP.

Question No. 253 withdrawn.

Social Welfare Code

254. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the reason persons receiving illness benefit pre-January 2009, who continue to provide supporting medical documents to her Department will receive payment while a person receiving illness benefit post-January 2009 must subsequently apply for invalidity pension or disability allowance or both after two years but will receive no continuing payment in the interim; and if she will make a statement on the matter. [28485/11]

Minister for Social Protection (Deputy Joan Burton): Illness Benefit is an income support payment for people of working age who are unable to work due to illness and who satisfy certain social insurance conditions. The scheme is intended to provide income replacement for insured persons during short spells of incapacity or illness. Other payments such as Invalidity Pension and Disability Allowance are available to people who are unable to work long-term because of a disability or a medical condition.

Although only intended to cater for short term illness there was, prior to the introduction of changes provided for in the Social Welfare (Miscellaneous Provisions) Act 2008, no limit on the amount of time for which Illness Benefit could be paid to people who had more than 260 social insurance contributions. An OECD review entitled “Sickness, Disability and Work: breaking the Barriers” noted that paying illness or sickness benefit without a time limitation was very unusual across the OECD, and pointed to the risk that people in such circumstances will never return to the labour market.

Against that background, the 2008 Act provided that entitlement to Illness Benefit is now limited to two years (or 624 days) duration for claims arising after the 5th January, 2009. The new legislative provisions apply only to new claims and, accordingly, where a claim for illness benefit arose prior to the 5th January 2009, the previous arrangements continue to apply.

Social Welfare Benefits

255. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if an entitlement to disability allowance exists in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [28486/11]

Minister for Social Protection (Deputy Joan Burton): Disability allowance is a weekly allowance paid to people with a specified disability who are aged over 16 and under 66. The disability must be expected to last for at least one year. To qualify, a claimant must satisfy a medical assessment, a means test and be habitually resident in the state.

No application for disability allowance has been received from the person concerned to date. An application form and an information booklet for disability allowance have been sent to the person. If she wishes to apply for disability allowance she should complete and return this form in the freepost envelope provided and her entitlement will be examined.

256. **Deputy Paschal Donohoe** asked the Minister for Social Protection when a final decision will be made in a disability allowance claim in respect of a person (details supplied) in County Mayo; and if she will make a statement on the matter. [28557/11]

Minister for Social Protection (Deputy Joan Burton): The application from the person concerned for disability allowance was disallowed on the basis that his means is in excess of the statutory limit allowable for disability allowance. The person was notified in writing on 10 October 2011 of this decision.

257. **Deputy Catherine Byrne** asked the Minister for Social Protection when a decision will issue on an application for domiciliary care allowance in respect of a person (details supplied); and if she will make a statement on the matter. [28558/11]

Minister for Social Protection (Deputy Joan Burton): An application for domiciliary care allowance (DCA) was received on 19 September 2011. This application will be forwarded to one of the Department's Medical Assessors for their medical opinion on the case. Upon receipt of this opinion, a decision will issue to the customer. It should be noted that, currently, it is taking ten weeks to process an application.

258. **Deputy Barry Cowen** asked the Minister for Social Protection the position regarding an application for carer's allowance in respect of a person (details supplied) in County Offaly; and when a decision will issue. [28564/11]

Minister for Social Protection (Deputy Joan Burton): The person concerned was refused carer's allowance on 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. On the 7 October, she was notified of this decision and the reason(s) for it.

259. **Deputy Barry Cowen** asked the Minister for Social Protection the position regarding an application for a carer's allowance in respect of a person (details supplied) in County Offaly; and when a decision will issue. [28565/11]

Minister for Social Protection (Deputy Joan Burton): I confirm that the Department is in receipt of an application for carer's allowance from the above named person. On completion of the necessary investigations on all aspects of the claim a decision will be made and the person concerned will be notified directly of the outcome. The average time taken to process a claim to completion, including assessment of the claimant's means and the entitlement of the care recipient to full time care and attention on medical grounds is approximately 16 weeks.

Social Welfare Appeals

260. **Deputy Barry Cowen** asked the Minister for Social Protection the position regarding an appeal for disability allowance in respect of a person (details supplied) in County Offaly; and when a decision will issue. [28566/11]

Minister for Social Protection (Deputy Joan Burton): Further to my response to Parliamentary Question Ref. No. 25881/11 on 27 September 2011, I am advised by the Social Welfare Appeals Office that there is no update to the information given previously. 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

261. **Deputy Barry Cowen** asked the Minister for Social Protection the position regarding an application for carer's allowance in respect of a person (details supplied); and when a decision will issue. [28567/11]

Minister for Social Protection (Deputy Joan Burton): The person concerned was refused carer's allowance on 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

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in regulations. She was notified of this decision, the reason for it and of her right of review or appeal. Additional medical evidence was subsequently received and forwarded to the Department's medical assessor for consideration. Upon receipt of the medical assessor's opinion, the decision will be reviewed. The person concerned will be notified directly of the outcome of the review in due course.

262. **Deputy Barry Cowen** asked the Minister for Social Protection the position regarding an application for carer's allowance in respect of a person (details supplied); and when a decision will issue. [28568/11]

Minister for Social Protection (Deputy Joan Burton): I confirm that the Department is in receipt of an application for carer's allowance from the above named person. On completion of the necessary investigations on all aspects of his claim a decision will be made and the person concerned will be notified directly of the outcome. The average time taken to process a claim to completion, including assessment of the claimant's means and the entitlement of the caree to full time care and attention on medical grounds is approximately 16 weeks.

Social Welfare Appeals

263. **Deputy Barry Cowen** asked the Minister for Social Protection the position regarding the case of a person (details supplied) in County Offaly; and when a decision on their domiciliary care allowance appeal will be finalised. [28569/11]

Minister for Social Protection (Deputy Joan Burton): I am advised by the Social Welfare Appeals Office that an Appeals Officer having fully considered all the available evidence disallowed the appeal of the person concerned by way of a summary decision. Notification of the Appeals Officers decision issued 29 June 2011. Under Social Welfare legislation, the decision of the Appeals Officer is final and conclusive and may only be reviewed by the Appeals Officer in the light of new evidence or new facts.

Following the submission of additional evidence the Appeals Officer has agreed to review the case. The person concerned will be contacted when the review of her appeal has been finalised. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

264. **Deputy Barry Cowen** asked the Minister for Social Protection when a person (details supplied) in County Offaly will expect a decision on their domiciliary allowance appeal application. [28574/11]

Minister for Social Protection (Deputy Joan Burton): Further to my response to Parliamentary Question No. 291 on 20 September 2011, I am advised by the Social Welfare Appeals Office that there is no update to the information given previously. 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

265. **Deputy Barry Cowen** asked the Minister for Social Protection when a person (details supplied) in County Offaly will expect a decision on their carer's allowance application. [28576/11]

Minister for Social Protection (Deputy Joan Burton): I confirm that the Department is in receipt of an application for carer's allowance from the above named person. On completion of the necessary investigations on all aspects of the claim a decision will be made and the person concerned will be notified directly of the outcome. The average time taken to process a claim to completion, including assessment of the claimant's means and the entitlement of the carer to full-time care and attention on medical grounds is approximately 16 weeks.

266. **Deputy Barry Cowen** asked the Minister for Social Protection when a person (details supplied) in County Offaly will expect a decision on their carer's allowance application. [28577/11]

Minister for Social Protection (Deputy Joan Burton): I confirm that the Department is in receipt of an application for carer's allowance from the above named person. On completion of the necessary investigations on all aspects of her claim a decision will be made and the person concerned will be notified directly of the outcome. The average time taken to process a claim to completion, including assessment of the claimant's means and the entitlement of the carer to full time care and attention on medical grounds is approximately 16 weeks.

267. **Deputy Barry Cowen** asked the Minister for Social Protection when a person (details supplied) in County Waterford will expect a decision on their domiciliary care application. [28580/11]

Minister for Social Protection (Deputy Joan Burton): An application for domiciliary care allowance (DCA) was received for the person concerned on 23 September 2010. This application was referred to one of the Department's Medical Assessors who found that the child was not medically eligible for the allowance. A letter issued on 24 November 2010 refusing DCA. The person concerned subsequently lodged an appeal against the decision and she was informed by the Social Welfare Appeals Office on 20 June 2011 that the appeal had been disallowed. The decision/appeal process for this application is now complete. All the available information was provided to the appeals officer before the appeal was considered.

Social Welfare Appeals

268. **Deputy Barry Cowen** asked the Minister for Social Protection when a person (details supplied) in County Offaly will expect a decision on their domiciliary care allowance appeal. [28582/11]

Minister for Social Protection (Deputy Joan Burton): Further to my response to Parliamentary Question No. 285 on 20 September 2011, I am advised by the Social Welfare Appeals Office that there is no update to the information given previously. 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

269. **Deputy Barry Cowen** asked the Minister for Social Protection when a person (details supplied) in County Offaly will expect a decision on their carer's allowance application. [28583/11]

Minister for Social Protection (Deputy Joan Burton): I confirm that the Department is in receipt of an application for carer's allowance from the above named person. On completion of the necessary investigations on all aspects of her claim a decision will be made and the person concerned will be notified directly of the outcome. The average time taken to process

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a claim to completion, including assessment of the claimant's means and the entitlement of the carer to full time care and attention on medical grounds is approximately 16 weeks.

Social Welfare Appeals

270. **Deputy Barry Cowen** asked the Minister for Social Protection when a person (details supplied) in County Offaly will expect a decision on their domiciliary care allowance appeal. [28584/11]

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 5 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 Benefits

271. **Deputy Barry Cowen** asked the Minister for Social Protection when a person (details supplied) in County Offaly will expect a decision on their carer's allowance application. [28586/11]

Minister for Social Protection (Deputy Joan Burton): I confirm that the Department is in receipt of an application for carer's allowance from the above named person. On completion of the necessary investigations on all aspects of her claim a decision will be made and the person concerned will be notified directly of the outcome. The average time taken to process a claim to completion, including assessment of the claimant's means and the entitlement of the carer to full time care and attention on medical grounds is approximately 16 weeks.

Social Welfare Appeals

272. **Deputy Barry Cowen** asked the Minister for Social Protection when a person (details supplied) in County Offaly will expect a decision on their illness benefit appeal. [28587/11]

Minister for Social Protection (Deputy Joan Burton): I am advised by the Social Welfare Appeals Office that an Appeals Officer having fully considered all the evidence, including that adduced at oral hearing, disallowed the appeal of the person concerned. The person concerned was notified of the decision on 20 August 2011. Under Social Welfare legislation, the decision of the Appeals Officer is final and conclusive and may only be reviewed by the Appeals Officer in the light of new evidence or new facts. If there is any new evidence or new facts pertinent to this case that was not brought to the attention of the Appeals Officer during the determination of this appeal, they may be submitted to the Social Welfare Appeals Office for further consideration. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Social Welfare Benefits

273. **Deputy Barry Cowen** asked the Minister for Social Protection when a person (details supplied) in County Laois will expect a decision on their carer's allowance application. [28589/11]

Minister for Social Protection (Deputy Joan Burton): The person concerned was refused carer's allowance on 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. On the 8th September, she was notified of this decision, the reason for it and of her right of review or appeal, within 21 days to the independent social welfare appeals office.

274. **Deputy Barry Cowen** asked the Minister for Social Protection when a person (details supplied) in County Offaly will expect a decision on their carer's allowance application. [28590/11]

Minister for Social Protection (Deputy Joan Burton): I confirm that an application for carer's allowance was received from the above named on 3 August 2011. On completion of the necessary investigations of all aspects of her claim a decision will be made and the person concerned will be notified directly of the outcome. The average time taken to process a claim to completion, including assessment of the claimant's means and the entitlement of the caree to full time care and attention on medical grounds is approximately 16 weeks.

Social Welfare Appeals

275. **Deputy Barry Cowen** asked the Minister for Social Protection when a person (details supplied) in County Offaly will expect a decision on their jobseeker's allowance appeal. [28591/11]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that office on 22 July 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 27 September 2011 and the appeal will be assigned, in due course, to an Appeals Officer who will decide whether the case can be decided on a summary basis or whether to list it for oral hearing. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Social Welfare Benefits

276. **Deputy Michael Healy-Rae** asked the Minister for Social Protection the position regarding back to school allowance in respect of a person (details supplied); and if she will make a statement on the matter. [28614/11]

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 his nominated account on the 20 September 2011.

277. **Deputy Michael Healy-Rae** asked the Minister for Social Protection the position regarding a back to school allowance in respect of a person (details supplied); and if she will make a statement on the matter. [28615/11]

Minister for Social Protection (Deputy Joan Burton): The persons concerned have been awarded a back to school clothing and footwear allowance and a payment issued to their nominated account on 4 October 2011.

Pension Provisions

278. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the eligibility for State contributory pension in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [28628/11]

Minister for Social Protection (Deputy Joan Burton): The person concerned is approaching pension age in January 2012. The Department has not received a claim for State pension (contributory) from him. A claim form has been sent to him and on receipt of the completed claim form, his entitlement to pension will be fully examined and he will be notified of the outcome without delay.

279. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the eligibility for State contributory pension in the case of a person (details supplied) in County Kildare; if Irish and Spanish contributions will be used in any calculation of entitlement; and if she will make a statement on the matter. [28629/11]

Minister for Social Protection (Deputy Joan Burton): The person concerned has reached pension age. The Department has not received a claim for State pension (contributory) from her. A claim form has been sent to her and on receipt of the completed claim form, her entitlement to pension will be fully examined and she will be notified of the outcome without delay. If she has been insurably employed in Spain for a period of 52 weeks or more, her Irish and Spanish contributions can be combined to examine her entitlement to a pro-rata State pension (contributory) under EC Regulations.

Social Welfare Appeals

280. **Deputy Emmet Stagg** asked the Minister for Social Protection the reason rent allowance appeals are being transferred from the Health Service Executive in Walkinstown, Dublin 12, to the social welfare appeals office in D'Olier House, Dublin 2, in view of the backlog that exists in appeals in that office already and specifically in the case of a rent allowance appeal in respect of a person (details supplied) in County Kildare; and when the appeal will be determined. [28682/11]

Minister for Social Protection (Deputy Joan Burton): Following on from the transfer of the Community Welfare Service from the Health Services Executive (HSE) to the Department of Social Protection, with effect from Saturday 1st October, legislation was commenced which provides that appeals for supplementary welfare allowance (SWA) will be made to the Social Welfare Appeals Office. Up to now, the legislation provided for a 2 step process, first to the Health Services Executive (HSE) and, if still dissatisfied, to the Social Welfare Appeals Office.

It is estimated that approximately 10% or 1,000 SWA appellants availed of the 2 step process (based on 2010 figures). 10 former HSE Appeals Officers are now being integrated into the Social Welfare Appeals Office on foot of the transfer of these appeals from the HSE and it is hoped that there are synergies to be gained from that merger and the reduction in SWA appeals which will enhance the capacity of the office.

I am informed by the Social Welfare Appeals Office that an appeal for SWA for the person concerned has not yet been registered with this office. Any appeals that have been submitted in recent weeks to the HSE, are now in the process of being transferred to the Social Welfare Appeals Office. These appeals will be registered and acknowledged by the Social Welfare Appeals Office in due course. The Chief Appeals Officer has assured me that all appropriate measures are being taken to address the smooth transfer of SWA appeals to her office. The

Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Social Welfare Benefits

281. **Deputy Jack Wall** asked the Minister for Social Protection the position regarding an application for mortgage interest relief in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [28691/11]

Minister for Social Protection (Deputy Joan Burton): The community welfare service (CWS) and the community welfare officers providing it transferred formally to the Department of Social Protection (DSP) from 1 October 2011. The service and the staff are now part of the DSP. A claim for mortgage interest supplement has been received from the person concerned. A decision in relation to entitlement will be made when the supporting documentation requested has been received. The person concerned has been asked to contact the relevant person who is managing her case within the Department.

Social Welfare Code

282. **Deputy Pádraig Mac Lochlainn** asked the Minister for Social Protection if she will review the policy whereby a person in receipt of one parent family payment and receiving a grant bursary in Northern Ireland will be means tested euro for euro against their one parent family payment. [28697/11]

Minister for Social Protection (Deputy Joan Burton): One parent family payment is a means tested social assistance payment. In assessing means, account is taken of all cash income which the person is receiving. Where a person is in receipt of a grant bursary along the lines described in this question, this is assessed euro for euro basis. Where a person is in receipt of maintenance payments or earnings from employment or self-employment, the level of assessment is reduced through the use of disregards and tapering arrangements. However, these arrangements do not apply to bursary payments.

Any changes to social protection schemes and services, operated by this Department, including the one parent family payment, will be considered in a Budgetary context later this year. The process will be informed by the Comprehensive Review of Expenditure which has been completed by my Department.

283. **Deputy Patrick O'Donovan** asked the Minister for Social Protection if she will review the policy whereby a person in receipt of one parent family payment and receiving a grant bursary in Northern Ireland will be means tested euro for euro against their one parent family payment. [28706/11]

Minister for Social Protection (Deputy Joan Burton): One parent family payment is a means tested social assistance payment. In assessing means, account is taken of all cash income which the person is receiving. Where a person is in receipt of a grant bursary along the lines described in this question, this is assessed euro for euro basis. Where a person is in receipt of maintenance payments or earnings from employment or self-employment, the level of assessment is reduced through the use of disregards and tapering arrangements. However, these arrangements do not apply to bursary payments.

Any changes to social protection schemes and services, operated by this Department, including the one parent family payment, will be considered in a Budgetary context later this year.

[Deputy Joan Burton.]

The process will be informed by the Comprehensive Review of Expenditure which has been completed by my Department.

284. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection if consideration will be given to providing an exemption to the qualifying criteria for rent allowance for victims of domestic violence and their children. [28708/11]

Minister for Social Protection (Deputy Joan Burton): In order to qualify for a rent supplement a person must have been residing in private rented accommodation or accommodation for homeless persons or an institution (or any combination of these) for a period of 183 days within the preceding 12 months of the date of claim for rent supplement. A person may also qualify for rent supplement where an assessment of housing need has been carried out within the 12 months preceding the date of claim and the person is deemed by the relevant local authority to be eligible for and in need of social housing support.

In all other cases, a person who wishes to apply for rent supplement is referred, in the first instance, for an assessment of eligibility for social housing support by the local housing authority in the area where claim to rent supplement is made (and the person intends to reside). Only when the person has been assessed as being eligible for and in need of social housing support, does the person become eligible for consideration for rent supplement. However, where a claimant's safety and well-being are at risk staff has been provided with special discretionary powers to expedite the award of a payment to the person in question.

285. **Deputy Michael McCarthy** asked the Minister for Social Protection her plans to review the progression aspect of the current back to education scheme in view of the growing volume of highly qualified persons who are now out of work, seeking a return to education and who are unable to progress to a course of higher qualification because their latest one is a BA or an MA and their options are therefore limited; and if she will make a statement on the matter. [28715/11]

Minister for Social Protection (Deputy Joan Burton): The focus of the Back to Education Allowance (BTEA) is to assist those who are most marginalised and distant from the labour market to acquire the necessary education to improve their chances of becoming independent of the social welfare system. The BTEA scheme can offer participation in second and third level education by enabling eligible people in receipt of certain social welfare payments to continue to receive a payment while pursuing an approved full-time education course that leads to a higher qualification than that already held.

A person wishing to pursue BTEA 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.

Progression has always been a fundamental condition of BTEA. State support for education purposes is grounded on a student progressing from one qualification level to a higher one. This is necessary to ensure displacement does not occur, in that courses could be offered to students who are not progressing at the cost of students progressing from a lower education level. It should be noted that, in the 2010/2011 academic year, of the 25,032 participants supported through BTEA, 43% pursued second level courses. Furthermore, the scheme was never intended to be an alternative form of funding for people entering or re-entering the third level education system.

However, if a person wishes to pursue a part time education course they may be able to do so while still obtaining their jobseekers payment. They must apply at their local social welfare office and verify that participation on the course does not reduce their availability for work. In the case of jobseekers benefit, participation on a course does not grant any extension to the normal period for which jobseekers benefit is paid.

On May 10th, as part of the Government's Jobs Initiative, 20,900 new and additional places were announced in training, education and work experience programmes. As part of this initiative, a new fund, entitled Springboard, which is being managed by the Higher Education Authority (HEA) on behalf of the Department of Education and Skills, provides education and training opportunities to support unemployed people. The primary objective of Springboard is to help unemployed people to remain as close as possible to the labour market by accessing part-time flexible higher education and training opportunities to up-skill or re-skill in areas where sustainable employment opportunities may arise as the economy recovers. The target group for this programme of over 200 courses includes unemployed people with a previous history of employment who already hold a higher level qualification at NFQ Levels 6 to 9, who may also require additional up-skilling or re-skilling in order to re-enter employment. By way of the part-time education option, unemployed people on jobseekers' payments will be facilitated in retaining their payment, subject to continuing entitlement, within the broader back to education framework.

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.

Social Welfare Benefits

286. **Deputy Seán Kenny** asked the Minister for Social Protection the number of persons who have designated Donaghmede, Coolock and Raheny post offices, Dublin, for the collection of their benefits. [28724/11]

Minister for Social Protection (Deputy Joan Burton): An Post is the principal agency through which payments are delivered to social welfare customers. The Department currently issues 5,190 payments on a weekly basis and a further 1,696 monthly payments through Donaghmede, Coolock and Raheny post offices. A breakdown of the number of payments per post office is listed below. Precise information on the number of customers who have designated these post offices is not readily available as customers may be entitled to collect more than one payment, for example Child Benefit and a weekly payment such as Jobseeker's Allowance.

Post Office	Weekly Payments	Monthly Payments
Donaghmede	2,099	777
Coolock	1,652	493
Raheny	1,439	426
Total	5,190	1,696

Social Welfare Appeals

287. **Deputy Paul J. Connaughton** asked the Minister for Social Protection when an oral hearing will take place in respect of a person (details supplied) in County Galway; and if she will make a statement on the matter. [28745/11]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that the appeal from the person concerned was referred to an Appeals Officer who proposes to hold an oral hearing in this case. There has been a very significant increase in the number of appeals received by the Social Welfare Appeals Office since 2007 when the intake was 14,070 to 2010 when the intake rose to 32,432. This has significantly impacted on the processing time for appeals which require oral hearings and, in order to be fair to all appellants, they are dealt with in strict chronological order. In the context of dealing with the considerable number of appeals now on hand, the Department made 9 additional appointments to the office earlier this year.

While every effort is being made to deal with the large numbers awaiting oral hearing as quickly as possible, it is not possible to give a date when the person's oral hearing will be heard, but s/he will be informed when arrangements have been made. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Community Employment Schemes

288. **Deputy Gerry Adams** asked the Minister for Social Protection the number of community employment scheme places in County Louth; and if all specific CE scheme placements are currently allocated. [28747/11]

Minister for Social Protection (Deputy Joan Burton): Community employment helps long-term unemployed people to re-enter the active workforce by breaking their experience of unemployment through a return to work routine. The focus of CE is on developing technical and personal skills to enable a person to return to the open labour market. Persons engaged are provided with work and training placements of 19½ hours duration per week with a not-for-profit community sponsor delivery local services. The funding allocated for 2011 will allow for the provision of some 23,300 places nationally. The number of CE place in County Louth is 853 of which five are currently vacant.

Operational matters in relation to community employment, including the allocation of places, are a day-to-day 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.

Social Welfare Appeals

289. **Deputy Tom Hayes** asked the Minister for Social Protection when a decision on a supplementary welfare allowance appeal will issue in respect of a person (details supplied) in County Tipperary; and if she will make a statement on the matter. [28805/11]

Minister for Social Protection (Deputy Joan Burton): Following on from the transfer of the Community Welfare Service from the Health Services Executive (HSE) to the Department of Social Protection, with effect from Saturday 1st October, legislation was commenced which provides that appeals for supplementary welfare allowance (SWA) will be made to the Social Welfare Appeals Office. Up to now, the legislation provided for a 2 step process, first to the Health Services Executive (HSE) and, if still dissatisfied, to the Social Welfare Appeals Office.

As part of that process, any appeals that have been submitted in recent weeks to the HSE are being transferred to the Social Welfare Appeals Office. These appeals will be registered and acknowledged by the Social Welfare Appeals Office in due course. In this case, I am informed by the Social Welfare Appeals Office that an appeal for SWA for the person con-

cerned has not yet been registered. The Chief Appeals Officer has assured me that all appropriate measures are being taken to address the smooth transfer of SWA appeals to her office.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Social Welfare Benefits

290. **Deputy Kevin Humphreys** asked the Minister for Social Protection if her attention has been drawn to the fact that a contributory State pension has been refused on the grounds that PRSI contributions remain outstanding in respect of a person (details supplied) in Dublin 4; if she has persisted in applying this decision notwithstanding repeated submission of written confirmation from the Revenue Commissioners that, while tax liabilities remain to be remitted by agreed instalment, PRSI liabilities which were outstanding have been remitted in full; the basis on which she has failed to act on this evidence; if she will ensure that the person receives their pension entitlement in full and without further delay; and if she will make a statement on the matter. [28892/11]

Minister for Social Protection (Deputy Joan Burton): A claim for a State pension (contributory) was received from the person concerned on 10th March 2010. The claim was disallowed on 29th June 2010 as she had an outstanding PRSI (self-employment) liability, and the reason for this decision was communicated to her on that date.

Section 110(1) of The Social Welfare (Consolidation) Act of 2005 provides that a self-employed contributor shall not be regarded as satisfying the qualifying conditions for State pension (contributory) unless all outstanding PRSI contributions are paid. Section 110 was amended in the Social Welfare and Pensions (No. 2) Act 2009 to provide that where unpaid self-employment PRSI contributions are paid subsequent to the claimant's 66th birthday, a State pension (contributory) will only be payable from the date on which the PRSI liability is fully discharged. This amending legislation applies to all State pension (contributory) claims received on or after 1st January 2010.

Income tax and PRSI payable by a self-employed contributor are treated as one aggregate sum in accordance with the provisions of Section 23(4) of the 2005 Social Welfare Consolidation Act. For that reason, it is not possible to separate payments to Revenue between tax and PRSI liabilities or to front-load the discharge of the PRSI element of the overall tax liability. According to the records of this Department, the person concerned currently has PRSI self-employment contributions outstanding for the following tax years: 2005, 2006, 2007 and 2008. When the person concerned has paid her income tax/PRSI liability in full, she should submit a receipt confirming this to this Department. Her pension claim will be reviewed and she will be notified of the outcome without delay.

Stag Hunting

291. **Deputy Maureen O'Sullivan** asked the Minister for Arts; Heritage and the Gaeltacht if a breach of the legislation prohibiting stag hunting is a matter for An Garda Síochána or the National Parks and Wildlife Service to investigate. [28164/11]

293. **Deputy Maureen O'Sullivan** asked the Minister for Arts; Heritage and the Gaeltacht if his attention has been drawn to reports from animal welfare groups that a group (details supplied) continues to hunt deer in direct breach of the new provision of the Wildlife (Amendment) Act 2010; the action he will take to deal with this matter; and if he will make a statement on the matter. [28161/11]

294. **Deputy Maureen O’Sullivan** asked the Minister for Arts; Heritage and the Gaeltacht if the National Parks and Wildlife Service has acted upon eye witness reports and video footage submitted to it at the end of the last hunting season 2010/11; this footage and reports provided evidence that a group (details supplied) was hunting deer with a pack of hounds on various occasions as planned by it on a circulated hunt meet card from October 2010 to March 2011, in clear contravention of the Wildlife (Amendment) Act 2010 which makes it an offence to hunt deer with two or more dogs. [28165/11]

295. **Deputy Maureen O’Sullivan** asked the Minister for Arts; Heritage and the Gaeltacht if responsibility for ensuring that an organisation (details supplied) is complying with the terms of the Wildlife (Amendment) Act 2010 and the gathering of proof of breaches is being left solely to anti-hunt observers and the general public in the area; if he will give assurance that the National Parks and Wildlife Service staff will take proactive measures to ensure that deer are not being hunted in contravention of the above mentioned Act. [28166/11]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): I propose to take Questions Nos. 291 and 293 to 295, inclusive, together.

The Wildlife (Amendment) Act 2010 made it an offence to hunt a deer with two or more dogs, unless such activity was specifically permitted under section 42 of the principal Act. My Department has received legal advice that the practice of running a deer to set a course, catching it up and then releasing hounds and commencing the following of the scent is not hunting as defined in the Acts.

Officials of my Department carry out patrols and site visits to enforce the Wildlife Acts and will continue to do so. They will also continue to investigate all reports of breaches of the Acts. Members of An Garda Síochána are also empowered under the Acts to investigate alleged offences and to prosecute, if they see fit. My Department has investigated reports of illegal hunting in the case referred to by the Deputy but concluded that a prosecution would not be warranted on the evidence available.

Turbary Rights

292. **Deputy Jack Wall** asked the Minister for Arts, Heritage and the Gaeltacht his views in regard to possible payments in relation to a bog (details supplied); and if he will make a statement on the matter. [28736/11]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): The bog referred to by the Deputy is designated as a Natural Heritage Area under the Wildlife Acts. In April of this year, the Government made a number of decisions in relation to turf cutting, including the putting in place of a compensation package for those who are required to cease cutting on raised bog Special Areas of Conservation, the establishment of the Peatlands Council and the drawing up of a national strategy on peatland conservation and management. In the context of the national strategy, the position regarding raised bog Natural Heritage Areas will be examined in advance of the 2014 cutting season. Issues of compensation will be included in that review.

Questions Nos. 293 to 295, inclusive, answered with Question No. 291.

National Museum

296. **Deputy Kevin Humphreys** asked the Minister for Arts, Heritage and the Gaeltacht the amount spent in 2009, 2010 and 2011 by the National Museum on leasing property or buildings;

if he will provide a breakdown of the leases to include the amount spent on each individual lease; the location of the building or property; the purpose for which each building is leased, including storage of artwork and museum collections; if any of these leases are on property which is in the control of the National Asset Management Agency; and if he will make a statement on the matter. [28252/11]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): I have been informed by the National Museum that it has one leased site at present in Swords, Co. Dublin. The premises is leased from the Office of Public Works and is being used to establish a centralised collection resource centre to provide appropriate accommodation for the management and care of the National Museum's reserve collections and provide access to the material for research and education purposes. I understand that the Office of Public Works has leased the premises in question from Gerard Gannon Properties.

The leasing arrangement between the Office of Public Works and the National Museum of Ireland dates from 17th September 2010. A payment of €750,000 has been made for the first nine months of the period of the lease, from 17th September 2010 up to and inclusive of 16th June 2011. This is followed by a one year rent free period up to and inclusive of 16th June 2012, when rent becomes payable again.

Departmental Bodies

297. **Deputy Willie O'Dea** asked the Minister for Arts; Heritage and the Gaeltacht the details of any organisation under his Department which has informed him of staffing difficulties which may impinge upon its ability to effectively oversee the spending of public funds; and his views regarding same. [28364/11]

298. **Deputy Willie O'Dea** asked the Minister for Arts; Heritage and the Gaeltacht if he will outline the organisations under his Department for which an employment control framework has been agreed; the current numbers they have in place; if they have been waiting more than one month to receive sanction to proceed to fill or retain any positions in spite of such positions falling below the agreed ECF ceiling. [28380/11]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): I propose to take Questions Nos. 297 and 298 together.

Details of the Employment Control Framework (ECF) limits for relevant public bodies funded from my Department's Vote Group are set out below. In this regard, it may be noted that no agreement has been reached to date regarding the application of such limits to the North South Bodies funded by my Department.

I have not as yet been advised of any difficulties of the type outlined by the Deputy. I can confirm, however, that officials of my Department are in ongoing liaison with the management of the bodies in question and will seek to address any such difficulties, should they arise — including issues in relation to the filling of posts — in consultation with the Department of Public Expenditure and Reform.

Department of Arts, Heritage and the Gaeltacht Vote Group

	Total staff at end June 2011	ECF end 2011	ECF end 2012	ECF end 2013	ECF end 2014
National Gallery of Ireland	116	116	115	113	110
Údarás na Gaeltachta	93	94	91	88	86
Heritage Council	15	16	16	15	15

[Deputy Jimmy Deenihan.]

	Total staff at end June 2011	ECF end 2011	ECF end 2012	ECF end 2013	ECF end 2014
Arts Council	46	45	44	42	41
Irish Film Board	15	14	14	13	13
Chester Beatty Library	34	33	32	30	30
Crawford Art Gallery	14	13	12	12	11
Irish Museum of Modern Art	84	77	74	71	69
National Concert Hall	57	62	60	57	56
National Library of Ireland	104	87	87	80	79
National Museum of Ireland	169	155	150	143	140

Foras na Gaeilge

299. **Deputy Mattie McGrath** asked the Minister for Arts, Heritage and the Gaeltacht if his attention has been drawn to the concerns of an organisation (details supplied) in relation to its future funding arrangements; his views that it is acceptable that this Irish language youth club be put at risk as a result of changes in the funding structure of its funder; his further views that this organisation is vital to encourage the development of the Irish language as a spoken language; and if so, if he will provide assurance to the members that this organisation will be funded into the future; and if he will make a statement on the matter. [28690/11]

Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley): Foras na Gaeilge currently provides core funding to 19 Irish language organisations, including the organisation referred to by the Deputy. By way of background, I should explain that Foras na Gaeilge is an agency of the North South Language Body, An Foras Teanga, which is jointly funded by my Department and by the Department of Culture, Arts and Leisure in Northern Ireland. Decisions regarding An Foras Teanga are made by both Sponsor Departments under the auspices of the North South Ministerial Council.

Following an external review completed on behalf of Foras na Gaeilge, the North South Ministerial Council agreed that the core funding arrangements be reconfigured to ensure a more streamlined and cost effective approach. The reconfiguration consists of moving from core funding for 19 organisations to a competitive funding model based on a portfolio of schemes requiring the delivery of various strategic priorities. The present position is that the board of Foras na Gaeilge approved eight draft schemes at its meeting on 23 September 2011. These draft schemes are currently under consideration by the Sponsor Departments in preparation for the next meeting of the North South Ministerial Council in language sectoral format on 12 October 2011.

It will, of course, be open to the organisation referred to by the Deputy to seek funding under the proposed suite of schemes to continue its work. It is important to note that, pending the introduction of the schemes, it has been agreed by the North South Ministerial Council that interim core funding will continue to be provided to the 19 Irish language organisations to 30 June 2012.

Gaeltacht Boundaries

300. **Deputy Brendan Griffin** asked the Minister for Arts, Heritage and the Gaeltacht his plans to review the boundaries of the Iveragh Gaeltacht, County Kerry; and if he will make a statement on the matter. [28750/11]

Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley): While I have no plans at present to review the boundaries of Gaeltacht Uíbh Ráthaigh or indeed of any other Gaeltacht area, the Deputy may be aware that the *20-Year Strategy for the Irish Language 2010-2030* envisages a new statutory definition of the Gaeltacht. This new definition of the Gaeltacht will be based on linguistic criteria rather than on specified geographical areas, as is currently the case. The new definition will be given statutory status under the Gaeltacht Bill which is to be published in 2012, in accordance with the Government's Legislation Programme.

The Gaeltacht Bill will also provide for a language planning process whereby language plans will be prepared at community level for each Gaeltacht area. The development of a comprehensive language planning system at community level in the Gaeltacht is a key component of the 20-Year Strategy to ensure that the Irish language survives as a community language in the Gaeltacht. It is intended that every Gaeltacht community, including that of Gaeltacht Uíbh Ráthaigh, will be empowered through the language planning process to determine its own future in the Gaeltacht.

Hare Coursing

301. **Deputy Seán Kyne** asked the Minister for Arts; Heritage and the Gaeltacht his views on whether the granting of licences to trap hares for the purposes of coursing runs contrary to the spirit if not the letter of the Wildlife Acts 1976 to 2000, particularly as hares under section 23 are a protected species. [28806/11]

303. **Deputy Seán Kyne** asked the Minister for Arts; Heritage and the Gaeltacht the number of licences granted for coursing of hares in County Galway in 2011; and if he will make a statement on the matter. [28810/11]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): I propose to take Questions Nos. 301 and 303 together.

The Wildlife Acts 1976-2010 clearly and specifically allow for hare coursing in Ireland. Licences are granted in accordance with sections 32 and 34 of the Acts allowing for the tagging and capture by netting of hares respectively. These licences are granted to the Irish Coursing Club, the statutory body established under the Greyhound Industry Act, 1958 for administering Irish hare coursing, and its affiliated clubs to hold regulated coursing matches. Two such licenses were issued to the Irish Coursing Club for the current season 2011/12. These licenses cover affiliated coursing clubs in County Galway.

There is no current evidence that coursing has a significant effect on hare populations and the decision to issue these licences took into consideration the report of the Status of Hares in Ireland — Hare Survey of Ireland 2006/07. The survey showed that the Irish hare is widespread, occurring throughout the entire country. My Department also includes an assessment of the various coursing meetings held during the previous season when making a recommendation to me on the issue of licences each year. It should be noted that hares (in addition to other game species such as game birds and deer) are afforded protection by the restriction of hunting, (including hare coursing), to specified periods of the year as set out in the Open Seasons Orders.

Foras na Gaeilge

302. **Deputy Brendan Smith** asked the Minister for Arts, Heritage and the Gaeltacht if funding will continued for a scheme (details supplied); and if he will make a statement on the matter. [28809/11]

Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley): Foras na Gaeilge currently provides core funding to 19 Irish language organisations, including the organisation referred to by the Deputy. By way of background, I should explain that Foras na Gaeilge is an agency of the North South Language Body, An Foras Teanga, which is jointly funded by my Department and by the Department of Culture, Arts and Leisure in Northern Ireland. Decisions regarding An Foras Teanga are made by both Sponsor Departments under the auspices of the North South Ministerial Council.

Following an external review completed on behalf of Foras na Gaeilge, the North South Ministerial Council agreed that the core funding arrangements be reconfigured to ensure a more streamlined and cost effective approach. The reconfiguration consists of moving from core funding for 19 organisations to a competitive funding model based on a portfolio of schemes requiring the delivery of various strategic priorities.

The present position is that the board of Foras na Gaeilge approved eight draft schemes at its meeting on 23 September 2011. These draft schemes are currently under consideration by the Sponsor Departments in preparation for the next meeting of the North South Ministerial Council in language sectoral format on 12 October 2011. It will, of course, be open to the organisation referred to by the Deputy to seek funding under the proposed suite of schemes to continue its work. It is important to note that, pending the introduction of the schemes, it has been agreed by the North South Ministerial Council that interim core funding will continue to be provided to the 19 Irish language organisations to 30 June 2012.

Question No. 303 answered with Question No. 301.

Inland Fisheries

304. **Deputy Pat Deering** asked the Minister for Communications, Energy and Natural Resources if he will allow salmon fishing on the River Barrow for the 2012 season on a catch and release basis as part of the process to determine the salmon stock levels in the river. [28770/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): As the Deputy will be aware, the performance of salmon rivers is assessed on an annual basis by Inland Fisheries Ireland (IFI) with a view to providing advice on the management of the fishery in the coming year. I am at present awaiting the scientific and management advice from IFI, which will inform how the salmon fishery, including in the River Barrow, is to be managed in the 2012 season. Draft Wild Salmon and Sea Trout Tagging Scheme Regulations will be published for public consultation later this year, in accordance with the Inland Fisheries Act 2010.

Not anticipating the advice for 2012, I am informed that the salmon stock in the River Barrow continues to be considerably below its conservation limit at approximately 40% of that limit. This is based on standard methodology including surveys of spawning beds, fish populations and habitats, as well as juvenile electro-fishing results. Given the very low level of stocks even angling on a catch and release basis would not be permissible within the criteria adopted by IFI due to the fact that mortality associated with catch and release could be detrimental to the stock without contributing significantly to the stock assessment.

Telecommunications Services

305. **Deputy Noel Coonan** asked the Minister for Communications, Energy and Natural Resources the reason he is unable to provide adequate broadband speed to a person (details supplied) in County Tipperary; if it is envisioned that this service will be improved in the near future; and if he will make a statement on the matter. [28251/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The area of Ballypatrick, Bouladuff, is covered by the National Broadband Scheme (NBS). 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. My Department and its external consultants actively monitor coverage within the NBS areas.

Currently, the minimum download speed available to NBS broadband customers is 1.6Mbps and the minimum upload speed is 1.2Mbps, with a maximum contention ratio of 22:1. A further contractual upgrade will take place in October 2012, which will increase the minimum download speed to 2.3Mbps and the minimum upload speed to 1.4Mbps, with a maximum contention ratio of 18:1. 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 at nationalbroadbandscheme@nbs.ie with any comments or complaints they may have about their NBS service.

Broadcasting Services

306. **Deputy Peter Mathews** asked the Minister for Communications, Energy and Natural Resources his views on the proposed sale of channel 69 spectrum and the move to channel 38 for programme making and special events; the effect it will have on the music industry and businesses using radio microphones; and if he will make a statement on the matter. [28266/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): 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 Radiocommunications 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 switch over 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 switch over 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

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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.

Energy Conservation

307. **Deputy Jerry Buttimer** asked the Minister for Communications, Energy and Natural Resources his plans to provide for the use of thermal imaging cameras in the assessment of the energy efficiency of buildings; if he will recommend to the ESB that it use such cameras in energy usage surveys; and if he will make a statement on the matter. [28341/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The Dwelling Energy Assessment Procedure (DEAP) is the Irish official method for calculating the Building Energy Rating (BER) of dwellings. The BER is based on the characteristics of major components of the dwelling (wall, roof and floor dimensions, window and door sizes, quality and orientation) as well as the construction type and levels of insulation, ventilation and air tightness features, the systems for heat supply (including renewable energy), distribution and control and the type of lighting. It covers the annual energy use for space heating, water heating, ventilation, lighting and associated pumps and fans, calculated on the basis of a notional standard family with a standard pattern of occupancy.

BER assessors may use a number of optional testing techniques and devices ranging from very simple hand-held devices to more complex thermal imaging assessments. Options include borescope, fan pressurisation, glazing systems identification and thermal imaging. Thermal imaging may be used to assess the workmanship in the installation of the thermal insulation, to identify the ingress of damp and the subsequent loss of insulation performance, or to assess the extent and impact of thermal bridging. Thermal imaging surveys need to be carried out under suitable environmental conditions to ensure that a satisfactory interpretation of the results can be made. Typically these occur at night-time during the winter (heating season) months. Thermal imaging is therefore a useful diagnostic device under certain circumstances but it is not appropriate to mandate its use for all Building Energy Ratings.

Departmental Bodies

308. **Deputy Willie O'Dea** asked the Minister for Communications, Energy and Natural Resources the details of any organisation under his Department that has informed him of staffing difficulties which may impinge upon its ability to effectively oversee the spending of public funds; and his views regarding same. [28366/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The organisations under the aegis of my Department effectively oversee the spending of public funds. In addition, my Department works in close cooperation with the Department of Public Expenditure and Reform and these organisations to ensure the timely filling of all key positions

consistent with the achievement of staff reductions targets and the principles underpinning the moratorium on the filling of vacancies.

309. **Deputy Willie O’Dea** asked the Minister for Communications, Energy and Natural Resources if he will outline the organisations under his Department for which an employment control framework has been agreed; the current numbers they have in place; if they have been waiting more than one month to receive sanction to proceed to fill or retain any positions in spite of such positions falling below the agreed ECF ceiling. [28382/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The table below sets out the organisations under my Department for which an Employment Control Framework operates, and the numbers they have in place at the end of Quarter 3 2011.

Organisation	Numbers (end Quarter 3 2011)
Digital Hub Development Agency	13
Sustainable Energy Authority of Ireland	61
Inland Fisheries Ireland	346
Broadcasting Authority of Ireland	33
Commission for Energy Regulation	71
Commission for Communications Regulation	120
National Oil Reserves Agency	6
Ordnance Survey of Ireland	273
Loughs Agency	56
Total	979

With regard to receiving sanction to fill or retain any positions falling below the Employment Control Framework ceiling, my Department works in close cooperation with the Department of Public Expenditure and Reform and the agencies under the aegis of my Department, to ensure the timely filling of all key positions consistent with the achievement of staff reductions targets and the principles underpinning the moratorium on filling of vacancies. While every effort is made by all parties involved to expedite the processing of sanction requests, the period required can on occasion exceed one month depending on the complexity of the issues involved.

Alternative Energy Projects

310. **Deputy Michelle Mulherin** asked the Minister for Communications, Energy and Natural Resources the potential in County Mayo for wind, wave and bio-energy which he has identified; his targets and timeline for delivery of installed generation capacity; and if he will make a statement on the matter. [28411/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The Sustainable Energy Authority of Ireland (SEAI) analysis of the wind energy resources for County Mayo shows that County Mayo has the highest average annual wind speeds of any county. Details are set out in the table.

County	Dec-Feb	Mar-May	June-Aug	Sept-Nov	Annual	Annual
	metres per second (m/s)					km per hour
Mayo	9.23	7.79	6.57	8.35	7.99	28.7
Donegal	9	7.73	6.37	8.19	7.82	28.2

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County	Dec-Feb	Mar-May	June-Aug	Sept-Nov	Annual	Annual
Galway	8.67	7.3	6.26	7.8	7.51	27.0
Kerry	8.73	7.26	6.14	7.83	7.49	27.0
Sligo	8.59	7.34	6.15	7.7	7.45	26.8
Clare	8.43	7.1	6.05	7.6	7.30	26.3
Cork	8.35	6.96	5.92	7.35	7.15	25.7
Roscommon	8.17	6.94	5.99	7.29	7.10	25.6
Leitrim	7.95	6.8	5.72	7.15	6.91	24.9
Median County	8.16	6.87	5.91	7.29	7.05	25.38

Mean wind speeds at 50m above ground level.

Source: SEAI Wind Atlas.

As of the second quarter of 2011 there is a total of 46 MW of wind capacity installed in Mayo. A further 65 MW of wind projects have a signed contract in place with the grid operators and are scheduled to be commissioned over the next 3 years. Approximately 700 MW of wind energy capacity in Mayo is included in the Gate 3 Round of grid connection offers which is due to be built out between 2012 and 2020. Mayo County Council has recently published a renewable energy strategy that identifies target areas for wind farm development.

Wave technology is still at the RD&D stage and is not yet commercially viable. The Ocean Energy Development Unit of SEAI has supported research and development of wave energy prototypes and has been progressing a grid connected wave test site off Belmullet County Mayo. Further progress is subject to budgetary considerations. A report commissioned by the Western Development Commission (WDC) has identified the potential development of biomass Combined Heat and Power in the Western region, including Mayo. The RASLRES (Regional Approaches to Stimulating Local Renewable Energy Solutions) multinational European bioenergy project, funded by the Northern Periphery Programme (NPP) and led by the Western Development Commission, is currently undertaking pilot projects on bioenergy development in the West of Ireland.

Public Petitions

311. **Deputy Michael McCarthy** asked the Minister for Communications, Energy and Natural Resources the number of public petitions that have been submitted to him in the past four years, in tabular form; the nature of the petition campaign; the date on which the petition was submitted; the number of signatories on each petition; the action undertaken by him following consideration of the submission; and if he will make a statement on the matter. [28421/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The details of public petitions that have been submitted to my Department in the past four years are shown in the table below.

The nature of the petition campaign	The date on which the petition was submitted;	The number of signatories on each petition;	The action undertaken by him following consideration of the submission;
Provision of broadband to a small development in the village of Coolboy, Co. Wicklow	September 2008	14	The Group was informed that the general area of Coolboy was to receive broadband connectivity under the National Broadband Scheme.

The nature of the petition campaign	The date on which the petition was submitted;	The number of signatories on each petition;	The action undertaken by him following consideration of the submission;
Inclusion of the area of Ballycotton, Co. Cork, under the scope of the National Broadband Scheme (NBS).	November 2010	333	The Group was informed that the extension of the scope of the NBS to Ballycotton was not possible. Information was given in relation to the forthcoming Rural Broadband Scheme dealing with individual unserved rural premises outside of NBS areas.

In addition, my predecessor and I received representations, often from multiple sources, on various issues over the period referred to in the Deputy's Question.

Alternative Energy Projects

312. **Deputy Michelle Mulherin** asked the Minister for Communications, Energy and Natural Resources his plans for streamlining the planning and licensing of renewable energy projects; and if he will make a statement on the matter. [28443/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): Connections to the electricity grid are a matter for the Commission for Energy Regulation (CER) and EirGrid and ESB Networks in the first instance. It is estimated that 4630MW of renewable generation is required, based on current economic growth assumptions and energy demand projections, to ensure 40% of electricity consumption from renewable sources by 2020 and to meet Ireland's legally binding renewable energy targets under the EU Renewable Energy Directive.

At the end of June 2011, there was 1459MW of wind connected to the grid in addition to 238MW of hydro generation and 30MW of other renewable generation. A further 1000MW of new renewable generation from Gate 1 and Gate 2 have accepted grid connection offers and are awaiting grid connection. To date there have been 3 "Gates" providing grid connection to new renewable generation. Under Gate 1 and Gate 2, 1755MW of connection offers were made and accepted. Under Gate 3, 3900MW of offers issued to renewable generators.

EirGrid's GRID25 strategy sets out the high level plan for delivering upgraded electricity transmission network to 2025. EirGrid is working to enhance the national network capacity between now and 2025 by reinforcing existing lines, deploying new grid technology and building new transmission lines. All Gate 3 grid offers have now issued. A Gate 3 Liaison Group involving the CER, EirGrid and ESB Networks, along with industry representatives, was established to assist in communication on issues relating to the Gate among key stakeholders.

The Programme for Government states that a future Gate 4 if required will be plan-led, i.e. future wind farms are to be built in locations where wind regime is best and built in numbers or in clusters to reduce cost of connection to grid. In the event that a Gate 4 process is contemplated in due course, my Department will be engaging with the CER, EirGrid, ESB networks and the industry on its design in light, inter alia, of the Programme for Government.

The CER introduced new application procedures in 2010 for authorisations to construct and licences to generate for generating stations with an installed capacity of 40MW or less. The aim of this decision is to reduce the administrative burden on small scale renewable energy. The new administrative procedures also allow for an authorisation or licence to be granted earlier than hitherto in a project's development.

Electricity Transmission Network

313. **Deputy Michelle Mulherin** asked the Minister for Communications, Energy and Natural Resources the way connections to the electricity grid are allocated; his plans for a change of criteria; and if he will make a statement on the matter. [28444/11]

319. **Deputy Michelle Mulherin** asked the Minister for Communications, Energy and Natural Resources the circumstances under which the grid connection has to be paid for in part or in its entirety up to ten years in advance of provision of the actual connection; and if he will make a statement on the matter. [28695/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): I propose to take Questions Nos. 313 and 319 together.

The Commission for Energy Regulation (CER) has statutory responsibility for grid connection offers and for oversight of EirGrid grid connection process including the Gate process for renewable energy. The Connection Offer Policy and Process (COPP) is outlined in detail in CER decision paper CER/11/093 and in annexes to that decision paper. The full detail of the COPP is available on the CER website.

The first step to connecting new generation to the system, whether it is CCGT (Closed Cycle Gas Turbine), Hydro, Thermal, CHP (Combined Heat & Power), Wind or other forms, is to assess if the facility would be best suited for connection to the Transmission or Distribution System.

- Under 20 MW total export capacity at a single location should initially apply for a distribution connection.
- Over 20MW total export capacity at a single location should initially apply for a transmission connection.

All parties applying to connect to the transmission system must submit a formal application to EirGrid as the Transmission System Operator (TSO). Applications are processed through the Connection Offer Process as approved by the CER. This process is in place to ensure fairness, provide transparency and facilitate timely delivery of Connection Offers. It is extremely important that an applicant applying for a generation connection accurately determines and specifies the Maximum Export Capacity (MEC) required. System reinforcements will be designed to facilitate this MEC. If the MEC is amended during the connection application process, then EirGrid may have to re-evaluate the application which may result in a delay in issuing the Connection Offer.

It is also important that generators correctly determine the Maximum Import Capacity (MIC) that will be required by the facility. This is something that is often overlooked by those completing generator application forms as often the focus is on the export MEC capacity. If the MIC is amended during the connection application process, then EirGrid may have to re-evaluate the application which may result in delay in issuing the Connection Offer.

When submitting an application form to EirGrid as TSO, the application must be accompanied by all supporting documentation as requested, including two signed copies of the EirGrid standard confidentiality agreement and the first instalment of €7,000 (inclusive of VAT) of the application fee. The total application fee is dependant on the size of the plant (taking into account the MEC and MIC values) and whether shallow connection works are involved in dealing with the capacity required. The formula for calculating this fee is set out in the Statement of Charges document as approved by the CER annually. When EirGrid receives

a direction from the CER to progress an application to the Offer stage the balance of the application fee will be requested in accordance with the direction received.

Once an application has been received and deemed complete it is entered into the List of Complete Applications (Connection Offers Disclosure of Applications document). This document lists all the currently deemed complete applications for all types of generation — wind, hydro, pumped storage, conventional etc., from both the DSO (ESB Networks) and the TSO (EirGrid).

EirGrid progress applications to the Connection Offer stage in line with directions issued by the CER. Once a Connection Offer has been made and accepted it is removed from the List of Complete Applications document and added to the ‘Contracted Wind farms’ or ‘Contracted (Other types of Generators)’ documents as appropriate. When the connection works are completed and the generator is connected to the network it moves to the ‘Connected’ list. Connection, Construction & Commissioning Connection works and timing are project specific in nature. Details regarding connecting, connection works, commissioning and key dates will be outlined in the Connection Agreement between EirGrid and the applicant.

Under current policy, transmission connected generators and demand customers are entitled to procure large elements of their shallow connection themselves. However, there will still be work required to be done by the TSO with respect to design, approval, commissioning, final connections and remote station work. When a generator or demand customer executes a Connection Agreement with EirGrid a number of forms of security cover will be required and a number of charges will apply to the generator or demand customer under the agreement:

Connection Charges Bond — the connecting demand customer or generator must provide security in the form of a bond in respect of the connection charges set out in the Connection Agreement. It is calculated using the shallow costs of the connection.

Capacity Bond — is required to ensure that only the required capacity has been requested and provided, and that no capacity is being unnecessarily reserved or hoarded.

Generator Connection — Maximum Export Capacity (MEC) Bond: A generator Capacity Bond is often referred to as the Maximum Export Capacity (MEC) Bond. Amongst other things, the bond may be drawn upon should the generator fail to timely meet their capacity test (within a reasonable tolerance). The bond amount is calculated at EURO 10,000 per MW of MEC.

Demand Connection — Maximum Import Capacity (MIC) Bond: A demand customer Capacity Bond is often referred to as the Maximum Import Capacity (MIC) Bond. Amongst other things, the bond may be drawn upon should the customer fail to construct their facility within the specified time frame (within reasonable tolerance). The bond amount is calculated at the network capacity charge x 18 (months) x MIC (MW).

A Decommissioning and Reinstatement Bond is required to ensure that should the demand customer or generator cease operation and be unable to pay the Decommissioning and Reinstatement Charge that these costs do not accrue to the system or other customers. A Connection Charge is levied in respect of the works required to connect a demand customer or generator to the system in accordance with the currently CER-approved shallow connection policy.

It is important to note that EirGrid is required to identify the Least Cost Technically Acceptable (LCTA) connection method and this is the option that will be presented to the applicant. However, for system reasons EirGrid may choose an alternative connection method to the

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LCTA, should this be the case the applicant will only be charged for the LCTA connection method. Alternatively, an applicant may request a connection method that deviates from the LCTA solution and where this method is acceptable to EirGrid the applicant will be liable for 100% of any additional costs.

For Generator Connections the generator must pay 100% of the construction of the LCTA physical connection to the transmission system, the shallow connection works. Any deep reinforcements required to facilitate the connection are not charged to the generator. For Demand Connections the demand customer must pay for 50% of the construction of the LCTA physical connection to the transmission system. Any deep reinforcements required to facilitate the connection are not charged to the customer. For clarity, as set out above, should the customer request a connection method that deviates from the LCTA solution, which is acceptable to EirGrid, the customer will be liable for 100% of any additional costs incurred.

Transmission Generator and Demand customers are entitled to build or procure large elements of their own shallow connections in line with the Contestability of Connection Assets paper as approved by the CER. However, there will still be works carried out by the TSO such as design approval, supervision, commissioning, final connections and remote station work, against which connection charges are payable to the TSO.

An ongoing service charge is levied on an annual basis for operation and maintenance of shallow connection assets provided in respect of the Connection Charge. A Decommissioning and Reinstatement Charge is levied upon termination of the Connection Agreement. It covers any costs incurred for the site restoration and the removal of the transmission station and related shallow connection facilities provided in respect of the Connection Charge. A Use of System Charge is levied for the generator or demand customer's ongoing use of the transmission network as set out in the CER approved Statement of Charges. For further information on Use of System Charges please refer to the Transmission Use of System Charges page on the EirGrid website.

Energy Conservation

314. **Deputy Finian McGrath** asked the Minister for Communications, Energy and Natural Resources if he will review a better energy homes scheme application in respect of a person (details supplied) in Dublin 5. [28473/11]

317. **Deputy Finian McGrath** asked the Minister for Communications, Energy and Natural Resources if he will review an application (details supplied) regarding the better energy home scheme. [28672/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): I propose to take Questions Nos. 314 and 317 together.

Better Energy: Homes Scheme is administered by the Sustainable Energy Authority of Ireland (SEAI) and provides grant assistance to homeowners for energy efficiency retrofitting measures, including attic and wall insulation, high-efficiency boilers, heating controls and Building Energy Rating (BER) assessments. Queries in relation to individual applications are an operational matter for SEAI and I have no function in the matter.

I am advised by SEAI that the applicants in question are in receipt of grant support under Better Energy Homes for a number of measures including cavity wall insulation. However, inspections carried out on the homes in question identified cavity/hollow block construction which is not suitable for cavity wall insulation as a continuous masonry cavity is required before

insulation can be effectively installed. The installation of pumped insulation into cavities into walls for this construction is not covered by the Scheme nor is it considered an effective insulation solution. This is the reason for non-payment of a grant by SEAI in respect of this work.

SEAI advises that walls built in cavity/hollow blocks can be addressed either using internal wall insulation with insulated dry lining, or external wall insulation both of which are eligible for support under the scheme. The SEAI operate a comprehensive quality assurance and registration of contractors scheme to ensure value for money, ensure technical standards and to ensure that expenditure complies with the terms and conditions of the scheme. SEAI carries out in-depth payment and audit checks with homeowners and contractors. This high level of quality assurance is mostly welcomed by contractors and homeowners who acknowledge its importance for the quality of measures carried out. SEAI advises that the contractor referred to by the Deputy is no longer registered under Better Energy Homes.

Data Protection

315. **Deputy Jim Daly** asked the Minister for Communications, Energy and Natural Resources the measures in place to protect personal information such as ex-directory phone numbers and mobile numbers from cold callers carrying out polls and sales and so on; and if he will make a statement on the matter. [28476/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): Issues concerning unsolicited communications for direct marketing purposes are a matter for the Data Protection Commissioner. I understand there is an opt-in and opt-out system in place to permit or prohibit direct marketing telephone calls. In the case of ex-directory landlines and all mobile phones, direct marketing calls are not permissible unless individual customers opt to receive such calls. In the case of telephone numbers for landlines, which are included in the national telephone directory database, customers can opt not to receive direct marketing calls by so advising their service provider.

Further information in relation to this matter, including the investigation of any offences, is available on the website of the Data Protection Commissioner (www.dataprotection.ie) or by contacting the Data Protection Commissioner, Canal House, Station Road, Portarlington, County Laois, phone 057-8684800 or LoCall 1890 252 231.

Energy Prices

316. **Deputy Michael Healy-Rae** asked the Minister for Communications, Energy and Natural Resources if he will review a matter (details supplied) regarding energy rates. [28609/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): I have no statutory function in the setting of energy prices, whether in the regulated or non-regulated market. Responsibility for the regulation of the electricity and gas markets is a matter for the Commission for Energy Regulation (CER), which is an independent statutory body.

The electricity retail market is now fully deregulated and CER has announced that the small to medium business segment of the gas market was deregulated from 1 October 2011. Business and domestic customers can increasingly avail of the competitive offerings from a number of electricity and gas supply companies. The first step that business customers should take to reduce their energy costs is to work actively in securing better value offers in the market and in switching to suppliers delivering lower prices. This is resulting in positive outcomes as is evidenced by improved competitiveness in the gas and electricity sectors when compared with other European countries.

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EUROSTAT data for 2010 showed such convergence to the EU average for many categories of business and residential consumer in both the electricity and gas sectors. Analysis by the Sustainable Energy Authority of Ireland (SEAI) shows that average residential gas prices for the majority of Irish gas consumers went from being 4% above the EU average at the end of 2009 (or 8th most expensive out of 25 countries analysed by EUROSTAT) to being 8% below the average in the second half of 2010 (or 13th most expensive of 25 countries analysed). Business electricity prices for 2010 fell by over 10% for most consumers and electricity costs for business ranked between 6th most expensive in the EU to 15th most expensive at the end of 2010. In the two year period between the end of 2008 and the end of 2010, Ireland has moved from 7th most expensive to 14th most expensive in the smallest segment of the electricity market by band share and from 11th most expensive to 17th most expensive in the largest segment of the market by band share.

The convergence to the EU average in business electricity and gas prices over the last two years has been an important factor in supporting greater competitiveness for Irish enterprise and foreign direct investment. Global gas and oil prices have risen sharply since the start of 2011 driven by events in North Africa and Japan and high demand from the emerging economies of China and India. There are clear indications that international oil and gas prices will rise further over the coming months. These trends are leading to higher domestic gas and electricity prices as shown by Bord Gáis Energy's recent 12% increase in domestic electricity tariffs and their application for an increase in tariffs in the regulated gas sector.

Ireland is a price taker in the global fossil fuel market and the economy is therefore vulnerable to energy price fluctuations and price rises. Competitor countries are in many instances facing the same prospect and the objective in the context of higher global prices must be that we retain or improve our competitive position. Ireland's concerns about high oil and gas prices are shared at EU level and fellow Member Countries of the International Energy Agency (IEA). The EU and IEA agree that high fossil fuels prices which pose a threat to economic recovery underline the need to reduce dependence on fossil fuels by radically enhanced energy efficiency measures and the development of renewable energy.

I acknowledge the action taken over the last two years to bring Ireland's energy prices into line with, or below, European averages. Our competitive energy market helps put downward pressure on prices. In addition, we must focus on all possible additional actions to mitigate costs where possible for business and domestic customers. This is essential for competitiveness, employment and for economic recovery. I am committed to working with enterprise and with the energy sector to ensure that the costs of energy for business are as competitive as possible through those measures at our disposal including notably a sustained focus on energy efficiency.

In the latter context I would urge all businesses of whatever size to place a relentless focus on energy efficiency. The SEAI is available to provide advice and, subject to available resources, financial assistance in this respect. In addition, there is now extensive tax relief available to businesses under the accelerated capital allowances (ACA) scheme for energy efficient technologies.

Question No. 317 answered with Question No. 314.

Electricity Transmission Network

318. **Deputy Michelle Mulherin** asked the Minister for Communications, Energy and Natural Resources his plans to upgrade the grid to harness the potential for wind and wave energy for

County Mayo; the timeframe involved; and if he will make a statement on the matter. [28694/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The planning and development of the transmission grid is the responsibility of EirGrid as the State owned transmission company. I have no function in the matter. EirGrid advises that it is progressing plans for transmission network development in Mayo in line with regional development and renewable energy needs. Grid West, as a key project under GRID 25, will significantly increase the link from Mayo to the East coast to cater for those changing demands of the electricity market. Power on this infrastructure will flow in both directions thus facilitating renewable energy generation as well as investments by foreign direct investment and indigenous enterprises requiring secure and stable supply of power.

Environmental impact assessment, technical solutions and route identification will be getting under way in 2012. A major and complex project of this nature has a long time frame to provide for wide ranging public consultation and to complete all necessary assessments, including a planning application to An Bord Pleanála. Assuming no significant delays in the planning or consultation processes and allowing for necessary build time, EirGrid expects to see good progress on this development over the coming years although full completion may not be achieved until 2019. To deliver the necessary infrastructure in the West of Ireland, EirGrid requires the support of industry, local communities, public representatives and stakeholders to build the network that will facilitate energy generation and economic opportunities in Mayo.

Question No. 319 answered with Question No. 313.

320. **Deputy Michelle Mulherin** asked the Minister for Communications, Energy and Natural Resources the reason the delivery of a 400 KV line to County Mayo is being treated by EirGrid as shallow development and not a strategic infrastructure investment by the State in view of the importance of the development of the potential for renewable energy production in County Mayo; and if he will make a statement on the matter. [28698/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The planning, development and routing of transmission line infrastructure is a matter for EirGrid, the State owned body responsible for the electricity transmission system. I have no statutory function regarding the planning and construction of energy networks.

Energy Resources

321. **Deputy Michelle Mulherin** asked the Minister for Communications, Energy and Natural Resources his plans to export energy; the details of any negotiations that are under way; and if he will make a statement on the matter. [28699/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): In July 2010, Ireland submitted its National Renewable Energy Action Plan (NREAP) to the European Commission. One of the scenarios set out in the Plan identifies Ireland's potential in the longer term to become an exporter of Electricity from Renewable Energy Sources to other Member States subject to the appropriate economic, technical and environmental conditions and subject to comprehensive cost-benefit analyses.

Currently there is no cross border renewable energy trade anywhere in the EU. The cooperation mechanisms set out in the EU Renewable Energy Directive 2009/28/EC are designed to facilitate the development of such cross-border trade between Member States based on bilateral agreements.

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I attended the British Irish Council with the Taoiseach in June, which addressed the considerable potential for close cooperation across these islands for the development and trading of renewable energy. The Council agreed that officials would continue to collectively examine the potential opportunities for facilitating the cost-effective exploitation of renewable energy resources, in the context of integration of electricity markets and security of supply. This work is still at relatively early stages and will be ongoing over the coming months.

The Sustainable Energy Authority of Ireland (SEAI) is currently commissioning analysis, which will examine the economic implications and opportunities of developing an export trade in renewable energy. The East West Interconnector between Ireland and the UK, which is on schedule to be completed next year, will also facilitate the development of energy trading.

Electricity Transmission Network

322. **Deputy Maureen O’Sullivan** asked the Minister for Communications, Energy and Natural Resources his views on whether the national grid will not suffer the same fate as the European grid, many multiples the size of the Ireland island grid and already having serious difficulty incorporating a far lower penetration of renewable electricity than Ireland. [28900/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The deployment of renewable generation in the electricity sector has increased considerably in recent years. In Ireland, we now have enough installed renewable generation to meet 15% of electricity demand and, at particular time intervals, renewables have produced enough power to meet 50% of system demand. As percentage of system size, this level of renewable penetration places Ireland at the forefront of Europe.

To ensure the delivery of an electricity network that has the operational capability and infrastructural capacity to fully exploit the country’s substantial renewable energy potential in a secure and efficient manner, EirGrid, through Grid 25, and the recently launched Programme for a Secure, Sustainable Electricity System (DS3) is putting in place the necessary infrastructural and operational requirements to manage high levels of variable renewable generation on the power system in a safe, secure and reliable manner.

EirGrid is also actively engaged in the European Network of Transmission System Operators for Electricity (ENTSO-E) where knowledge and best practice for integrating renewable generation and building a robust grid for the future is shared among its members. The European-wide electricity grid has yet to experience the sort of operational challenges that Ireland is dealing with today, primarily due to its size and high levels of interconnection. However, it is widely acknowledged, that significant new and upgraded electricity infrastructure will be required across Europe in order to reach the EU-wide 2020 renewable target.

Local Authority Charges

323. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government his views on a matter (details supplied) regarding rates. [28608/11]

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. The Annual Rate on Valuation (ARV), which is applied to the valuation of each property, determined by the Valuation Office,

to obtain the amount payable in rates, is decided by the elected members of each local authority in the annual budget and its determination is a reserved function of a local authority.

The Commissioner of Valuation, who has sole responsibility for all valuation matters, is conducting a programme of revaluation of all commercial and industrial properties throughout the State on a county by county basis. The purpose of the revaluation process is to update commercial valuations which will assist in providing a more equitable distribution of rates across those liable to pay rates.

I have urged local authorities to exercise restraint in setting the Annual Rate on Valuation (ARV) in this and previous years and they have responded positively in this regard. Commercial rates are legally payable in two moieties; the first moiety and arrears are payable on the date of the making of the rate and the second moiety is payable on 1 July. In practice, local authorities facilitate payments of commercial rates by instalments including by direct debit.

Local authorities play a central role in supporting economic development and enterprise at local level. They do this in a number of ways including through their capital and current budgets, economic planning and development and the provision of goods and services as well as community infrastructure.

Business Support Units or similar arrangements have been put in place in all county and city councils. These Units provide a dedicated one-stop-shop approach for businesses in areas such as planning, water services and roads. In addition, the local government led County/City Development Boards are engaged in economic development and the promotion of enterprise in their areas. I recognise that these are difficult economic times for many businesses and I will continue to keep all matters relating to rates under regular consideration in my Department.

Election Management System

324. **Deputy Brendan Ryan** asked the Minister for the Environment, Community and Local Government if persons with dual nationality in both Ireland and the United States are entitled to vote in national elections in both states; if there are any known negating consequences in one state for that citizen if they exercise their vote in the other state; and if he will make a statement on the matter. [28680/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Electoral Act 1992 provides that Irish Citizens are entitled to be registered to vote in a constituency at national elections and referendums once they have reached the age of eighteen years and are ordinarily resident in that constituency.

Rural Development

325. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government further to a recently carried out feasibility study supported by the Leader programme, administered by the South Kerry Development Partnership Limited (details supplied), if there are other sources of funding available to this group to develop this much needed facility; and if he will make a statement on the matter. [28782/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Rural Development Programme (RDP) 2007-2013 has funding of €427m available to be allocated to qualifying projects up to the end of 2013. One of the objectives of the RDP is to identify and provide appropriate amenity and leisure facilities to local communities not otherwise available to them and, in principle, it is possible that the facility referred to in the question could be eligible under the RDP.

[Deputy Phil Hogan.]

There are 36 Local Action Groups contracted on my Department's behalf to deliver the RDP throughout the country and these groups are the principal decision-makers in relation to the allocation of project funding. Such decisions are made in the context of the individual group's local development strategy and in line with Departmental operating rules and EU regulations. South Kerry Development Partnership, who have been contracted by my Department to deliver the RDP in the South Kerry area, can be contacted at West Main Street, Cahersiveen, Co. Kerry to discuss this further.

Departmental Bodies

326. **Deputy Caoimhghín Ó Caoláin** asked the Minister for the Environment, Community and Local Government the reason he is abolishing Comhar, The Sustainable Development Council; if his attention has been drawn to the fact that there is considerable concern that environmental and sustainable development policy is being sidelined by him; and if he will make a statement on the matter. [28223/11]

327. **Deputy Caoimhghín Ó Caoláin** asked the Minister for the Environment, Community and Local Government the costs of Comhar, The Sustainable Development Council, in 2008, 2009 and 2010; and if he will make a statement on the matter. [28224/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 326 and 327 together.

Integrating sustainable development principles into economic and social sectoral policies and programmes remains a core objective for me and the Government. This is evidenced by, inter alia, the commitment to publishing a renewed National Sustainable Development Strategy for public consultation later this year. Our unprecedented economic constraints challenge us to find new ways of working that deliver the same or better results while at the same time ensuring the most efficient use of reduced public resources and avoiding duplication of effort. This includes the ongoing review, and, where appropriate, rationalisation of the role and functions of bodies under the aegis of my Department.

While I greatly value the significant body of work undertaken by Comhar Sustainable Development Council over the past decade, there is a need to reorganise the existing arrangements for the delivery of the sustainable development agenda. There are now a number of platforms to achieve this, including through the Cabinet Committee on Climate Change and Green Economy. Recent years have also seen an environmental pillar recognised within Social Partnership and environmental representation is now an established component of the National Economic and Social Council (NESC).

I believe that there are significant overlaps between the relative roles of Comhar and the NESC in relation to sustainable development. Integrating these roles within the NESC offers the most effective means of achieving the mainstreaming of environmental considerations. Therefore, it has been decided that Comhar should be discontinued and wound down by the end of the year.

I am satisfied that the transition from Comhar to the NESC is necessary and appropriate. Critical issues including the new sustainable development strategy, evolving climate policy, and research and debate to inform Ireland's evolution to a low carbon economy will be given appropriate priority within the NESC policy function. This will build on the work already undertaken by Comhar and will underpin the strategic value of sustainable development policy by centralising it within the NESC structure. I will provide dedicated funding to NESC to

support its enhanced role in relation to sustainable development. My Department and NESC are discussing the approach to research capacity and how that might best be taken forward in the context of developing a sustainable development work programme.

The funding provided by my Department to Comhar in the past three years was as follows:

Year	€
2008	673,880.24
2009	465,331.66
2010	390,874.46

Election Management System

328. **Deputy Caoimhghín Ó Caoláin** asked the Minister for the Environment, Community and Local Government the reasons he decided to hold the presidential election on a Thursday; if his attention has been drawn to the fact that this decision will disenfranchise many voters, in particular young voters; if he will give a commitment that all future elections and referendums will be held on a Friday; and if he will make a statement on the matter. [28225/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Polling at the forthcoming Presidential election and referendums will take place on Thursday 27 October 2011. Section 6 of the Presidential Elections Act 1993 and section 10 of the Referendum Act 1994 allow, respectively, for the taking of a poll at a Presidential election or referendum on any day of the week. In deciding on a particular day, a wide range of considerations are taken into account and ultimately there are advantages and disadvantages attaching to any day chosen. The flexibility in the legislation allows all relevant factors to be taken into account at any given time in setting the polling day and I have no plans to amend the legislation.

Measures have been taken in recent years to extend the categories of voters that qualify for postal voting because of their inability to vote in person at their local polling station on polling day. These include the extension of the postal vote to full-time students registered at their home who are living elsewhere while attending an educational institution in the State.

Planning Issues

329. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government the position regarding a Garda inquiry into a matter (details supplied). [28247/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose): As Minister for Housing and Planning I have no function in relation to enquiries by An Garda Síochána. The manner in which the relevant appointments were made in 2002 is set out in Section 106 of the Planning and Development Act, 2000. I am satisfied, based on an examination of the relevant files by my Department, that the proper procedures were followed in the particular appointments cited.

Departmental Bodies

330. **Deputy Willie O’Dea** asked the Minister for the Environment, Community and Local Government the details of any organisation under his Department that has informed him of staffing difficulties which may impinge upon its ability to effectively oversee the spending of public funds; and his views regarding same. [28369/11]

331. **Deputy Willie O’Dea** asked the Minister for the Environment, Community and Local Government if he will outline the organisations under his Department for which an employment control framework, ECF, has been agreed; the current numbers they have in place; if they have been waiting more than one month to receive sanction to proceed to fill or retain any positions in spite of such positions falling below the agreed ECF ceiling. [28385/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 330 and 331 together.

Due to the severe economic downturn the Government introduced a moratorium on recruitment and promotion across the public sector in March 2009. Under the terms of the Government’s decision no public service post, however arising, may be filled by recruitment, promotion, or payment of an allowance for the performance of duties at a higher grade. My Department received a delegated sanction from the Department of Finance in August 2009 for implementation of the moratorium across all local authorities. This is on condition that the overall staffing levels in the sector are reduced further.

In relation to the Department’s Agencies all requests for sanction to recruit or promote must be examined by my Department in the first instance and suitable requests are then forwarded to the Department of Public Expenditure and Reform requesting sanction. Sanction is granted only in exceptional circumstances under the Moratorium. One such request is currently with that Department.

My Department works very closely with local authorities and Agencies to ensure that critical posts are filled while overall numbers are reduced in accordance with the ECF targets and budgetary constraints. Local authorities have shed 6,900 whole time equivalent (wte) posts since June 2008. In the most recent staffing returns, up to end September 2011, there are 30,329 whole time equivalent staff across local authorities. The local authority sector is operating within its Employment Control Framework and is on track to reach the target of 30,000 wte by 2013. The overall end 2011 ECF target for Agencies under the aegis of my Department is 820 Whole Time Equivalents (WTE). This is to reduce to 740 WTE by end 2014. Each Agency has been issued with an ECF as follows:

Agency	End 2011 ECF WTE
An Bord Pleanála	162.00
An Comhairle Leabharlanna	15.00
Dublin Docklands Development Authority	18.00
Environmental Protection Agency	324.00
Housing and Sustainable Communities Agency	32.00
Housing Finance Agency	11.00
Irish Water Safety	6.00
Limerick Northside Regeneration Agency	8.00
Limerick Southside Regeneration Agency	8.00
Local Government Computer Services Board	83.00
Local Government Management Services Board	27.00
National Building Agency	15.00
Private Residential Tenancies Board	50.00
Radiological Protection Institute of Ireland	46.00
Western Development Commission	14.00
Total	819.00

The difference between the ECFs issued (819 WTE), and the overall ceiling of 820 WTE, arises from the recent change in my Department's responsibilities where the Heritage Council moved to the Department of Arts, Heritage and the Gaeltacht and the Western Development Commission moved to my Department.

Public Petitions

332. **Deputy Michael McCarthy** asked the Minister for the Environment, Community and Local Government the number of public petitions that have been submitted to him in the past four years, in tabular form; the nature of the petition campaign; the date on which the petition was submitted; the number of signatories on each petition; the action undertaken by him following consideration of the submission; and if he will make a statement on the matter. [28423/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): My office receives significant volumes of correspondence on a wide range of matters on a daily basis and I respond to this as required. It is not the practice of my Department to categorise this correspondence according to whether or not it could be termed a "petition". Therefore the specific information requested in the question is not readily to hand.

Local Authority Housing

333. **Deputy Patrick O'Donovan** asked the Minister for the Environment, Community and Local Government the position regarding a matter (details supplied); if he will provide a breakdown on the Department expenditure to individual local authorities; and if he will make a statement on the matter. [28431/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose): I assume the question refers to unfinished housing developments and the funding allocated by my Department under the public safety initiative. The following table sets out the amounts approved, by local authority, in respect of 92 developments. A further 66 applications have been referred back to the relevant local authorities for clarification. The amounts below do not include approvals originally issued by my Department for developments which will now be funded under the NAMA public safety fund.

Local Authority	Funding Approved to date
	€
Carlow County Council	14,074.00
Cavan County Council	212,403.90
Clare County Council	0.00
Cork City Council	0.00
Cork County Council	220,480.50
Donegal County Council	0.00
Dublin City Council	0.00
Fingal County Council	0.00
South Dublin County Council	0.00
D.L.R. County Council	0.00
Galway City Council	0.00
Galway County Council	96,569.15
Kerry County Council	0.00
Kildare County Council	0.00
Kilkenny County Council	140,115.00

[Deputy Willie Penrose.]

Local Authority	Funding Approved to date
Laois County Council	67,772.00
Leitrim County Council	33,000.00
Limerick City Council	0.00
Limerick County Council	146,430.50
Longford County Council	471,074.94
Louth County Council	0.00
Mayo County Council	8,419.00
Meath County Council	0.00
Monaghan County Council	32,359.50
Offaly County Council	0.00
Roscommon County Council	125,074.51
Sligo County Council	88,547.00
Nth Tipperary County Council	0.00
Sth Tipperary County Council	95,069.50
Waterford City Council	0.00
Waterford County Council	52,000.00
Westmeath County Council	63,795.50
Wexford County Council	187,473.62
Wicklow County Council	0.00
Total	2,054,658.62

334. **Deputy Peadar Tóibín** asked the Minister for the Environment, Community and Local Government the costing and or the completion of the original regeneration plans for certain areas (details supplied). [28482/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose): The Government remains fully committed to the regeneration of disadvantaged social housing estates in cities and towns, including St. Michael's Estate, O'Devaney Gardens, Dominick Street and Dolphin's House, all of which were previously included in Dublin City Council's PPP programme.

The first phase of the Limerick Regeneration project, which includes the areas of Moyross, Southill, St. Mary's Park and Ballinacurra/Weston was approved by Government in June 2010. A capital allocation of €124.6 million is being made available by my Department to support the national regeneration programme this year. In the case of the of the Dublin projects, Dublin City Council is now required to prepare a detailed regeneration masterplan for each of the four estates that gives consideration to social and economic regeneration as well as physical improvement. In terms of the estimated costs of the masterplanning process and implementation of the relevant regeneration projects, the position is as follows.

- In 2010, my Department approved funding of €5.8 million for the social housing element of the first phase of the St. Michael's Estate regeneration project. This is currently under construction. Further phases will be considered in the context of the evolving needs of the community and a holistic approach to the social, economic and physical regeneration required. In addition, the Council continues to advance the demolition programme to facilitate future construction on the rest of the site.

- Proposals for the redevelopment of O’Devaney Gardens recently received planning permission. A planning decision is awaited in relation to proposals for Dominick Street. The next step in this process is to prepare detailed masterplans, building on the work already done under the PPP process, and which will address the social, economic, and physical regeneration needs of the communities there. At this stage in the process, it is not possible to estimate the cost of delivering on the masterplans. The City Council continues to receive funding for the relocation of households out of these areas to facilitate future construction and the demolition of vacant buildings.
- The City Council is undertaking a thorough survey of the Dolphin House complex which will be used to inform a programme of remedial improvements there in the short term. It will also be necessary to develop a comprehensive masterplan for the estate in consultation with the community over the coming months. An estimate of the costs involved will also be required once details of the remedial works and the masterplan have been agreed.
- Phase 1 of the Limerick Regeneration Programme, which includes a range of infrastructure, housing, and community projects, is estimated to cost some €337 million. The Limerick Regeneration Agencies, with their partners Limerick City Council, are currently engaged in progressing individual projects under the programme. The first housing project, costing an estimated €5.5 million, recently commenced construction at Cliona Park, Moyross.

Community Development

335. **Deputy Brendan Griffin** asked the Minister for the Environment, Community and Local Government his views on a proposal (details supplied); and if he will make a statement on the matter. [28483/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Meitheal Forbartha na Gaeltachta (MFG) was contracted by my Department to deliver two programmes in Gaeltacht areas, the Rural Development Programme (RDP) Axes 3 and 4, and the Local and Community Development Programme (LCDP). MFG also implemented other programmes on behalf of other Government Departments.

There are complex legal and contractual issues in regard to MFG to be resolved and my Department is currently working on both long and short term solutions to ensure the continued delivery of the RDP and other programmes in Gaeltacht areas, including those in Co. Kerry. My intention is to find a solution that will be efficient and effective and applied at the earliest possible opportunity.

Fire Services

336. **Deputy Brendan Griffin** asked the Minister for the Environment, Community and Local Government if a full review of fire services is to be undertaken nationally; and if he will make a statement on the matter. [28494/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Much has been accomplished in the past decade to strengthen the fire services in Ireland. Substantial financial resources, provided to local authorities, have resulted in a quality fire and rescue infrastructure throughout the country. Most of our fire stations have full facilities, the appliance fleet is in very good shape and equipment is generally regarded as top class.

[Deputy Phil Hogan.]

Our emergency management arrangements, with the production of a new Framework for Major Emergency Management and the implementation of the Major Emergency Development Programme 2006-2008, are in line with international best practice, and were widely acknowledged to have been fundamental in ensuring effective response to the Cork Airport tragedy and during the severe weather emergencies in January and December 2010. A range of other measures have been introduced. Fire safety legislation was strengthened in 2003, with increased powers for fire prevention officers. A series of initiatives has been developed under a community fire safety programme, including a domestic smoke alarm campaign, and a Primary Schools Programme.

An integrated risk based approach to emergency management has been developed and piloted in a number of counties. This is being made available to ensure service managers in local authorities have access to appropriate information to enable them to decide on the effective deployment and use of resources and to ensure that an appropriate balance between prevention, protection and response measures is achieved.

Health, safety and welfare initiatives have also been progressed, with the preparation of an Ancillary Fire Services Safety Statement, the development of a National Incident Command system and the preparation of a suite of Standard Operational Guidance for the fire services activities. There are comprehensive Occupational Health Systems in the retained fire services, and Critical Incident Stress Management services have been made available to staff in all fire authorities.

Looking ahead, the national blueprint and programme for developing and improving the efficiency and effectiveness of Fire Services is set out in the recently agreed Irish Fire Services National Development Framework 2010-2015 available on my Department's website *www.environment.ie*. The Framework sets out policies and key actions in the areas of Fire Services Role in Society; National Processes and Standards; Staff Learning and Development; Quality Assurance Systems and Reporting Performance; and Service Infrastructure and Legislative Support.

The Framework was prepared by my Department's National Directorate which is also managing the implementation of its actions through close working with its Management Board and Consultative Committee, which ensures that all key stakeholders, including staff representatives, are involved. Discussion documents on implementing aspects of the Framework are in the course of preparation as part of the National Directorate's remit. Given the progress which has been made, and that the current arrangements are working satisfactorily, I have no plans to conduct a full review of fire services in Ireland.

Local Authority Charges

337. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government his view on a matter (details supplied) regarding household charges; and if he will make a statement on the matter. [28622/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Local Government (Charges) Act 2009 broadened the revenue base of local authorities through the introduction of the charge on non-principal private residences. The charge is set at €200 and is being levied and collected by local authorities. The Act places the onus on the owner of a residential property to assess his or her liability to the charge in the first instance. As the charge is set at an essentially modest rate of €200 per annum, it is necessary that administrative costs be kept to a minimum. In order to keep costs to the minimum and ensure that the maximum level of revenue raised is available for the provision of local services, there

is no legal obligation on local authorities to issue notifications, invoices or reminders. Any such obligation would increase the administrative and resource requirements of implementing the charge and would make its collection less cost-effective.

In practice, a number of measures are undertaken to assist collection of the charge. Nationwide advertising has taken place in each year since the introduction of the charge in 2009 to ensure general awareness of the charge and the liability dates. Some advertising on the charge was also placed in publications/newsletters circulating in areas in which large Irish populations are residing abroad. In addition, local authorities have undertaken their own advertising campaigns locally. As a shared resource, I understand that reminder notifications were issued by the Local Government Management Agency (LGMA) and local authorities to those who paid the charge last year in respect of their possible liability for 2011.

Reasonable efforts are being made to ensure that property owners are aware of the charge and the liability dates. However, the charge is based on self assessment principles and it is a matter for persons with a liability to pay the charge by the due date to avoid late payment fees. I have no plans, at present, to amend the legislation in this regard.

Local Authority Housing

338. **Deputy Aengus Ó Snodaigh** asked the Minister for the Environment, Community and Local Government if he will ensure that local authorities will ensure in their housing need assessment that sufficient priority is given to the safety of victims of domestic violence and their children. [28709/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose): It is open to any person or household to apply to a housing authority for an assessment of their housing need. It is a matter solely for the housing authority concerned to determine whether an applicant for social housing support is eligible for and in need of that support. The authority must make its determination in accordance with the provisions of section 20 of the Housing (Miscellaneous Provisions) Act 2009, and regulations made under that section, primarily the Social Housing Assessment Regulations 2011, having regard to the particular circumstances of the case.

In cases of domestic violence, there is a range of services available to deal with the immediate primary needs of a household both in terms of protection of the abused partner and any children, and any need for emergency accommodation. Applicants do not need to go on the general housing waiting lists to avail of short-term emergency housing in domestic violence situations.

Fire Services

339. **Deputy Seán Kenny** asked the Minister for the Environment, Community and Local Government the number of additional as opposed to replacement fire appliances that he has provided to Dublin Fire Brigade for the years 2007 to 2010, inclusive, and to date in 2011. [28723/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The provision of a fire service, including the provision of fire fighting appliances and emergency equipment, is a statutory function of individual fire authorities as set out in the Fire Services Act, 1981. My Department supports fire authorities through the setting of general policy and the provision of capital funding, including the recoupment (within the overall funding available) of costs incurred by fire authorities in relation to the approved purchase of fire appliances and

[Deputy Phil Hogan.]

equipment. Dublin City Council's Fire Brigade provides fire services on behalf of the four Dublin local authorities.

During the period 2007 to 2011 to date, funding to support the acquisition of eight new appliances was allocated to Dublin Fire Brigade. As Dublin Fire Brigade manages its fire appliance fleet, I am not in a position to distinguish definitively between replacement and additional appliances but in general, such funding is likely to be in support of fleet replacement.

Year	Description
2007	2 Fire Appliances were allocated (both of which have since been delivered).
2008	1 Turntable Ladder was allocated (and has since been delivered)
2009	3 Fire appliances were allocated (2 of which have since been delivered).
2011	2 Fire appliances were allocated

Voluntary Sector Funding

340. **Deputy Michael Creed** asked the Minister for the Environment, Community and Local Government in view of the valuable work carried out by an organisation (details provided) he will give consideration to its application for continued funding in 2012; and if he will make a statement on the matter. [28739/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose): My Department provides financial assistance towards the administrative and general expenses of a number of voluntary bodies, including Threshold, which provide information, research, advice or advocacy in the area of housing. Allocations to individual bodies in 2012 will be considered in the context of the funding available and the number and value of the applications received.

Social and Affordable Housing

341. **Deputy Olivia Mitchell** asked the Minister for the Environment, Community and Local Government, further to Parliamentary Question No. 63 of 7 April 2011, when he will be in a position to include in legislation the exemption of the clawback charge applying to those who bought pre-2009; and if he will make a statement on the matter. [28766/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose): It is intended to include such provision in the proposed Residential Tenancies Amendment Bill 2011. Drafting of this bill was approved by Government on 26 July 2011.

EU Directives

342. **Deputy Pat Deering** asked the Minister for the Environment, Community and Local Government the fines being imposed on Ireland for non-compliance with the land drainage and septic tank EU directives; if these fines have been paid; and if they have, the date on which they commenced. [28769/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): While the European Commission has decided to resubmit a number of infringement cases to the Court of Justice seeking the imposition of fines for failure by Ireland to take adequate and timely action to address previous Court rulings, no decision resulting in the actual imposition

of fines in these cases has been made to date by the Court. Since coming into office, I have assigned the highest priority to taking the steps necessary to resolve the legacy of environmental infringement cases which I inherited.

In the first of the two cases referred to, the ECJ found that Ireland's system of screening projects to assess the requirement to carry out EIA for certain categories of agriculture development was over-reliant on size thresholds and did not take sufficient account of other relevant criteria such as the cumulative effects of development and the location of those developments. In June 2011, the Commission referred this case back to the Court to seek the imposition of both lump sum and daily fines for failure to act on the findings of the judgment and extensive consultations and action have been taken to minimise the risk of exposure to fines and to expedite resolution of the case.

In response to this judgment and following consultation with the Oireachtas and the European Commission, I signed, on 8 September 2011, the Planning and Development (Amendment) (No. 2) Regulations 2011 and my colleague, the Minister for Agriculture, Fisheries and Food, signed the European Communities (Agricultural Environmental Impact Assessment) Regulations 2011 on the same day; these new Regulations have amended the planning code and also introduced a new screening and consent system under the aegis of the Minister for Agriculture, Fisheries and Food to fully address the ECJ findings in this case and bring our system into full compliance with the Directive. Ireland lodged its defence in this case on 5 September and the response of the Commission, which is to be lodged by 24 November, is awaited.

In the second case referred to, the ECJ found that Ireland had failed to fulfil its obligations under the EU Waste Directive as regards domestic waste waters discharged to septic tanks and other on-site treatment systems. In July 2011, the Commission submitted an application to the Court seeking the imposition of fines for continued non-compliance. In response, Ireland submitted its defence to the Court on 5 October and I am prioritising the early finalisation of legislation to address successfully the Court's findings.

Housing Associations

343. **Deputy Brendan Griffin** asked the Minister for the Environment, Community and Local Government if housing association units for older persons will be developed in Killorglin, County Kerry; and if he will make a statement on the matter. [28785/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose): My Department's Capital Assistance Scheme (CAS) provides funding to approved housing bodies of up to 100% of the approved costs of accommodation for people with specific categories of housing need, including older persons. My Department's involvement with the CAS relates primarily to the provision of funds for individual projects. The detailed administration of the schemes, the certification that projects comply with the terms and conditions of those schemes and the processing of applications for funding, are the responsibility of the relevant local authority. My Department has no record of an application for funding from Kerry County Council in respect of a CAS proposal to accommodate older persons in Killorglin.

Proposed Legislation

344. **Deputy Denis Naughten** asked the Minister for the Environment, Community and Local Government his plans to amend the current legislation to ensure that farmers or other persons

[Deputy Denis Naughten.]

who act as good samaritans by clearing untreated roads of snow or who grit roads will not be liable for such actions; and if he will make a statement on the matter. [28795/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): As lead Government Department with responsibility for coordinating the emergency response to severe weather, my Department has finalised and published The Report on the Review of the Response to Exceptional Severe Weather Events of 2009-2010.

The Report, which is available on my Department's website at www.environ.ie, sets out the sequence of events as they occurred, draws various conclusions and makes recommendations to improve preparedness and increase resilience for future severe weather events. It recognises and acknowledges the very considerable community and voluntary contribution during the severe weather, and recommends that this should be fostered and encouraged as part of the overall response to future such events. It recommends that the good practice which has emerged in relation to making grit available at drop-points to local communities should be adopted as a consistent and standard practice by all local authorities and relevant guidance be prepared and disseminated. Guidance on this is being prepared by my Department in conjunction with local authorities and will be issued shortly. In this context the issues around legal liability of those acting in a voluntary capacity on behalf of the community are under consideration.

Departmental Agencies

345. **Deputy Joan Collins** asked the Minister for the Environment, Community and Local Government if his attention has been drawn to the fact that the Housing and Sustainable Communities Agency sought applications or proposals for the post of Sligo regeneration community liaison person with 12 July 2011 as the closing date for receipt of proposals; the number of proposals or applications received; if a decision was made regarding the appointment of a liaison person; when the community liaison person will take up duty; and if he will make a statement on the matter. [28866/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose): On 23 June 2011, the Housing and Sustainable Communities Agency sought applications for the provision of a Sligo Regeneration Community Liaison Service. My Department understands that five applications were received and, following assessment and interview, the successful applicant was appointed with effect from 1 September 2011.

The liaison service is being provided on a *per diem* basis. Since his appointment, the liaison person has undertaken some preliminary work relating to the scope and scale of the works proposed under regeneration and associated infrastructure development and the potential impact of these works on local communities. It is intended that consultants will be appointed later this year to prepare the regeneration masterplan. It is also intended that the liaison service will be provided on a full-time basis during the masterplanning phase of the project with the objective of facilitating consultation during this critical stage.

Stag Hunting

346. **Deputy Maureen O'Sullivan** asked the Minister for Justice and Equality if his attention has been drawn to reports from animal welfare groups that a group (details supplied) continues to hunt deer in direct breach of the new provision of the Wildlife (Amendment) Act 2010; the action he will take to deal with this matter; and if he will make a statement on the matter. [28160/11]

347. **Deputy Maureen O’Sullivan** asked the Minister for Justice and Equality if, in view of the fact that gardaí in both Ashbourne, County Meath and Swords, County Dublin, Garda stations have refused to investigate reports that a group (details supplied) is hunting deer in contravention of the Wildlife Amendment Act 2010, claiming ignorance that such a law has been passed; if he will circularise all Garda stations in north County Dublin and County Meath to the effect that it is now an offence to hunt deer with two or more hounds as per the conditions contained in the above mentioned Act. [28162/11]

348. **Deputy Maureen O’Sullivan** asked the Minister for Justice and Equality if he will give an assurance that should An Garda Síochána receive information the Wildlife (Amendment) Act 2010 is being contravened, it will pursue the matter and prosecute for any infringement of this important piece of animal protection legislation. [28163/11]

Minister for Justice and Equality (Deputy Alan Shatter): I propose to take Questions Nos. 346 to 348, inclusive, together.

I am informed by the Garda authorities that local Garda management is aware of the allegation of illegal hunting referred to by the Deputy. The incident remains under investigation. I am further informed that at no time did members of An Garda Síochána refuse to investigate this matter. Information on the provisions of the Wildlife Act 1976 and the Wildlife (Amendment) Act 2010 has been circulated to Garda personnel.

Citizenship Applications

349. **Deputy Robert Troy** asked the Minister for Justice and Equality if he will expedite an application for naturalisation in respect of a person (details supplied) in County Kildare. [28174/11]

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 November, 2010. The application is at an advanced stage of processing and will be finalised 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.

Freedom of Information

350. **Deputy Jack Wall** asked the Minister for Justice and Equality if a person (details supplied) is entitled under the Freedom of Information Act to access files; and if he will make a statement on the matter. [28183/11]

Minister for Justice and Equality (Deputy Alan Shatter): I wish to inform the Deputy that the particular case highlighted relates to a statutorily independent body which is not currently subject to the Freedom of Information legislation.

Garda Vetting of Personnel

351. **Deputy Frank Feighan** asked the Minister for Justice and Equality when Garda clearance will issue to a person (details supplied). [28186/11]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda Central Vetting Unit that it is not possible to check the status of the application referred to in the question in the absence of a date of birth. If the Deputy will provide the additional information, I will have further enquiries made in the matter.

Liquor Licensing Laws

352. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Justice and Equality when the third Compliance Report on the Code of Practice on the Display and Sale of Alcohol in Mixed Trading Premises will be published; and if he will make a statement on the matter. [28222/11]

Minister for Justice and Equality (Deputy Alan Shatter): Mr Padraic White, Chairperson of the Responsible Retailing of Alcohol in Ireland, submitted the 3rd Compliance Report on the Implementation of the Code of Practice on the Display and Sale of Alcohol in Mixed Trading Premises on 30 September. Arrangements are currently being made to make the report available on my Department's website. I intend to seek views on the report and on the voluntary approach to implementing structural separation objectives in mixed trading premises preparatory to a decision on whether to commence the statutory provisions on structural separation at section 9 of the Intoxicating Liquor Act 2008.

Compensation Claims

353. **Deputy Mattie McGrath** asked the Minister for Justice and Equality when a decision will be made on the authorisation of a Garda compensation claim in respect of a person (details supplied) in County Tipperary; the reason for the delay in finalising this claim; if there is any accountability in terms of the length of time it has taken for the consultant psychiatrist to complete his report; his views that this delay is acceptable; and if he will make a statement on the matter. [28237/11]

Minister for Justice and Equality (Deputy Alan Shatter): I can confirm to the Deputy that an application for compensation under the Garda Compensation Acts 1941 to 1945 has been made by the person concerned. I understand that the final report of the Chief Medical Officer is awaited. A decision will be taken in this case as soon as that report is received.

Asylum Applications

354. **Deputy Robert Troy** asked the Minister for Justice and Equality if he will review a decision to refuse refugee status to persons (details supplied). [28262/11]

Minister for Justice and Equality (Deputy Alan Shatter): The persons concerned are a husband and wife who lodged separate asylum applications in 2010 and 2009, respectively. Their asylum applications were refused following the consideration of their individual cases by the Office of the Refugee Applications Commissioner and the Refugee Appeals Tribunal.

Arising from the refusal of their respective asylum applications, and in accordance with the provisions of Section 3 of the Immigration Act 1999 (as amended), they were separately notified, she by letter dated 16th March, 2010 and he by letter dated 28th July, 2011, that the Minister proposed to make Deportation Orders in respect of them. They were each given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting

to the making of a Deportation Order or of making representations to the Minister setting out the reasons why a Deportation Order should not be made against them. In addition, they were notified of their respective entitlements to apply for Subsidiary Protection in accordance with the provisions of the European Communities (Eligibility for Protection) Regulations 2006.

The persons concerned submitted individual applications for Subsidiary Protection. When consideration of these applications has been completed, the persons concerned will be notified in writing of the outcomes. In the event that the applications for Subsidiary Protection are refused, the position in the State of the persons concerned will then be decided by reference to the provisions of Section 3 (6) of the Immigration Act 1999 (as amended) and Section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement. Once decisions have been made, these decisions and the consequences of the decisions will be conveyed in writing to the persons concerned.

In relation to the Deputy's request for a review of the decisions to refuse the asylum applications of the persons concerned, the position is that the asylum applications submitted were examined by the two statutory independent refugee status determination bodies, namely the Office of the Refugee Applications Commissioner and the Refugee Appeals Tribunal, both of whom concluded that the persons concerned did not meet the criteria for recognition as refugees. In assessing each individual asylum application or appeal, the bodies referred to must, in accordance with their statutory remit, have regard for the specific claims made by an applicant as measured against objective, reputable, up to date information relating to the applicant's country of origin and, where doubts exist, the benefit of the doubt is applied in favour of the applicant. I understand that copies of the determinations made by the two bodies were sent to the persons concerned, and to their legal representatives, so the persons concerned will be able to see from those documents the basis for the conclusions reached in their respective cases.

Overall, I am satisfied that the State has a very fair and comprehensive mechanism in place for the consideration of all asylum applications. I am also satisfied that the asylum applications made by the persons concerned were properly considered before decisions to refuse them were taken. As a result, I see no basis for any further review of the asylum claims made by the persons concerned.

I should remind the Deputy that queries in relation to the status of individual immigration cases may be made directly to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Proposed Legislation

355. **Deputy Anne Ferris** asked the Minister for Justice and Equality the position regarding the Immigration, Residence and Protection Bill 2010; and if he will make a statement on the matter. [28331/11]

Minister for Justice and Equality (Deputy Alan Shatter): The Government's five-year Programme for National Recovery contains a commitment to "introduce comprehensive reforms of the immigration, residency and asylum systems, which will include a statutory appeals system and set out rights and obligations in a transparent way."

These commitments are being given effect by the Government in its further development of the Immigration, Residence and Protection Bill 2010 which we have had restored to the Order Paper for that purpose. I am currently engaged in further work on the details of the Bill taking

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account of current Government policy and I will be proposing a number of amendments for consideration at Committee Stage which I hope can begin before the end of this Session.

356. **Deputy Anne Ferris** asked the Minister for Justice and Equality if he has received a submission from the Immigration Council of Ireland regarding the Immigration, Residence and Protection Bill 2010; his plans to address the concerns raised by this organisation in regard to such issues as sufficient protection for victims of human trafficking, rights to family reunification, fees and other matters; and if he will make a statement on the matter. [28332/11]

Minister for Justice and Equality (Deputy Alan Shatter): The Government's five-year Programme for National Recovery contains a commitment to "introduce comprehensive reforms of the immigration, residency and asylum systems, which will include a statutory appeals system and set out rights and obligations in a transparent way." The vehicle for this work will be the Immigration, Protection and Residence Bill 2010, which has been restored to the Dáil Order paper, and any accompanying regulations.

I have indicated my intention to bring forward amendments to the Bill at Committee Stage to address specific areas of immigration policy. I am aware that the Immigrant Council of Ireland made a submission on the Immigration, Residence and Protection Bill 2010 in September 2010.

357. **Deputy Anne Ferris** asked the Minister for Justice and Equality his plans to amend the law regarding prostitution; the changes under consideration; his further plans to introduce laws along the lines of those operating in several Scandinavian countries, whereby the purchase of sex and not the sale is criminalised; and if he will make a statement on the matter. [28333/11]

359. **Deputy Anne Ferris** asked the Minister for Justice and Equality if he has received or if he will seek a report from the Garda authorities regarding their meeting with senior police officers from Norway and Sweden, who recently visited this country at the invitation of the Immigration Council of Ireland to outline the successes in those countries in reducing the number of women and girls involved in prostitution; his plans to adopt a similar approach here; and if he will make a statement on the matter. [28335/11]

Minister for Justice and Equality (Deputy Alan Shatter): I propose to take Questions Nos. 357 and 359 together.

In this jurisdiction, it is not an offence, in itself, to sell sex. In general, it is not an offence to purchase sex either. (The Criminal Law (Human Trafficking) Act 2008 made it an offence to knowingly solicit or importune a trafficked person, in any place, for the purpose of prostitution.) Consequently, neither party to the transaction is currently criminalised. Any proposal to amend the law in terms of criminalising the purchase of sex would require very careful examination.

Our legislative approach to prostitution is aimed at protecting society from the more intrusive aspects of such activity from a public order perspective, while also seeking to protect prostitutes from exploitation. Under the Criminal Law (Sexual Offences) Act 1993, it is an offence to solicit in a street or public place for the purpose of prostitution. The offence can be committed by the prostitute, the client or a third party — a pimp, for example. It is also an offence to organise prostitution, coerce or compel a person to be a prostitute, knowingly live on the earnings of a prostitute, or keep or manage a brothel.

In 2010, the Swedish government completed an evaluation of its 1999 legislation criminalising the purchase of sexual services. Following its publication, the Dignity Project arranged a visit

to Stockholm to learn more about the evaluation. The delegation included representation from my Department and An Garda Síochána. The Dignity Project was a research project funded by the EU. An inter-agency and inter-jurisdictional initiative led by the Dublin Employment Pact and the Immigrant Council of Ireland, it examined services provided to victims of human trafficking with a view to replicating best practice models in partner countries. My Department's Anti-Human Trafficking Unit and the Garda National Immigration Bureau were partners with observer status.

I am examining a report prepared by my department following the visit to Stockholm and which was submitted to the Attorney General's Office. I am also examining the Attorney's advices concerning the legal and constitutional implications of introducing a ban on the purchase of sex.

Separately, my Department has been conducting a wide-ranging examination of the law on sexual offences. Arising from this review, legislative proposals to enhance the protection of children against sexual abuse and exploitation, including exploitation through prostitution and child pornography, are at an advanced stage of preparation. This is high priority legislation and I expect to bring proposals to Government in the coming months.

The Garda authorities have reported to me that during a recent visit by Swedish and Norwegian police officers to Ireland members of An Garda Síochána attached to the National Bureau of Criminal Investigation met with these officers to discuss matters of mutual interest, including the investigation of organised prostitution.

Human Trafficking

358. **Deputy Anne Ferris** asked the Minister for Justice and Equality his plans on extending the remit of his Department's anti-human trafficking unit to include migrant women involved in prostitution; and if he will make a statement on the matter. [28334/11]

Minister for Justice and Equality (Deputy Alan Shatter): The Anti-Human Trafficking Unit was created in my Department in February 2008 to take the lead in the development of a comprehensive, coordinated, whole of Government response to trafficking in human beings for sexual exploitation, labour exploitation or for the removal of body organs which (a) meets Ireland's international obligations and (b) develops the structures necessary for tackling human trafficking in Ireland. The Unit is tasked with coordinating actions for the prevention of trafficking, the prosecution of traffickers and the protection of victims in the context of the implementation of the National Action Plan to Prevent and Combat Trafficking of Human Beings 2009 — 2012, which was published in June 2009. In that context migrant women involved in prostitution who are victims of trafficking for sexual exploitation are an important cohort within the work of the Unit.

The parameters of the Unit's remit are set by the International instruments dealing with human trafficking — the Council of Europe Convention on Action against Trafficking in Human Beings, the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children and the recently adopted Directive of the European Parliament and Council on Preventing and Combating Trafficking in Human Beings and Protecting its Victims. Broader issues concerning other crimes related to prostitution and criminal legislation related to prostitution, other than the Criminal Law (Human Trafficking) Act 2008, are dealt with by the Crime and Criminal Law Reform Divisions of my Department.

I am aware that the extension of the remit of the Anti-Human Trafficking Unit to include migrant women involved in prostitution is one of the recommendations contained in a report, "Globalisation, Sex Trafficking and Prostitution — The Experiences of Migrant Women in

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Ireland”, commissioned by the Immigrant Council of Ireland. The wide ranging recommendations in the Report required extensive consultation with other Government Departments and Agencies. Many of the Report’s recommendations insofar as they relate to human trafficking for sexual exploitation have been addressed in the National Action Plan to Prevent and Combat Trafficking of Human Beings 2009 — 2012. I expect to receive a report from my officials shortly on the recommendations in the Report commissioned by the Immigrant Council of Ireland and I will consider at that time what further actions, if any, are necessary in relation to the remit of the Anti-Human Trafficking Unit.

Question No. 359 answered with Question No. 357.

Departmental Bodies

360. **Deputy Willie O’Dea** asked the Minister for Justice and Equality the details of any organisation under his Department which has informed him of staffing difficulties which may impinge upon its ability to effectively oversee the spending of public funds; and his views regarding same. [28374/11]

Minister for Justice and Equality (Deputy Alan Shatter): The Deputy will be aware that the filling of vacancies in the public service, is governed by Government Decisions of 3 February and 24 March 2009 on the Implementation of Savings Measures on Public Service Numbers, more generally referred to as the moratorium on public sector recruitment. I wish to inform the Deputy that I am not aware of any organisation within my Department’s remit that has expressed a particular concern in relation to staffing difficulties which have impinged upon its effectiveness to oversee spending of public funds.

In the current economic environment, each public sector organisation has to play its part in the overall effort to get the public finances in order. This involves making difficult decisions in relation to staffing and resource issues and it is the responsibility of the Boards and CEOs of each body to manage this and to ensure that available resources are being utilised as efficiently and effectively as possible. There is an ongoing dialogue on such matters between my Department and each public body under my aegis, and this provides an opportunity to raise issues of particular concern. The Deputy will further appreciate that any recruitment is subject to the approval of the Minister for Public Expenditure and Reform in accordance with the requirements of previous Government Decisions on the implementation of cost saving measures in the public service.

361. **Deputy Willie O’Dea** asked the Minister for Justice and Equality if he will outline the organisations under his Department for which an employment control framework has been agreed; the current numbers they have in place; if they have been waiting more than one month to receive sanction to proceed to fill or retain any positions in spite of such positions falling below the agreed ECF ceiling. [28390/11]

Minister for Justice and Equality (Deputy Alan Shatter): I am advised that the table below sets out current numbers of staff serving in each of the areas within the Justice Sector in whole time equivalent terms at the end of August 2011.

Justice Vote Group	End August 2011 Current Staff
Department of Justice and Equality (including Legal Aid Board other than solicitors and the Garda Síochána Ombudsman Commission)	2,246
Garda Civilians (including Traffic Wardens)	2,077

Justice Vote Group	End August 2011 Current Staff
Prison Service	3,514
Courts Service	978
Property Registration Authority	582
Centres for Young Offenders	221
Legal Aid Board Solicitors	109
Garda Síochána	14,162
National Disability Authority	33
Irish Human Rights Commission	10

I am advised that no area within the sector currently below its ECF ceiling for the end of the year has a staff sanction request outstanding for more than one month.

Residency Permits

362. **Deputy Sean Fleming** asked the Minister for Justice and Equality if persons (details supplied) in County Laois will be considered for a longer period than three months in future when the stamp fours are being issued; and if he will make a statement on the matter.

[28410/11]

Minister for Justice and Equality (Deputy Alan Shatter): I am advised by the Irish Naturalisation and Immigration Service (INIS) that the persons referred to by the Deputy were granted permission to remain in the State on 20 September, 2005 under the revised arrangements for the non-EEA parents of children born in Ireland prior to 1 January, 2005, commonly known as the IBC/05 Scheme. This permission to remain was renewed in 2007 for a 3 year period. However, since September 2010, this couple's permission has been renewed by GNIB on a three monthly basis due to ongoing enquiries into their respective cases. Their latest permission expired on 3 October 2011 and following consideration of their case files, INIS will be in contact with the couple concerned shortly regarding their future status in the State.

I would remind the Deputy that queries in relation to the status of individual Immigration cases may be made directly to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Garda Operations

363. **Deputy Robert Troy** asked the Minister for Justice and Equality if he will reinstate the Garda car which was assigned to Egworthstown Garda station, County Westmeath, and to ensure that this Garda station retains adequate resources to meet the demands of the community. [28418/11]

Minister for Justice and Equality (Deputy Alan Shatter): The detailed allocation of Garda resources, including transport, is a matter for the Garda Commissioner to decide in accordance with his identified operational requirements and priorities. The responsibility for the efficient deployment of all official Garda vehicles in each Division is assigned to the Divisional Officer, who may allocate vehicles between stations as required by operational circumstances. I am informed by the Garda authorities that there is currently a marked Garda patrol car assigned to Edgeworthstown Garda station. The allocation of Garda vehicles is continually monitored and reviewed to ensure that resources are deployed in the most effective and efficient manner.

Prison Building Programme

364. **Deputy Alan Farrell** asked the Minister for Justice and Equality the position regarding the delivery of Thornton Hall prison; the proposed completion date; and if he will make a statement on the matter. [28438/11]

365. **Deputy Alan Farrell** asked the Minister for Justice and Equality the proposed number of inmates expected to be housed in Thornton Hall prison upon completion of the facility; and if he will make a statement on the matter. [28439/11]

Minister for Justice and Equality (Deputy Alan Shatter): I propose to take Questions Nos. 364 and 365 together.

Having considered the Report of the Thornton Hall Review Group, the Government has decided in principle to proceed with the construction of new prison facilities at Thornton Hall but on a smaller scale and design to that previously envisaged. The timeframe for this project is currently being discussed in the context of the Government's discussions on capital spending priorities for 2012.

Based on the Review Group's recommendations, the new prison at Thornton Hall will have 300 cells with operational flexibility capable of accommodating up to 500 prisoners. Appropriate regime activity and other supports will be provided to match the capacity of the prison. Each cell will have in-cell sanitation and a shower facility. It will also provide step-down accommodation capable of accommodating up to an 200 prisoners with relevant regime activity inside the boundary security wall. In effect, this will provide an open centre regime within the secure perimeter.

I believe the new plans for a prison at Thornton present an opportunity to effect real change in our prison system and implement the 'principle of progression' in the penal system through providing the physical infrastructure to facilitate delivery on the core values of normalisation, progression, and reintegration of offenders. These modern prison facilities will also enable the prison authorities to create incentivised regimes to enable prisoners to progress through the system in a way that helps them to prepare for their eventual reintegration into society.

Prison Accommodation

366. **Deputy Alan Farrell** asked the Minister for Justice and Equality the number of prison spaces and prisoners over the past five years in tabular form; and if he will make a statement on the matter. [28440/11]

Minister for Justice and Equality (Deputy Alan Shatter): The Information requested by the Deputy is set out in the table.

Year	Bed Capacity*	No. on Temporary Release	Average number in Custody
2006	3,356	140	3,191
2007	3,501	153	3,321
2008	3,581	273	3,544
2009	4,106	535	3,881
2010	4,430	732	4,290

(*refers to the bed capacity on the date of the snapshot of the prison population as reported in the Irish Prison Service Annual Report for that year).

As the Deputy may be aware, there has been a consistent increase in the total prisoner population in Ireland over recent years, with dramatic increases in the number of sentenced prisoners, those being committed on remand and a trend towards longer sentences.

The State has been engaged in an ongoing capital programme with almost 600 additional prisoner spaces constructed and brought into use since January 2008. There are also a number of ongoing projects, most notably the construction of a new accommodation block at the Midlands prison. This will provide a potential 300 spaces, a new kitchen and work training/education block, and an extension to the visits/reception areas. It is planned to have the new block fully commissioned by mid 2012. An administrative building on the Dóchas site has also just been converted into a new accommodation block which will provide 70 spaces. These will become operational next month.

In addition, having considered the Report of the Thornton Hall Review Group, the Government has decided in principle to proceed with the construction of new prison facilities at Thornton Hall and also at Kilworth, County Cork, but on a much smaller scale and design to that previously envisaged. The timeframe for the Thornton Hall and Kilworth Prisons projects is currently being discussed in the context of the Government's discussions on capital spending priorities for 2012.

Citizenship Applications

367. **Deputy Thomas Pringle** asked the Minister for Justice and Equality the position regarding a naturalisation application in respect of a person (details supplied); and when a decision will issue. [28477/11]

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.

368. **Deputy Thomas Pringle** asked the Minister for Justice and Equality when a decision will issue on an application for naturalisation in respect of a person (details supplied) [28478/11]

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.

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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.

369. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current or expected position regarding an application for citizenship or naturalisation in the case of a person (details supplied) in Dublin 1; and if he will make a statement on the matter. [28543/11]

Minister for Justice and Equality (Deputy Alan Shatter): An application for a certificate of naturalisation from the person referred to in the Deputy's Question was received in the Citizenship Division of my Department in September, 2011. On examination of the application submitted it was determined that the person in question did not meet that statutory residency requirements as set out in the Irish Nationality and Citizenship Act, 1956, as amended. The person concerned was informed of this in a letter issued to her on 6 October, 2011. It is open to the person concerned to lodge a new application for a certificate of naturalisation with the Citizenship Division of my Department if and when they are in a position to meet the statutory requirements.

Asylum Applications

370. **Deputy Barry Cowen** asked the Minister for Justice and Equality if he will review the case of a person (details supplied) in County Offaly. [28597/11]

Minister for Justice and Equality (Deputy Alan Shatter): The person concerned is a failed asylum applicant, having claimed asylum in the State in January, 2007. Her asylum claim was investigated by the Offices of the Refugee Applications Commissioner and the Refugee Appeals Tribunal, both of whom concluded that the person concerned did not meet the criteria for recognition as a refugee. Against this background, I am satisfied that the asylum claim of the person concerned was fairly and comprehensively examined before a decision to refuse it was arrived at. I am equally satisfied that the representations submitted by, and on behalf of, the person concerned, for consideration under Section 3 of the Immigration Act 1999 (as amended), were given the fullest consideration under all the relevant headings before a decision was taken to make a Deportation Order in respect of her, on 21st September, 2011. Overall, I am satisfied that the decision taken to deport the person concerned is justified.

The person concerned remains the subject of a Deportation Order. The effect of the Deportation Order is that the person concerned must leave the State and remain thereafter out of the State. As the person concerned has not yet left the State, the enforcement of the Deportation Order is now an operational matter for the Garda National Immigration Bureau.

I should remind the Deputy that queries in relation to the status of individual immigration cases may be made directly to INIS by 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.

371. **Deputy Barry Cowen** asked the Minister for Justice and Equality if he will review the case of a person (details supplied) in County Offaly. [28598/11]

Minister for Justice and Equality (Deputy Alan Shatter): The person concerned is a failed asylum applicant, having claimed asylum in the State in December, 2007. His asylum claim was investigated by the Offices of the Refugee Applications Commissioner and the Refugee Appeals Tribunal, both of whom concluded that the person concerned did not meet the criteria for recognition as a refugee. Against this background, I am satisfied that the asylum claim of the person concerned was fairly and comprehensively examined before a decision to refuse it was arrived at. I am equally satisfied that the representations submitted by, and on behalf of, the person concerned, for consideration under Section 3 of the Immigration Act 1999 (as amended), were given the fullest consideration under all the relevant headings before a decision was taken to make a Deportation Order in respect of him, on 21st September, 2011. Overall, I am satisfied that the decision taken to deport the person concerned is justified.

The person concerned remains the subject of a Deportation Order. The effect of the Deportation Order is that the person concerned must leave the State and remain thereafter out of the State. As the person concerned has not yet left the State, the enforcement of the Deportation Order is now an operational matter for the Garda National Immigration Bureau.

I should remind the Deputy that queries in relation to the status of individual immigration cases may be made directly to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Citizenship Applications

372. **Deputy Barry Cowen** asked the Minister for Justice and Equality the position regarding a dual citizenship application in respect of a person (details supplied); and when a decision will issue. [28599/11]

Minister for Justice and Equality (Deputy Alan Shatter): Officials in the Citizenship Division of the Irish Naturalisation and Immigration Service (INIS) inform me that there is no record of an application for a certificate of naturalisation from the person referred to in the Deputy's question.

Section 15 of the Irish Nationality and Citizenship Act 1956, as amended, provides that the Minister may, in his absolute discretion, grant an application for a certificate of naturalisation provided certain statutory conditions are fulfilled. The conditions are that the applicant must—

- be of full age
- be of good character
- have had a period of one year's continuous residency in the State immediately before the date of application and, during the eight years immediately preceding that period, have had a total residence in the State amounting to four years
- have, before a judge of the District Court in open court, in a citizenship ceremony or in such manner as the Minister, for special reasons, allows—

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

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

In the context of naturalisation, certain periods of residence in the State are excluded. These include—

- periods of residence in respect of which an applicant does not have permission to remain in the State
- periods granted for the purposes of study
- periods granted for the purposes of seeking recognition as a refugee within the meaning of the Refugee Act, 1996.

It is open to any individual to lodge an application for citizenship if and when they are in a position to meet the statutory requirements as prescribed in the Irish Nationality and Citizenship Act 1956 as amended.

I should remind the Deputy that queries in relation to the status of individual Immigration cases may be made direct to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Courts Service

373. **Deputy Gerald Nash** asked the Minister for Justice and Equality if he and the Courts Service are engaged in a formal review of the future location of District Court facilities nationwide; when any review will conclude; and if he will make a statement on the matter. [28620/11]

374. **Deputy Gerald Nash** asked the Minister for Justice and Equality if he and the Courts Service will make a commitment to retain the District Court sittings in Drogheda, County Louth post-2013; and if he will make a statement on the matter. [28621/11]

Minister for Justice and Equality (Deputy Alan Shatter): I propose to take Questions Nos. 373 and 374 together.

Under the provisions of the Courts Service Act 1998, the management and administration of the courts, including the provision of court facilities and designating court venues, is the statutory responsibility of the Courts Service and I, as Minister, have no role in the matter.

However, in order to be of assistance to the Deputy, I have had enquiries made and I am informed that venues across the country are kept under constant review. This ongoing review includes every district and is particularly relevant in the current climate of reduced availability of public monies when the best use of all available resources is of paramount concern. The Courts Service's priority is to ensure that, in the current environment, it can continue to maintain the delivery of front line services and maintain an appropriate and acceptable level of service to court users. It is this priority that underpins the Board's decisions in relation to venues.

The Courts Service has further indicated to me that there are no plans to discontinue District Court sittings in Drogheda which has eight scheduled sittings per month and dealt with over 10,000 matters in 2010.

Tobac Co. Smuggling

375. **Deputy Kevin Humphreys** asked the Minister for Justice and Equality his views on the low average fine given for cigarette smuggling in the second quarter 2011 of €1468 despite the maximum fine allowed being €126,000; his further views that more can be done to prevent and punish tobac Co. smuggling and amending the Casual Trading Act to tighten regulations; and if he will make a statement on the matter. [28687/11]

Minister for Justice and Equality (Deputy Alan Shatter): Law enforcement in relation to the smuggling of tobac Co. products and the sale of illicit or counterfeit tobac Co. products within the State is primarily a matter for the Revenue Commissioners. I am advised by the Revenue Commissioners that, to date in 2011, 35 convictions for illegal selling of unstamped tobac Co. products have been secured under the Finance Acts with total fines of €76,350 and 6 custodial sentences (of which 5 were suspended) imposed. In addition, a further 77 prosecutions for cigarette smuggling have also been secured this year to date with total fines of €98,050 and 26 custodial sentences (of which 19 were suspended) imposed.

The Revenue Commissioners are fully supported in this area of work by An Garda Síochána. In targeting the illicit tobac Co. trade there is close cooperation between the Customs Service of the Revenue Commissioners and An Garda Síochána. Searches are regularly undertaken by An Garda as part of intelligence-led operations led by Revenue. An Garda Síochána also continue, on a district and divisional level, to target those involved in the sale and distribution of illegal products, at markets and via door-to-door sales.

With regard to the level of penalties imposed by the Courts in dealing with this offence type, the position is that the Courts are, subject only to the Constitution and the law, independent in the exercise of their judicial functions and the conduct of any court case is a matter entirely for the presiding judge. It is not open to me to comment or intervene in any way in relation to how particular proceedings are conducted or on the outcome of those proceedings. It is a matter for the court having considered all the circumstances of the case to impose an appropriate penalty.

With regard to additional proposals targeting this activity, as my colleague Mr. Brian Hayes TD, Minister of State at the Department of Public Expenditure and Reform, recently indicated to the House additional measures to combat cigarette smuggling will be considered further in the context of the 2012 Finance Bill. The question of whether there are proposals to further amend the Casual Trading legislation, is a matter for my colleague Mr. Richard Bruton TD, Minister for Jobs, Enterprise and Innovation.

Visa Applications

376. **Deputy Michael Creed** asked the Minister for Justice and Equality the position regarding a request for a visa in respect of a person (details supplied) in County Cork; and if he will make a statement on the matter. [28703/11]

Minister for Justice and Equality (Deputy Alan Shatter): The visa application referred to by the Deputy was received in the Visa Office, Dublin on the 5 September 2011. The application is currently awaiting consideration by a Visa Officer. Visa Officers are currently considering applications of this type which were received on the 24 August 2011. If all the required supporting documentation has been submitted and no queries arise in this case a decision can be expected in the near future.

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

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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 Equipment

377. **Deputy Seán Kenny** asked the Minister for Justice and Equality the number of off-road bikes in use by An Garda Síochána; and if he will increase this number [28725/11]

Minister for Justice and Equality (Deputy Alan Shatter): The allocation of Garda resources, including off-road motorcycles, is a matter for the Garda Commissioner. I am advised by the Garda authorities that currently there are 5 off-road motorcycles in use by An Garda Síochána and I am informed that there are currently no plans to increase the number of these vehicles.

Garda Promotions

378. **Deputy Seán Kenny** asked the Minister for Justice and Equality the number of promotions at each rank in An Garda Síochána for the years 2007 to 2011, inclusive. [28726/11]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda authorities that the number of promotions, in each rank, for the years 2007-2010 and to date in 2011 is as set out in the table hereunder:

Rank	2007	2008	2009	2010	2011
Commissioner	1	0	0	1	0
Deputy Commissioner	1	1	0	0	1
Assistant Commissioner	3	4	2	1	1
Chief Superintendent	12	8	3	10	1
Superintendent	40	22	10	26	3
Inspector	90	49	12	53	4
Sergeant	273	251	40	209	4
Total	420	335	67	300	14

Firearms Licence Applications

379. **Deputy Seán Kenny** asked the Minister for Justice and Equality the number of applications received by An Garda Síochána for firearms licences for the years 2007 to date in 2011, inclusive; the licence fee for each category of firearm; the amount generated through each category of firearm licence fee; the number of applications for each category of firearm licence; and the number that was approved, pending or refused in each of these years. [28727/11]

Minister for Justice and Equality (Deputy Alan Shatter): As it has not been possible to compile the information requested by the Deputy in the time available, I have asked the Garda Commissioner for a report on the matter and will write to the Deputy when it becomes available.

Legal Aid Service

380. **Deputy Seán Kenny** asked the Minister for Justice and Equality the number of times legal aid was refused to suspects on the recommendation of the Garda from 2008 to date in

2011; and the number of cases in each of the years in question that were dealt with at District Court level, Circuit Court level and High Court level. [28728/11]

Minister for Justice and Equality (Deputy Alan Shatter): As the Deputy will be aware, under the Criminal Justice (Legal Aid) Act 1962, the courts, through the judiciary, are responsible for the granting of legal aid. An applicant for legal aid must establish to the satisfaction of the court that his/her means are insufficient to enable him/her to pay for legal representation him/herself. The court must also be satisfied that, by reason of the “gravity of the charge” or “exceptional circumstances”, it is essential in the interests of justice that the applicant should have legal aid. I have no function in these matters which are determined by the judiciary.

In considering an application judges may seek input from a member of An Garda Síochána regarding the circumstances of the applicant seeking criminal legal aid but this input is not formalised. The judiciary base their decision on the relevant jurisprudence and all of the information available to them in the context of the criteria outlined. I am informed that the number of cases in which legal aid is refused is not readily available and would necessitate a disproportionate expenditure of staff time and resources to provide which could not be justified. I regret that I cannot be of greater assistance to the Deputy on this occasion.

Proposed Legislation

381. **Deputy Gerald Nash** asked the Minister for Justice and Equality his plans to introduce legislation regarding the guardianship of children that will aim to enhance the rights of non-marital fathers; and if he will make a statement on the matter. [28751/11]

Minister for Justice and Equality (Deputy Alan Shatter): The Programme for Government contains a commitment to reform and modernise aspects of family law. In this context, the detailed recommendations in the Law Reform Commission’s Report on the Legal Aspects of Family Relationships on the rights and duties of unmarried fathers in relation to their children are under consideration in my Department.

Under the law as it stands, where a child is born outside marriage the mother is the sole automatic guardian. Where there is agreement between the parents, they can make a statutory declaration under section 2(4) of the Guardianship of Infants Act 1964, as inserted by section 4 of the Children Act 1997, appointing the father as a guardian of his child. In the absence of agreement, a non-marital father may apply to the court to be appointed a guardian of his child.

Section 11 of the Guardianship of Infants Act provides that the guardian of a child or the unmarried father of a child, even if he is not a guardian, may apply to the court for its direction on any question affecting the welfare of the child, including orders on custody and access. In making such orders, and in determining whether an unmarried father should be appointed guardian, the court has to regard the welfare of the child as the first and paramount consideration. It is worth noting that the vast majority of applications for guardianship which proceed before the court are successful.

Where appropriate and practicable, the court will also take into account the child’s wishes in the matter having regard to the age and understanding of the child. In addition, the law places an emphasis in terms of recognising the rights of the child to the society of both his or her father and mother: section 11D of the 1964 Act (inserted by the Children Act 1997) obliges the court in proceedings relating to the welfare of a child to consider whether the child’s best interests would be served by maintaining personal relations and direct contact with both his or her father and mother on a regular basis.

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These legislative provisions are comprehensive. They permit the court in cases of disagreement to decide on arrangements for the child's care and upbringing having regard to the child's best interests.

Refugee Status

382. **Deputy Jonathan O'Brien** asked the Minister for Justice and Equality, further to Parliamentary Question No. 456 of 4 October 2011, if his attention has been drawn to the fact that statistics on the Office of the Refugees Applications Commissioner website do not contain a breakdown of persons recommended or refused to be refugees per country of origin and per the top 15 countries of origin; as section 7(2) of the Refugee Act 1996 states the commissioner shall furnish to him such information relating to his or her activities as he may from time to time require, if this information from the office as the Act enables him to do; and if he will make a statement on the matter. [28767/11]

Minister for Justice and Equality (Deputy Alan Shatter): As I indicated in my reply of 4 October, the information requested by the Deputy is not readily available in my Department. It was for that reason that I directed him to the readily available information on the website of the Refugee Applications Commissioner. Some information of the nature sought by the Deputy, is also available from Eurostat, the EU statistics agency, to which my Department submits immigration and asylum related data on a regular basis.

Notwithstanding the availability of the above information sources, I have requested that the information referred to in the question be compiled and provided in the detail sought and made available directly to the Deputy as soon as possible. I would point out that the statutory provision referred to in the question is not intended to be used for the purpose of responding to ad hoc requests for information of the type requested by the Deputy.

Road Traffic Offences

383. **Deputy Dan Neville** asked the Minister for Justice and Equality the position regarding a drink-driving offence (details supplied); and if he will make a statement on the matter. [28804/11]

Minister for Justice and Equality (Deputy Alan Shatter): There is no provision in Irish law for expunging the criminal conviction of a person who was over the age of eighteen when they committed the offence. Section 258 of the Children Act 2001 provides that where a person has been found guilty of an offence and (a) the offence was committed before they reached the age of 18 years, (b) the offence is not an offence required to be tried by the Central Criminal Court, (c) three years have elapsed since finding of guilt and (d) the person has not been dealt with for an offence in that period, then that person will be treated for all purposes in law as a person who has not committed, been charged with, prosecuted for, found guilty or dealt with for an offence.

I plan to publish a Spent Convictions Bill in the near future allowing former offenders to withhold details of certain qualifying convictions once certain conditions have been met. The Bill will not entail a deletion of the record, but rather a non-disclosure of the offence in certain circumstances. However, persons working with children or vulnerable adults, or having access to confidential or sensitive information, will continue to have to disclose all past convictions acquired.

Human Rights Issues

384. **Deputy Seán Kyne** asked the Minister for Justice and Equality his views on the creation of a cross-party Oireachtas committee which could liaise with the Irish Human Rights Commission and other interested non-governmental organisations to seek ways of addressing Ireland's human rights shortcomings as identified in the United Nation universal periodic review of our State which took place on 6 October 2011. [28808/11]

Minister for Justice and Equality (Deputy Alan Shatter): While I have already indicated that I want to see enhanced arrangements for the new Irish Human Rights and Equality Commission, which I have announced will be created by end-February next, to report directly to the Oireachtas, the precise arrangements for this and indeed the establishment of Oireachtas committees is a matter for the Houses and not for me as a Minister. That said, the issues discussed at the UPR encompassed a broad range of areas some of which fall under the aegis of my Department and some under other Departments and it is open to any Oireachtas Committee to follow up these issues for discussion and comment where they fall within its terms of reference.

In my opening remarks at the meeting of the Human Rights Council, I indicated Ireland's fullest commitment to the UPR process and my intention to pay the fullest attention to recommendations of the Human Rights Council. I emphasised that our commitment to human rights is based on the principle that Governments must always act with the intention of respecting the rights of the individual and human dignity.

I think it fair to say that the dialogue in Geneva on 6 October with the members of the UN Human Rights Council demonstrates an international appreciation of Ireland's strong record and our ongoing commitments in the area of human rights. This is reflected in the positive contributions from UN Member States and the recommendations made. Only 15 recommendations were made that we were not able to accept, whereas I was able on the day to indicate our acceptance of 62 recommendations, on the basis that they cover issues that we are already committed to tackling and in respect of which measures are in hand.

In the case of a further 49 recommendations, the precise wording of the recommendation is such that it requires examination before we respond. In these cases, we will respond on or before the 12th Session of the UN Human Rights Council in March next: In many of these cases, what is at issue is potential difficulties due to the precise wording of the recommendation, rather than a disagreement in principle on the substantive issue.

Garda Strength

385. **Deputy Seán Kyne** asked the Minister for Justice and Equality the strength of the Garda Traffic Corps in County Galway in Dublin, Cork, Limerick and Waterford; and if he will make a statement on the matter. [28854/11]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda authorities that as of 31 August 2011, the personnel strength of the Garda Traffic Corps in the each of the Divisions referred to by the Deputy, was as set out in the following table.

Division	Strength
Galway	48
DMR South Central	25
DMR North Central	19
DMR North	22

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Division	Strength
DMR East	18
DMR South	15
DMR West	22
DMR Traffic	148
Cork City	50
Cork North	40
Cork West	30
Limerick	31
Waterford	26

Ministerial Travel

386. **Deputy Gerry Adams** asked the Minister for Defence the details of each trip by Ministers in which the use of the Government jet was needed for travel; and the cost of same since he was elected in March 2011. [28150/11]

Minister for Defence (Deputy Alan Shatter): The Ministerial Air Transport Service is primarily provided by the Gulfstream IV and Learjet 45 aircraft, which were specifically acquired for that purpose. Details of usage of the Ministerial Air Transport Service since 9 March 2011 are set out in the tabular statement, and include details of the requesting Minister(s), dates of travel, ministerial time on board and mission route.

The Department follows the normal practice in the aviation business of costing aircraft by reference to the cost per flying hour under either of two headings:

- The direct cost which includes costs which are additional to those associated with having the aircraft and which only arise when the aircraft is flown including maintenance, fuel and support services such as catering costs, cleaning services and airport handling charges.
- The total cost which is the direct cost plus the costs associated with having the aircraft and includes depreciation and personnel costs.

The average direct cost per hour for the Gulfstream is €3,270 and for the Learjet is €1,940. The average total cost per hour for the Gulfstream is €3,790 and for the Learjet is €4,200. These costs are average costs which take a number of variables into account. It is not possible to assign an exact cost to any particular mission or Minister.

Gulfstream IV (From 9 March 2011)

Date	Return Date	Min. Time On Board (Minutes)	Route	Minister
10/03/2011	12/03/2011	185	Baldonnel — Brussels — Knock — Baldonnel	An Taoiseach
15/03/2011	18/03/2011	825	Baldonnel — Washington — Baldonnel	An Taoiseach / Tánaiste Foreign Affairs
24/03/2011	25/03/2011	180	Baldonnel — Brussels — Baldonnel	An Taoiseach

Date	Return Date	Min. Time On Board (Minutes)	Route	Minister
12/04/2011	12/04/2011	200	Baldonnell — Luxembourg — Baldonnell	Tánaiste Foreign Affairs / Justice & Equality / MOS Foreign Affairs
17/04/2011	18/04/2011	120	Baldonnell — Northolt — Baldonnell	An Taoiseach
04/05/2011	06/05/2011	810	Baldonnell — Teteboro — White Plains — Teteboro — Knock — Baldonnell	An Taoiseach
09/06/2011	10/06/2011	200	Baldonnell — Luxembourg — Baldonnell	Justice & Equality
19/06/2011	19/06/2011	100	Baldonnell — Luxembourg — Baldonnell	Tánaiste Foreign Affairs
21/06/2011	22/06/2011	300	Baldonnell — Vienna — Baldonnell	Tánaiste Foreign Affairs
20/06/2011	20/06/2011	120	Baldonnell — Northolt — Stansted — Baldonnell	An Taoiseach / Communications, Energy & Natural Resources
23/06/2011	24/06/2011	180	Baldonnell — Brussels — Baldonnell	An Taoiseach / MOS Taoiseach
21/07/2011	21/07/2011	180	Baldonnell — Brussels — Baldonnell	An Taoiseach / MOS Taoiseach
25/09/2011	26/09/2011	420	Baldonnell — Algiers — Oran — Baldonnell	Agriculture, Marine & Food
29/09/2011	30/09/2011	330	Baldonnell — Warsaw — Baldonnell	An Taoiseach

Learjet (From 9 March 2011)

Date	Return Date	Min. Time On Board (Minutes)	Route	Minister
13/03/2011	14/03/2011	230	Baldonnell — Shannon — Brussels — Baldonnell	Finance / Environment, Heritage & Local Government
21/03/2011	21/03/2011	180	Baldonnell — Brussels — Baldonnell	Finance / MOS Foreign Affairs
07/04/2011	09/04/2011	330	Baldonnell — Budapest — Baldonnell	Finance
16/05/2011	17/05/2011	180	Baldonnell — Brussels — Baldonnell	Finance / MOS Taoiseach
20/05/2011	20/05/2011	80	Baldonnell — Cork — Baldonnell	An Taoiseach
07/06/2011	07/06/2011	100	Baldonnell — Luxembourg — Baldonnell	Agriculture, Marine & Food
11/07/2011	12/07/2011	180	Baldonnell — Brussels — Baldonnell	Finance
15/09/2011	17/09/2011	290	Baldonnell — Wroclaw — Baldonnell	Finance
22/09/2011	23/09/2011	360	Baldonnell — Brussels — Wroclaw — Brussels — Baldonnell	Defence / Justice & Equality
03/10/2011	04/10/2011	100	Baldonnell — Luxembourg — Baldonnell	Finance

387. **Deputy Gerry Adams** asked the Minister for Defence if he will give details of the occasions on which the Government jet was used for purposes other than the transport of Government Ministers; and the cost to the Exchequer of same since he was elected into office. [28151/11]

Minister for Defence (Deputy Alan Shatter): There are two jets which provide Ministerial Air Transport, the Gulfstream IV and the Learjet 45. In addition to its Ministerial Air Transport Service (MATS) role, the Gulfstream and Learjet are routinely tasked with Air Ambulance missions, provide “Top Cover” for search and rescue purposes, and are also occasionally used for military operations. In 2011, the Learjet participated in one air show in Malta.

Details of non MATS usage since the 9th March 2011 are set out in the tabular statements and include details of mission type, destination and flying times. The Department follows the normal practice in the aviation business of costing aircraft by reference to the cost per flying hour under either of two headings:

- The direct cost which includes costs which are additional to those associated with having the aircraft and which only arise when the aircraft is flown including maintenance, fuel and support services such as catering costs, cleaning services and airport handling charges.
- The total cost which is the direct cost plus the costs associated with having the aircraft and includes depreciation and personnel costs.

The current average direct cost per hour for the Gulfstream is €3,270 and for the Learjet is €1,940. The average total cost per hour for the Gulfstream is €3,790 and for the Learjet is €4,200. These costs are average costs which take a number of variables into account. It is not possible to assign an exact cost to any particular mission.

Air Ambulance

Aircraft	Date	Location	Flight Time (Hours)
Gulfstream IV	29/06/2011	Newcastle	02:00
	26/07/2011	Kerry	01:20
	14/09/2011	Cork	01:35
Total			04:55
Learjet 45	22/03/2011	London Northolt	02:20
	24/03/2011	Norwich	02:15
	13/04/2011	Doncaster	01:50
	15/04/2011	Doncaster	01:45
	19/05/2011	London Northolt	02:05
	25/05/2011	London Northolt	02:25
	09/07/2011	London Heathrow	02:05
	22/07/2011	London Northolt	02:10
	27/07/2011	London Northolt	02:20
	15/08/2011	London Northolt	02:10
	19/08/2011	London Northolt	02:20
	27/08/2011	Cork — London — Heathrow	04:10
	07/09/2011	London Northolt	02:20
	09/09/2011	Nuernberg	04:10
12/09/2011	London Northolt	02:15	

Aircraft	Date	Location	Flight Time (Hours)
	14-15/09/2011	London Heathrow	02:00
	10/10/2011	London Northolt	02:20
Total			41.00

Top Cover

Aircraft	Date	Location	Flight Time
Learjet 45	09/08/2011	Off West Coast	01:50
	10/08/2011	Off West Coast	03:05
Total			4:55

Airshow

Aircraft	Date	Location	Flight Time
Learjet 45	24-26/09/2011	Valetta, Malta	06:45

Severe Weather Events

388. **Deputy Denis Naughten** asked the Minister for Defence if he will clarify the legal position in respect of householders and business owners clearing footpaths of snow and ice in front of their property; and if he will make a statement on the matter. [28795/11]

Minister for Defence (Deputy Alan Shatter): As lead Government Department with responsibility for co-ordinating the emergency response to severe weather, my Department has finalised and published The Report on the Review of the Response to Exceptional Severe Weather Events of 2009-2010 .

The Report, which is available on my Department's website at *www.environ.ie*, sets out the sequence of events as they occurred, draws various conclusions and makes recommendations to improve preparedness and increase resilience for future severe weather events. It recognises and acknowledges the very considerable community and voluntary contribution during the severe weather, and recommends that this should be fostered and encouraged as part of the overall response to future such events.

It recommends that the good practice which has emerged in relation to making grit available at drop-points to local communities should be adopted as a consistent and standard practice by all local authorities and relevant guidance be prepared and disseminated. Guidance on this is being prepared by my Department in conjunction with local authorities and will be issued shortly. In this context the issues around legal liability of those acting in a voluntary capacity on behalf of the community are under consideration.

Army Barracks

389. **Deputy Mattie McGrath** asked the Minister for Defence if he will address the concerns of the personnel at a barracks (details supplied) in County Tipperary; his plans for the future of this barracks; and if he will make a statement on the matter. [28284/11]

Minister for Defence (Deputy Alan Shatter): As of now, no decision has been made by the Government on the future of any military installation. The issue of the closure of barracks no longer required for operational reasons to effect necessary savings will, however, be considered shortly by Government. Various commissions, reports and studies back to the 1990s identified barrack closures as a fundamental requirement towards improving military effectiveness and efficiency. Since 1998 a total of ten barracks have been closed under two barrack consolidation programmes. A total of €84.98 million has been realised from the disposal of six of these barracks and part of another. The moneys received from the sales of such properties have been reinvested in equipment and infrastructure for the Defence Forces.

I wish to ensure that all decisions made and resources utilised are focused on maximizing the capabilities of the Defence Forces and ensuring their continued operational excellence. I am also anxious to ensure, in so far as is possible, that the Government is not compelled by fiscal and budgetary constraints to effect any substantial reduction in the current number of personnel in the Defence Forces.

Departmental Bodies

390. **Deputy Willie O’Dea** asked the Minister for Defence the details of any organisation under his Department which have informed him of staffing difficulties which may impinge upon its ability to effectively oversee the spending of public funds; and his views regarding same. [28367/11]

Minister for Defence (Deputy Alan Shatter): I am satisfied that the Department of Defence and its agencies are sufficiently resourced to allow for the effective oversight of the expenditure of public funds.

391. **Deputy Willie O’Dea** asked the Minister for Defence if he will outline the organisations under his Department for which an employment control framework has been agreed; the current numbers they have in place; if they have been waiting more than one month to receive sanction to proceed to fill or retain any positions in spite of such positions falling below the agreed ECF ceiling. [28383/11]

Minister for Defence (Deputy Alan Shatter): The Government’s National Recovery Plan 2011-2014 sets out revised ceilings for public service staff numbers, including for the Department of Defence and the Permanent Defence Force, which are to be achieved through the implementation of Employment Control Frameworks as part of the Four Year National Recovery Plan. The Department of Defence is required to meet an authorised staffing level of 369 for 2011. The Department has met this target, with a current staffing level of 349.

In relation to the civilian employee work force attached to military installations, the authorised Employment Control Framework ceiling for 2011 is 700 posts, with a target of 670 posts in 2012. There are currently 684 civilian employees which is under the ECF target for 2011, and significant progress has been made towards achieving the authorised figure for 2012.

The approved Employment Control Framework for the Permanent Defence Force is based on a figure of 10,000 all ranks, appropriately configured across the Army, Naval Service and Air Corps. The strength of the Permanent Defence Force as of 30 September 2011 was 9,458 all ranks. Officials from my Department together with the Military Authorities are in the process of reviewing the structures and posts required to meet the operational requirements of the Permanent Defence Force in accordance with the upper limits in ranks provided for in the ECF subject to a final decision on the estimates for Defence.

In this regard the Government is currently undertaking a Comprehensive Review of Expenditure and this will inform the resource envelope available for Defence over the coming years and the priorities within Defence. My officials are in regular contact with their counterparts in the Department of Public Expenditure and Reform, where appropriate, on an ongoing basis regarding sanction to proceed to fill or retain posts.

Defence Forces Personnel

392. **Deputy Seán Kenny** asked the Minister for Defence the number of dentists and nurses currently serving in the Defence Forces; the locations at which these nurses and dentists are posted; the number and location of any vacant nurses and dentists posts; and if he intends to fill these posts. [28722/11]

Minister for Defence (Deputy Alan Shatter): There are currently five Dentists and twelve Nurses serving in the Defence Forces Medical Corps. The tables show the locations where these Dentists and Nurses are currently posted.

Dentists

Location	Number
St Bricin’s Hospital	2
1 Southern Brigade	1
4 Western Brigade	1
Defence Forces Training Centre	1
Total	5

Nurses

Location	Number
St Bricin’s Hospital	4
1 Southern Brigade	3
Defence Forces Training Centre	5
Total	12

The recently completed Medical Services Review recommended a programme of major change in the structure of the Defence Forces Medical Corps. In the new structure, medical personnel within the Defence Forces will come under one central command, the Central Medical Unit, which will have responsibility for the management and delivery of medical services, including the allocation of doctors across the system on the basis of demand and operational requirements. This Central Medical Unit will mandate change across the service and deploy resources centrally, locally and overseas as required. This approach will better support delivery of all care requirements, as both demand and capacity can be pooled and managed centrally and be deployed and redeployed more flexibly across the system.

Grant Payments

393. **Deputy Michael Creed** asked the Minister for Agriculture, Fisheries and Food if he will arrange for a person (details supplied) in County Cork to be awarded their disadvantage area payment; and if he will make a statement on the matter. [28154/11]

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 18 April 2011, processing of which has recently been completed, thereby allowing payment to issue under the 2011 Disadvantaged Area Scheme on 4 October 2011. The 50% advance payments under the Single Payment Scheme are scheduled to commence issuing as and from 17 October 2011.

394. **Deputy Denis Naughten** asked the Minister for Agriculture, Fisheries and Food the position regarding an agri-environment options scheme application in respect of a person (details supplied) in County Roscommon; and if he will make a statement on the matter. [28159/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): The person named was recently informed in writing that they were approved for participation in the 2011 Agri-Environment Options Scheme with effect from 1st September 2011. 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. In the event of any queries arising from these checks my Department will be in direct contact with the person named.

395. **Deputy Denis Naughten** asked the Minister for Agriculture, Fisheries and Food the position regarding an application in respect of a person (details supplied) in County Roscommon; and if he will make a statement on the matter. [28196/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): The person named was recently informed in writing that they were approved for participation in the 2011 Agri-Environment Options Scheme with effect from 1st September 2011. 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. In the event of any queries arising from these checks my Department will be in direct contact with the person named.

Commonage Division

396. **Deputy Noel Coonan** asked the Minister for Agriculture, Fisheries and Food if he will confirm that commonage lands (details supplied) were inspected by officers of his Department in 2010; the exact number of days same staff members spent doing these inspections; the persons that directed staff from his Department to carry out these inspections; and if he will make a statement on the matter. [28226/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): All commonage land declared by applications under the Single Farm Payment and other area-based Scheme was subjected to a comprehensive review by my Department during 2010. The review was carried by way of a detailed analysis of the ortho-imagery for commonages, by on-the-spot inspections or a combination of both. The objective of the review was to exclude ineligible features such as forestry, roads, lakes, rocks, houses, scrub etc.

The commonage parcels referred to were the subject to this review process in 2010. The final outcome of the process was that three of the inspected parcels were found to have no eligible area including one parcel that was fully afforested. The area determined eligible in the fourth parcel was 22.6 hectares from a total area of 235.87 hectares.

397. **Deputy Noel Coonan** asked the Minister for Agriculture, Fisheries and Food if he will confirm that results of a commonage inspection (details supplied) carried out by Department officials and other reports were sought under a freedom of information request; the reason these reports prepared by the officers were not released under the initial freedom of information request; the person that instructed that they not be released; the reason for same; if he will indicate the disciplinary action that he intends to take; and if he will make a statement on the matter. [28227/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): The reports sought under the Freedom of Information request in question were released to the requestor; letters dated 18 May 2011 and 21 June 2011 addressed to the requestor, refer.

Grant Payments

398. **Deputy Brendan Griffin** asked the Minister for Agriculture, Fisheries and Food when a single farm payment will be awarded in respect of a person (details supplied) in County Limerick; and if he will make a statement on the matter. [28245/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): The person named submitted his application for the Single Payment Scheme and Disadvantaged Areas Scheme on 12th May 2011. Three 2011 Transfer of Entitlement applications were received consisting of a sale and gift of entitlements to the person named and a sale of entitlements from the person named to another farmer. Each of these applications has been processed and letters of confirmation have issued to the person named and all other parties. On processing the application over claims were identified on a number of parcels listed and the person named was written to in this regard on 7 October 2011. On receipt of a reply to the aforementioned letter, the application will be further processed.

Rural Environment Protection Scheme

399. **Deputy Tom Hayes** asked the Minister for Agriculture, Fisheries and Food when any necessary inspection will be carried out on a REP scheme application in respect of a person (details supplied) in County Tipperary for this year. [28246/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): The person named commenced REPS 4 in June 2008 and received full payments for the first three years of their contract. Arrangements are well advanced to issue payments in respect of 2011 and I expect that these payments will commence in November once all the necessary checks have been completed. In the event of any queries arising from these checks my Department will be in direct contact with the person named.

Fishing Vessel Licences

400. **Deputy Brendan Ryan** asked the Minister for Agriculture, Fisheries and Food the rules governing fishing for mussels at a location (details supplied) in County Dublin; the activity that has taken place on these grounds over the past three months with regard to the fishing for mussels or seed mussels; and if he will make a statement on the matter. [28250/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): I understand from the National Parks and Wildlife Service that mussel seed was recently harvested by hand by a group of people in the area of a gravel bank that reaches west from Shenick's Island, off the coast of Skerries, County Dublin. Shenick's Island is part of the Skerries Islands Special Protection Area (SPA).

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In accordance with Determination No. 16 of the Need for an Authorisation for Certain Fish Stocks, a vessel fishing for mussel seed requires an authorisation from my Department under section 13 of the Sea Fisheries and Maritime Jurisdiction Act 2006. An authorisation is also required to retain mussel seed on board a vessel, to trans-ship mussel seed from a vessel or to land mussels from a vessel. In addition, the Mussel Seed (Fishing) Regulations 2006 (S.I. No. 311 of 2006) specify certain requirements for vessels engaged in mussel seed fishing. The enforcement of this sea-fisheries legislation is a matter for the Sea Fisheries Protection Authority, which is independent in the performance of its functions.

In relation to fishing activities which have the potential to impact upon Natura 2000 sites, such as Skerries Islands Special Protection Area, the European Communities (Natural habitats and birds) (Sea-fisheries) Regulations 2009 provide for a Fisheries Natura Plan to manage and control the activity where required, the Appropriate Assessment of such a Plan and include a process of public and statutory consultation. Officials from my Department are currently examining this aspect in co-operation with the Marine Institute and the National Parks and Wildlife Service in relation to the activity taking place in Skerries.

Harbours and Piers

401. **Deputy Pearse Doherty** asked the Minister for Agriculture, Fisheries and Food his plans to support an ice plant at a pier in County Donegal (details supplied) to benefit the local fishing communities. [28285/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): BIM is an independent statutory body and hence policy in relation to the operation and management of the ice plants is a matter for the Agency. BIM have, however, informed me that, following a decision by the Board, the Agency is currently reviewing its ice plant operations with the intention of seeking expressions of interest from local operators who may be interested in operating the current Ice Plant network.

BIM advise that on this basis through a tendering process, ice plants will be made available to the local community. It is hoped that the arrangements put in place by BIM will cause minimal disruption to the industry and that an appropriate tendering process will secure the long term future of these important resources.

With regard to the fishery harbour centres generally, I am happy to say that my Department has a history of investing substantially in the upgrade and development of the facilities available to the fishing fleet at the fishery harbour centres, as we strive to bring the standard of facilities available up to a level comparable with best practice. This investment continues to date and I can confirm that in excess of €10 million has been allocated to the fishery harbours and coastal infrastructure development capital programme for 2011.

Grant Payments

402. **Deputy Jim Daly** asked the Minister for Agriculture, Fisheries and Food the position regarding a single farm payment and disadvantaged area aid in respect of a person (details supplied); and if he will make a statement on the matter. [28293/11]

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 17 May 2010.

This application was selected for a Ground Eligibility/Cross Compliance inspection, during the course of which discrepancies were uncovered with regard to a number of parcels, which resulted in the total claimed area of 184.31 hectares being reduced to 62.13 hectares. As the difference between the area claimed (184.31 hectares) and the area found (62.13 hectares) is greater than 50%, the person named had no entitlement to payment under the 2010 Schemes, and, furthermore, an Administrative Fine must be levied and recovered against future Single Payment Scheme/Disadvantaged Areas Scheme applications.

The person named was formally notified of this decision on the 10 of January 2011 and was also advised of the right to seek a review of this decision. Such a request was submitted on the 20 January 2011 and a decision, upholding the original findings, was sent to the person named on the 10 of June 2011. The person named then availed of the right of appeal to the Agriculture Appeals Office. Such an appeal was requested and is currently being considered by that Office. The person named will be advised, in writing, of the decision of that Office in due course.

403. **Deputy Jim Daly** asked the Minister for Agriculture, Fisheries and Food the position regarding a single farm payment and disadvantaged area aid in respect of a person (details supplied); and if he will make a statement on the matter. [28294/11]

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 9 May 2011. The payment validation process of this application is now complete and over-claims have been identified on three of the parcels. The applicant has been written to in this regard. On receipt of a satisfactory reply from the person named the application will then be further processed, with a view to payments issuing as soon as possible.

404. **Deputy Jim Daly** asked the Minister for Agriculture, Fisheries and Food the position regarding an area aid payment in respect of a person (details supplied); and if he will make a statement on the matter. [28295/11]

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 9 May 2011, processing of which has recently been completed, thereby allowing payment to issue under the 2011 Disadvantaged Area Scheme on 7 October 2011. The 50% advance payments under the Single Payment Scheme are scheduled to commence issuing as and from 17 October 2011.

An application was received on 9 May 2011 requesting the transfer of 4.35 entitlements to the person named by way of lease. As the person named submitted amendments to certain land parcels, it was necessary to await the completion of these amendments. That process was completed on 5 October 2010 and the transfer of entitlements was successfully processed on 6 October. A letter confirming the details of the transfer will issue to the person named shortly.

Rural Environment Protection Scheme

405. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Fisheries and Food the position regarding an application in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [28323/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): The person named commenced REPS 4 in June 2010 and received full payment for the first year of their contract. Arrangements are well advanced to issue payments in respect of 2011 and I expect that these payments will commence in November once all the necessary checks have been completed. In

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the event of any queries arising from these checks my Department will be in direct contact with the person named.

Milk Quota

406. **Deputy Dan Neville** asked the Minister for Agriculture, Fisheries and Food if he will review an application in respect of a person (details supplied) in County Limerick. [28348/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): The allocation of milk quota from the National Reserve is granted on the basis of recommendations from the Milk Quota Appeals Tribunal. The Tribunal recently examined the named person's application but did not recommend him for an allocation of quota on that occasion. The named person now wishes to appeal this decision. The Tribunal will shortly commence consideration of appeals. When a decision has been made in this case a letter will issue to the named person notifying him of the outcome. An official from my Department has contacted the named person and advised him of this position and of the options available to him to acquire additional quota.

Departmental Bodies

407. **Deputy Willie O'Dea** asked the Minister for Agriculture, Fisheries and Food the details of any organisation under his Department which has informed him of staffing difficulties which may impinge upon its ability to effectively oversee the spending of public funds; and his views regarding same. [28363/11]

408. **Deputy Willie O'Dea** asked the Minister for Agriculture, Fisheries and Food if he will outline the organisations under his Department for which an employment control framework has been agreed; the current numbers they have in place; if they have been waiting more than one month to receive sanction to proceed to fill or retain any positions in spite of such positions falling below the agreed ECF ceiling. [28379/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): I propose to take Questions Nos. 407 and 408 together.

All Government Departments and Agencies operating under their aegis are required to operate within an Employment Control Framework set down by the Government. The information requested by the Deputy is laid out in the table. None of the State Bodies listed here has fallen below the agreed ECF ceiling and therefore, no organisation is waiting for sanction on the basis suggested by the Deputy. In such circumstances any requests for staff can only be exceeded in very exceptional circumstances.

Agriculture, Food and the Marine

NCSA	End-Aug. 2011 Staffing	ECF 2011	ECF 2012	ECF 2013	ECF 2014
Dept. of Agriculture, Food and the Marine	3,577.30	3,608	3,539	3,471	3,414
Bord Bia	92.80	91	88	84	82
Bord Iascaigh Mhara	125.20	108	104	99	97
Marine Institute	189.10	163	157	150	147
National Milk Agency	5.00	5	5	5	5
Sea Fisheries Protection Authority	95.00	87	84	80	79
Teagasc	1,288.10	1,173	1,131	1,079	1,056
Total	1,795.20	1,627	1,569	1,497	1,466

Public Petitions

409. **Deputy Michael McCarthy** asked the Minister for Agriculture, Fisheries and Food the number of public petitions that have been submitted to him in the past four years, in tabular form; the nature of the petition campaign; the date on which the petition was submitted; the number of signatories on each petition; the action undertaken by him following consideration of the submission; and if he will make a statement on the matter. [28420/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): My Department has not received any public petitions during the years in question.

Grant Payments

410. **Deputy Robert Troy** asked the Minister for Agriculture, Fisheries and Food if the approved agri-environment options scheme application may be expedited in respect of a person (details supplied) in County Longford. [28435/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): The person named was approved for participation in the Agri-Environment Options Scheme with effect from 1st November 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. During these checks a query arose in relation to the re-digitisation of land parcels for AEOS purposes. This particular problem is now being addressed with a view to issuing payment as quickly as possible. In the event of any further queries arising, my Department will be in direct contact with the person named.

411. **Deputy Joe Carey** asked the Minister for Agriculture, Fisheries and Food when payment under the agri-environment options scheme will issue in respect of a person (details supplied) in County Clare; and if he will make a statement on the matter. [28437/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): The person named was recently informed in writing that they were approved for participation in the 2011 Agri-Environment Options Scheme with effect from 1st September 2011. 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. In the event of any queries arising from these checks my Department will be in direct contact with the person named. I expect to commence payments in the first quarter of 2012.

412. **Deputy Denis Naughten** asked the Minister for Agriculture, Fisheries and Food if he will approve a disadvantaged area payment in respect of a person (details supplied) in County Roscommon; and if he will make a statement on the matter. [28489/11]

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 21 April 2011, processing of which has recently been completed, thereby allowing payment to issue under the 2011 Disadvantaged Area Scheme on 4 October 2011. The 50% advance payments under the Single Payment Scheme are scheduled to commence issuing as and from 17 October 2011.

413. **Deputy Brendan Griffin** asked the Minister for Agriculture, Fisheries and Food if a grant will issue to a person (details supplied) in County Kerry; and if he will make a statement on the matter. [28491/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): Grant-aid under the Scheme of Investment Aid for the Improvement of Dairy Hygiene Standards was paid by my Department to the person concerned in February 2008. However, one invoice was excluded for grant-aid purposes as no tax clearance was provided in relation to the contractor who issued the invoice concerned. As it is a standard condition of all my Department's on-farm investment schemes that contractors must have current tax clearance, I regret that I am not in a position to pay grant-aid to the person named in respect of the investment works completed by that contractor.

414. **Deputy Brendan Griffin** asked the Minister for Agriculture, Fisheries and Food the position regarding area aid in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [28492/11]

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 8 May 2011, processing of which has recently been completed, thereby allowing payment to issue under the 2011 Disadvantaged Area Scheme on 7 October 2011. The 50% advance payments under the Single Payment Scheme are scheduled to commence issuing as and from 17 October 2011.

415. **Deputy Brendan Griffin** asked the Minister for Agriculture, Fisheries and Food the position regarding REP scheme payment in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [28493/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): The person named commenced REPS 4 in 2008 and has received full payments for the first two years of their contract. In addition, 75% of the third year payment issued on 3rd March 2011 for the amount of €7449.77. My Department is currently making arrangements to process the outstanding 25% payments to farmers in instances where penalties have been imposed, including the person named, and I now expect that these outstanding payments will commence later this month.

416. **Deputy Noel Coonan** asked the Minister for Agriculture, Fisheries and Food when an agri-environment options scheme payment will issue in respect of a person (details supplied) in County Tipperary; and if he will make a statement on the matter. [28625/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): The person named was approved for participation in the Agri-Environment Options Scheme with effect from 1st September 2010. Payment totalling €1,250.00, issued on 4th October in respect of the initial 75%. Processing of the remaining 25% payment will commence shortly.

Fishing Industry Development

417. **Deputy Jim Daly** asked the Minister for Agriculture, Fisheries and Food the position regarding funding for a co-operative (details supplied) further to his meeting with it in July 2011; and if he will make a statement on the matter. [28675/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): I assume the Deputy is referring to recent correspondence from the Cork South West Lobster Fishermans Co-Operative in relation to funding for the cooperative.

This Co-operative wrote to me in April seeking funding of €50,000 over 5 years for the cooperative, to enable it to continue to fund its contribution towards payments to lobster fishermen who are members of the Co-op and who engage in lobster v-notching. I subsequently met with representatives from the Co-op in July. The representatives outlined that their co-op represented Lobster Fishermen from Seven Heads to Sheeps Head and that they operated the BIM V Notching Programme but were running into financial difficulties due to a general decline in membership. As a result of this meeting I asked BIM to consider the case made by the Co-op.

Under the Seafood Development Operational Programme 2007-2013, BIM pays cooperatives 55% of the market price of berried lobsters presented by co-op members for v-notching by a BIM officer and returned alive to the sea by the fishermen in order to spawn. I understand that this Co-op and some others pay their members the remaining 45% of the market value of the lobster from funds derived from the subscriptions of their members, while other co-operatives do not. Where this other 45% is paid to the co-op member, he or she receives the full market value of the lobster and this makes participation in the v-notching programme a very attractive option for the co-op members. V-notching rates tend to be higher for such co-ops, but this practice also places a great strain on the finances of those co-ops, particularly if co-op membership numbers are falling.

V-notching is a very important conservation measure for the lobster stock. In areas with strong v-notching programmes, the scheme has had a very positive impact on maintaining and increasing the lobster stock. It is very much in the interests of lobster fishermen to maximise v-notching rates in their area in order to ensure the sustainability of the fishery and their livelihoods into the future.

I acknowledge the funding difficulties presented by the Co-op in terms of the scheme. Funding for fisheries is limited and BIM endeavour within its budget allocation to support a range of important programmes and initiatives. BIM has stressed that any change to the v-notching scheme would have to apply to all co-operatives who participate. In such circumstances and taking account of the limited resources available to BIM, BIM advise that this would lead to the budget for the scheme being used to v-notch fewer lobsters, which would undermine the progress of the scheme in achieving the conservation objectives set for the fishery. I am very supportive of the V-Notching Programme and would urge all lobster fishermen to recognise its value in maintaining sustainability in this stock and to participate fully in the Programme.

Grant Payments

418. **Deputy Michael Lowry** asked the Minister for Agriculture, Fisheries and Food the number of persons nationally still awaiting their disadvantaged area payment; the number of persons in north Tipperary and south Offaly still awaiting this payment; the reason for the delay in issuing these payments; and if he will make a statement on the matter. [28734/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): Given that payments under the 2011 Disadvantaged Areas Scheme only commenced on 22 September and, to date, payments worth in excess of €169 million have issued to 77,559 farmers nationally, representing 76% of those who applied, it can readily be seen that there are no delays in the issuing of these payments. Specifically with regard to Offaly and Tipperary, the details are as follows:

	Applicants	Numbers paid	% paid	Value
Offaly	2,427	1,931	80%	€3,969,236
Tipperary	4,525	3,417	76%	€7,499,342

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Payments continue to issue, on a twice-weekly basis, as individual cases are confirmed eligible for payment. It should be borne in mind that the number of applicants under the Scheme is determined by the classification of the land declared; however, as there are annually some 5,000 applicants with eligible land who do not satisfy the minimum stocking density requirement (0.15 livestock units per forage hectare), the payable number, both nationally and per county, will inevitably ultimately be somewhat lower than the figures for number of applicants quoted above.

419. **Deputy Catherine Murphy** asked the Minister for Agriculture, Fisheries and Food the degree of compliance of his Department in respect of payment of the various subsidies to farmers, by subsidy type in cases where they are substantially at variance with timelines that have previously been agreed, the measures if any he will take to remedy this; and if he will make a statement on the matter. [28748/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): The Farmers Charter Action Plan 2009 — 2011 was agreed following discussions with the farming organisations. The Charter sets out specific delivery targets to our farmer customers and covers the following services:

- Single Payment Scheme;
- Disadvantaged Areas Compensatory Allowance Scheme;
- Suckler Welfare Scheme;
- Rural Environment Protection Scheme;
- Early Retirement/Young Farmers Installation Scheme;
- On Farm Investment Schemes;
- Afforestation Grant and Premium Schemes;
- Animal Health Schemes.

The Charter continues our commitment to the 12 Quality Customer Service principles set out in our Customer Service Action Plan and Customer Charter. Progress under the Charter is monitored by a review committee under an independent chairman. This committee is composed of representatives of farm organisations and Department of Agriculture, Food and the Marine staff.

The most recent figures date from 30 June 2011 where over 90% of payments had been made within the prescribed payment deadlines set out in the Farmers Charter. The next meeting of this Committee will be held on 10 November when the payment deadlines will be discussed again.

Farm Inspections

420. **Deputy Catherine Murphy** asked the Minister for Agriculture, Fisheries and Food if he will consider amalgamating some farm inspections including those carried out by the local authorities in respect of the water framework directive and those carried out by him as they relate to the nitrates directive; if so the process and time frame he has in mind; and if he will make a statement on the matter. [28752/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): My Department, in the context of delivering the Direct Payment Schemes, is required to carry out on-the-spot inspections on a number of farms to ensure compliance with EU legislation in the areas of the environment, food safety, animal health and welfare and plant health and ensuring that the farm is maintained in good agricultural and environmental condition. This is known as cross-compliance. The rate of on-farm inspection required for cross-compliance, including the Nitrates element, is 1% of those farmers to whom the Statutory Management Requirements or GAEC apply. However 3% of farmers must be inspected for compliance with bovine identification and registration while 3% of sheep/goat farmers must be inspected representing 5% of the flock. These inspections are integrated in so far as possible.

Since 2010 my Department has carried out some 1,500 additional Nitrates inspections annually on behalf of the Department of Environment, Community and Local Government. These inspections partially fulfil the Local Authorities obligations and requirements under the Good Agricultural Practice (GAP) regulations. The Local Authorities retain responsibility for their own inspection and monitoring programmes under the Water Pollution Acts, the Water Framework Directive etc. and are also responsible for any follow-up actions that may result from the Nitrates Inspections carried out by my Department on their behalf.

The implementation of these inspections has already seen an amalgamation of information and expertise that has resulted in a reduction in the duplication of inspections across both Departments and more efficient use of resources. My Department is committed to ensuring the maximum level of integration of inspections and will continue to review inspection programmes in all areas with the aim of increasing integration where this is a feasible option.

Departmental Staff

421. **Deputy Catherine Murphy** asked the Minister for Agriculture, Fisheries and Food if he has quantified the percentage savings that can be made in relation to duplication and administration in the system as it relates to agriculture; if that will be factored into the 2012 budget; if not the reason for same; and if he will make a statement on the matter. [28753/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): Since 2005 my Department has been engaged in a major change management programme, including re-organisation at all levels, facilitated by changes in the way schemes are managed, reductions in disease levels, and the advanced use of information technology. As a result the Department has been able to reduce its staffing level from 4,800 to 3,600, a reduction of 25%. The cost of running the Department has fallen substantially since 2008, by some €60million or approximately 20%.

My Department submitted its 'Action Plan' under the Public Service (Croke Park) Agreement earlier this year. In early May, the Department submitted its first progress report on the implementation of that Action Plan. The report outlines the significant progress made by the Department, including the re-organisation programme, the large reductions in staffing levels and improvement of its business processes, including major changes to the local office network. The report shows a reduction of 173 staff and total administrative savings of nearly €14 million (including non-pay savings of over €4.7 million) in the year to the end of March 2011, the reporting period for the Agreement.

The re-organisation of the Department's local office network involves the closure of 42 of the Department's local offices and the retention of 16 regional offices, which will provide an enhanced service to the Department's customers. When fully implemented, the savings will amount to some €30 million annually and a reduction of 400 staff.

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Both the Action Plan and the Progress Report are published in full on my Department's website (please see 2011 Publications) and give comprehensive details of both the pay and non-pay savings to be achieved over the period of the Agreement to 2014. We will shortly report on the six months to the end of September and that will also be made available on the website.

Veterinary Inspection Service

422. **Deputy Catherine Murphy** asked the Minister for Agriculture, Fisheries and Food his views that the presence of a veterinarian and an agricultural officer in meat factories represents duplication; his plans to change this arrangement; and if he will make a statement on the matter. [28755/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): Slaughterhouses and meat processing plants operate under the approval of my Department in accordance with the terms of EU Food Hygiene Regulations. These plants are supervised by veterinary inspectors employed by the Department, assisted in their duties by technical staff (agricultural officers) and by temporary veterinary inspectors (TVIs) drawn from private practice on a rota basis. The tasks prescribed for veterinarians and technical staff are distinctly different and there is no duplication.

It is nonetheless my intention that in line with the recommendations in Food Harvest 2020, the meat inspection service will be further streamlined to provide a more cost effective service consistent with regulatory requirement and consumer safety and confidence.

Recommendations arising from a Value for Money (VFM) review relating to the use of the services of TVIs in slaughter plants under the supervision of the Department, along with recommendations arising from other reviews relating to the optimum deployment of the national veterinary public health inspectorate, are being taken into account in revised arrangements for controlling meat plants.

In this context it is intended that the use of auxiliaries as recommended by the VFM review will be introduced in certain areas, initially on a pilot basis. Supplementary training will be required to allow technical staff to carry out post-mortem meat inspection, except in relation to poultry meat (as the Department has already assigned some post mortem inspection duties to technical staff working in poultry processing establishments). In addition, such a reassignment requires consultation with the stakeholders involved and that consultation is under way.

Grant Payments

423. **Deputy Brendan Griffin** asked the Minister for Agriculture, Fisheries and Food the action being taken to speed up the delays experienced by farmers awaiting agri-environment options scheme payments; and if he will make a statement on the matter. [28761/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): 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. Once all checks are successfully completed for an application, my Department then pays each case as soon as possible. This process is now well advanced. Payments in respect of 2010 have commenced and outstanding cases will be paid, or the applicant notified of any query by the end of the month. Payments in respect of 2011 will commence in December.

I am well aware of the financial pressures on many farm families and of the importance of grant and scheme payments to their incomes and cash-flow. I have given the highest priority to the processing and payment of outstanding Agri Environment Options Scheme payments and to the elimination of all unnecessary delays.

EU Directives

424. **Deputy Brendan Griffin** asked the Minister for Agriculture, Fisheries and Food if farmers will be permitted to spread slurry until 1 November 2011 due to the exceptionally wet August and September and the resulting difficulties associated with these months of heavy rainfall; and if he will make a statement on the matter. [28763/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): The EU Nitrates Directive requires every Member State to implement a Nitrates Action Programme. Under the Directive each Action Programme must specify periods when the land application of chemical and organic fertilisers is prohibited. These closed periods are set out in Schedule 4 of the Good Agricultural Practice Regulations (SI No. 610 of 2011) which were introduced by the Minister for the Environment, Community and Local Government. The closed period is due to commence on 15th October as set out in the Regulations.

Reports have been received of farmers being unable to spread slurry in some areas due to unseasonable heavy rainfall in September. My officials are in the process of gathering information from various sources, including Met Éireann, to establish the extent of the problem. The Minister for the Environment, Community and Local Government, in consultation with my Department and the European Commission, will examine the evidence and make a decision shortly on whether or not a limited extension to the slurry spreading period should be granted.

Grant Payments

425. **Deputy Tom Fleming** asked the Minister for Agriculture, Fisheries and Food if he will arrange for payment of REP scheme in respect of a person (details supplied) in County Kerry. [28783/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): The person named commenced REPS 3 in April 2006 and has received full payments for the first four years of their contract. Payment in respect of the fifth year for the amount of €3040.88 will issue to the person named in the next ten days.

426. **Deputy Heather Humphreys** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) in County Monaghan will be awarded their area aid payment; and if he will make a statement on the matter. [28893/11]

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 16 May 2011, processing of which has recently been completed and thereby allowing payment to issue under the 2011 Disadvantaged Area Scheme on 7 October. The 50% advance payments under the Single Payment Scheme are scheduled to commence issuing as and from 17 October 2011.

Youth Services

427. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Children and Youth Affairs if her attention has been drawn to the considerable concern regarding the proposal by the EU Commission to abolish the Youth In Action programme from 2014; her view and her position

[Deputy Caoimhghín Ó Caoláin.]

when this proposal was made at the Council of Education Ministers and in discussions with the Commission; and if she will make a statement on the matter. [28211/11]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The EU Commission in its communication “A budget for Europe 2020” has proposed a single programme for education, training and youth — “Education Europe” — under the multi-annual financial framework (2014-2020). The proposed programme will focus on providing targeted transnational learning opportunities, matching skills and labour market demand, strengthening volunteering as well as non-formal and informal learning and supporting reform and modernisation in education and training. The Commission’s proposals have been the subject of discussion at Youth Working party meetings and at the recent Directors General meeting in Warsaw.

At these meetings, my Department has indicated that while we understand the Commission’s approach and the merits of a single streamlined programme, our priority would be for a specifically designated budget and related programme for the youth sector. The Commission’s detailed proposals for the programme are expected in November.

428. **Deputy Emmet Stagg** asked the Minister for Children and Youth Affairs the areas in County Kildare at which the Health Service Executive is assisting in delivering the lifestart programme; if funding for the provision of the programme was sought in Naas; the reason same was refused if funding was sought; and if she will review again the provision of the programme in Naas, County Kildare [28479/11]

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 Care Services

429. **Deputy Peadar Tóibín** asked the Minister for Children and Youth Affairs the cost per patient of residential care for children with challenging behaviour on an annual basis as provided by private suppliers and as supplied by the Health Service Executive. [28676/11]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): Children who are in the care of the state and who have challenging behaviour are usually cared for in high support units. When considering the appropriate placement for a child, social workers consider the milieu into which a young person is being placed. The choice of placement is not solely on the basis of presenting behaviours, but can be for a multitude of other reasons such as, those with underlying physical/ intellectual disability and/or a mental health issues or other wider family environmental and attachment issues. The unit needs to be able to meet the full range of physical, therapeutic and care needs of a child. With respect to your question regarding the cost per patient in such units on an annual basis, this has been referred to the HSE for direct reply.

Vocational Education Committees

430. **Deputy Joanna Tuffy** asked the Minister for Children and Youth Affairs if she will give details of the number of vocational education committee youth officers employed by the VECs; the list of current or amalgamated VECs employing youth officers; the vacancies that exist in these positions, for example, staff leaving, maternity leave, sick leave and so on; if vacancies in these positions will be filled and the timescales for same; the savings that will accrue from vacancies and positions not being filled; the way any savings that result from such vacancies might be applied; and if she will make a statement on the matter. [28788/11]

436. **Deputy Joanna Tuffy** asked the Minister for Children and Youth Affairs the number of vocational education committee youth officers funded by her; if she will provide a list of the current or amalgamated VECs employing youth officers and any vacancies in these positions by way of staff leaving, maternity leave, sick leave and so on; if vacancies in these positions will be filled and the timescale for same; the savings that will accrue from vacancies and positions not being filled and the intentions, if any, she has to utilise any savings that result from any vacancies; and if she will make a statement on the matter. [28786/11]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): I propose to take Questions Nos. 430 and 436 together.

The table shows the number of Youth Officers employed in VECs and details of where vacancies exist. Under the current embargo on recruitment in the public service, no post in the public sector, however arising, may be filled by recruitment or promotion. Due to the current vacancies, it is expected that there will be savings in the region of €100,000. This amount is being utilised in the overall Youth Affairs budget to support the provision of services to young people.

VEC Youth Officer Posts

VEC Area	Post — WTE
Co. Carlow	1
Co. Cavan	1
Co. Clare	1
City of Cork	1
Co. Cork	1
Co. Donegal	1
Co. Dublin	1
Dun Laoghaire	1
City of Galway	1
Co. Galway	1
Co. Kerry	1
Co. Kildare	Vacancy
Co. Kilkenny	1
Co. Laois	0.75
Co. Sligo/ Co. Leitrim	0.6/0.4
City of Limerick	1
Co. Limerick	1
Co. Longford	Vacancy
Co. Louth	1
Co. Mayo	1
Co. Meath	1
Co. Monaghan	Vacancy
Co. Offaly	0.75
Co. Roscommon	0.5
Tipperary NR	0.75
Tipperary SR	1
City of Waterford	1
Co. Waterford	0.5
Co. Westmeath	0.75
Co. Wexford	Vacancy

[Deputy Frances Fitzgerald.]

VEC Area	Post — WTE
Co. Wicklow	1
Total	25

Youth Services

431. **Deputy Robert Dowds** asked the Minister for Children and Youth Affairs if she will enter into discussions with an organisation (details supplied) in relation to funding the Big Brother Big Sister programme which seeks to divert vulnerable children away from anti-social behaviour; and if she will make a statement on the matter. [28168/11]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The 2011 budget allocation for the Youth Affairs Unit of my Department is €60.154m on current expenditure and €800,000 on capital expenditure. This funding supports the delivery of a range of youth work programmes and services for all young people, including those from disadvantaged communities through grants-in-aid.

Foróige is currently in receipt of €6.037m from Youth Affairs Unit for projects run under a number of schemes including the Youth Service Grant Scheme, Special Projects for Youth Scheme, four (4) Youth Information Centres and for a number of projects under the Young People's Facilities and Services Fund (Rounds 1 and 2).

The Youth Affairs Unit of my Department is aware of the Big Brother Big Sister Programme which is run by Foróige. However, having regard to the reductions in public expenditure that must be achieved by Government Departments and State Agencies and the limited funding available, it was not possible to consider funding for the programme in 2011. In light of expected budgetary constraints in 2012, it is unlikely that any new applications for funding will be considered next year.

Child Poverty

432. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Children and Youth Affairs the progress made to date concerning the implementation of the commitment in the programme for Government to adopt a new area based approach to child poverty, initially piloted in ten areas; and if she will make a statement on the matter. [28221/11]

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 departments of Social Protection, Enterprise, Jobs and Innovation, and Education and Skills, are working to deliver a range of measures aimed at getting people back to work.

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 and the results of pilot projects to enhance children's development in Tallaght, Northside and Ballymun, which are jointly funded by my Department with a philanthropic organisation, will inform the Government's plans to develop a new 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.

Child Care Services

433. **Deputy Pádraig Mac Lochlainn** asked the Minister for Children and Youth Affairs her views on broadening the child care employment and training support scheme to incorporate registered child minders; and if she will make a statement on the matter. [28236/11]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The Childcare Education and Training Support (CETS) programme was introduced in September last year and is implemented by my Department, on behalf of FAS and the Vocational Educational Committees (VECs).

The CETS programme replaces the previous childcare support programmes implemented by FAS and the VECs under which qualifying students and trainees were paid a weekly Childcare Allowance of up to €63.50 per child as a contribution towards their childcare costs. Under the new programme, funding is provided by my Department to participating services in return for the provision of free childcare places to qualifying students and trainees. Students and trainees can avail of free childcare places for the duration of their course.

A capitation fee is paid for each childcare place contracted, at a weekly rate of €170 per full-time place, €95 per half day care place and €50 per after-school place. After-school places with a "pick-up" facility attract €95 capitation. The eligibility criteria under which students and trainees qualify under the programme continue to be determined by the FAS and the VECs. Some 2,800 full-time equivalent childcare places are provided for under the programme.

The CETS programme is confined to centre-based childcare services, generally services which are participating in the Early Childhood Care and Education (ECCE) and/or the Community Childcare Subvention (CCS) programmes as well as after-school services which cater for primary school children. This is in accordance with the sanction given for the programme and there are no proposals at this stage to extend it to include home-based childminders.

Departmental Bodies

434. **Deputy Willie O'Dea** asked the Minister for Children and Youth Affairs the details of any organisation under her Department which has informed her of staffing difficulties which may impinge upon its ability to effectively oversee the spending of public funds; and her views regarding same. [28365/11]

435. **Deputy Willie O'Dea** asked the Minister for Children and Youth Affairs if she will outline the organisations under her Department for which an employment control framework has been agreed; the current numbers they have in place; if they have been waiting more than one month to receive sanction to proceed to fill or retain any positions in spite of such positions falling below the agreed ECF ceiling. [28381/11]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): I propose to take Questions Nos. 434 and 435 together.

[Deputy Frances Fitzgerald.]

Agency	WTE
Adoption Authority of Ireland	25.50
Family Support Agency	37.24
National Educational Welfare Board	94.00
Office of the Ombudsman for Children	9.00

These agencies are subject to Employment Control Frameworks which provide for progressive and permanent reductions in the numbers employed across the public service. While these agencies, and indeed my own Department, are faced with reducing resources, we all must re-organise and re-prioritise in order to deliver on our strategic business. While acknowledging the challenges involved in providing services in the current economic climate each of these agencies have assured me that they are committed to fulfilling their obligations in accordance with Government policy.

I understand that officials in my Department are currently considering staffing resource submissions from the National Educational Welfare Board and the Adoption Authority of Ireland in August and September respectively. I understand that these issues are under consideration at present and have been signalled to officials in the Department of Public Expenditure and Reform and will be formally submitted to them for consideration in the coming weeks.

Question No. 436 answered with Question No. 430.

Child Protection

437. **Deputy Denis Naughten** asked the Minister for Children and Youth Affairs, further to Parliamentary Question No. 388 of 12 April 2011, if the 5/30 cases were assessed or further information obtained to categorise the cases as either deemed at risk, inadequately safeguarded or adequately safeguarded; the number of children in the 7/30 category who were deemed at risk; the actions taken to date to address the concerns raised; and if she will make a statement on the matter. [28793/11]

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.

Medical Cards

438. **Deputy Paul J. Connaughton** asked the Minister for Health when an appeal for a medical card will be heard in respect of a person (details supplied) in County Galway; if he will expedite the matter; and if he will make a statement on the matter. [28235/11]

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 Services

439. **Deputy Billy Timmins** asked the Minister for Health the position regarding funding in respect of a person (details supplied) in County Wicklow; and if he will make a statement on the matter. [28272/11]

Minister for Health (Deputy James Reilly): As this is a service matter, it has been referred to the Health Service Executive for direct reply.

Medical Cards

440. **Deputy Noel Coonan** asked the Minister for Health when a medical card application will be finalised in respect of a person (details supplied) in County Tipperary; and if he will make a statement on the matter. [28307/11]

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.

441. **Deputy Michael Healy-Rae** asked the Minister for Health the position regarding a medical card application in respect of a person (details supplied); and if he will make a statement on the matter. [28612/11]

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.

442. **Deputy Michael Healy-Rae** asked the Minister for Health the position regarding a medical card in respect of persons (details supplied); and if he will make a statement on the matter. [28613/11]

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.

443. **Deputy Michael Healy-Rae** asked the Minister for Health the position regarding a medical card in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [28617/11]

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.

Nursing Education

444. **Deputy Denis Naughten** asked the Minister for Health his plans to reintroduce the return to nursing programme; and if he will make a statement on the matter. [28156/11]

Minister for Health (Deputy James Reilly): The Nurses/Midwives Returning to Practice initiative was introduced in 2000 to encourage nurses and midwives to return to practice. Financial support for the Nurses/Midwives Returning to Practice initiative is provided by the HSE. The Department of Health/ Health Service Executive is currently reviewing the continued running of the programme, taking into account the moratorium on recruitment in the Public Service and the impact this is having on the recruitment of graduates from this course.

Cancer Research Programme

445. **Deputy Denis Naughten** asked the Minister for Health the funding provided for research into prostate cancer in 2009, 2010 and 2011; his plans for further investment into research into the cancer; and if he will make a statement on the matter. [28157/11]

446. **Deputy Denis Naughten** asked the Minister for Health the funding provided for research into breast and cervical cancer respectively in 2009, 2010 and 2011; his plans for further investment into research into each cancer; and if he will make a statement on the matter. [28158/11]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 445 and 446 together.

[Deputy James Reilly.]

Cancer research forms a large part of the research programme in Ireland today. The National Cancer Control Strategy noted that cancer research is an essential component in the development, implementation and evaluation of a National Cancer Control Programme. The Health Research Board (HRB) is the lead agency in Ireland supporting and funding health research and is the main channel of public funding for research at national level. It provides substantial amounts of funding for research into cancer.

Over the last five years, the HRB has provided €20m for projects, programmes and fellowships in cancer research, including applied biomedical research, translation and clinical research, health services research and population health. It is not possible to identify exact funding for specific types of cancer. The very nature of the disease means that research carried out at a molecular and cellular level could be applicable on a very wide range of cancers; hence it is not possible to apportion funding to a specific type of cancer with complete accuracy. However, overall the HRB's annual expenditure on cancer and clinical trials for 2009 and 2010 was €9.4m and €7.3m (respectively) and is projected as €9.1m for 2011.

In addition, funding of almost €19m is being made available for the All Ireland Cooperative Oncology Research Group (ICORG) clinical trials from 2008 — 2012, also through the HRB. Breast cancer studies account for 44% of the total ICORG study portfolio. Genito-urinary (including prostate and cervical cancer) accounted for a further 15% of the portfolio, gastrointestinal 13% and lung 10%. The ICORG clinical trials are part of the activities under the Ireland—Northern Ireland—National Cancer Institute Consortium, which aim to reduce the incidence and mortality rate for cancer on the island of Ireland.

The HRB has also advised that it has invested €34m towards the development of clinical research facilities in major teaching hospitals, which provide the physical space and the expertise to carry out excellent clinical research in a safe and compliant environment.

Hospital Services

447. **Deputy Tom Hayes** asked the Minister for Health when a person (details supplied) in County Tipperary will receive an appointment for surgery. [28170/11]

Minister for Health (Deputy James Reilly): In relation to the De Puy ASR recall, the HSE has identified approximately 3,500 patients who have received the affected implants — across 16 public and 14 private Hospital sites nationally. All of these patients were invited for a recall assessment to clinically assess their current medical status with regard to their implant. For the vast majority of patients, this was a precautionary assessment and in only a small percentage of cases, there was a requirement for further treatment and possibly surgery.

The patient referred to by the Deputy was seen at the De Puy ASR revision clinic on 23rd August 2011 and has been referred to Mr Chhabra, consultant, orthopaedic surgeon, for elective surgery. Revision surgery is based on clinical need, therefore should the patient or the patient's general practitioner consider that their condition warrants an earlier appointment, he/she would be in the best position to take the matter up with the consultant involved.

448. **Deputy Brendan Griffin** asked the Minister for Health when a person (details supplied) in County Kerry will be called for an operation. [28176/11]

Minister for Health (Deputy James Reilly): I am determined to address the issues which cause unacceptable delays in patients receiving treatment in our hospitals. In this regard I have established the Special Delivery Unit (SDU), which will work to unblock access to acute services by dramatically improving the flow of patients through the system, and by streamlining

waiting lists, including referrals from GPs. The SDU is working closely with its partner agencies — mainly the HSE and the NTPF.

As a priority, public hospitals have been instructed to ensure that, by the end of 2011, they have no patients waiting more than 12 months for treatment. Where they fail to do so, the NTPF will source the necessary treatments elsewhere and an appropriate budgetary adjustment will be made.

As this is a service matter, it has been referred to the HSE for direct reply. 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 and facility involved.

449. **Deputy Jack Wall** asked the Minister for Health the plans to be implemented by the Health Service Executive to ensure that paediatric rheumatology is made a priority service for children's health services; and if he will make a statement on the matter. [28177/11]

Minister for Health (Deputy James Reilly): I take it the Deputy is referring to the rheumatology services available at Our Lady's Children's Hospital in Crumlin. The hospital is working with the HSE to ensure the appropriate resources are put in place for the delivery of rheumatology services. To this end a full time Consultant Rheumatologist post has been approved and is in the process of recruitment.

Long-Term Illness Scheme

450. **Deputy Thomas Pringle** asked the Minister for Health his plans to add Crohn's disease to the long-term illness list to allow the 15,000 sufferers here to benefit from the scheme; and if he will make a statement on the matter. [28178/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): There are no plans to extend the list of conditions covered by the Long Term Illness Scheme. However, the terms of the scheme will be reviewed in the context of the Government's proposals for Universal Health Insurance and free GP care at the point of delivery. Under the Drug Payment Scheme no individual or family pays more than €120 per calendar month towards the cost of approved prescribed medicines. The scheme significantly reduces the cost burden for families and individuals incurring ongoing expenditure on medicines.

In addition, people who cannot, without undue hardship, arrange for the provision of medical services for themselves and their dependants may be entitled to a medical card. In the assessment process, the Health Service Executive can take into account medical costs incurred by an individual or a family. Those who are not eligible for a medical card may still be able to avail of a GP visit card, which covers the cost of general practice consultations.

Grant Payments

451. **Deputy Thomas Pringle** asked the Minister for Health if he will review the applications for a motorised transport grant in respect of a person (details supplied) in County Donegal; the reason the application was refused having been approved twice before; and if he will make a statement on the matter. [28179/11]

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.

Health Services

452. **Deputy Noel Coonan** asked the Minister for Health if clinical experts met over the summer months to propose the setting up of a sub-group which will put forward suggestions on a model of care for paediatric diabetes which would be standardised across the country; and if he will make a statement on the matter. [28182/11]

Minister for Health (Deputy James Reilly): The HSE National Clinical Programme for Diabetes — which includes the care of children and adolescents with diabetes — was established within the Clinical Strategy and Programmes Directorate. The national clinical leads for diabetes and paediatrics met recently to discuss the issue of diabetes care for children and adolescents. They recently set up a working group to assess current services across the country; to agree a model of care; and to standardise these across the country. They will also develop criteria for the use of CSII therapy in children and adolescents with type 1 diabetes, and work on prevention and aid the early detection of diabetes in children and adolescents. Work progressing these issues has commenced.

453. **Deputy Jack Wall** asked the Minister for Health the reason a case (details supplied) was not dealt with; the actions he will take to have this matter addressed; and if he will make a statement on the matter. [28185/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the HSE for direct reply.

Hospital Waiting Lists

454. **Deputy Denis Naughten** asked the Minister for Health the current waiting list for ankle replacement surgery at Galway University Hospital; and if he will make a statement on the matter. [28195/11]

Minister for Health (Deputy James Reilly): I am determined to address the issues which cause unacceptable delays in patients receiving treatment in our hospitals. In this regard I have established the Special Delivery Unit (SDU), which will work to unblock access to acute services by dramatically improving the flow of patients through the system, and by streamlining waiting lists, including referrals from GPs. The SDU is working closely with its partner agencies — mainly the HSE and the NTPF.

As a priority, public hospitals have been instructed to ensure that, by the end of 2011, they have no patients waiting more than 12 months for treatment. Where they fail to do so, the NTPF will source the necessary treatments elsewhere and an appropriate budgetary adjustment will be made. I have made inquiries with the Health Service Executive and I understand that there is one person on the waiting list for ankle replacement surgery at Galway University Hospital.

Suicide Incidence

455. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the amount of funding allocated to the National Office for Suicide Prevention in 2009, 2010 and 2011; and if he will make a statement on the matter. [28218/11]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The budget for the National Office for Suicide Prevention (NOSP) is set by the Health Service Executive. In 2011, the total funding available nationally through the HSE for suicide prevention is about €9 million of which €4.1 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. The table provides details of the annual budget for NOSP for 2009 — 2011.

Year	Funding
2009	€4.36 m
2010	€3.1 m
2011	€4.1 m

Alcohol Prices

456. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health if he or his Department has engaged with the Scottish Government about the planned introduction of the minimum pricing of alcoholic products in that jurisdiction in the near future; and if he will make a statement on the matter. [28219/11]

Minister for Health (Deputy James Reilly): I wish to advise the Deputy that no formal engagement has taken place with the Scottish Government relating to their Alcohol etc. (Scotland) Bill 2010 — though there has been some exchange of information on the matter of minimum pricing of alcohol in the context of the work of the British-Irish Council Sectoral Group on the Misuse of Drugs.

A National Substance Misuse Strategy Steering Group was established in 2009. It is examining the development of policy to deal with a wide range of key issues relating to the supply, pricing, availability and marketing of alcohol — including the issue raised by the Deputy — along with measures for the policy areas of prevention strategies, treatment, rehabilitation, alcohol and substance dependency research and information. The report of the Steering Group is close to completion; I expect to receive proposals in the coming months and I will then brief my colleagues in Government on these.

Substance Misuse

457. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the progress made to date in implementing the commitment in the programme for Government to integrate drugs and alcohol abuse strategies at local level; and if he will make a statement on the matter. [28220/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): A Steering Group, chaired by the Department of Health, is developing recommendations on including alcohol in a National Substance Misuse Strategy to compliment the existing National Drugs Strategy. The Report of the Steering Group will be submitted to me by the end of October and I expect that the proposals therein will cover both national and local aspects of the issues involved.

Hospital Staff

458. **Deputy Denis Naughten** asked the Minister for Health his plans to review the situation in which places are available for public health nursing students to be trained and hired on a permanent basis but not for existing staff wishing to transfer to another geographical area; if he will consider giving priority to existing staff who wish to relocate; and if he will make a statement on the matter. [28230/11]

Minister for Health (Deputy James Reilly): The Health Service Executive is in the process of devising a national transfer policy for all grades of staff, including Public Health Nurses. I understand that the Executive will be engaging with the relevant staff representative bodies shortly.

Medical Cards

459. **Deputy Thomas Pringle** asked the Minister for Health if he will ensure that personnel within the new centralised medical card section will respond to phone calls within the time frame agreed; and if he will make a statement on the matter. [28257/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): The Health Service Executive's (HSE) Primary Care Reimbursement Service (PCRS) is managing the Medical Card centralisation project. The Medical Card centralisation programme has been introduced on a phased basis, and has moved ahead throughout 2010 and 2011 to date, as planned. Significant progress has been made on this national project in providing an improved service to the public at less cost to the State.

As part of its service the central office has provided a dedicated phone service to deal with queries. Its service has a 48-hour response time to all queries. The PCRS has informed me that this time-frame is being adhered to by the service. The call triage telephone system provides customer focused information and call routing, as well as other services to support clients who have enquiries about medical cards or their application or reviews. A comprehensive support system to deal with queries from the public also provides phone, text and email support to queries on a daily basis. At the moment the central office handles, on average, 2,229 telephone calls per day.

Domestic Violence Services

460. **Deputy Mary Lou McDonald** asked the Minister for Health when he expects the Health Service Executive to complete its review of domestic violence services; and if it intends to end State funding to Safe Ireland and the Rape Crisis Network. [28260/11]

Minister for Health (Deputy James Reilly): The HSE national and regional review of domestic, sexual and gender-based violence services funded by the HSE will be completed by the end of 2011. The HSE is moving to a new commissioning arrangement commencing January 2012 for the provision of external business support for the implementation of the national policy on domestic, sexual and gender-based violence including work currently carried out by Safe Ireland and Rape Crisis Network Ireland. A formal procurement process for this arrangement is under way. Funding to Safe Ireland and Rape Crisis Network Ireland has been provided until the end of 2011 after which time the new commissioning arrangement will come into effect.

Nursing Homes Support Scheme

461. **Deputy Brendan Griffin** asked the Minister for Health if he will review a matter (details supplied) in County Kerry regarding Valentia community hospital; and if he will make a statement on the matter. [28264/11]

Minister of State at the Department of Health (Deputy Kathleen Lynch): Valentia Community Hospital is not a public facility, it is a voluntary facility which has a service level agreement with the HSE under section 39 of the Health Act 2009. The legislation underpinning the Nursing Homes Support Scheme requires all private nursing homes and voluntary nursing

homes which previously received funding under Section 39 of the Health Act 2004 to negotiate and agree a price for the cost of care with the National Treatment Purchase Fund (NTPF) should they wish to participate in the scheme. This is a necessary feature of the scheme due to the commitment by the State to meet the full balance of the cost of care over and above a person's contribution.

The NTPF has statutory responsibility for the negotiation of prices with private and voluntary nursing homes. The NTPF is independent in the performance of this function and, in carrying it out, it must ensure value for money for both the individual and the State. The NTPF negotiates with each nursing home individually and may examine the records and accounts of nursing homes as part of the process. This method of negotiation is necessary in order to ensure that the State obtains the best value for each individual in a nursing home and to comply with competition law.

This Government is committed to ensuring the health and safety of residents in nursing homes, whether they are publicly, privately or indeed voluntary run as in the case of Valentia Community Hospital. In order to ensure this, it is vital that we have effective mechanisms in place to maintain and enhance public confidence in the delivery of quality services. The Health Act, 2007 provides a regime designed to protect residents through an independent inspection and registration system.

On 1 July 2009 Statutory responsibility was given to the Chief Inspector of Social Services, part of the Health Information and Quality Authority to carry out this function. This responsibility is underpinned by a comprehensive regulatory framework and National Quality Standards for Residential Care Settings for Older People in Ireland. All nursing homes are subject to the same core standards and regulations in relation to quality and safety. The HSE is continuing to engage with the Board of Management of the facility to support the process of decision making with regard to the future of the service.

Health Services

462. **Deputy Finian McGrath** asked the Minister for Health the support and advice available to a person (details supplied). [28270/11]

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.

463. **Deputy Michelle Mulherin** asked the Minister for Health if he will expedite an application in respect of a person (details supplied) in County Mayo; and if he will make a statement on the matter. [28273/11]

Minister for Health (Deputy James Reilly): I can confirm to the Deputy that the application for a procedure under the Treatment Abroad Scheme (TAS) has been approved by the Health Service Executive. The HSE has been in touch with the applicant's family regarding the issuing of the required documentation.

Drugs Payment Scheme

464. **Deputy Peter Mathews** asked the Minister for Health if exemptions will be made for persons (details supplied) relating to the drugs payment scheme; and if he will make a statement on the matter. [28276/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): Under the former Eastern Health Board, it was the practice to provide psychiatric medicines free to all patients

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who attended an outpatient clinic for services regardless of their eligibility status. Such arrangements were unique to the greater Dublin area. In all other former Health Board Areas, patients used either their medical card or Drug Payment Scheme card to access psychiatric medicines.

In 2009, the HSE decided to bring the arrangements for the supply of medicines to patients attending mental health outpatient clinics in the greater Dublin area into line with those operating in the rest of the country. These changes were introduced on a phased basis, starting on 1 October 2010 when medical card holders in the HSE Dublin North East area requiring psychiatric medicines were referred to their own GP for a GMS prescription. This arrangement is being extended to the Dublin Mid Leinster area from 1 November 2011. At the same time, Drug Payment Scheme cardholders will be required to pay for their prescription up to the co-payment threshold of €120 per month. Medical card holders will continue to receive their medication free of charge, subject to any applicable prescription charge. These arrangements will be kept under review.

The extra drugs cost mentioned and the affordability of such costs will be factored into any future medical card applications made by the persons affected by these changes and I would encourage people in the circumstances outlined to make an application for a medical card.

Departmental Investigations

465. **Deputy Gerald Nash** asked the Minister for Health the reasons for the delay in the publication of the report commissioned by him into the practice of symphysiotomy; and if he will confirm a date for the publication of said report [28278/11]

Minister for Health (Deputy James Reilly): My Department has been in discussion with the independent academic researcher appointed to carry out the research in relation to its completion. The researcher has advised my Department that due to unforeseen difficulties in accessing information sources over the summer she expects to complete the report by the end of this month rather than as originally planned.

As soon as the draft report is received my Department will further engage with patient representative groups and the Institute of Obstetricians and Gynaecologists. It is my intention that the report be published, subject of course to the usual legal and related considerations, which are as of now not expected to create any significant barriers to publication.

Accident and Emergency Services

466. **Deputy Seamus Healy** asked the Minister for Health if the special delivery unit has presented its report into the Mid West Regional Hospital, Limerick, to him; and if he will put this report into the public domain. [28316/11]

475. **Deputy Seamus Healy** asked the Minister for Health if the special delivery unit has presented its report on the Mid Western Regional Hospital, Limerick; and if he will place that report into the public domain. [28357/11]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 466 and 475 together.

A priority for this Government is the early implementation of measures that will address the overcrowding that became a feature of our hospital sector over the past decade. No useful purpose can be served by the nurses industrial action at the Mid-Western Regional Hospital or indeed at emergency departments in other parts of the country. Such action simply exacerbates an already challenging situation in the hospital.

Immediately following my appointment I set about establishing the Special Delivery Unit to unblock access to acute services by improving the flow of patients through the system. The SDU is focusing initially on emergency departments and will be working to support hospitals in addressing excessive waiting times for admission to hospital. The Special Delivery Unit (SDU) is planning to conduct a performance diagnostic analysis of the unscheduled care system in the acute hospital sector over the coming months. As part of the analysis, the SDU recently visited the Mid West Regional Hospital in Limerick.

Its recommendations were published on 5 October 2011 and are available on the Department of Health's website. These include some reallocation of existing staffing resources, a better bed management system and the shifting of day case capacity to other hospitals in the group. If these measures are fully implemented the SDU has indicated to me that considerable improvements can be made at the hospital within existing budgets.

Health Services

467. **Deputy Pádraig Mac Lochlainn** asked the Minister for Health the assistance available to a person (details supplied) in County Donegal. [28319/11]

Minister for Health (Deputy James Reilly): My Department has asked the HSE for a report on the matter raised by the Deputy and I will be in further communication with him when it is to hand.

Private Health Insurance

468. **Deputy Derek Keating** asked the Minister for Health if he will review a matter (details supplied); and if he will make a statement on the matter. [28324/11]

Minister for Health (Deputy James Reilly): While owned by the State, the VHI is a not for profit company operating in a competitive market. The VHI is free under its governing legislation to design its own health insurance schemes and to enter into agreements with health service providers.

While the issue appears to be a private contractual matter between the customer and his insurer, my Department did, however, contact the VHI in relation to the matter raised. I understand the individual concerned initially contacted the VHI by phone to see if his scan would be covered. In the absence of the relevant medical information, the customer service advisor was unable to provide this confirmation. The VHI have written to the customer in question requesting this information and they have also written to the customer's consultant to request the same. They have indicated to the customer that, as soon as they get this information, they will be happy to clarify whether they will be able to provide benefit for the MRI scan.

National Lottery Funding

469. **Deputy Joe Carey** asked the Minister for Health the position regarding an application (details supplied) to the national lottery fund; and if he will make a statement on the matter. [28326/11]

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. The Deputy will be informed of the outcome of the application as soon as a decision has been made.

Health Services

470. **Deputy Mattie McGrath** asked the Minister for Health his plans to deal with the lack of audiology services in south Tipperary; if his attention has been drawn to the fact that there is a two-year waiting list for a hearing test in south Tipperary for children; his views on whether this is acceptable; his further views that these delays could have a detrimental effect on the development of a child who has to wait for two years to have their hearing problems addressed; how he proposes that parents who are not in a position to pay privately deal with this matter to prevent their child's development being affected; if he is satisfied with this two-tier system; if he will consider extending the National Treatment Purchase Fund to cover these tests; and if he will make a statement on the matter. [28327/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the HSE for direct reply.

Health Service Staff

471. **Deputy Eamonn Maloney** asked the Minister for Health the outcome of the review of payment for fourth-year student nurses; and if he will make a statement on the matter. [28349/11]

Minister for Health (Deputy James Reilly): Last Autumn the previous Government decided to implement a range of budgetary measures including the phased abolition of pay to student nurses when undertaking the rostered placement, with progressive reductions from 2011 to 2014 and abolition from 2015.

Following my appointment, I requested a review of this decision and invited the nursing unions to become involved in the process. I also advised that a more general review of the degree programme for nurses would follow. The promised review of the pay issue is under way at present.

Departmental Schemes

472. **Deputy Aengus Ó Snodaigh** asked the Minister for Health if the long term illness scheme can be amended to include Crohn's disease. [28354/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): There are no plans to extend the list of conditions covered by the Long Term Illness Scheme. However, the terms of the scheme will be reviewed in the context of the Government's proposals for Universal Health Insurance and free GP care at the point of delivery.

Under the Drug Payment Scheme no individual or family pays more than €120 per calendar month towards the cost of approved prescribed medicines. The scheme significantly reduces the cost burden for families and individuals incurring ongoing expenditure on medicines.

In addition, people who cannot, without undue hardship, arrange for the provision of medical services for themselves and their dependants may be entitled to a medical card. In the assessment process, the Health Service Executive can take into account medical costs incurred by an individual or a family. Those who are not eligible for a medical card may still be able to avail of a GP visit card, which covers the cost of general practice consultations.

Departmental Investigations

473. **Deputy Joan Collins** asked the Minister for Health, further to Parliamentary Question No. 305 of 20 July 2011, the nature of the disciplinary action taken by the Health Service Executive human resource department following the internal audit; and the details of the recommendations of the internal audit. [28355/11]

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.

Medical Cards

474. **Deputy Aengus Ó Snodaigh** asked the Minister for Health the reason a medical card was replaced with a general practitioner card in respect of a person (details supplied) in Dublin 12. [28356/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Question No. 475 answered with Question No. 466.

Services for People with Disabilities

476. **Deputy Dominic Hannigan** asked the Minister for Health the position regarding plans to introduce a compulsory code of conduct for private providers of care to persons with disabilities in their homes; and if he will make a statement on the matter. [28359/11]

Minister of State at the Department of Health (Deputy Kathleen Lynch): *National Quality Standards: Residential Services for People with Disabilities* were published by the Health Information and Quality Authority (HIQA) in 2009. The standards will provide a national framework for quality, safe services for people with disabilities in residential settings.

The current Programme for Government includes a commitment to “put the National Standards for Residential Services for People with Disabilities on a statutory footing and ensure that the services are inspected by the Health Information and Quality Authority.” As announced on 16 June last, discussions have begun between the Department of Health and HIQA to progress this commitment.

Last week I released for public consultation the report of the Disability Policy Review which was drawn up for my Department by an Expert Reference Group. This report proposes a very significant reframing of disability services towards a model of individualised supports, underpinned by mainstreaming of all public services. As this policy develops, more people with disabilities will be provided with the supports necessary to allow them live in ordinary independent settings which are fully integrated into the local community. As part of this process, consideration will be given to mechanisms for ensuring quality and high standards in the provision of care to persons with disabilities in their own homes.

Departmental Bodies

477. **Deputy Willie O’Dea** asked the Minister for Health the details of any organisation under his Department’s remit which has informed him of staffing difficulties which may impinge upon its ability to effectively oversee the spending of public funds; and his views regarding same. [28372/11]

Minister for Health (Deputy James Reilly): None of the organisations that come under the remit of my Department has informed me of staffing difficulties that would impinge upon their ability to effectively oversee the spending of public funds.

478. **Deputy Willie O’Dea** asked the Minister for Health if he will outline the organisations under his Department’s remit for which an employment control framework has been agreed; the current numbers they have in place; and if any of them has been waiting more than one

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month to receive sanction to proceed to fill or retain any positions in spite of such positions falling below the agreed ECF ceiling. [28388/11]

Minister for Health (Deputy James Reilly): The public health sector (comprising the Health Service Executive (HSE) and voluntary hospitals) together with my Department's non-commercial State agencies are subject to Employment Control Frameworks.

The Employment Control Framework for the public health sector is managed by the HSE and provides for a general reduction in the numbers employed of at least 8,511 Whole Time Equivalents (WTEs) from the end of 2010 to the end of 2014. Certain grades and posts, such as social workers, physiotherapists, speech and language therapists and medical consultants, are exempted from the public service recruitment moratorium. In addition, the HSE has discretion to make exceptions to the moratorium in order to maintain essential services and to meet priority service change/reorganisation requirements. Notwithstanding the HSE's decision in July 2011 to pause recruitment, due to its serious budgetary overrun, exceptions are still being made to address critical service risks. The latest information available (August 2011) shows the numbers of staff employed by the public health sector at 104,511 WTEs.

The Employment Control Framework for my Department's agencies provides for a general reduction in the numbers employed of at least 128 WTEs from the end of 2010 to the end of 2014. While individual agency reduction targets do not currently apply, one agency, the Health Information and Quality Authority (HIQA), has an approved employment ceiling to accommodate the employment of key additional staff over the period. HIQA has been in discussions with my Department since the end of August about the filling of two senior posts in the organisation. The current agency employment numbers, expressed in Whole Time Equivalents (WTEs), at the end of June 2011 are set out in the following table.

Agency	Staffing (WTE)
An Bord Altranais	40.5
Dental Council	5.0
Food Safety Authority of Ireland	79.94
Food Safety Promotions Board	30.8
Health and Social Care Professional Council	7.0
Health Information Quality Authority	150.9
Health Insurance Authority	8.58
Health Research Board	70.5
Irish Blood Transfusion Service	552.58
Irish Medicines Board	259.43
Medical Council	52.5
Mental Health Commission	36.05
National Cancer Registry Board	51.9
National Council for the Professional Development of Nursing & Midwifery	11.5
National Paediatric Hospital Development Board	1
National Social Work Qualifications Board	6.5
National Treatment Purchase Fund	46.6
Opticians Board	2.0
Pharmaceutical Society of Ireland Council	23.55
Pre-Hospital Emergency Care Council	16.0

Hospital Services

479. **Deputy Michelle Mulherin** asked the Minister for Health the Health Service Executive policy and clinical procedures in place for the treatment of patients diagnosed with cardiac arrest from County Donegal to County Limerick along the western seaboard and including all of Connacht; the hospitals at which patients can be treated; and if he will make a statement on the matter. [28413/11]

Minister for Health (Deputy James Reilly): In June 2010 “*Changing Cardiovascular Health — Cardiovascular Health Policy 2010 -2019*” was launched. This policy establishes a framework for the prevention, detection and treatment of cardiovascular diseases, including stroke, which seeks to ensure an integrated and quality assured approach in their management, so as to reduce the burden of these conditions. The Clinical Strategy and Programmes Directorate within the HSE has developed a number of national clinical programmes. A national clinical programme for Acute Coronary Syndromes has been established. The overarching aim of the programme is to standardise treatment nationally of patients suffering from heart attack in its different forms, so that patients are treated urgently in accordance with clinical protocols.

I have asked the HSE to respond directly to the Deputy with the detailed information that has been sought.

Public Petitions

480. **Deputy Michael McCarthy** asked the Minister for Health the number of public petitions that have been submitted to him in the past four years, in tabular form; the nature of each petition campaign; the date on which each petition was submitted; the number of signatories on each petition; the action undertaken by him following consideration of the submission; and if he will make a statement on the matter. [28425/11]

Minister for Health (Deputy James Reilly): The information requested by the Deputy is not readily available within my Department. It will be collated and forwarded to him as soon as possible.

Departmental Task Forces

481. **Deputy Aengus Ó Snodaigh** asked the Minister for Health, further to Parliamentary Question No. 604 of 30 May 2011, if he has yet received the information from the Health Service Executive necessary to answer same; and if he will make a statement on the matter. [28430/11]

Minister for Health (Deputy James Reilly): Following the launch of ‘Reducing the Risk: A Strategic Approach — the Report of the Task Force on Sudden Cardiac Death in March 2006, the HSE set about coordinating the implementation of the recommendations in conjunction with partner agencies.

In coordinating the task of implementing the 75 recommendations, a steering group with four subgroups, comprising many of the original Sudden Cardiac Death Task Force members, was formed in September 2006 to maintain continuity with the work of the Task Force. In the three years of implementation that followed seventeen recommendations were implemented in full, forty five were commenced with work in progress and thirteen were outstanding.

In conjunction with partner agencies the key achievements included:

I. Improving first response to a cardiac event: considerable progress has been achieved with the launch of a ‘How To’ guide for communities and groups wishing to set up a first

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responder group; the publication of a guide for purchasers of an Automated External Defibrillator (AED); spatial analysis of current ambulance provision; initiation and evaluation of co-responder pilot programmes; and the finalising of the Cardiac First Response Report (CFRR) — which will inform the national Out-of-Hospital Cardiac Arrest Register (OHCAR). Agreed universally recognised AED signage for use in Ireland was finalised.

II. Improvement in resuscitation training: this was instigated through a number of programmes which included the development and introduction of standards across six levels of responders and practitioners by the Pre-Hospital Emergency Care Council (PHECC); training of GP's in 450 practices in resuscitation and AED use; training of 1,000 people in CPR/AED usage and another 1,500 people in CPR through partner organisations — such as Irish Heart Foundation (IHF) and Croi (West of Ireland Cardiology Foundation); a 'citizen CPR' public awareness campaign to raise awareness of calling for emergency services and learning CPR; and a novel CPR 4 Schools programme set up by the (IHF). [The August 2010 progress report of the Steering Group charged with reporting on the implementation of the recommendations of the Task Force on Sudden Cardiac Death refers to a finding in a survey in 2008 that almost a quarter of the population (over 16 years of age) reported that they have undergone CPR training in the previous five years — a very good base on which to build for the next decade.]

III. Risk assessment of those involved in sports or exercise: while this is an evolving area a consensus Advisory Statement was agreed with guidance for GPs developed in conjunction with the ICGP.

IV. Detection of those at high risk of SCD: in order to rapidly inform families of those who died of SCD under 40 years of age guidelines were developed in conjunction with the Coroners' Society of Ireland (CSI) and the Faculty of Pathology. The CSI has formally adopted these guidelines and informed members. Follow up of family members after a death from SCD is available through two voluntarily funded family screening clinics in Dublin.

V. Surveillance: considerable development in the area of surveillance has been accomplished. This includes the setting up of two important sources of surveillance (SCD in the Young register and the national OHCAR); the completion of two snapshot surveys within the Irish population (CPR training prevalence and the prevalence of family history and symptoms in risk assessment); as well as a large study of the prevalence of abnormalities on cardiac screening of a cohort of GAA athletes.

VI. Register: an SCD in Young register continues under the auspices of the Mater Heart House with IHF and HSE co-chairing a steering committee.

VII. The HSE has made a commitment (through one of our Public Health Doctors) to find an alternative approach to initiating an AED register and have set up a project with the IHF, PHECC and NAS. A part-time project manager has started on this project.

The final progress report mentioned above can be viewed at <http://www.hse.ie/eng/services/Publications/topics/Heart/sdcfinalrpt2010.pdf>. It concluded that many areas recommended in the SCD Task Force Report have been addressed and much has been achieved, though it acknowledged that there is more work to be done.

General Practitioner Services

482. **Deputy Patrick O'Donovan** asked the Minister for Health if out-of-hours doctor services

are required by his Department or the Health Service Executive to carry oximeters; his view on whether there is a need to carry these instruments as an aid to carrying out diagnoses; and if he will make a statement on the matter. [28432/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): Neither my Department or the HSE has a role in the equipment that doctors carry in the course of their out of hours duties. GPs under take four years postgraduate training, two of which are based in a GP practice setting. This training, in conjunction with the Medical Council's requirements on maintaining professional competence, for diagnosing and treating patients, help ensure that GPs are aware of instruments which are appropriate for patient care.

Data Protection

483. **Deputy Patrick O'Donovan** asked the Minister for Health if the Health Service Executive outsources the storage of medical files to private companies; if so, the amount that has been spent by the HSE during 2010 and 2011 to date for the storage of files; the total number of files in question; and if he will make a statement on the matter. [28433/11]

Minister for Health (Deputy James Reilly): As this is a service matter it has been referred to the HSE for direct reply.

Medical Cards

484. **Deputy Michelle Mulherin** asked the Minister for Health the position regarding a medical card application in respect of a person (details supplied) in County Mayo; and if he will expedite the matter. [28441/11]

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.

485. **Deputy Michelle Mulherin** asked the Minister for Health the position regarding a medical card application in respect of a person (details supplied) in County Mayo; if same will be expedited; and if he will make a statement on the matter. [28442/11]

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.

National Carers Strategy

486. **Deputy Michael Healy-Rae** asked the Minister for Health when the national carers strategy (details supplied) will be published; and if he will make a statement on the matter. [28449/11]

Minister for Health (Deputy James Reilly): There is a commitment in the current Programme for Government to develop a National Carer's Strategy to support carers and the Government intends to honour this commitment. The Deputy will be aware that a comprehensive review of expenditure is underway in all Government Departments which is examining all areas of expenditure, including within the health services and it would not be appropriate at this time to pre-empt any decisions which might be taken as a result of that review and the preparation of Budget 2012 later this year in relation to the services described in the details supplied with the question. The HSE provides a range of services to assist people with care needs. As the Deputy's question also relates to service matters, I have referred these questions to the Health Service Executive for direct reply.

Official Engagements

487. **Deputy Billy Kelleher** asked the Minister for Health if he will detail the purpose of his official visit to Connolly Hospital, Blanchardstown, Dublin, on 3 October 2011; and if he will make a statement on the matter. [28464/11]

488. **Deputy Billy Kelleher** asked the Minister for Health when his official visit to Connolly Hospital, Blanchardstown, Dublin, of 3 October 2011 was arranged; whether it was arranged at his request or if the hospital initiated contact regarding the engagement; and if he will make a statement on the matter. [28465/11]

489. **Deputy Billy Kelleher** asked the Minister for Health the meetings he undertook with senior management at Connolly Hospital, Blanchardstown, Dublin, during his official engagement of 3 October 2011 regarding the hospital's budget overrun, management of patient care and concern about withdrawal of front-line services; and if he will make a statement on the matter. [28466/11]

490. **Deputy Billy Kelleher** asked the Minister for Health if he will detail and itemise the costs incurred by him associated with his official visit to Connolly Hospital, Blanchardstown, Dublin, of 3 October 2011; and if he will make a statement on the matter. [28467/11]

491. **Deputy Billy Kelleher** asked the Minister for Health if he will detail any correspondence engaged in by him or his Department concerning his official visit to Connolly Hospital, Blanchardstown, Dublin, on 3 October 2011; and if he will make a statement on the matter. [28468/11]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 487 to 491, inclusive, together.

I visited Connolly Hospital on 3rd October 2011 to officially open the impressive 20,000 square feet Endoscopy Suite at the Hospital. This was on foot of an invitation extended to me by the hospital on the 14th of June. During the course of my visit I met with the Minister for Transport, Tourism and Sport, Mr. Leo Varadkar T.D., and the Minister for Social Protection, Ms Joan Burton T.D. I also met with senior management personnel and consultants from the hospital including Professor Conor Burke, Dr. Joe Galvin and Dr. John McDermott.

The only costs that would have been incurred by myself would be in relation to official mileage and a claim for this period has not yet been submitted. Other than initial correspondence concerning the invitation, briefing material was provided to Ministers Varadkar and Burton.

Care of the Elderly

492. **Deputy Billy Kelleher** asked the Minister for Health the position regarding the new 50-bed community hospital which was promised by the Health Service Executive when it closed St. Brigid's ward of St. Patrick's Hospital, County Waterford, thereby reducing the total bed count of the hospital to 78%. [28471/11]

Minister of State at the Department of Health (Deputy Kathleen Lynch): Concerns had been expressed in relation to health and fire safety at St Brigid's, a 19 bed ward, which was the last remaining ward on an upper floor of St Patrick's Hospital, Waterford. As a consequence of these concerns, the HSE decided that it was no longer viable to continue to accommodate residents in the ward and it was closed on a phased basis in 2009. The primary focus of the decision was the care and welfare of each resident. In view of the closure of St Brigid's, the

HSE took steps during 2009, to ensure that there was no reduction in the number of public beds to support older people in Waterford City. Arrangements were made for a total of 30 private nursing home beds to be contracted instead. This was prior to the commencement of the Nursing Homes Support Scheme.

The Executive, at the time of the closure of St Brigid's Ward, did indicate that it would examine the provision of a new 50 bed Community Nursing Unit (CNU) on the grounds of the hospital. Such a construction project would require capital funding and the HSE must prioritise all capital infrastructure projects nationally within its overall capital funding allocation. The Prospectus Report which was prepared for the HSE in 2008 assessed the provision of nursing home places across the country and the need for additional places to meet demographic change. The Report found that there were adequate places in Waterford at that time.

The current HSE capital plan covers the five year period 2011-2015. The Executive has published on its website details of the projects which it intends to deliver within this plan. No proposal to build a new CNU in St Patrick's is included in the plan. The Deputy will be aware that there is a commitment in the Programme for Government under Capital Developments in Health, to prioritise "*step down and long-term facilities and community care facilities such as day centres for older people*".

The Department is currently reviewing the provision of public residential care in the light of the need to meet national standards and regulations, local demographic pressures and public and private provision. The review will serve as a platform for discussion and will inform the development of an overall strategy on how the HSE should continue to provide this service in future in view of current budgetary and other pressures. The review must also be seen in the light of the wider health reform programme to which the Government is committed, and the position of social care services in a future health service.

The Deputy will appreciate that all developments have to be addressed in the light of the current economic and budgetary pressures and any decisions taken by the Executive must have regard to this and the current moratorium on the recruitment of nursing and non-nursing staff. Each HSE area, including the Local Health Office in Waterford has been asked to make a rigorous examination of how existing funding might be re-allocated to ensure maximum service provision. In particular we need to ensure that the highest standard of care will continue to be provided to all residents in a safe and secure environment.

The Programme for Government provided for a Comprehensive Spending Review which is now well under way. This exercise includes a review of health care expenditure. The outcome of this review will determine the health care allocations for 2012 and future years.

Health Services

493. **Deputy Denis Naughten** asked the Minister for Health his plans to withdraw the Health Service Executive circular of 26 April 2010 regarding the dental treatment service scheme in view of its impact on medical card holders; and if he will make a statement on the matter. [28475/11]

496. **Deputy Noel Coonan** asked the Minister for Health if the cutbacks in dental services to medical card holders as announced by his predecessor remain the same; the advice that should be given to persons in urgent need of treatment for gum disease, extraction and so on who are refused free treatment and unable to pay the relevant fees; if alternative help or service is available from community welfare officers, the Health Service Executive dental service or elsewhere; and if he will make a statement on the matter. [28606/11]

516. **Deputy Brendan Griffin** asked the Minister for Health if the dental treatment service scheme budget will be increased to meet demand and if preventative treatments will be restored for all medical card holders; and if he will make a statement on the matter. [28759/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): I propose to take Questions Nos. 493, 496 and 516 together.

Dental services for medical card holders are provided through the Dental Treatment Service Scheme (DTSS). Given the current difficult position of the public finances, the budget has been reduced and it is not possible to increase the services available under the DTSS. The HSE is working to ensure that patients with special needs, high risk patients and those who have greater clinical needs are prioritised for treatment. In addition, free emergency dental treatment and a free oral examination every 12 months are available to all eligible patients.

Hospital Services

494. **Deputy Barry Cowen** asked the Minister for Health if he will arrange an appointment for an operation to be brought forward in respect of a person (details supplied) in County Offaly. [28600/11]

Minister for Health (Deputy James Reilly): As this is a service matter, it has been referred to the Health Service Executive for direct reply.

495. **Deputy Barry Cowen** asked the Minister for Health if he will arrange an appointment to be brought forward in respect of a person (details supplied) in County Offaly. [28601/11]

Minister for Health (Deputy James Reilly): As this is a service matter, it has been referred to the Health Service Executive for direct reply.

Question No. 496 answered with Question No. 493.

Medical Cards

497. **Deputy Michael Healy-Rae** asked the Minister for Health the position regarding a medical card application in respect of persons (details supplied); and if he will make a statement on the matter. [28624/11]

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.

498. **Deputy Bernard J. Durkan** asked the Minister for Health if and when a medical card will issue in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [28626/11]

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 Services

499. **Deputy Bernard J. Durkan** asked the Minister for Health if further home help will be provided in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [28627/11]

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.

Pension Provisions

500. **Deputy Michael Healy-Rae** asked the Minister for Health if a ministerial order of pension was given to a person (details supplied) in County Kerry in 1988; if it is possible to receive a copy of same; and if he will make a statement on the matter. [28647/11]

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.

Community Care

501. **Deputy Seán Crowe** asked the Minister for Health his plans for a nursing home (details supplied) in County Wicklow; and if he will make a statement on the matter. [28661/11]

502. **Deputy Seán Crowe** asked the Minister for Health the moneys he has spent over the past five years on improving and upgrading facilities at a nursing home (details supplied) in County Wicklow. [28662/11]

503. **Deputy Seán Crowe** asked the Minister for Health his plans to redeploy nursing staff working at a nursing home (details supplied) should the decision be made to close this facility; and if staff will be employed close to their place of residence. [28663/11]

Minister of State at the Department of Health (Deputy Kathleen Lynch): I propose to take Questions Nos. 501 to 503, inclusive, together.

As this is a service matter it has been referred to the Health Service Executive for direct reply.

504. **Deputy Seán Crowe** asked the Minister for Health if it is the intention of the Health Service Executive to close all long-term stay nursing homes and move patients to private nursing homes. [28664/11]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The Deputy will be aware that there is a commitment in the Programme for Government under Capital Developments in Health, to prioritise “*step down and long-term facilities and community care facilities such as day centres for older people*”.

The Department is currently reviewing the provision of public residential care in the light of the need to meet national standards and regulations, local demographic pressures and public and private provision. The review will serve as a platform for discussion and will inform the development of an overall strategy on how the HSE should continue to provide this service in future in view of current budgetary and other pressures. The review must also be seen in the light of the wider health reform programme to which the Government is committed, and the position of social care services in a future health service.

The Programme for Government also provided for a Comprehensive Spending Review which is now well under way. This exercise includes a review of health care expenditure. The outcome of this review will determine the health care allocations for 2012 and future years.

Hospital Services

505. **Deputy Aengus Ó Snodaigh** asked the Minister for Health when a person (details supplied) in Dublin 8 will have an operation. [28666/11]

Minister for Health (Deputy James Reilly): As this is a service matter, it has been referred to the Health Service Executive for direct reply.

Domestic Violence

506. **Deputy Gerry Adams** asked the Minister for Health the level of funding that has been provided to domestic violence services in County Louth in each of the past five years; and if he will make a statement on the matter. [28670/11]

Minister for Health (Deputy James Reilly): As this is a service matter it has been referred to the HSE for direct reply.

507. **Deputy Gerry Adams** asked the Minister for Health the support that has been given by him in efforts to expand the women's refuge in Dundalk, County Louth, to allow the centre to deal with the increased number of women and children who are at risk of domestic violence. [28671/11]

Minister for Health (Deputy James Reilly): As this is a service matter it has been referred to the HSE for direct reply.

Hospital Services

508. **Deputy Catherine Byrne** asked the Minister for Health when a person (details supplied) in Dublin 8 will be given a date for a procedure; and if he will make a statement on the matter. [28674/11]

Minister for Health (Deputy James Reilly): As this is a service matter, it has been referred to the Health Service Executive for direct reply.

Services for People with Disabilities

509. **Deputy Brian Walsh** asked the Minister for Health his views on the introduction of an individualised budget for the care of people with disabilities as recommended in a recent report on disability policy; and if he will make a statement on the matter. [28681/11]

Minister of State at the Department of Health (Deputy Kathleen Lynch): I assume the report the Deputy is referring to is the Report of the Disability Policy Review drawn up by an Expert Reference Group at the request of the Department of Health which I formally released for public consultation at the end of last week.

The funding of disability services by the Department of Health is the subject of a detailed Value for Money and Policy Review as part of the Government's Value for Money Reviews for the period 2009 to 2011.

As part of the overall VFM review, a separate Expert Reference Group on Disability Policy was established to look specifically at existing disability policy and whether it needs to be changed to better meet the expectations and objectives of people with disabilities. As part of this review, a public consultation process on existing disability services was also undertaken which confirmed that people with disabilities and their families, more than anything else, are looking for more choice in the services they receive and more control over how they access them.

The report proposes a very significant reframing of disability services towards a model of individualised supports, underpinned by mainstreaming of all public services. On this basis, State funding would be allocated based on an independent assessment of individual needs. Following the needs assessments, individual support plans would then be drawn up and individualised budgets allocated from which the supports and services needed would be purchased.

A number of mechanisms are proposed to achieve this, including a broker system where the person has the choice and control but the broker administers the budget and commissions supports and services on their behalf, or direct payments where the person manages the budget and purchases the supports themselves.

The Group's final report has already been the subject of internal consultation within the Department of Health and more recently it has been circulated to other Government Departments for their views. It has now been released for the public and interested parties to have their say and I would encourage all those with an interest in this area to take this opportunity to have their say on the future direction of disability policy in this country.

The VFM exercise is due to be completed by year end with the submissions from the public consultation on the Disability Review also to be collated and analysed in that timeframe. It is then my intention to look at both reports together and in conjunction with Minister Reilly to ensure that proposals for the future of our disability services are brought to Government.

Hospital Services

510. **Deputy Gerald Nash** asked the Minister for Health if and when the special delivery unit inspected the emergency department at Our Lady of Lourdes Hospital in Drogheda, County Louth; the recommendations the unit issued to management at the hospital; when those recommendations will be implemented; and if he will ensure that the report of the SDU is made publicly available. [28692/11]

Minister for Health (Deputy James Reilly): On the 2nd June I established the Special Delivery Unit. This is a key commitment, under the programme for Government, to tackle waiting times in our health system. The Government believes that, despite our economic circumstances, there is scope for real and sustainable improvement of waiting times for patients, provided we put the proper information management systems in place and there is real accountability for delivering the improvements.

The SDU is working closely with the HSE to support performance management. As part of that work, the SDU is establishing an infrastructure based on information collection and analysis, hospital by hospital. Our Lady of Lourdes Hospital, Drogheda will be included under the scope of the performance monitoring by the SDU.

511. **Deputy Pat Deering** asked the Minister for Health when an operation will be carried out in respect of a person (details supplied) in County Carlow; and if he will expedite a response. [28707/11]

Minister for Health (Deputy James Reilly): I am determined to address the issues which cause unacceptable delays in patients receiving treatment in our hospitals. In this regard I have established the Special Delivery Unit (SDU), which will work to unblock access to acute services by dramatically improving the flow of patients through the system, and by streamlining waiting lists, including referrals from GPs. The SDU is working closely with its partner agencies — mainly the HSE and the NTPF.

As a priority, public hospitals have been instructed to ensure that, by the end of 2011, they have no patients waiting more than 12 months for treatment. Where they fail to do so, the NTPF will source the necessary treatments elsewhere and an appropriate budgetary adjustment will be made.

As this is a service matter, it has been referred to the HSE for direct reply. Should the patient's general practitioner consider that the patient's condition warrants an earlier appoint-

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ment, he/she would be in the best position to take the matter up with the consultant and facility involved.

512. **Deputy Seán Kenny** asked the Minister for Health the number of cardiothoracic surgeons currently employed in the Mater Hospital, Dublin; the number of persons on the waiting list to see a surgeon; and the average waiting time. [28730/11]

Minister for Health (Deputy James Reilly): As this is a service matter, it has been referred to the Health Service Executive for direct reply.

Medical Graduates

513. **Deputy Seán Kenny** asked the Minister for Health the number of doctors that have qualified on an annual basis in each of the past five years and to date in 2011. [28731/11]

Minister for Health (Deputy James Reilly): The number of medical school graduates for each of the years 2006 to 2010 is set out in the table below. Data for 2011 is not yet available.

Number of Graduates from Medical Schools 2006 to 2010

Graduation Year	Number
2006	640
2007	725
2008	680
2009	693
2010	780

Source: Higher Education Authority

Graduates from medical schools in Ireland must successfully complete 12 months clinical training (internship) in order to practise medicine. With effect from 1 June 2011 the Medical Council is responsible for granting Certificates of Experience to those who successfully complete their internship. Prior to this responsibility lay with the individual medical schools. The Medical Council has indicated that 511 doctors were granted Certificates of Experience in July 2011.

Health Services

514. **Deputy Denis Naughten** asked the Minister for Health the rates of travel expenses payable when a person is referred for occupational therapy through their employment; and if he will make a statement on the matter. [28738/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): My Department has made enquiries with the Health Service Executive regarding this matter. The Executive is not aware of any such expenses being paid. If the Deputy wishes to provide more information on this particular matter, I will seek further clarification from the HSE.

Hospital Services

515. **Deputy Bernard J. Durkan** asked the Minister for Health the extent to which existing staff and bed levels continue to be available at all public health institutions in County Kildare; if bed or ward closures are contemplated at any location; the extent to which he directly or the Health Service Executive have considered such issues with a view to maintaining maximum

level of services in view of the catchment area and increasing demand; and if he will make a statement on the matter. [28749/11]

Minister for Health (Deputy James Reilly): The detailed information requested by the Deputy in relation to service levels in County Kildare has been requested from the Health Service Executive. When I have received this information I will be in further contact with the Deputy in relation to the issues raised by him.

Question No. 516 answered with Question No. 493.

Medical Aids and Appliances

517. **Deputy Tom Fleming** asked the Minister for Health if he will expedite the provision of requested appliances in respect of a person (details supplied) in County Kerry. [28784/11]

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.

Drugs Payment Scheme

518. **Deputy Seán Crowe** asked the Minister for Health when he proposes to introduce the promised changes that will allow access to motor neurons suffers on to the drugs payment scheme. [28792/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): I understand that the Deputy is referring to the inclusion of motor neuron disease on the Long Term Illness Scheme. There are no plans to extend the list of conditions covered by the Long Term Illness Scheme. However, the terms of the scheme will be reviewed in the context of the Government's proposals for Universal Health Insurance and free GP care at the point of delivery.

Under the Drug Payment Scheme no individual or family pays more than €120 per calendar month towards the cost of approved prescribed medicines. The scheme significantly reduces the cost burden for families and individuals incurring ongoing expenditure on medicines.

In addition, people who cannot, without undue hardship, arrange for the provision of medical services for themselves and their dependants may be entitled to a medical card. In the assessment process, the Health Service Executive can take into account medical costs incurred by an individual or a family. Those who are not eligible for a medical card may still be able to avail of a GP visit card, which covers the cost of general practice consultations.

Ambulance Service

519. **Deputy Denis Naughten** asked the Minister for Health if he will report on an incident (details supplied) regarding waiting time for an ambulance; the steps being taken to address such a situation; and if he will make a statement on the matter. [28794/11]

Minister for Health (Deputy James Reilly): The National Ambulance Service has examined the matter and confirmed to me the following details in relation to this incident.

An emergency call was received at 1716 on Sunday 7 August and an emergency ambulance was mobilised in less than three minutes. The incident was approximately 25 km from Roscommon Ambulance Station and the ambulance arrived at the scene at 17.45, giving a response time of 29 minutes. The patient was treated and stabilised at the scene by the paramedic crew and a general practitioner and at 18.00 the ambulance continued its journey to Uni-

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versity Hospital Galway, arriving at 19.10. Upon arrival at the emergency department, the patient was seen by the consultant surgeon and prepared for surgery. The patient entered the operating theatre 15 minutes later, at 19.25, and was discharged from theatre at 20.30.

In a letter to the Regional Director, the Clinical Director of Acute Services, Dr David O'Keefe, acknowledged the vital role that the paramedics and ambulance service played in dealing with the patient's very serious injuries.

Hospital Services

520. **Deputy Seán Crowe** asked the Minister for Health if the out of hours general practitioner service will commence in Tallaght Hospital, Dublin, in October 2011; and the planned opening hours of same. [28800/11]

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

521. **Deputy Seán Crowe** asked the Minister for Health the number of posts including management, clinical and consultant positions in Tallaght Hospital, Dublin, awaiting Health Service Executive sanction; and the length of time these posts are outstanding. [28801/11]

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

522. **Deputy Finian McGrath** asked the Minister for Health the position regarding the progression of the tendering process for home helps and home care packages on the north side of Dublin; and when he expects a decision on the tendering process. [28814/11]

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

523. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the position regarding a medical card application in respect of a person (details supplied); and if same will be expedited. [28816/11]

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.

Pharmacy Services

524. **Deputy Billy Timmins** asked the Minister for Health the position in relation to the Financial Emergency Measures in the Public Interest Act instruments for pharmacies (details supplied); and if he will make a statement on the matter. [28867/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): In June my colleague, the Minister for Health, signed the Health Professionals (Reduction of Payments to Community Pharmacy Contractors) Regulations 2011. These regulations reduced certain payments made by the HSE to community pharmacy contractors and included a reduction in the wholesale mark-up on fridge items from 17.66% to 12%.

In making the regulations the Minister had regard to submissions made and views expressed during consultations; the nature of the services rendered by pharmacists and the general nature of expenses and commitments of pharmacists and the impact on the State's ability to continue to provide health services at existing levels if reductions were not made. The Minister for Health considers these rates of payment to be fair and reasonable. The Minister will carry out a review of the operation, effectiveness and impact of the new rates before the end of the year and all relevant stakeholders will be consulted as part of the review process.

Swimming Pool Projects

525. **Deputy Michael McCarthy** asked the Minister for Transport, Tourism and Sport if he will provide a progress report on the planned extension to Dunmanway swimming pool, County Cork; and if he will make a statement on the matter. [28171/11]

Minister of State at the Department of Transport, Tourism and Sport (Deputy Michael Ring): Under the Local Authority Swimming Pool Programme there are four principal stages in a swimming pool project following the submission of a feasibility study. These, in order of progress, are: Preliminary Report; Contract Documents; Tender and Construction. My Department received a proposal from Cork County Council on behalf of Dunmanway for the refurbishment of the existing pool together with an extension to accommodate additional facilities including a gym. A Preliminary Report on this proposal was approved in March 2001. I understand that the Council expects to have Contract Documents submitted to the Department for approval by April 2012.

Road Network

526. **Deputy Brendan Griffin** asked the Minister for Transport, Tourism and Sport if land owners require unanimous consent to undertake privately funded road improvement works through commonage; and if he will make a statement on the matter. [28746/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): Without knowledge of the specific circumstances to which the Deputy is referring I would direct his attention to section 13 of the Roads Act 1993, which sets out the circumstances in which persons can carry out road maintenance on a 'local' road, subject to local authority approval. Under section 81 of the Local Government Act 2001, the Minister for Transport, Tourism and Sport may make a grant to a road authority in relation to assistance by the Authority towards the construction or improvement of non-public roads in its functional area. However, assistance by a road authority under this section is conditional on a prior written agreement by the parties concerned with the road authority and a financial contribution by such parties.

Rail Network

527. **Deputy Denis Naughten** asked the Minister for Transport, Tourism and Sport his plan to re-open a railway line (details supplied); and if he will make a statement on the matter. [28155/11]

Minister of State at the Department of Transport, Tourism and Sport (Deputy Alan Kelly): Matters relating to the re-opening, or alternative uses for unused rail lines are a matter for Iarnród Éireann in the first instance. I understand that Iarnród Éireann currently has no plans to re-open the Mullingar to Athlone rail line.

In any event, given the new funding realities, the priority for use of scarce capital resources will be to protect investment made to date. This of necessity will greatly limit any possibility

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of re-opening unused rail lines. Moreover, the operating subsidies paid to Iarnród Éireann over the coming years are likely to be reduced considerably and therefore adding any new lines that would not make an operating profit will be difficult. However given that I have agreed to meet the local rail groups in Westmeath, I will listen to their views before initiating any action.

Road Safety

528. **Deputy Éamon Ó Cuív** asked the Minister for Transport, Tourism and Sport the number of persons killed in fatal accidents on motorways in each of the past three years; the percentage of national fatalities that take place on motorways; the percentage of national traffic carried on motorways; and if he will make a statement on the matter. [28239/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): Under the Road Safety Authority Act 2006 (Conferral of Functions) Order 2006 (S.I. No. 477 of 2006) the Road Safety Authority has responsibility for the collection and compilation of statistics on road accident fatalities. I have referred the Deputy's question to the Road Safety Authority for direct reply. Please advise my private office if you do not receive a reply within ten working days.

Road Network

529. **Deputy Peadar Tóibín** asked the Minister for Transport, Tourism and Sport if he will provide details of the works on which the National Roads Authority funding has gone which was promised to Kells Town Council to repair the regional roads through Kells town in County Meath after recent Bord Gáis works in the town. [28240/11]

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.

In this particular case, Kells Town Council was allocated €195,000 as a block grant towards roads maintenance in its administrative area for 2011. I understand from the National Roads Authority, who administer the funding on behalf of the Department, that to the end of August the Town Council had claimed €11,500 of this funding. The balance of this funding remains available for drawdown by the Town Council. It is, of course, the responsibility of the Town Council to ensure that those responsible for road openings restore the road to at least its pre-existing condition.

Road Safety

530. **Deputy Paul J. Connaughton** asked the Minister for Transport, Tourism and Sport if he will provide a database with information in relation to the towing capabilities of all cars, 4x4s, light commercial vehicles and agricultural tractors weighing up to 3.5 tonnes, in order that motorists can access information easily and ensure that they are not unwittingly towing trailers with unsuitable vehicles, which could cause great difficulty in the event of an accident or if stopped by police; or if he will can provide information on the source from which such information can be accessed; and if he will make a statement on the matter. [28340/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The towing capacity of all roadworthy vehicles is set out in the manufacturers handbook for the vehicle, which the owner of a vehicle should have access to. In view of the ease of availability of information on

towing capacity to each vehicle owner a database replicating such information is considered unnecessary.

All motorists should be cognisant of their vehicles' towing capacity as it can vary depending on the exact specification of the towing vehicle and is subject to whether or not the trailer has brakes. In relation to trailers, all trailers used on public roads must meet with Irish road safety regulations. Further information on this matter is available on the Road Safety Authority's website at *www.rsa.ie*.

Airport Development Projects

531. **Deputy Jerry Buttimer** asked the Minister for Transport, Tourism and Sport if he will publish submissions received from the three State airports on the question of establishing separate airports under the State Airports Act 2004; and if he will make a statement on the matter. [28344/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The submissions from the three State Airport Authorities on the question of establishing separate airports under the State Airports Act 2004, were sent to me in confidence. They contain commercially sensitive information and accordingly I do not propose to publish them. It should be noted that both Shannon and Cork Airports are incurring significant losses and profits from Dublin Airports are no longer sufficient to cover those losses.

532. **Deputy Jerry Buttimer** asked the Minister for Transport, Tourism and Sport if he will hold a meeting with the board of Cork Airport prior to making a decision on separating Cork Airport from the Dublin Airport Authority; and if he will make a statement on the matter. [28345/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): In May this year, I asked the boards of the three State Airports for their views on the question of establishing Cork and Shannon as independent airports under the State Airports Act 2004. The three airports have now responded and their submissions are being carefully examined. I hope to be in a position to make an announcement on the issue before the end of the year and will be in contact with each of the Airport Authorities before that announcement.

533. **Deputy Jerry Buttimer** asked the Minister for Transport, Tourism and Sport the amount of Cork Airport's outstanding debt; the amount of loan repayments paid in each of the three most recent financial years; and if he will make a statement on the matter. [28346/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The issue of Cork Airport's debt is a matter for the Dublin Airport Authority and I have forwarded the question to the authority for direct reply to the Deputy. I would ask the Deputy to contact my office if a reply has not received within ten working days.

Departmental Bodies

534. **Deputy Willie O'Dea** asked the Minister for Transport, Tourism and Sport the details of any organisation under his Department which has informed him of staffing difficulties which may impinge upon its ability to effectively oversee the spending of public funds; and his views regarding same. [28378/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The various agencies, which fall under the remit of my Department, submit regular reports and returns to my Depart-

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ment regarding staffing, expenditure and related business matters. These are reviewed by my Department and, where a particular agency raises a concern relating to how their staffing may impinge on their ability to deliver, the merits of the case outlined is examined in the context of the agency's commitments set out in various strategic documents including the current Programme for Government, the Public Service (Croke Park) Action Plans, Transforming Public Service initiatives etc.

With regard to the non-commercial agencies reporting to my Department both the Croke Park agreement and the Employment Control Framework for staffing requires those agencies to achieve very substantial cost and staffing efficiencies and I expect them to identify the best means of achieving these. In the case of commercial State agencies, while I have no direct function in relation to their day-to-day functioning, I equally expect that in the current economic market realities they too will seek the maximum cost and staffing efficiencies.

535. **Deputy Willie O'Dea** asked the Minister for Transport, Tourism and Sport if he will outline the organisations under his Department for which an employment control framework has been agreed; the current numbers they have in place; if they have been waiting more than one month to receive sanction to proceed to fill or retain any positions in spite of such positions falling below the agreed ECF ceiling. [28394/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The organisations under my remit with an agreed Employment Control Framework with regard to their staff numbers and the Whole Time Equivalent (WTE) staff number of each agency at 30th September 2011 is set out in the table. My Department engages on a regular basis in the context of managing the staff numbers in the Transport, Tourism and Sport sector as well as in the individual agencies.

Organisation	Staffing (WTE) @ 30 Sept 2011
Commission for Aviation Regulation	14.7
Medical Bureau for Road Safety	36.5
National Roads Authority	117
National Transport Authority	64.9
Railway Safety Commission	11
Road Safety Authority	288
Fáilte Ireland	325.9
Shannon Free Area Development Co. (Tourism element)	24
Irish Sports Council	26.4
National Sports Campus Development Agency	3.6

Integrated Ticketing

536. **Deputy Catherine Murphy** asked the Minister for Transport, Tourism and Sport the progress that has been made on the implementation and roll-out of the integrated ticket scheme for public transport; the nature of current delays; when will the project be completed; and if he will make a statement on the matter. [28436/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): Responsibility to develop, procure, implement, operate and maintain the integrated ticketing system in the Greater Dublin Area became the function of the National Transport Authority (NTA) with effect from 30th September 2010. I understand from the NTA that good progress is being made

on the project and it has now progressed towards the final stage of intensive testing for the key participants.

Luas have completed their development and are ready to launch. Technical difficulties which arose during recent testing of Dublin Bus ticketing equipment have now been stabilised. The NTA is also hopeful that certain critical issues identified during testing of Iarnród Éireann's software can be resolved shortly. This would enable a public launch of the three operators together in the system.

Developments on behalf of Bus Éireann and private bus operators continue to make good progress and the current programme shows these operations commencing their integration with ITS this year. I am liaising regularly with the NTA to ensure a successful launch. The results of this final intensive phase of testing will be assessed later this month before initiating a full public launch.

Road Safety

537. **Deputy Michael Healy-Rae** asked the Minister for Transport, Tourism and Sport if he will clarify the situation regarding the necessity to wear high visibility yellow jackets by persons on motorbikes and motorcycles; and if he will make a statement on the matter. [28447/11]

538. **Deputy Michael Healy-Rae** asked the Minister for Transport, Tourism and Sport the position regarding high visibility clothing on motorcycles particularly in terms of tourists (details supplied); and if he will make a statement on the matter. [28448/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): I propose to take Questions Nos. 537 and 538 together.

EU Regulations regarding motorcycle standards are under discussion in the EU at present. The Road Safety Authority (RSA) represents my Department at these discussions and I am informed that the proposals relate only to vehicle standards, not to the vehicle's use or the driver, and specify the standards to be applied to new motorcycles. The proposals present a legal framework for the type approval and increased market surveillance of mopeds, motorcycles and quads, which will replace and simplify the existing Framework Directive 2002/24/EC.

Contrary to suggestions that have been made by various parties, the proposed Regulations do not include provisions for mandatory wearing of high visibility clothing by motorcyclists, banning older motorcycles from urban areas or changes to driver licensing. The proposed Regulations are designed to improve the safety of those who belong to a vulnerable road user group and who account, proportionately, for the highest fatality and injury rates among all road users.

The main elements of the proposed Regulations relate to mandatory anti-lock braking system, prevention of tampering with the powertrain and automatic use of headlamp on. The Regulations are also designed to reduce vehicle emissions for these types of vehicles, which, statistics show, currently are not reducing in line with other road vehicles such as cars, buses and goods vehicles. The Road Safety Authority has recently published an information note on the proposals on their website, and they are inviting feedback from stakeholders and the general public before 29th October, 2011.

The RSA's Motorcycle Safety Action Plan has an action for the compulsory wearing of high visibility vests by 2014. This is based upon research into road traffic collisions involving motorcyclists. Observation studies conducted by the Road Safety Authority have in the past reported already high visibility clothing wearing rates of approximately 40% by motorcyclists in Ireland and it may be higher now. The RSA are carrying out a follow up study which is due

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to commence this month. The RSA will have analysed the data and will release the findings by the end of the year.

In the event that there are high wearing rates by 2014, the Road Safety Authority will then re-evaluate the need for compulsory wearing of high-visibility vests. However if there is a need to make a high visibility vest compulsory, the Road Safety Authority will not make a decision on the type of high visibility vests without consulting with motorcyclists and the industry. It is the intention of the RSA to encourage the use of high visibility vests by offering them free of charge to motorcyclists.

Road Network

539. **Deputy Michael Healy-Rae** asked the Minister for Transport, Tourism and Sport if he will make funding available in 2012 for roads (details supplied). [28610/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): As Minister for Transport, Tourism & Sport, I have responsibility for overall policy and funding in relation to the national roads programme. The planning, design and implementation of individual national road projects is a matter for the National Roads Authority (NRA) under sections 17 and 19 of the Roads Acts 1993 to 2007 in conjunction with the local authorities concerned.

Similarly, 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 each Council.

As I have stated before, a comprehensive review of capital spending is now underway, the results of which will form the basis for a new National Development Plan. The review will also take account of new funding realities. A major aim will be to prioritise funding to protect and maintain the investment made to date in the roads network and to maintain safety standards. It is expected that the NRA will announce their 2012 Grant Allocations for national roads early in the New Year. In the case of non-national roads, I would also expect to announce the Grant Allocations to Local Authorities early in 2012.

Rail Network

540. **Deputy Brendan Ryan** asked the Minister for Transport, Tourism and Sport if, in view of the 2007 agreement with Carrick-on-Suir Town Council (details supplied), Iarnród Éireann will honour its agreement to provide adequate staffing at the manual railway level crossing at Cregg Road, Carrick-on-Suir, County Tipperary; and if he will make a statement on the matter. [28659/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The issue raised is a matter for Iarnród Éireann. I have referred the Deputy's question to the company for direct reply. Please inform my private office if you have not received a reply within ten working days.

Penalty Points System

541. **Deputy Catherine Murphy** asked the Minister for Transport, Tourism and Sport the main offences for which penalty points were awarded on a county basis in 2010; the way they compare with 2009; and if he will make a statement on the matter. [28711/11]

543. **Deputy Catherine Murphy** asked the Minister for Transport, Tourism and Sport the number of penalty points, by county, that were imposed in 2010; the way that this compares with the fatality and serious injuries rate; and if he will make a statement on the matter. [28718/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): I propose to take Questions Nos. 541 and 543 together.

Under the Road Safety Authority Act 2006 (Conferral of Functions) Order 2006 (S.I. No. 477 of 2006) the Road Safety Authority has responsibility for the collection and compilation of statistics on penalty points. I have referred the Deputy's question to the Road Safety Authority for direct reply. Please advise my private office if you do not receive a reply within 10 working days.

Public Transport

542. **Deputy Gerry Adams** asked the Minister for Transport, Tourism and Sport in relation to the bus connection between Dublin Airport and Belfast which is jointly run by Bus Éireann and Ulster Bus when the decision was taken to end the practice of the bus stopping in Dundalk, County Louth; the reason behind this decision; if his attention has been drawn to the fact that there is now no direct bus service between Dundalk and Belfast; if he will consider reinstating this service. [28716/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The issue raised in an operational matter for the bus companies concerned. I have referred the Deputy's question to Bus Éireann for direct reply. Please advise my private office if you do not receive a reply within ten working days.

Question No. 543 answered with Question No. 541.

Ministerial Appointments

544. **Deputy Seán Kenny** asked the Minister for Transport, Tourism and Sport the appointments made to State agencies and boards under his remit for the years 2008, 2009, 2010 and to date in 2011. [28729/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): Since my appointment as Minister for Transport, Tourism and Sport on 9th March 2011 I have made 34 appointments to the boards of the agencies under my remit. They are listed in the table. Any appointments made prior to my appointment can be found in the Annual Reports of the agencies.

My Department are currently working on a database of appointments to State boards. Within a few months my Department will commence regular publication of information from this database to our website to ensure that up to date information will be more easily available to interested parties and the public. Board Appointments since 9 March 2011

Body	Appointee	Date of Appointment
National Roads Authority	David O'Connor	27/06/2011
Road Safety Authority	Gay Byrne	14/09/2011
	Edward Rock	14/09/2011
	Sean Finan	14/09/2011
	Aaron McHale	14/09/2011
	Áine Cornally	14/09/2011
	Dr. Áine Carroll	14/09/2011
	Ronan Melvin	14/09/2011
	Myra Garrett	14/09/2011

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Body	Appointee	Date of Appointment
Bus Átha Cliath	Kevin Bonner	29/06/2011
Bus Éireann	Paul Mallee	29/06/2011
Iarnród Éireann	Phil Gaffney	29/06/2011
Railway Procurement Agency	Frank Allen	06/08/2011
	David O'Connor	27/06/2011
	Tom Wall	28/07/2011
Advisory Committee to the National Transport Authority	Pat Byrne	01/07/2011
	Frank Moore	01/07/2011
	Peter Rogers	01/07/2011
	Christopher Humphrey	01/07/2011
	Michael Kilcoyne	01/07/2011
	Donie O'Shea	01/07/2011
	Douglas Jordan	01/07/2011
	Michael Rowland	01/07/2011
	Derek McGovern	01/07/2011
	Brian Killeen	01/07/2011
	Al Ryan	01/07/2011
	Cornelius McIntyre	01/07/2011
	Kathleen Diamond	01/07/2011
Irish Aviation Authority	Eamonn Brennan	08/09/2011
	Michael Norton	06/10/2011
Fáilte Ireland	Gina Murphy	18/07/2011
	Noel Kavanagh	18/07/2011
	Frankie Sheahan	18/07/2011
	Ciarán O'Gaora	18/07/2011
Tourism Ireland	Jim Flannery	25/07/2011

Taxi Regulations

545. **Deputy Patrick O'Donovan** asked the Minister for Transport, Tourism and Sport if he will review a matter (details supplied) regarding applying for a hackney licence. [28737/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The regulation of the taxi industry, including matters related to the SPSV skills development programme, which involves both industry knowledge and area knowledge tests, is a matter for the National Transport Authority (NTA) under the Taxi Regulation Act, 2003. I have referred the matter raised by the Deputy to the NTA for direct reply. If you do not receive a response within ten working days, please contact my Office.

546. **Deputy Michael Creed** asked the Minister for Transport, Tourism and Sport, further to Parliamentary Question No. 43 of 29 September 2011, if he will clarify the reason the National Transport Authority revoked the nine year rule only for those who had applied for their first vehicle licence prior to 1 January 2009; the reason those holding their first licence after this date are treated differently with regard to vehicles of nine years of age; and if he will make a statement on the matter. [28744/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The regulation of the taxi industry, including the decision taken on the nine year rule, is a matter for the National Transport Authority under the Taxi Regulation Act, 2003. I have forwarded the deputy's request to the NTA for direct reply. Please contact my office if you do not receive a reply within ten working days.

The NTA are currently carrying out a review of vehicle standards particularly with regard to older vehicles and are examining what alternative measures will be put in place to ensure

an appropriate quality of vehicle for consumers and operators. I should add that the conclusions of the vehicle standards review, when finalised by the NTA, will also be considered by the taxi regulation review steering group that I am chairing.

Road Network

547. **Deputy Seán Kyne** asked the Minister for Transport, Tourism and Sport if he has been in communication with officials from the Court of the European Union, previously the European Court of Justice, to attempt to expedite the decision in relation to the integrity of special areas of conservation on which the Galway city outer bypass is dependent. [28771/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): As Minister for Transport, Tourism and Sport, I have responsibility for overall policy and funding in relation to the national roads programme. The planning, design and implementation of individual national road projects, including the N6 Galway City Outer Bypass, are matters for the National Roads Authority (NRA) under the Roads Acts 1993 to 2007 in conjunction with the local authorities concerned.

The main part of the Galway City Outer Bypass scheme was approved by An Bord Pleanála in 2008 but cannot proceed as this approval was the subject of judicial review proceedings which have culminated with a referral by the Supreme Court to the European Court of Justice of the question of the correct interpretation of Article 6(3) of the Habitats Directive and of Regulation 30 of the Habitats Regulations 1997.

The Habitats Directive forms part of Irish Planning legislation which comes under the remit of the Department of Arts, Heritage and the Gaeltacht. This case will be progressed in accordance with the normal procedures and it is not a matter in which I have any role. More generally, it should be noted that I am currently organising a roundtable meeting with the various public authorities involved in this project.

548. **Deputy Seán Kyne** asked the Minister for Transport, Tourism and Sport if he can confirm, subject to planning, that the Galway city outer bypass will be a public-private partnership project; and the likelihood of the road being a tolled one. [28776/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): As Minister for Transport, Tourism and Sport, I have responsibility for overall policy and funding in relation to the national roads programme. The planning, design and implementation of individual national road projects, including the N6 Galway City Outer Bypass, are matters for the National Roads Authority (NRA) under the Roads Acts 1993 to 2007 in conjunction with the local authorities concerned. Accordingly, the identification and selection of suitable projects for implementation on a public private partnership basis is a matter in the first instance for the NRA.

In addition, 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 Acts 1993 (as amended by the Planning and Development Act 2000 and the Roads Act 2007). I am currently organising a roundtable meeting with the various public authorities involved in this project.

549. **Deputy Seán Kyne** asked the Minister for Transport, Tourism and Sport his views that the first part of the Galway city outer bypass, subject to planning and funding, could proceed to the N59 road, independent of the second part which goes to Barna and is being delayed due to judicial proceedings at European level. [28779/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): As Minister for Transport, Tourism and Sport, I have responsibility for overall policy and funding in relation to the national roads programme. The planning, design and implementation of individual national road projects, including the Galway City Outer Bypass, are matters for the National Roads Authority (NRA) under the Roads Acts 1993 to 2007 in conjunction with the local authorities concerned. Within its capital budget, the assessment and prioritisation of individual projects is a matter in the first instance for the NRA in accordance with Section 19 of the Roads Act. Therefore, I have referred the question to the NRA for further reply to the Deputy. Please advise my Private Office if you do not receive a reply within 10 working days.

The Galway City Outer Bypass project from the M6 to the N59, while approved by an Bord Pleanála, is currently on hold pending a ruling on the case from the European Court of Justice.

550. **Deputy Seán Kyne** asked the Minister for Transport, Tourism and Sport his views on whether it is imperative that the Moycullen bypass be in place when the first half of the Galway city outer bypass is constructed to the N59 at Bushypark, Galway. [28780/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): As Minister for Transport, Tourism and Sport, I have responsibility for overall policy and funding in relation to the national roads programme. The planning, design and implementation of individual national road projects, and the sequencing of their construction, are matters for the National Roads Authority (NRA) under the Roads Acts 1993 to 2007 in conjunction with the local authorities 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 do not receive a reply within 10 working days.

551. **Deputy Dominic Hannigan** asked the Minister for Transport, Tourism and Sport if he will consider implementing an audit of all national roads that have seen their speed limit cut by more than 30% in the past five years including an analysis of the reason for same; and if he will make a statement on the matter. [28796/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): Statutory responsibility for the application of speed limits is vested in members of county and city councils. The Road Traffic Act 2004 establishes default speed limits that apply to defined categories of roads and which can only be changed by county and city councils through the making of special speed limit bye-laws. Section 9 of the 2004 Act sets out the range of special speed limits that may be applied by local authorities through bye-laws.

In accordance with Actions identified in the Road Safety Strategy 2007 — 2012, my Department issued guidelines on speed limits in January of this year to all local authorities. The onus is on local authorities to take these guidelines into account in relation to the speed limits to be set for all roads in their area of responsibility. The purpose of these guidelines is to provide advice and guidance in relation to the making of speed limit bye-laws by county and city councils for the purpose of applying special speed limits. After taking the guidelines into account it is considered best practice for local authority officials to advise the elected members of their respective councils on what a suitable speed limit regime should be for different roads in their areas of responsibility. For new roads the local authority will have the relevant information on the speed for which the road was designed.

As part of a Direction given by the Minister in January 2011, all local authorities were requested to undertake an assessment of special speed limits in their functional areas. The results of that assessment are expected to be available to my Department before the end of 2011.