



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

Dé Máirt, 18 Deireadh Fómhair 2011.

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TUAIRISC OIFIGIÚIL OFFICIAL REPORT

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Tuesday, 18 October 2011.

Chuaigh an Ceann Comhairle i gceannas ar 2 p.m.

Paidir.

Prayer.

Ceisteanna — Questions

Priority Questions

Turbary Rights

39. **Deputy Robert Troy** asked the Minister for Arts, Heritage and the Gaeltacht the date on which negotiations between him and turf cutters is scheduled to take place; the substance of these negotiations; and if he will make a statement on the matter. [29906/11]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): Further to Ireland's obligations under EU law to protect rare and threatened natural habitats, it is clear that further turf cutting and conservation of Ireland's 53 raised bog special areas of conservation, SACs, are incompatible. Earlier this year, the Government announced a compensation package for those affected by the cessation of turf cutting in these 53 raised bog SACs. The package offers qualifying turf cutters the option of a financial payment of €1,000 per year, index linked, for a period of 15 years or, where feasible, their relocation to a non-designated bog where they can continue to cut turf.

[Deputy Jimmy Deenihan.]

In April, the independently chaired Peatlands Council was established, comprising representatives of turf cutting interest groups, environmental groups, Bord na Móna and my Department. The remit of the council includes an opportunity to review the compensation arrangements, to make proposals and to provide advice to me. As part of its contribution, one of the turf cutting representative groups, the IFA, proposed that the State would provide a delivery of turf to those who must stop turf cutting as an alternative to a financial payment. My Department is now making arrangements to include this as an element of the compensation arrangements. The council has also proposed an approach that would focus on the long-term energy requirements of affected turf cutters, and this proposal is also being explored.

In terms of relocation, following lengthy discussions between affected turf cutters, Bord na Móna and my Department, agreement has been reached on the terms and conditions for relocation from the first of the 53 raised bogs to an alternative undesignated bog, where the turf cutters involved will be cutting in 2012. This relocation can now be used as a template for other groups who wish to continue cutting on alternative bogs.

The Peatlands Council has shown that it can be a vehicle to deliver results and a credible forum where the interests of turf cutters can be represented and accommodated. While one group — the Turf Cutters and Contractors Association — has withdrawn from the Peatlands Council, it had been working, with the assistance of my Department, to explore relocation sites for the 53 SACs. I would still welcome any proposals which the Turf Cutters and Contractors Association wishes to propose to the Peatlands Council and my Department in this regard.

Additional information not given on the floor of the House

It is also intended that the Peatlands Council will be the vehicle for the drawing up of a peatlands strategy, which my Department is undertaking, and where longer-term issues regarding the future use of Ireland's peatlands will be set out. Interested parties can make their views known by writing directly to the Peatlands Council or by having their views directed to it through one of the representative groups sitting on the council.

Deputy Robert Troy: I thank the Minister for his reply. We on this side of the House believe the Government must immediately bring forward proposals for a long-term solution to compensate turf cutters, which is an issue of particular concern in the midlands and further west. The Peatlands Council is somewhat disappointed that the Minister went ahead and signed this agreement without full consultation with the council. The council had proposed a compromise whereby 80% of the 53 SAC bogs would not be cut. This whole problem stems back to 1997 when the then Minister, Mr. Michael D. Higgins, signed the habitats directive and the derogation was put in place for ten years.

The Minister's reply referred to 53 locations. How close are we to having alternative locations provided for the turf cutters? What, if any, negotiations have taken place with the Turf Cutters and Contractors Association to try to get it back to the Peatlands Council? The association is one of the main representative bodies and should partake in the Peatlands Council. The Minister referred to the delivery of turf as a proposal by the IFA. How many other strands of the Peatlands Council welcome this as a suitable alternative?

Deputy Jimmy Deenihan: The instrument to which the Deputy refers has nothing to do with the closure of bogs and has been in force for the past four years. As the Deputy knows, we were ruled against in the court, which stated we had not done enough to put in place the birds directive. That instrument went out for consultation last summer and the Turf Cutters and Contractors Association did not respond to it. It has nothing to do with the closure of 53 bogs, which we are told must happen.

I want to make this point very clear as it has been mentioned as one of the reasons the Turf Cutters and Contractors Association has withdrawn. The association has stated the reason it withdrew from the last meeting was a statement made by Deputy Hogan. It was not because of the instrument I recently signed that I had no option but to sign. It was there and had been completed by the time I came into office. It had gone out for consultation but the aforementioned organisation did not respond. I make that point clear today.

As for the overall process, I remind the Deputy the previous Government made a Cabinet decision in May 2010 that these 53 bogs would be closed that year but they were not. Last year, many of them were closed and I understand that cutting only took place on six bogs—

An Ceann Comhairle: Thank you, Minister.

Deputy Jimmy Deenihan: —but it now is clear there will be no turf-cutting next year. It is important to note that I wish to continue to work with the Peatlands Council and to continue to engage with the Turf Cutters and Contractors Association, which has come up with some good proposals on relocation. I was in Galway recently when the association's representative made a presentation to Galway County Council at which he suggested they had achieved solutions to approximately 78% of the problem. This is very good and any help I can give to the Turf Cutters and Contractors Association and any time I can speak to it, I certainly will because the association obviously will be highly important in the eventual solution. I wish to make one point.

An Ceann Comhairle: We are way over time.

Deputy Jimmy Deenihan: I acknowledge the Turf Cutters and Contractors Association's contribution to this debate thus far.

Deputy Robert Troy: May I ask a supplementary question?

An Ceann Comhairle: Sorry, we are one minute over the seven minutes for that question.

An Straitéis 20 Bliain don Ghaeilge

40. **D'fhiafraigh Peadar Tóibín** den an Aire Ealaíon; Oidhreacht agus Gaeltachta cad atá ag tarlú leis an Straitéis Fíche Bliain; cén dul chun cinn atá déanta maidir le cur i bhfeidhm na straitéise; cén maoiniú atá curtha ar leataobh le haghaidh na straitéise; agus an bhfuil sé i gceist an straitéis a chur i bhfeidhm go hiomlán [30082/11]

Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley): Mar thoradh ar chinntí polasaí faoin straitéis 20 bliain don Ghaeilge a thóg an Rialtas ar 31 Bealtaine 2011, tá na cinn don Bhille Gaeltachta a thabharfaidh feidhm do na cinntí seo, de réir mar is cuí, dréachtaithe ag mo Roinn. Táthar ag súil na dréacht chinn a chur faoi bhráid an Rialtais go luath sa chaoi is go bhfoilseofar an Bille Gaeltachta in 2012, i gcomhréir le clár reachtaíochta an Rialtais.

Tá aonad straitéise bunaithe i mo Roinn atá freagrach as pleanáil agus feidhmiú na straitéise a threorú. Tá plean forfheidhmithe trí bliana mo Roinn maidir le cur i bhfeidhm na straitéise á ullmhú san am i láthair. Os rud é go bhfuil iliomad páirtithe leasmhara luaite faoin straitéis 20 bliain, tá sé i gceist ag mo Roinn dul i ndáil chomhairle leis na príomhpháirtithe leasmhara maidir leis an bplean forfheidhmithe sa chaoi is go mbeifear in ann é a fhoilsiú go luath.

Tá trí ghrúpa oibre ardleibhéil bunaithe ag an aonad straitéise i mo Roinn chun dlús a chur le forfheidhmiú na straitéise: grúpa oibre idir oifigigh i mo Roinn agus an Roinn Oideachais agus Scileanna, atá ag díriú ar chur i bhfeidhm na straitéise i réimse gnímh an oideachais, ag

[Deputy Dinny McGinley.]

tógáil san áireamh na laincisí ar acmhainní i láthair na huaire; grúpa oibre idir oifigigh i mo Roinn, in Údarás na Gaeltachta agus i bhForas na Gaeilge, atá dírithe ar idirdhealú a dhéanamh idir na feidhmeanna ar leith atá á gcomhlíonadh ag na heagraíochtaí sin sa chaoi is gur féidir a chinntiú go mbeidh cur chuige éifeachtach ann agus go mbeidh an luach is fearr ar airgead ag an Stáitchiste; agus grúpa oibre idir oifigigh i mo Roinn, sa Roinn Caiteachais Phoiblí agus Athchóirithe agus sa Roinn Post, Fiontair agus Nuálaíochta, atá dírithe ar na bealaí is éifeachtaí chun infheistíocht fiontraíochta a chinntiú don Ghaeltacht.

Is mar thoradh ar an athbhreithniú cuimsitheach caiteachais atá ar siúl faoi stiúir na Roinne Caiteachais Phoiblí agus Athchóirithe ar chaiteachas an Stáit agus i gcomhthéacs an phróisis meastachán a dhéanfar cinntí sonracha maidir leis an soláthar a bheidh ar fáil i ndáil le cur i bhfeidhm na Straitéise in 2012.

Deputy Peadar Tóibín: Mar a dúirt mé cheana agus mar a dúirt saineolaithe freisin, níl ach 15 bliain fágtha don Ghaeilge mar theanga an phobail sa Ghaeltacht ag an bomaite seo. Sin an fáth go mbeidh béim mhór ar an straitéis 20 bliain as seo amach. Ba mhaith linn anois rudaí inlámhsithe a fheiceáil ón Rialtas. Ceapann an t-Aire Stáit go bhfuil na coistí ag feidmiú faoi láthair agus is rud mhaith í sin. An bhfuair An Comhairle um Oideachas Gaeltachta agus Gaelscolaíochta cuireadh ón Rialtas freastal ar aon cheann de na coistí sin ar chor ar bith? Labhair an t-Aire Stáit faoin plean forfheidhmithe atá cruthaithe ag an ionad straitéise. Cathain a foilseoidh an Rialtas an plean forfheidhmithe? An bhfoilseofar i mbliana é?

Deputy Dinny McGinley: Tuigimid ulig an phráinn atá leis an gceist seo. Sin an fáth gur borraíodh an straitéis 20 bliain, gur fáiltíodh roimhe agus gur thugamar go léir tacaíocht dó. Chuir páirtithe ar gach taobh den Teach agus an chomhchoiste fáilte roimhe. Mar a dúirt an Teachta Tóibín, tá an t-am gairid. Níl ach idir 15 agus 20 bliain fágtha againn, mar adúirt an staidéir teangeolaíochta. Sin an fáth go bhfuil an Rialtas ag cur an-bhéim ar an straitéis agus go bhfuil coiste ath-bhunaithe ag an Rialtas, faoi cheannas agus faoi chathaoirleacht an Taoisigh féin, a raibh dhá chruinniú aige ó bunaíodh é agus gur gairid go mbeidh cruinniú eile againn.

Maidir leis na fo-choistí idir oifigigh mo Roinne agus na Roinne Oideachais agus Scileanna, chomh fada agus is eol dom beidh siad ag teagmháil leis na páirtithe leasmhara go léir. Is é mo thuairim féin go bhfuil tuairimí, barúlacha agus eolas ag an gComhairle um Oideachas Gaeltachta agus Gaelscolaíochta, COGG, a rachas chun socair go mór do cibé plean a dtiocfaimid aníos leis ins an Roinn Oideachais agus Scileanna. Tá mé cinnte, muna bhfuil sé déanta cheana féin ag an Roinn sin, go ndéanfaidh siad é sin gan mhoill.

Bheinn ag súil go dtabharfadh an coiste atá idir mo Roinn agus an Roinn Oideachais agus Scileanna éisteacht do gach eagraíocht atá ag plé le hoideachas trí Ghaeilge, mar go bhfuil saineolas acu ar na deacrachtaí, buntáistí agus dúshláin atá ansin. Tá súil as Dé agam, munar tharla sé go dtí seo, go dtarlóidh sé sin gan mhoill.

Níl a fhios agam an raibh tríú cheist ag an Teachta nó nach raibh.

Deputy Peadar Tóibín: Chuir mé ceist mar gheall ar an bplean forfheidhmithe atá ag an ionad straitéise. Cathain a mbeidh sé foilsithe?

Deputy Dinny McGinley: Chomh fada agus is eol dom, táthar ag obair de ló agus d'óiche, agus gach Roinn páirteach leis an Roinn Caiteachas Phoiblí agus Athchóirithe. Bíonn siad ag dó ola na meánoíche ar na pleananna. Maidir le caidé atá i gceist, níl sé ar eolas agam féin agus ní shílím go bhfuil sé ar eolas ag an Aire in aice liom, ach sílim go mbeidh sé á chur ar fáil gan mhoill. Táimid i mí Dheireadh Fómhair anois. Muna mbíonn sé ar fáil an mhí seo táim

cinnte go mbeidh sé ar fáil go luath an mhí seo chugainn. Deirim é sin agus tá mé ag tabhairt tuairim réasúnta. Ní shílím go bhfuil dáta ar bith socair go fóill, chomh fada agus is eol dom.

Tá an-chuid oibre déanta. Fiú amháin i rith an tsamhraidh nuair a bhí an chuid eile againn ar ár laethanta saoire, bhí siad ag obair air seo. Tá sé an-thábhachtach go dtiocfaidís aníos leis na cinnithe cearta, ní ar mhaithe leis an Ghaeilge ach ar mhaithe le heacnamaíocht agus geille-agair na hÉireann.

Deputy Peadar Tóibín: Tá súil agam nach bhfuil ola an mheánoíche ró-dhaor ag an mbomaite. Ar aon nós, níl aon pháirt lárnach ag na grúpaí pobail sa straitéis 20 bliain. An mbeidh seans ag na heagraíochtaí pobail a bheith páirteach sna coistí atá bunaithe ag an Rialtas?

Deputy Dinny McGinley: Sílim go mbeimid ag tabhairt aird ar na heagraíochtaí atá ag gníomhú ar son na Gaeilge ins an bpobal. Tá an t-eolas ar ghréasán na Roinne i láthair na huaire. Beidh seastán ag an Oireachtas, a bhéas ar siúil i gCill Áirne ag tús na míosa seo chugainn, maidir le straitéis na Gaeilge. Táthar ag teagmháil agus tá cuireadh tugtha do heagraíochtaí a gcuid tuairimí a chur isteach.

Caithfidh an straitéis a bheith i gceart. Seo an seans deiridh. Caithfidh aird a thabhairt ar thuairimí luachmhara agus ar thuairimí gur fiú aird a thabhairt orthu. Ní thig linn dearmad a dhéanamh de aon tuairimí deimhnithe a thagann isteach.

Arts Plan

41. **Deputy Catherine Murphy** asked the Minister for Arts, Heritage and the Gaeltacht if there are financial or physical resource responses required for any of the initiatives within his remit that were identified at the Global Irish Economic Forum; the resources that might be forthcoming and the source or sources of same; and if he will make a statement on the matter. [30044/11]

Deputy Jimmy Deenihan: At the second Global Irish Economic Forum, organised by the Department of Foreign Affairs and Trade in Dublin Castle on 7 and 8 October, there was a continuing focus on the key role of arts and culture as Ireland's global calling card, building on the strategic recognition at the first forum at Farmleigh in 2009 that for a small country we have arguably the largest global cultural reach and presence of any nation. There was broad agreement that the success of the forum will be measured by practical implementation and delivery, and in that respect there was wide acknowledgement that the cultural field had already delivered a number of key initiatives since the first forum, including the new position of cultural ambassador and the roll-out of Imagine Ireland, Culture Ireland's strategic promotion of Irish arts in the United States throughout this year.

A range of proposals for new cultural initiatives was discussed at the forum, and many received a very positive response. There was a broad sense that the momentum generated by Imagine Ireland this year in the US needs to be consolidated, while at the same time planning a strategic programme of cultural engagement with Europe in the context of our forthcoming Presidency of the EU Council of Ministers in 2013. Another frequent theme was the importance of building a sustained engagement with Asia, and in particular China, over the medium to long term.

My suggestion to designate St. Patrick's Day as a day of Irish culture at home and abroad generated much interest. The proposal to organise a world actors' forum in Dublin along the lines of a "cultural Davos" was strongly welcomed, as was the idea to convene a conference on strengthening philanthropic partnerships between business and the arts. There was also an

[Deputy Jimmy Deenihan.]

emphasis on the value and impact of enhancing digital access to Ireland's cultural heritage, including the holdings of the national cultural institutions and the 1926 census.

I hope to take forward these ideas, which I believe have the potential to deliver strong strategic benefits for the country, working with my Government colleagues and building on the great sense of energy and commitment demonstrated by the members of the Global Irish Network who attended the forum. Many of these initiatives clearly have a resource implication, and I will be taking that into consideration in discussions with my Government colleagues as part of the budget process. In this regard, I understand that the Department of Foreign Affairs and Trade is preparing a report on the outcome of the forum, which I anticipate will be considered by the Government shortly.

Deputy Catherine Murphy: Essentially I wanted to find out whether there are resource implications to this, and whether there will be an opportunity to use them if we are making commitments. This is the second forum and one of the surprising aspects to the first forum was how strongly arts and heritage featured. When stimulating something like the tourism sector, there seems to be a greater focus on tangible results, such as VAT reductions or an increase in the number of bed nights, over and above the things that are the reason people come here.

Would the Minister agree that we cannot keep having these fora if there is to be no outturn from them? We could waste a lot of goodwill if we do not deliver something tangible as a consequence of the forum itself.

Deputy Jimmy Deenihan: I agree with the Deputy. Following the first Farmleigh meeting, we created the post of cultural ambassador to America, and I would like to recognise the work that Gabriel Byrne is doing on behalf of this country in America. He is certainly making a major impact. Imagine Ireland has also had a major impact in America. For example, over 1,200 artists have participated in the programme this year, with 500 events in 40 states. Over half a million people saw live performances of traditional Irish music. Druid Theatre toured America with *The Cripple of Inishmaan*, leveraged about €1.2 million from an investment of €200,000 and made a major impact across the country. Imagine Ireland and the cultural ambassador have been two very effective initiatives.

Another successful initiative has been the heritage certificate. It was presented by the Minister for Foreign Affairs and Trade to one of the families affected by the terrorist attacks on 11 September 2001. Former President Clinton was also presented with a heritage certificate at Dublin Castle. This has encouraged major interest from America. Fexco, which has the contract to roll out the heritage certificate, has employed between 50 and 60 people to do that job. These are very tangible results. I totally agree with the Deputy that unless there are tangible results and unless we can show something for the efforts of these people, then obviously they will get frustrated.

There is a proposal in the programme for Government to examine the possibility of a second cultural night. I will be answering a question on that shortly. Rather than having a second cultural night, we could have a culture day or culture week and we could build this around St. Patrick's Day, when we get huge attention across the world. We should look seriously at promoting Irish culture through the celebration of St. Patrick's Day, given that it is the focus of attention all over the world.

Deputy Catherine Murphy: Is the report to which the Minister referred likely to be available before the budget? Is it likely to influence the allocation of additional funding in the Department if there are aspects which require funding?

Deputy Jimmy Deenihan: I certainly hope it will be available because it will be used in deciding how resources are to be spent. Resources are and will be available, but it is a question of priorities. The attention the St. Patrick's Day celebrations attract for the country across the world was the subject of much positive reaction in Dublin Castle. Without making a total commitment, I will be pushing the idea with the Government to see what we can do. It may be on a small scale next year with the idea continuing in subsequent years when we can provide more funding.

Culture Night 2012

42. **Deputy Robert Troy** asked the Minister for Arts; Heritage and the Gaeltacht his plans to establish a panel of experts and interested parties to open up our embassies, consulates and ambassadors' residences across the world for Culture Night 2012 to make it a global event; and if he will make a statement on the matter. [29907/11]

Deputy Jimmy Deenihan: Discussions are ongoing on the most appropriate way to build on the success and popularity of Culture Night. One of the commitments in the programme for the Government is to expand the Culture Night concept and I have already set the wheels in motion in this regard. One idea under consideration as a way of achieving this objective is the designation of the week of St Patrick's Day as international week of Irish culture to build on the solid foundations already in place. The primary aim of this objective would be to showcase to the world the rich and varied Irish cultural heritage and promote Ireland as a destination for cultural tourists.

The existing Culture Night model already has an international element. Temple Bar Cultural Trust which is responsible for organising Culture Night has been taking steps in recent years to connect Culture Night with the Irish Diaspora through the network of Irish cultural centres and institutions overseas. Since 2010 Culture Night has been celebrated at the Irish Arts Centre in New York, the Leuven Institute for Ireland in Europe and the office of the Northern Ireland Executive in Brussels. Temple Bar Cultural Trust is also in discussions with Barcelona and Berlin, among others, to extend this network.

I have asked officials of my Department to consider practical ways by which we advance the concept of an international week of Irish culture both here at home and abroad. As part of such an initiative, I am ready to explore with the Minister for Foreign Affairs and Trade the potential for and possibility of hosting events in suitable Irish Embassy and consulate premises across the world, taking into account the existing demands of the week of St. Patrick's Day and the extensive promotion of Irish culture which already takes place during that period. Any proposals made must, of course, have regard to the resources available to my Department and the Department of Foreign Affairs and Trade, as well as to the many competing demands on these resources.

Deputy Robert Troy: It is welcome that the Minister is considering taking this idea on board. We have spoken before in previous Dáil question about expanding Culture Night. At the time I outlined my reservations in having St. Patrick's Day designated as a second day of culture. We should use Culture Night in September to complement the St. Patrick's Day celebrations. We received positive worldwide coverage on 17 March. In September, therefore, we should use Culture Night as an expanded cultural event. Culture Night started off in Dublin and was later extended the length and breadth of the country. We should now establish a panel of experts to consider the opening of our embassies throughout the world, including the Far East and Africa. We receive great tourist numbers from America, England and elsewhere in Europe, but we need to expand further afield. We should, therefore, look to the Far East, India and China to attract additional visitor numbers. We all know cultural visitors spend more than

[Deputy Robert Troy.]

regular tourists and tend to stay longer. It is welcome that the Minister is seeking to expand the initiative. Can we have more concrete confirmation that a panel will consider doing as I suggest in September 2012 to coincide with Culture Night?

Deputy Jimmy Deenihan: It can certainly be explored. As I said, it is already happening. This year we included Belfast and Derry and the initiative was very successful. It should be possible to extend Culture Night all over the world, where appropriate. We can consider this and I will certainly suggest it.

Culture Night was very successful this year. Over 200,000 people took part at 30 locations nationwide. It has been a real success. I recognise the work of Temple Bar Cultural Trust in initiating the project and bringing it to its current position. Approximately 1,500 people visited the Oireachtas on Culture Night this year and I happened to be present. There was a great atmosphere and people were delighted to be able to visit the Oireachtas.

I accept the Deputy's point that Culture Night has been successful here. It was proved that it could be successful in Belfast and Derry also and has been rolled out in other parts of the world. There is a distinct possibility that it will be rolled out further. Wherever embassies and consulates can help in rolling it out, they should do so.

Deputy Robert Troy: Do we have confirmation that the Minister will engage with the Minister for Foreign Affairs and Trade to consider extending the concept to our embassies and consulates throughout the world?

Deputy Jimmy Deenihan: Absolutely. I mentioned this in my reply. There are two possibilities: expanding Culture Night and having a culture week or culture day connected with St. Patrick's Day. Both are under very active consideration because of the success of Culture Night. It is an obvious initiative on which to expand.

An tSamhail Nua Mhaoinithe

43. **D'fhiafraigh Peadar Tóibín** den an Aire Ealaíon; Oidhreacht agus Gaeltachta cén dearcadh atá aige ar an tSamhail Nua Mhaoinithe don todhchaí agus d'eagrais dheonacha na Gaeilge. [30173/11]

Deputy Dinny McGinley: Mar thoradh ar athbhreithniú seachtrach ar na heagraíochtaí a fhaigheann bunmhaoiniú ó Fhoras na Gaeilge, d'aontaigh an Chomhairle Aireachta Thuaidh Theas gur chóir an cur chuige bunmhaoinithe a athrú chun cur chuige níos sruthlínithe agus níos cost-éifeachtaí a chur i bhfeidhm. Dá bhrí sin, tá sé i gceist go mbeidh Foras na Gaeilge ag athrú ó mhúnla bunmhaoinithe don 19 n-eagraíocht atá i gceist go múnla iomaíoch, bunaithe ar scéimeanna faoina ndéanfar tosaíochtaí straitéiseacha éagsúla a sheachadadh.

Ag cruinniú den Chomhairle Aireachta Thuaidh Theas ar 12 Deireadh Fómhair, nótáladh an dul chun cinn atá déanta ag Foras na Gaeilge go dtí seo i ndáil le punann dréacht-scéimeanna a ullmhú don tsamhail mhaoinithe iomaíoch nua, a bhfuil sé mar sprioc aici tairbhí suntasacha luach ar airgead a bhaint amach agus dualgais reachtúla Fhoras na Gaeilge a chomhlíonadh go héifeachtach.

Iarradh ar Fhoras na Gaeilge roinnt céimeanna a thógáil chun an próiseas athbhreithnithe a thabhairt chun cinn, eadhon:

- tréimhse bhreise chomhairliúcháin 12 seachtain a chur ar fáil i ndáil le punann na ndrucht-scéimeanna, go háirithe leis na heagraíochtaí bunmhaoinithe;

- a chinntiú go dtabharfar deis do chomhlachtaí reachtúla bainteacha an tionchar a bheidh ag na dréacht-scéimeanna ar a réimsí feidhmiúcháin a bhreithniú;
- an punann dréacht-scéimeanna a leasú de réir mar is gá agus mar is cuí, ag féachaint don phróiseas comhairliúcháin leathnaithe;
- cás gnó mionsonraithe a ullmhú, le cúnaimh neamhspleách más gá, chun tacú le punann na ndr éacht-scéimeanna;
- plean tionscadail athbhreithnithe a ullmhú, i gcomhar leis na Ranna Urraíochta, a thabharfaidh aird mar is cuí ar chur i gcrích an phróisis athbhreithnithe mar bheart práinne; agus
- tuarascáil eile ar an dul chun cinn a sholáthar don chéad chruinniú eile den Chomhairle Aireachta Thuaidh Theas i mí Feabhra seo chugainn.

I bhfianaise na gcinnithe sin, tuigfidh an Teachta nach mbeadh sé cuí domsa a bheith ag tabhairt mo bhreithiúnais ag an phointe seo maidir leis an samhail mhaoinithe nua i láthair na huaire.

Deputy Peadar Tóibín: Le linn na seachtaine, d'fhreastal mé féin, an Seanadóir Ó Clochar-taigh agus Teachtaí Dála ó Sinn Féin ar chruinniú leis na heagraíochtaí atá ag obair ar son na Gaeilge trasna na tíre. Tá siad go léir i gcoinne an tsamhail nua mhaoinithe. Dar leo, déanfadh sé an-damáiste don infreastruchtúr atá ann. Ceapann siad go ndéanfadh sé neamhaird den taithí, eolas agus infreastruchtúr atá ag gach eagraíocht. Creideann siad go mbeadh deireadh le deich gcinn, b'fhéidir, de na heagraíochtaí atá ag obair ar son na Gaeilge ag an bomaite. Dúirt duine amháin liom go bhfuil comparáid idir an méid atá á dhéanamh agus cad a tharlódh dá mbeadh an Roinn spóirt ag iarraidh struchtúr nua a ghearradh ar Chumann Lúthchleas Gael nó an FAI, ionas go mbeadh orthu dul in iomaíocht le haghaidh airgid ón Rialtas. Níl ócáidí ar nós Seachtain na Gaeilge luaite sa samhail nua mhaoinithe. An bhfuil an Aire Stáit sásta níos mó tacaíocht a thabhairt do na heagraíochtaí atá ag feidhmiú ag an bomaite? Tá eagla orthu nach mbeidh aon todhchaí ann dóibh.

Deputy Dinny McGinley: Mar a thuigeann an Teachta, téann an socrú nó an cinneadh chun dul ar aghaidh leis an athbhreithniú seo siar go dtí 2008 agus, go speisialta, go dtí 2009. Tá sé mar chúram ag Foras na Gaeilge, mar eagraíocht tras-Teorann, é sin a thabhairt chun cinn. Tá baint agam leis na heagraíochtaí bunmhaoinithe agus na heagraíochtaí deonacha le blianta fada. Tá 19 dóibh ag gníomhú i ngort na Gaeilge sa tír seo. Tá 12 dóibh sa Phoblacht agus seacht gcinn ó Thuaidh. Is cinnte go bhfuil obair iontach agus thorthúil á dhéanamh acu. Ní cheart dúinn neamhaird a dhéanamh den saineolas atá acu. Ag an am céanna, tá cinneadh déanta ag an gComhairleacht Thuaidh-Theas dul ar aghaidh leis an athbhreithniú seo. Cuireadh suim nach beag — €7.6 milliún — ar fáil do na heagraíochtaí seo i 2010. Táimid ag súil go mbeidh an toradh is fearr le fáil ar an gcaiteachas sin. Tuigim go bhfuil inní ar na heagraíochtaí. Tá cuid acu, ar nós Conradh na Gaeilge, ag feidhmiú le 100 bliain. Bhí cuid acu ag obair sular tháinig muid ar an saol. Tuigim go bhfuil inní orthu. Is é sin an fáth, taréis na haighneachtaí atá déanta acu leis an Roinn agus le Teachtaí éagsúla le tamall anuas, go bhfuilimid i ndiadh tréimhse breise a thabhairt don phróiseas chomhairliúcháin. Rinneamar é sin sa dóigh go mbeidh deis againn éisteacht chúramach a thabhairt don inní atá anseo. Ba mhaith linn gníomhú dá réir, más féidir.

Deputy Peadar Tóibín: Iarraim ar an Aire Stáit stop a chur leis an chóras seo. Scríosfaidh an tsamhail nua mhaoinithe an eolas agus an taithí atá ag na heagraíochtaí seo. De réir an chonradh nua, ní bheidh ach trí bliana ann le haghaidh gach eagraíocht nua. Ba chóir go mbeadh leanúnachas ann. Tá an tréimhse trí bliana sa chonradh nua i bhfad ró-ghairid. An ndéanfaidh an Aire Stáit athrú ar an rud sin freisin?

Deputy Dinny McGinley: Is dócha go mbeidh sé sin uilig á scrúdú sna trí mhí amach romhainn. D'iarr an Teachta orm an athbhreithniú a scrios. Níl sé ar mo chumas mar Aire Stáit sa Roinn seo deireadh a chur leis. Tá cinneadh déanta ag na hAirí a chuaigh romham. Tá cinneadh déanta ag an gComhaireacht Thuaidh-Theas. Is é sin an fáth gur pléadh é ag an gcuinniú deiridh. Tá súil againn go mbeidh deis againn na moltaí a thiocfaidh ón athbhreithniú seo a chíoradh agus a phlé ag an gcéad cruinniú eile i mí Feabhra seo chugainn.

Other Questions

Tourism Promotion

44. **Deputy Brian Stanley** asked the Minister for Arts; Heritage and the Gaeltacht his plans in cooperation with the Department of Transport, Tourism and Sport to maximise the attraction of the cultural institutions during the proposed Gathering tourism initiative; and if he will make a statement on the matter. [29863/11]

Deputy Jimmy Deenihan: I welcome this initiative of my colleague, the Minister for Transport, Tourism and Sport. The Gathering will be an important event for the tourism sector and one in which my Department and the national cultural institutions which operate under its aegis will be very pleased to participate. As the Deputy is aware, our cultural institutions play an important role in enhancing the cultural tourism product offering of this country and will have a major role to play in the Gathering initiative.

Visitor figures at many of our institutions benchmark favourably against international comparators, having regard to size and resources. For instance, the Irish Museum of Modern Art, IMMA, welcomed more visitors than the Museum of Contemporary Art in Chicago or the Art Gallery of South Australia in Adelaide during 2009. The figures for 2010 for the National Museum put it on a par with visitor numbers at the Kremlin Museums in Moscow and Pergamon Museum in Berlin, while the attendance figures at the National Gallery in 2010 place it ahead of many distinguished galleries abroad, including the Serpentine Gallery in London, Tate Liverpool, which I visited last weekend, and MoMA in San Francisco.

In 2010, there were more than 3.5 million visitors to the cultural institutions supported by my Department and I am advised that, in the first six months of this year, visitor numbers were almost 1.8 million, an increase of an aggregate of 6.4% on the same period last year. I understand visitor numbers to our three National Museum sites alone will exceed 1 million this year. This continued growth in numbers is driven by the world class exhibition programmes at these institutions. This year alone, highlights have included the 7th Century Faddan More Psalter at the National Museum, Diego Rivera and Frieda Kahlo at IMMA, Matisse at the Chester Beatty Library, Dexter Dalwood at the National Gallery, Elements at the Science Gallery, the 9/11 Exhibition at Collins Barracks and Richard Hamilton at the Hugh Lane Gallery. The national cultural institutions are of significant economic value and will form a major part of the promotion of the Gathering event.

Deputy Sandra McLellan: I thank the Minister for his reply. The figures he provided are promising. Has he considered the possibility of increasing the opening hours of the national cultural institutions to make them even more visitor friendly? What budget has been allocated by the cultural institutions, Tourism Ireland or Fáilte Ireland for marketing cultural institutions and heritage sites? The advertising budget of the National Gallery was slashed last year. Does the Minister have any plans to reverse this cut?

Deputy Jimmy Deenihan: While opening hours are determined by financial constraints, it would be desirable to open our cultural institutions later in the evenings during the peak tourism season. This possibility is considered. As regards marketing funds, while it would be advantageous to increase funding, the marketing of our cultural institutions appears to be successful in light of the increase in visitor numbers. Anyone who ventures out from Leinster House on to Kildare Street or Merrion Square will see the large numbers of visitors to the National Museum, National Library and Natural History Museum. The shortfall in marketing funding arising from the recent cutback is being made up through Fáilte Ireland and Tourism Ireland. The focus of attention on our national cultural institutions appears to be working as numbers are increasing. In some cases, they are attracting even greater numbers than their international counterparts.

Deputy Michael P. Kitt: I welcome the Gathering tourism initiative. Will the Minister consider maximising the tourism potential of the Gaeltacht areas by expanding the role of the cultural institutions and heritage sites in the Gaeltacht? Will he also consider the introduction of longer opening hours in the cultural institutions, particularly on bank holidays and at weekends when tourist numbers tend to be higher?

Deputy Jimmy Deenihan: I will explore the Deputy's practical suggestions, although they will obviously be the subject of negotiation with the cultural institutions. The staff in the cultural institutions are very hard-working and the welcome they provide is one of the reasons people visit them. I experienced this welcome during visits to our cultural institutions long before I was appointed to my current position. The staff are welcoming, highly professional and handle customers very well. It is good public relations to have visitors well received when they come to our cultural institutions. Given the Gathering project and the fact that our institutions are so popular we should look at ways of extending opening hours especially during the peak tourist season. That would be a very important consideration.

Arts Funding

45. **Deputy Barry Cowen** asked the Minister for Arts; Heritage and the Gaeltacht if he has confidence in the Arts Council's willingness and capacity to support opera here; and if he will make a statement on the matter. [29824/11]

49. **Deputy Aengus Ó Snodaigh** asked the Minister for Arts; Heritage and the Gaeltacht his plans for the future development of opera here; and if he will make a statement on the matter. [29858/11]

Deputy Jimmy Deenihan: I propose to take Questions Nos. 45 and 49 together.

The Arts Council always had responsibility to promote opera, apart from a limited amount of work undertaken in my Department on the Irish National Opera project. When I assumed the role of Minister for Arts, Heritage and the Gaeltacht, I examined the available information and expert advice. Based on that examination, I believed the best option was for the Arts Council to resume responsibility for all opera policy provision and implementation into the future. I communicated that decision to the chair and the director of the Arts Council last summer. The council remains at all times independent in its decision-making on the financing of opera.

In resuming this function, the council has to address a number of issues, including the financing of opera. The Deputy will recall that the significant reason for discontinuation of the Irish National Opera project was its need for a minimum annual State contribution of €4.5 million

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if it was to be successful. This compared with the €2.2 million available to opera in 2010. At another juncture, this project might have proceeded, but not in the current budgetary climate.

Following the full resumption of its responsibility for the entirety of the opera brief, the Arts Council decided to conduct a consultation process with key stakeholders within the opera community to inform itself on the future direction of policy. That process includes several elements, namely, publishing details on its website including documentation intended to promote discussion; convening a series of 30 meetings with stakeholders; and inviting written submissions from interested parties. I understand from the council that any plans for the future development of opera will fall to be considered in the light of this assessment. I also understand that the outcome will be provided to me by the council before year-end.

It is important to note that, over the course of 2010, there has been some confusion about where responsibility for opera resided. I want to make it absolutely clear that all responsibility for all opera, including its financing, now resides with the Arts Council. I am fully confident of the Council's ability to discharge this responsibility.

Deputy Robert Troy: I asked the Minister if he had confidence in the Arts Council's ability in this regard, given that over the past five years the council's support of opera has dropped from €4.6 million to €2.2 million. Although the council's grant aid fell by 21% during this period the council's support to opera was cut by 52%.

The Minister and I are aware of the importance of opera in Ireland in terms of cultural tourism. For the reasons I gave, Dublin is unlikely to be able to produce top quality opera that would attract high-spending opera tourists from Britain, the United States and Continental Europe. This is not only a case of lost operas but a case of lost jobs. Opera Ireland was by far the biggest employer of Irish singers in the country.

Will the Arts Council get the required funding or must it skim off funds from other deserving areas of the arts? If all else fails will it be possible to reconstitute Opera Ireland with funding comparable to that of 2010 to provide Dublin with adequate mainstream opera productions? Senior figures in the industry have said opera in Ireland is now precariously balanced.

Deputy Jimmy Deenihan: Following the announcement of the budget and the Estimates, I will be providing the Arts Council with its funding. As a result of the established principle under law, the Arts Council will then decide how to spend that money. The council is considering the future of opera at present, has sought suggestions from interested bodies and will obviously arrive at a solution. The Arts Council has always been very supportive of opera. It was forced to reduce the funding available for opera as a result of the reduction in its own budget. I am sure the Deputy is aware that there were a number of difficulties with Opera Ireland which, unfortunately, had to be wound down. However, the Opera Theatre Company is functioning very well and is promoting opera throughout the country. Wexford Festival Opera will be commencing its annual autumn programme shortly.

Deputy Robert Troy: Next week.

Deputy Jimmy Deenihan: Yes. The Arts Council has made a major investment in Wexford Festival Opera, which has proven to be very successful. I have a personal interest in opera and I will be working with the Arts Council as much as possible in the context of identifying a solution which will ensure opera will be available for the people.

Deputy Sandra McLellan: I thank the Minister for his reply in which he responded to most of my concerns. I have one further question. Are there efficiencies to be gained by considering

an all-Ireland approach involving some form of arrangement with Northern Ireland Opera in this area?

Deputy Jimmy Deenihan: We seek, where possible, to collaborate with the Arts Council of Northern Ireland. This is something I have tried to encourage and I hope to meet the directors of both councils in the future. It is very desirable to encourage collaboration, where possible, and that is something I support and recommend. Collaboration is already taking place in many areas of the arts and if such collaboration would enhance the position of opera in this country, then action should be taken. I will make further inquiries into the matter on the Deputy's behalf to discover what is happening.

Deputy Sandra McLellan: I thank the Minister.

Deputy Robert Troy: I take on board what the Minister stated, namely, that the Arts Council is independent. However, during the period when its funding was reduced by 21%, the Arts Council cut funding to Opera Ireland by 52%. This represents more than twice the level of the reduction in funding nationally.

Deputy Jimmy Deenihan: If I could answer that——

Deputy Robert Troy: Perhaps the Minister could ensure that similar reductions will not be made next year. No one is questioning the good work being done by Wexford Festival Opera.

Deputy Jimmy Deenihan: When it was proposed that Irish National Opera would be put in place, there was an expectation that what we are discussing would happen. As a result, the Arts Council reduced the funding it was making available. One of my predecessors announced exactly what would happen, stated that there would be departmental support, relieved the Arts Council of responsibility for the opera brief and established a special implementation group. When Irish National Opera presented its report to me, it indicated that funding of €4.5 million, in respect of which provision had not been made, would be required. Unfortunately, that amount was not available. Irish National Opera was about to appoint a chief executive and put in place an entire structure for something for which provision had never been made. The level of Arts Council funding being made available in respect of opera would have been influenced by the expectation that Irish National Opera would eventually come into operation. This could possibly be the explanation with regard to what occurred.

Heritage Sites

46. **Deputy David Stanton** asked the Minister for Arts; Heritage and the Gaeltacht further to Parliamentary Question Nos 28 and 34 of 22 June 2011, if he will provide details of State funding received by the Irish Heritage Trust to date; his plans to further support the work of the trust in acquiring additional major heritage properties; and if he will make a statement on the matter. [29855/11]

57. **Deputy David Stanton** asked the Minister for Arts; Heritage and the Gaeltacht further to Parliamentary Question No. 34 of 22 June 2011, if the review of Irish Heritage Trust has been completed; and if he will make a statement on the matter. [29854/11]

Deputy Jimmy Deenihan: I propose to take Questions Nos. 46 and 57 together.

From 2006 to date, the Irish Heritage Trust has received €9.235 million in funding from my Department. This figure includes €2.53 million towards the operational activities of the trust and endowment funding of €5 million towards the conservation and preservation of the Irish Heritage Trust property, Fota House, in County Cork. This funding comes from the Irish

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Heritage Trust subhead within the Vote of my Department. In addition, €1.705 million has been provided from the built heritage capital programme of my Department towards conservation works at Fota House. The trust also received additional grants totalling €34,000 from the Heritage Council.

It was originally envisaged that each property acquired by the trust would be accompanied by an endowment fund — largely provided by the State — sufficient to conserve, maintain and present the property to the public into the future. The level of State endowment funding was to diminish as the trust's property portfolio grew. However, as a result of the difficult budgetary position, it has not been possible to continue State endowment funding to the trust beyond the first acquisition.

In the dramatically changed economic circumstances, the trust is focusing on property acquisition projects which do not require endowment funding from my Department. For some of these projects to be realised, utilisation of the provisions of section 1003A of the Taxes Consolidation Act 1997, as amended, may be required. This section provides for a scheme of tax relief of up to €6 million in any one year in respect of heritage properties and contents donated to the Irish Heritage Trust. For a donor of a property to the Irish Heritage Trust to qualify for tax relief on the donation, I must determine, in accordance with the relevant provisions of the Act, that the property is suitable for acquisition by the trust.

Against this backdrop and in accordance with the intention that it would be reviewed after its initial period of operation, my Department has commenced a review of the operation of the trust. I invited and have received observations on an issues paper, prepared by my Department, regarding the operation of the trust during the past five years. The issues paper and the observations received will form the framework for discussions with the trust with a view to the completion of the review over the coming months.

Deputy David Stanton: I thank the Minister for his reply. Will he indicate who is responsible for carrying out the review? Is one person responsible, is it the Department or is it some outside agency or group of people? What is the timescale for the completion of the review and will the results be published? Will the Minister comment on the strategic plan for Fota House under the trust? Will he outline the position regarding the administrative overheads of the trust? He referred to a figure of €2.5 million. Does that money relate to administration? Will the Minister provide a breakdown in respect of the figures for administration?

Deputy Jimmy Deenihan: The review is being carried out by my Department. There was an initial promise to the effect that the operation of the trust would be reviewed following a five-year period. The original idea was that this would be a major initiative and that there would be a great deal of money available to the trust to allow it to take on other large-scale projects similar to the one at Fota House. Unfortunately, economic conditions changed and the initiative could not be continued. It is in those circumstances that my Department is carrying out its review of the trust in the context of the latter's future.

In respect of the strategic plan to which the Deputy referred, I visited Fota House recently and was very impressed by what I saw. Fota House and its gardens provide a major amenity for Cork city and the surrounding hinterland, which extends eastwards throughout the county and on towards Waterford. With proper promotion and a proper strategy — work on which is ongoing — I am of the view that Fota House will in time be in a position to sustain itself. The figure of €2.53 million about which the Deputy inquired relates to the operational activities of the trust.

Deputy David Stanton: Is it true that the employees of the trust are all based in Dublin and that they are administering the trust's only property, Fota House, from the capital? Would it not be more efficient to base these employees at a location closer to Fota House? How many people are employed by the trust and will the Minister provide an indication of who these individuals are and where they are based?

Deputy Jimmy Deenihan: I do not have that information with me but I can certainly supply it for the Deputy. When I went to Fota I did not ask the people if they were from there but they seemed very enthusiastic. I can find out the information quite easily and if people are based locally, it is easier to manage or work in a facility. I am sure there is a major local input, although members of the trust may not live there.

With regard to the figures, the attendance has doubled since the trust took over the House. There is major potential for the future and I know Deputy Stanton has a personal interest in the subject. Fota House is a great amenity for the State. The gardens at the back are being restored and have seen some horticultural activity. They are also a very important attraction.

Stratéis Fiche Bliain don Ghaeilge

47. **Deputy John McGuinness** den an Aire Ealaíon; Oidhreacht agus Gaeltachta cad é an dul chun cinn atá déanta aige maidir le straitéis na Gaeilge; agus an ndéanfaidh sé ráiteas ina thaobh. [29846/11]

Deputy Dinny McGinley: Mar thoradh ar chinntí polasaí faoin Straitéis 20 Bliain don Ghaeilge a thóg an Rialtas ar 31 Bealtaine 2011, tá na cinn don Bhille Gaeltachta a thabharfaidh feidhm do na cinntí seo, de réir mar is cuí, dréachtaithe ag mo Roinn. Táthar ag súil na dréacht chinn a chur faoi bhráid an Rialtais go luath sa chaoi is go bhfoilseofar an Bille Gaeltachta in 2012, i gcomhréir le clár reachtaíochta an Rialtais.

Tá aonad straitéise bunaithe i mo Roinn atá freagrach as pleanáil agus feidhmiú na straitéise a threorú. Tá plean forfheidhmithe trí bliana mo Roinne maidir le cur i bhfeidhm na straitéise á ullmhú san am i láthair. Os rud é go bhfuil iliomad páirtithe leasmhara luaite faoin straitéis 20 bliain, tá sé i gceist ag mo Roinn dul i ndáil chomhairle leis na príomhpháirtithe leasmhara maidir leis an bplean forfheidhmithe sa chaoi is go mbeifear in ann é a fhoilsiú go luath.

Tá trí ghrúpa oibre ardleibhéil bunaithe ag an aonad straitéise i mo Roinn chun dlús a chur le forfheidhmiú na straitéise: grúpa oibre idir oifigigh i mo Roinn agus an Roinn Oideachais agus Scileanna, atá ag díriú ar chur i bhfeidhm na straitéise i réimse gnímh an oideachais, ag tógáil san áireamh na laicisí ar acmhainní i láthair na huaire; grúpa oibre idir oifigigh i mo Roinn, in Údarás na Gaeltachta agus i bhForas na Gaeilge, atá dírithe ar idirdhealú a dhéanamh idir na feidhmeanna ar leith atá á gcomhlíonadh ag na heagraíochtaí sin sa chaoi is gur féidir a chinntiú go mbeidh cur chuige éifeachtach ann agus go mbeidh an luach is fearr ar airgead ag an Státhiste; agus grúpa oibre idir oifigigh i mo Roinn, sa Roinn Caiteachais Phoiblí agus Athchóirithe agus sa Roinn Post, Fiontair agus Nuálaíochta, atá dírithe ar na bealaí is éifeachtaí chun infheistíocht fiontraíochta a chinntiú don Ghaeltacht.

Is mar thoradh ar an athbhreithniú cuimsitheach caiteachais atá ar siúl faoi stiúir na Roinne Caiteachais Phoiblí agus Athchóirithe ar chaiteachas an Stáit agus i gcomhthéacs an phróisis meastachán a dhéanfar cinntí sonracha maidir leis an soláthar a bheidh ar fáil i ndáil le cur i bhfeidhm na straitéise in 2012.

Deputy Michael P. Kitt: Tá cúpla ceist agam. An féidir leis an Aire Stáit a rá liom cé mhéid airgid atá i gceist? An bhfuil sé chun an plean a fhoilsiú agus an gcuirfear an straitéis i bhfeidhm go hiomlán?

Deputy Dinny McGinley: Mar a luaigh mé i mo fhreagra, tá an t-athbhreithniú cuimsitheach caiteachais ar siúl i láthair na huaire. Níl sé críochnaithe go fóill, ach tá súil agam go mbeidh sé críochnaithe gan mhoill, taobh istigh de roinnt seachtainí. Beidh eolas níos cruinne againn ansin ar an méid acmhainní a bheidh ar fáil do cur chun cinn agus cur i bhfeidhm na straitéise, chomh maith leis an méid a bheidh ar fáil do gach Roinn eile leis an fhírinne a rá. Ag an pointe seo, tá súil agam agus tá dóchas agam, mar go bhfuil sé mar aidhm ag an Rialtas an straitéis a chur i bhfeidhm chomh mór agus is féidir, go mbeidh na hacmhainní ansin le é a dhéanamh.

Deputy Michael P. Kitt: Ceart go leor.

Cruthú Fostaíochta

48. **D'fhiafraigh Robert Troy** den an Aire Ealaíon; Oidhreacht agus Gaeltachta cad é an méid oibre atá idir lámha aige chun níos mó post a chur ar fáil sa Ghaeltacht; agus an ndéanfaidh sé ráiteas ina thaobh. [29840/11]

52. **D'fhiafraigh Willie O'Dea** den an Aire Ealaíon; Oidhreacht agus Gaeltachta an ndéanfaidh sé scrúdú ar an laghdú ar phoist sa Ghaeltacht; cad iad na pleananna agus na cruinnithe atá i gceist aige chun an scéal a fheabhsú; agus an ndéanfaidh sé ráiteas ina thaobh. [29852/11]

303. **D'fhiafraigh Peadar Tóibín** den an Aire Ealaíon; Oidhreacht agus Gaeltachta cad atá i gceist maidir le buiséad caipitil a chur ar fáil d'Údarás na Gaeltachta [30176/11]

304. **D'fhiafraigh Peadar Tóibín** den an Aire Ealaíon; Oidhreacht agus Gaeltachta cén straitéis fostaíochta atá aige le haghaidh na Gaeltachta [30177/11]

312. **D'fhiafraigh Peadar Tóibín** den an Aire Ealaíon; Oidhreacht agus Gaeltachta an féidir leis cur síos a dhéanamh dúinn maidir le fostaíocht i ngach ceantar Gaeltachta; agus cén plean atá ag an Aire chun í a chur chun cinn [30186/11]

Deputy Dinny McGinley: Tógfaidh mé Ceisteanna Uimhreacha 48, 52, 303, 304 agus 312 le chéile.

As an soláthar iomlán de €19.6 milliúin atá curtha ar fáil d'Údarás na Gaeltachta ón Státchiste in 2011, tá €6 milliúin curtha ar fáil mar bhuiséad caipitil. Chomh maith leis an tsuim seo, tuigim ón údarás go bhfuil tuairim is €7 milliúin ar fáil dó ó fhoinsí eile, ar a n-áirítear díol sócmhainní agus aisíocaíochtaí deontas. San iomlán mar sin, tá buiséad caipitil de thuairim is €13 milliúin ag an eagraíocht i mbliana chun tacú le cruthú agus le caomhnú fostaíochta sa Ghaeltacht.

Is tréimhse dhúshlánach í seo do gheilleagar na tíre i gcoitinne agus tá cúinsí deacra eacnamaíochta le sárú ag comhlachtaí Gaeltachta dá réir. Tá straitéis fostaíochta Údarás na Gaeltachta dírithe den chuid is mó ar earnálacha seirbhíse agus déantúsaíochta nua-aimseartha, ar an teicneolaíocht faisnéise agus ar fiontair a bhaineann le hacmhainní mara agus nádúrtha, leis an ngeilleagar sóisialta agus leis an turasóireacht chultúrtha.

Ag deireadh na bliana 2010, bhí 7,074 duine fostaíochta go lánaimseartha i gcliantchomhlachtaí de chuid an údaráis. Cé gur laghdú é sin ar na blianta roimhe sin, is tuar dóchais é gur cruthaíodh 704 post nua in 2010 i gcliantchomhlachtaí de chuid an údaráis. Taispeánann figiúirí fostaíochta an údaráis gur éirigh go maith lena chliantchomhlachtaí atá ag plé le heaspórtáil, i gcomhréir leis an treoht náisiúnta.

Chomh maith leis na cláir thacaíochta atá ag an údarás féin, rachaidh gnéithe den tionscnamh post a d'fhógair an Rialtas i mbliana chun leasa a chuid gníomhaíochtaí. San áireamh anseo, tá an laghdú ar an ráta CBL, VAT, i leith seirbhísí san earnáil turasóireachta; an laghdú ar an

ráta ÁSPC, PRSI, d'fhostóirí i leith post a íocann suas go €356 in aghaidh na seachtaine; an tionscnamh chun soláthar creidmheasa don earnáil fiontraíochta a éascú; agus rochtain níos fearr ar dheiseanna soláthair a fhorbairt chun tacú le cuideachtaí.

Tá faisnéis maidir le fostaíocht sna ceantair Ghaeltachta éagsúla le fáil ar shuíomh gréasáin Údarás na Gaeltachta, www.udaras.ie, agus i dtuarascálacha bliantúla agus cuntais bhliantúla Údarás na Gaeltachta a leagtar faoi bhráid Thithe an Oireachtais gach bliain. Beidh tuarascáil bhliantúil agus cuntais an údaráis don bhliain 2010 á leagan faoi bhráid Thithe an Oireachtais go han-luath. Nuair a ceapadh mar Aire Stáit mé i mí an Mhárta 2011, chuir mé romham mar sprioc cuairt a thabhairt ar na ceantair Ghaeltachta éagsúla chun léargas a fháil ar an méid atá ar siúl ag an údarás chun fostaíocht a chruthú iontu. Is féidir liom a dhearbhu go bhfuil mór-chuid na gceantar sin feicthe agam anois. Thapaigh mé an deis freisin freastal ar chruinniú le bord an údaráis i gContae Dhún na nGall ar 3 Meitheamh 2011 chun cinntí an Rialtais maidir leis an Straitéis 20 Bliain don Ghaeilge 2010-2030 a phlé le baill an bhoird. Chomh maith leis sin, bhí cruinniú ag an Aire, An Teachta Jimmy Deenihan, agus agam féin le cathaoirleach an bhoird agus le bainistíocht shinsearach an údaráis ar 29 Meán Fómhair 2011 chun straitéis an údaráis don todhchaí a phlé.

Deputy Michael P. Kitt: Caithfidh mé a rá nach bhfuil mé sásta go bhfuil mórán déanta chun postanna a chur ar fáil. Mar is eol don Aire Stáit, cailleadh 60 post i gcomhlacht MFG, ina measc 30 i Gaillimh. Céard atá á dhéanamh aige chun níos mó postanna a chur ar fáil?

Deputy Dinny McGinley: Mar a dúirt mé, táimid ag tabhairt gach tacaíocht don údarás. Leis an straitéis 20 bliain agus an cinneadh a rinne an Rialtas ar an 31 Bealtaine 2010, dúradh sa ráiteas ón Rialtas an lá sin go mbeadh Údarás na Gaeltachta ann agus go mbeadh cúraimí fiontraíochta ar an údarás. Sílim gur céim mhór ar aghaidh í sin. Ar ndóigh, caithfidh an t-údarás gníomhú taobh istigh de na laincisí agus na teorainneacha airgid atá air. Mar a dúirt mé, don bhliain seo, cuireadh €6 mhilliúin ar fáil sa deontas caipitil agus d'éirigh leis €7 milliúin a fháil trí acmhainní a dhíol agus cíos a fháil isteach agus mar sin de. Tá fostaíocht ag cur isteach ar an tír go léir. Ach sin ráite, sílim go bhfuil an-obair á dhéanamh ag Údarás na Gaeltachta leis an méid poist a chruthaigh sé sa Ghaeltacht — tá breis agus 7,000 ann faoi láthair. Ón méid atá feicthe agam na cuairteanna a thug mé ar an údarás agus chuig na Gaeltachtaí ar fud na tíre, is tuar dóchais dom é go bhfuil an t-údarás fós ag cruthú postanna sa Ghaeltacht, cé go bhfuil muid ag cailleadh postanna i ngach ceantar eile sa tír. Tá an t-údarás ag cruthú fostaíochta go fóill. Aontódh an Teachta liom go dtaispeánann sin an taithí, an saineolas agus an díograchas atá san údarás, ní amháin i measc bhaill an bhoird ach i measc na feidhmeannaigh sinsearach atá amuigh ar fud an domhain ag lorg tionscal do na Gaeltachtaí. Tá géarchéim ann agus tá mé ag súil go leanfaidh an t-údarás á dhéanamh sin ins na blianta amach romhainn. Tá dúshláin ann ach tá súil as Dé agam agus tá mé dóchasach go mbeidh an t-údarás ábalta iad a chloí.

Deputy Michael P. Kitt: Tá súil agam sin chomh maith. Bíonn an t-Aire Stáit ag bualadh leis an údarás go minic. An mbeidh sé ag bualadh leis na comhairlí contaethe gaeltachta, a d'fhéadfadh cabhair a thabhairt dó freisin?

Deputy Dinny McGinley: Tá sé ar intinn agam bualadh leis an údarás arís. Bhuail mé féin agus an t-Aire, tá mí ó shin, leis an údarás nuair a bhíomar i nGaillimh. Bhuailomar leis na príomh-feidhmeannaigh, leis an gcathaoirleach agus leis na feidhmeannaigh sinsearach. Tá teagmháil rialta againn leis an údarás. Tá an t-Aire ag tabhairt lán-tacaíocht do iarrachtaí an údaráis ar fud na gaeltachta, mar atá mé féin a dhéanamh.

[Deputy Dinny McGinley.]

Maidir leis na comhairlí contaethe, de ghnáth bíonn cruinnithe againn anois agus arís leo. Níl aon rud socraithe go formáilte ag an bpointe seo ach níl bhéadh aon deacracht agam-sa, mar Aire Stáit, bualadh le comhairleoirí contaethe a bhfuil ceantair gaeltachta ina gceantair. Beidh mé ag bualadh le comhairleoirí ag Contae na Gaillimhe taobh istigh de chupla lá chun ceist achrannach ansin a phlé. Ar ndóigh, bheimís ábalta an rud céanna a dhéanamh le haon chomhairleoir contae eile a chuirfeadh iarratas isteach, chomh fada agus is féidir linn.

Deputy Michael P. Kitt: Go raibh maith agat.

Question No. 49 answered with Question No. 45.

Film Industry Development

50. **Deputy Billy Kelleher** asked the Minister for Arts, Heritage and the Gaeltacht his plans to extend section 481 tax relief to the digital content creation industry or sourcing other funding to assist that industry; and if he will make a statement on the matter. [29829/11]

Deputy Jimmy Deenihan: Primary responsibility for the support and promotion of film-making in Ireland, in respect of both the indigenous sector and inward productions, lies with the Irish Film Board which is funded through my Department and has been allocated € 18.4 million in 2011 to carry out its functions.

Under section 481 of the Taxes Consolidation Act 1997, tax relief is allowed for investments in certain films. The types eligible for certification are feature films, television dramas, creative documentaries and animation features. The scheme is kept under regular review in conjunction with the Irish Film Board and any enhancements considered necessary to retain or regain competitiveness are brought to the attention of the Minister for Finance, as appropriate. The scheme has been extended to the end of 2015.

The development of the Irish audiovisual industry, including incentives to build strong companies, was examined during the preparation of the Creative Capital report — Building Ireland's Audiovisual Creative Economy. The report was published in July and an implementation committee is examining the advancement of its recommendations.

Deputy Robert Troy: Action must be taken to position Ireland as one of the most progressive and digitally advanced business environments. As the Minister is aware, I raised this issue previously at Question Time when I asked his Department to examine the Canadian model in terms of what it was doing for the gaming industry, in particular. Has the Department examined this model? Has it consulted the Minister for Finance and his Department to determine if it would be possible to introduce that model here because Google Ireland's chief executive, Mr. John Herlihy, previously told a seminar that he believed there would be a tremendous opportunity for content creation in Ireland but that we needed to look at the rules of law in place. The Canadian model is renowned the world over. I highlighted this issue for the Minister previously at Question Time and wonder what advances he has made to date in this regard.

Deputy Jimmy Deenihan: I took the Creative Capital report, Building Ireland's Audiovisual Traded Economy, to the Cabinet and as a result an implementation group was put in place across Departments. It held its first meeting last week. The report is important, as it contains a large number of recommendations that could help to achieve the objective of doubling the number employed in the audiovisual industry to 10,000 and increasing overall income from €500 million to €1 billion.

With regard to the gaming industry, the Deputy probably heard what the Taoiseach had to say recently. He has a particular interest in the industry and certain announcements have been made regarding support for it. The Government is very much aware of the potential of the industry. A number of pronouncements have been made in the media recently in that regard. The industry was also mentioned at Dublin Castle the weekend before last.

Deputy Robert Troy: Who has been included in the membership of this new implementation group?

Deputy Jimmy Deenihan: It is chaired by Mr. James Morris from the Irish Film Board and is cross-departmental. It is a Government group comprising representatives from the various agencies and Departments involved in implementing the recommendations of the report.

Deputy Robert Troy: The Minister might come back to me with the membership of the group.

Deputy Jimmy Deenihan: Initially it was an inter-agency group chaired by Mr. James Morris and it was very effective during the term of office of the previous Government. It is a good report and my job is to implement its recommendations. Those involved are all well known and reputable individuals. They held their first meeting last week and according to the reports I have heard, it was very positive. I am very confident that the individuals concerns will implement some of the recommendations proposed in the report. I will come back to the Deputy with the names of the members of the group.

Leaders' Questions

Deputy Micheál Martin: Some 80% of Irish defined benefit schemes are in deficit and hundreds of thousands of workers are members of these schemes. The Taoiseach and the Government were advised in advance that the 0.6% pension levy would have a very negative impact on pensioners. Specifically, the Ministers for Finance and Public Expenditure and Reform were advised that the levy "is coming at the worst possible time as employers and employees do not have the resources to make additional contributions." The Pensions Board stated it would make existing difficulties even worse. The sum of €470 million that will be raised per annum will not even be used for the purposes of the jobs initiative. In essence, in the next four years more than €1.8 billion will be taken from pensioners in order to pay the levy. There were further warnings given to the Taoiseach that it would lead to the creation of a funding cliff at the end of the four year period. On "Prime Time" last night the Minister for Social Protection, Deputy Burton, admitted that "she was not a big fan of the proposal." I would like to know what that means. Against all advice, the Government decided to plough on regardless. The concerns of individual pensioners were dismissed in the House and the decision is already hitting thousands of elderly persons living on modest pensions from schemes into which they paid from their own earnings.

I mentioned previously in the House the workers at Tara Mines to illustrate the impact on pensions. In recent days I read correspondence from the Retired Aviation Staff Association which had been sent to the Taoiseach and the Government and the correspondence it had received from its trustees who said they were likely to be hit directly by the levy. These are pensioners of Aer Lingus and the Dublin Airport Authority and their pension schemes will be hit during the four year period to the tune of €30 million.

Given all the advice received and the distressed nature of the pensions industry, why did the Taoiseach decide to introduce the pension levy? Why did he decide specifically to hit pensioners because the impact was to reduce their benefits? It is pensioners who will be hit.

An Ceann Comhairle: The Deputy's has exceeded his allocated time.

Deputy Micheál Martin: Why did the Taoiseach, premeditatively, go after pensioners more than anybody else in this regard?

The Taoiseach: When the Government took office earlier this year, it inherited a pensions system in crisis. There is a €10 billion to €15 billion hole in certain private sector defined benefit pension schemes. This has been clearly identified, as has the extent of the fat and costs involved in their administration, a matter also referred to in the programme broadcast last night to which the Deputy referred. The Minister for Social Protection, Deputy Burton, announced this weekend that her Department is initiating a study with the Pensions Board and the Central Bank on the level of pension charges and the expenses associated with the different forms of private pension arrangements. The Minister is determined that employers and members of pensions schemes will get value for money. Everybody can support that. The Government launched this study because of concerns about the level of charges applied to schemes and the lack of transparency around some of them.

I met some of the workers from Tara Mines during a recent visit to Navan. They brought their case to me and I will speak further with them. There are two sides to the story. The study which the Minister has initiated will examine charges in defined benefit pension schemes, which cover approximately 222,000 people, and charges in defined contribution schemes, which cover 260,000 people. It will also examine retirement annuity contracts and personal retirement savings accounts. It is important that people know how much they are paying in charges and what they are getting in return.

The study initiated by the Minister will give comprehensive and clear information on the categories of charges that apply across and within pension schemes. The findings of the study will be essential to informing the debate and determining whether further measures are required. The initial results are expected by December 2011.

The *Financial Times* recently reported that some pension savers are losing more than one third of their savings as a result of high charges on certain pension products. I regard that as a disgrace. Other research suggests that a 1% annual fee can reduce the pension pot by 20% in respect of a customer who pays in over a lifetime. I am sure Deputy Martin will agree that we need to get an accurate read on these matters if we are to deal with the extent and scale of the problem. There is a commitment in the programme for Government to cap taxpayer subsidies for all future pension schemes that deliver income on retirement of more than €60,000. This is a matter of considerable anxiety.

The Deputy asked me why the Government introduced the scheme when we did. The scheme was introduced as a temporary measure on foot of the Government's determination to create a jobs initiative. This initiative also involved renegotiating with the troika the memorandum of understanding and the introduction of reduced levels of PRSI and VAT, which had a direct impact in terms of employers finding it easier to keep existing staff and hire new people. The results are self-evident across the entire hospitality sector in that people were maintained in employment and new people were taken on. That was the reason for the introduction of the temporary pension levy and, as last night's programme clearly indicated, the administration charges imposed by pension funds can absorb the vast majority of the temporary pension levy.

Deputy Micheál Martin: I asked the Taoiseach why he specifically hit pensioners in applying the pension levy. At the behest of the industry, he stitched into the legislation a specific provision that pensioners' benefits could be reduced through the application of the levy because they were in deficit. If he was convinced about charges, fees and administrative fat he would not have given that leeway to the trustees and pension funds. That is my point.

The Minister, Deputy Burton, advised the Minister for Finance, Deputy Noonan, in writing that the introduction of a levy could force certain schemes to wind up. It is too late to carry out a study because the horse has bolted. Will the Taoiseach consider carrying out a comprehensive assessment of the levy's impact on the thousands of pensioners concerned, particularly those who work for Aer Lingus and the Dublin Airport Authority. The pensions for these people will be reduced because the legislation specifically targeted their benefits to ensure the levy would raise €1.8 billion. The Taoiseach did that at the behest of the industry because he was lobbied on the matter. The industry told the Government it must include this measure in the legislation so that the pensioners could be hit. The pensioners will be hit according to the letters they have received from the trustees of the schemes.

The Taoiseach: The horse bolted a very long time ago.

Deputy Micheál Martin: Who brought in the levy?

The Taoiseach: The findings indicate that the hole amounts to between €10 billion and €15 billion.

Deputy Barry Cowen: It is the Government's levy.

The Taoiseach: That horse galloped for quite some time.

Deputy Micheál Martin: The Government added to it.

The Taoiseach: The defined benefit schemes are entirely voluntary arrangements between employers and employees.

Deputy Timmy Dooley: Say that to the pensioners.

The Taoiseach: The role of the State is to regulate the schemes to ensure employers deliver on their promises. The State has no role to play in filling holes that have emerged in these schemes.

Deputy Timmy Dooley: The Taoiseach is pushing the blame to somebody else.

The Taoiseach: That is a job for the employers and employees.

Deputy Micheál Martin: The Government made it worse.

The Taoiseach: They are voluntary arrangements.

Deputy Barry Cowen: Make the pensioners pay.

The Taoiseach: The State pension is the safety net on which people can rely if an employer fails to meet its private pension promise. Deputy Martin referred specifically to Aer Lingus. The Aer Lingus pension scheme has a deficit of €500 million. The 0.6% levy was not the cause of that. The State's job is to regulate so that the employers live up to their promise to their employees in respect of voluntary arrangements.

Deputy Micheál Martin: The Government is hitting the pensioners.

The Taoiseach: This is a serious matter for thousands of people.

Deputy Bernard J. Durkan: The only thing hit was the country by Fianna Fáil.

The Taoiseach: I have met many pensioners. One of the fundamental issues that will be addressed in the initiative by the Minister, Deputy Burton, is a comprehensive assessment of the scale of what has gone wrong. We know it is in the region of €10 billion to €15 billion but, as was pointed out previously, the pension schemes are able to absorb a substantial proportion of the 0.6% levy.

Deputy Micheál Martin: Not the way the legislation was written. The industry was given a way out.

The Taoiseach: It is nonsense to suggest otherwise when last night's programme clearly indicated the extent of excessive charging. As I noted in my previous reply, the smallest transaction charge can have a serious impact over the lifetime of a pension.

Deputy Micheál Martin: Why was that not stitched into the legislation? That is the point.

The Taoiseach: That is the arrangement they entered into.

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

Deputy Bernard J. Durkan: The Deputy's deep concern is touching.

Deputy Paul Kehoe: It is a pity he did not show the same concern when he was in Government.

Deputy Billy Kelleher: It is not our levy.

Deputy Paul Kehoe: When did he show responsibility on the matter?

Deputy Timmy Dooley: Deputy Kehoe is not showing much responsibility now that he is in Government.

Deputy Paul Kehoe: Remember the IMF.

An Ceann Comhairle: I call Deputy McDonald. Deputy Kehoe, stay quiet please.

Deputy Paul Kehoe: I apologise.

Deputy Timmy Dooley: I hope he has shown more responsibility around the Cabinet table than he does when he tweets.

Deputy Mary Lou McDonald: Today the HSE publishes reports on deaths and serious incidents among children in State care. Information has come into the public domain about a further 35 deaths of children in care since March 2010. There were 22 deaths last year and another 13 this year. These children, who were in the care of the State, died from a range of causes, including suicide, drug overdose and medical issues. I am sure the Taoiseach will agree this represents a monumental failure on the part of a State which continues to fail young people and their families. We are far away from the ideal of cherishing all the children of the nation equally.

The issues arising in respect of the HSE and the State's care of young people might never have come to light but for the leaking of a report into the death of Tracey Fay in 2009. It is a scandalous situation. Is the Taoiseach satisfied that the structures currently in place resolve the deep concerns about lack of transparency in the HSE's child protection services? Will he tell the House what his Government intends to do to ensure no more children die in the care of the State?

The Taoiseach: We need to speak further about this matter when a better opportunity presents. My first thought is for the families who lost children. No words of mine can deal adequately with their sense of loss. I do not think the words of anybody else here could do so either. The second point I would like to make is that today the HSE is publishing a series of reports. The National Review Panel for Serious Incidents and Child Deaths was established under the guidance of the Health Information and Quality Authority. Its first annual report which provides an overview of the work carried out by the group since its establishment in 2010 is also being published today.

The Deputy has mentioned that this is a scandalous situation. That was certainly the case when the Minister for Justice and Equality, Deputy Shatter, and I were on the other side of the House. The leaked information given to Deputy Shatter in February 2010 on the tragic death of Tracey Fay led to the establishment of the national review panel. The six reports concern four deaths and two serious incidents involving young people. Three deaths were caused by natural causes and one followed an accident. The two serious incidents were also accidents. I would like to be able to say we could reach a situation where no other child would pass away while in the care of the State, but obviously I cannot do so.

The steps taken since the issue was highlighted by Deputy Shatter in February 2010 have, at least, resulted in the publication of the reports which set out the situation to date. The annual report covers deaths and serious incidents involving children who were in care, who had been in care or who were known to have availed of HSE child protection and welfare services. It covers 22 deaths and nine serious incidents in the period examined. The deaths were due to a combination of natural causes, suicide and tragic accidents, including road traffic accidents. In all cases, the inaction or mistaken action of the child protection services was not linked with the death or serious incident. My thoughts, as I said, are with the families involved.

The Government expects the national review panel to continue its work by assessing deaths and serious incidents that took place this year. The Minister for Children and Youth Affairs, Deputy Fitzgerald, is expecting to receive in the coming months a further report on the deaths of children that occurred while they were in the care of the State. The report is being written by two experts in the field, Ms Norah Gibbons and Dr. Geoffrey Shannon.

Deputy Mary Lou McDonald: I am sure everybody in the House and beyond shares the Taoiseach's expression of sympathy to the families of the children involved. I have to say, however, that expressions of sympathy are not enough. It is not obvious why the State cannot guarantee the security and safety of children in its care. The Taoiseach has established the Department of Children and Youth Affairs and expressed his well known concerns about the HSE's child protection performance. However, it strikes me that he is not at all forthcoming in reassuring the House and families and children across the country that the State takes seriously its responsibilities regarding the care of children. If the Government is not working to an agenda to ensure every child in care is safe and secure, I wonder what the HSE guidelines and the new Department are all about. I ask the Taoiseach to make a commitment to set out what needs to happen to ensure children in care are safe and will not die in such enormous numbers.

The Taoiseach: I reject completely the charge that the State and the Government I lead do not have the care, safety and comfort of children as a priority. For the first time since the foundation of the State, a senior Department of Children and Youth Affairs has been founded. It took time to extract all the relevant connections dealing with children in order that they could be put into that Department.

Deputy Micheál Martin: It was in place already.

The Taoiseach: We cannot legislate for human nature. In so far as is humanly possible, the State will do what it can to put in place legislation and facilities to ensure this will not happen again. There have been eight deaths since March. There have been two cot deaths due to natural causes. There have been three suicides, the cause of one of which is as yet uncertain. There has been one death as a result of a road traffic accident. In two cases, the cause of death has not yet been declared. It is clear from the reports that the inaction or mistaken action of the child care services was not linked with the cause of death or serious incident on each of the occasions referred to by the Deputy.

The Minister for Children and Youth Affairs, in accordance with the programme for Government, is establishing a dedicated child protection and family support agency which will provide a stronger and more comprehensive system for identifying child protection concerns at an early stage and, as a consequence, appropriate supports for families and children. In other words, we will do whatever it takes in so far as is humanly possible to ensure this system is put in place.

Neither the Deputy nor anybody else here wants any child to die in care. As the leader of the Government, I do not want it to happen. That is part of the reason it was decided to establish the Department of Children and Youth Affairs which will link directly with the HSE and those providing services in this regard. I look forward to receiving the report being prepared by Ms Gibbons and Dr. Shannon who are acknowledged experts in this field. No punches will be pulled. There will be no inadequacy in terms of the response of the Government.

Deputy Finian McGrath: Last Sunday over 5,000 people attended a protest against the major flood defence plan in Clontarf. This was the largest turnout for a protest in Dublin North-Central for many years. People are furious and angry about the major environmental decisions being made by people in suits behind closed doors. I ask the Taoiseach and the Government where exactly they stand on the proposal to construct a 9 ft. barrier which would block the views of Dublin Bay of thousands of residents, walkers and tourists.

Deputy Timmy Dooley: This would be more appropriate to the Topical Issue Debate.

Deputy Derek Nolan: Did Deputy McGrath make a submission?

Deputy Finian McGrath: Does the Taoiseach accept that if construction of this barrier goes ahead as planned, it will amount to environmental vandalism?

Deputy Paudie Coffey: It is a matter for the council.

Deputy Finian McGrath: Does the Taoiseach share the view of the Minister for Jobs, Enterprise and Innovation, Deputy Bruton, who has said he was bitterly disappointed by the lack of consultation? Does he accept that the public consultation process relating to the controversial plan which took place in July 2008 was minimal and did not work?

Deputy Derek Nolan: The Deputy did not participate in that process.

Deputy Finian McGrath: Does the Taoiseach acknowledge that the stretch of coastline along the Clontarf Road, looking out over Dublin Bay, is a major local asset and amenity not only for the people of Clontarf but also for all the people of Dublin city? Will the Taoiseach stand with the people by telling the city manager, the city council and the Minister of State with responsibility for the Office of Public Works to come up with a new and reasonable flood plan while protecting this local amenity?

Deputy Timmy Dooley: Who is Deputy McGrath backing for President this week?

The Taoiseach: I know the area he is talking about.

Deputy Micheál Martin: Fair play to the Taoiseach. Who did he meet there?

Deputy Timmy Dooley: It is amazing what one can do with Google Earth.

The Taoiseach: I have matrimonial connections in Clontarf. I understand there may have been up to 10,000 people at the event on Sunday. I do not like the sea to be blocked off anywhere. The people of Ireland, a maritime country, like to be able to see the sea.

Deputy Niall Collins: We see it.

The Taoiseach: It is of particular importance to residents along the road that the view they have had for a long time should not be taken away from them. The problem for those of us who have been elected to this House is that permission has been granted for the construction of a barrier of the scale in question. It will be almost 3 m high. I am not sure how that slipped by all the vigilant councillors on Dublin City Council. Perhaps it was buried in some of the small print when a detailed analysis was made of the height a flood might reach in the event of high tide coinciding with poor weather. As I understand it, full permission was granted for a barrier 2.75 m high. Obviously, the local people feel very strongly about this and I know they originally gave consent to a barrier of 1.2 m in height. It is not just the Minister, Deputy Bruton, who is concerned about this as many other people are also concerned. There is a huge number of sandbags in the area and flooding has occurred on occasion in particular locations on Clontarf Road, as the Deputy is aware. It is visually appealing for people to be able to see the bay and the sea and to have a polder or levy of that scale would cause people to feel rightly aggrieved.

There is a problem here in that permission was issued for this by Dublin City Council. The question is what can be done about it. As the Deputy is aware, there are some other suspicions about the real nature of the reason for a mound of that scale in the first instance. I share the concern and anxiety as well as the very strong feeling among local people that we should work out some compromise here. Planning permission was granted for this through Dublin City Council. While I am not passing the buck, it is a problem for Deputy McGrath and everybody else who does not have an impact on the planning decisions of the council.

Deputy Timmy Dooley: Does the Taoiseach not recognise the planning authority?

Deputy Micheál Martin: If they did not wear suits, they might not have made the decision.

Deputy Bernard J. Durkan: What about the flooding?

(Interruptions).

Deputy Finian McGrath: I will answer the Deputy's question and he will be in for a big shock in a second. I know of the Taoiseach's personal connections with Clontarf — I think I met him in the Blackheath area in 2003 when I was dropping leaflets.

The Taoiseach: He did.

Deputy Finian McGrath: I remind my colleagues in the Labour Party that I was not a member of Dublin City Council in 2008 and Deputy Ó Ríordáin was — that is on the record.

Deputy Aodhán Ó Ríordáin: Not for Clontarf; it was a different ward. Deputy McGrath represented the area, though.

Deputy Finian McGrath: Councillor Damien O'Farrell was not even elected, so that shows the need for independent voices on the council.

I thank the Taoiseach for his response but I also believe there is another issue about which the Taoiseach should have major concerns. Does he accept that it is not just a sea view problem but also a potentially major anti-social behaviour problem, for example, in regard to graffiti and personal security? The barrier has great potential to provide cover for criminality, which is a major point of debate.

Deputy Timmy Dooley: Would Deputy McGrath save this for the council?

(Interruptions).

Deputy Finian McGrath: This is a very serious issue. Some of my colleagues in the Labour Party think it is funny, but it is not funny for the people of Clontarf.

This barrier will hugely damage our local tourism industry, particularly small businesses along the bay. It will particularly impact on our 2014 celebrations of the Battle of Clontarf, when we hope to have tourists coming from Norway, Sweden and Denmark. We would not want to be in a situation where we damage the potential of the local tourism industry.

Once and for all, will the Taoiseach get off the fence on this issue?

Deputy Dinny McGinley: Get off the wall, perhaps.

Deputy Finian McGrath: Where exactly does the Government stand?

Deputy Aodhán Ó Ríordáin: That would have made a great submission to An Bord Pleanála.

Deputy Finian McGrath: The Deputy was not there in 2008.

Deputy Bernard J. Durkan: What about the flooding, Finian?

The Taoiseach: I do not want to pass the buck as I know it is an important issue. I take the points made by the Deputy. The point on the re-enactment of the Battle of Clontarf is realistic — we do not want Brudair to take out poor old Brian Boru again on this occasion.

In response to concerns by residents and businesspeople in recent weeks, Dublin City Council made a presentation at a special meeting of councillors of the north-central area committee last week. It was at this point that a representative of the OPW was present in laying out why this was agreed and placed at the level determined. If Dublin City Council, following consultations with local interests and its own consultants, decides to send in an alternative in respect of flood arrangements to protect the residents of lower level houses in Clontarf, the OPW will be happy to consider those. It may be that, somewhere between 1.2 m and 1.75 m, a compromise could be reached where people can still see the bay and the sea while their houses can be protected.

Nobody wants to see the pictures we saw in Dublin several years ago where people with wellingtons were standing in flooded streets and all of that.

Deputy Bernard J. Durkan: He even tried to walk on water.

The Taoiseach: We do not want to see that on the Clontarf Road or anywhere else in this city. We realise that something needs to be done but perhaps not on the scale envisaged. If Dublin City Council, with its consultants, in talking to local businesspeople and residents decides to send in an alternative compromise to the OPW, the OPW is willing to consider that.

Deputy Finian McGrath: The Taoiseach blames the councillors who were there at the time.

Ceisteanna — Questions (Resumed)

Departmental Offices

1. **Deputy Micheál Martin** asked the Taoiseach if he is satisfied with the resources available to offices under the auspices of his Department for the drafting of legislation. [24730/11]

The Taoiseach: I am advised by the Attorney General that there are currently 27 permanent and three contract staff in the Office of the Parliamentary Counsel engaged in drafting legislation. I am sure the Deputy is aware that there is a large increase in the demand for legislation arising from the current Government legislation programme, including the significant work required on sensitive and urgent EU-IMF-related legislation. In addition, a considerable amount of the legislation produced is technical and complicated, and requires a great deal of legal advice and sharing of different iterations of drafts with Departments to ensure Government policy is properly reflected in the final draft.

The resources available for drafting have, notwithstanding the increasing demands, been able to meet the needs of the Government. However, the complement of staff in the office is kept under constant review. I am informed that, following such a review, a business case has recently been submitted to the Department of Public Expenditure and Reform in regard to the office's needs over the coming 18 to 24 months. Discussions have been held with the Department and a response to those discussions is expected shortly.

Deputy Micheál Martin: The question I asked was whether the Taoiseach is satisfied with the resources available to the offices under the auspices of his Department for drafting legislation. I am conscious that much legislation was promised and identified but has not come through the system on time. For example, the corporate donations Bill is a classic example in that one would have expected it to be brought in before the presidential election in order to ban corporate donations for that election. The referendum Bills are another case in point in that there is no question but that both referendum Bills were rushed too quickly through the House, there was no proper advanced consultation——

An Ceann Comhairle: Sorry, Deputy. This is Question Time.

Deputy Micheál Martin: Yes, I am just putting this point to the Taoiseach. Does he agree there was undue haste on the two referendum Bills and much concern and anxiety now exists in regard to understanding what those referenda are about? Most people I meet do not know what they are about, which reflects the lack of lead-in time. We should have had the legislation before the summer recess, but there are obviously pressures on——

An Ceann Comhairle: Sorry, Deputy. We are straying.

Deputy Micheál Martin: We are not. This relates to the legislative programme.

An Ceann Comhairle: No. The Deputy asked if the Taoiseach is satisfied with the resources available to the office.

Deputy Micheál Martin: Yes — resources to draft legislation. The reason I ask this is simply that many Bills have not come through and there have been rushed referendum Bills, which is not good for public discourse.

[Deputy Micheál Martin.]

It seems that the existing resources are not adequate. The Taoiseach referred in his reply to the business case. Has he read the business case submitted to the Minister? Does it specifically ask for additional capacity to enable the legislative programme to be completed properly, as befits a modern Parliament, with due time for the Members to consider the legislation in the months ahead?

The Taoiseach: To be totally honest, I would prefer to have extra staff in the parliamentary draftsman section. The Deputy will be aware that in recent years, the average production from the section has been approximately 40 Bills per year, as it has produced approximately 40 Bills in each of the last three years. The A list of the current Government legislation programme gives a commitment to publish 30 Bills in this session alone, the reason being that quite a number of them are timelined as a requirement from the EU-IMF-ECB deal. For instance, a Bill for the Department of Public Expenditure and Reform was published on 29 September, a Bill for the Department of Justice and Equality was published on 12 October, a second Bill for the Department of Jobs, Enterprise and Innovation was published on 29 September, the Health (Provision of General Practitioner Services) Bill was published on 30 September and the European Financial Stability Facility and Euro Area Loan Facility (Amendment) Bill 2011 was published on 16 September.

I would like to think we will have a more leisurely approach to the production of legislation but obviously I refer to the constraints and pressures on the people involved. As Deputy Martin will be aware from his own time, the staff concerned have come into work on weekend after weekend and have worked on Saturdays and Sundays to deal with this. The business case that has been submitted to the Department of Public Expenditure and Reform is for two additional contract drafting staff. They would have a high level of drafting experience and would be engaged on short-term contracts of approximately one year's duration to assist with the immediate demand for drafting complex legislation. For the longer term, the ambition is to seek to recruit two additional permanent staff. These staff would receive extensive training as drafters and as a consequence would increase the office's drafting capacity for the medium and longer term. I agree this section is under real pressure to get some of these legislative items out. For instance, I note the Legal Services Regulation Bill is 300 pages in length and, consequently, the pressure on the personnel working there is quite intense. They have measured up in an astounding fashion to date. The business case made to the Department of Public Expenditure and Reform is for two additional contract drafters and, for the longer term, for two permanent appointments.

Deputy Micheál Martin: In respect of the contracted staff, does the Taoiseach envisage expanding the use of contracted staff, particularly in the context of legislation that would lead to constitutional referendums, on the basis that a good timeline into referendums genuinely is needed? The last two Bills were very rushed and the results now are evident in the context of the discussion that is under way. In respect of the proposed children's referendum and any Bills that may emanate from the constitutional convention, does the Taoiseach agree there is a case to be made for a separate approach or additional capacity, such as contracting in people, to work specifically on that particular area?

The Taoiseach: I do. The contract drafters would be expert drafters, who would be given shorter-term contracts of approximately one year to assist with really complex issues in respect of legislation being drafted. The longer-term proposal is to have two further permanent drafters. I might add that the business case also includes an application for two legislative editor positions. A legislative editor is a person who looks for technical errors such as spelling, gram-

mar or formatting errors, as well as the accuracy of cross-referencing and so on. They also will review the text for sense, clarity and logic, as well as providing the drafters with feedback on how well the meaning of a provision has actually been communicated. Legislative editors are on a payscale that is much lower than that for drafters and, consequently, the work they would do would free up the drafters to be able to concentrate more on their specific and particular expertise in the area of complex drafting. As a general rule, any business case like this would seek approval for the filling of any casual vacancies that might arise for one reason or another during the course of a year. The position is that the business case seeks two contract drafters with shorter-term contracts and in the longer term for two permanent positions and two legislative editors at a much lower payscale than the drafters.

Deputy Mary Lou McDonald: To clarify, is the Taoiseach stating that Bills have been delayed because of these capacity constraints? On a related matter, has the Attorney General given the Taoiseach a legal opinion on the British Government's failure to honour the Weston Park agreement for an inquiry into the murder of Belfast human right solicitor, Pat Finucane?

An Ceann Comhairle: That is a separate question.

The Taoiseach: The answer to the Deputy's first question is "No". Bills have been produced on time or very close to time, some of which have been quite extensive while others have been extremely complex. As I stated, the House owes great credit to the Attorney General and her staff for working weekend after weekend on Saturdays and Sundays to meet the conditions of timelined legislation that has been required by the EU-IMF-ECB memorandum of understanding. As I stated to Deputy Martin, while the production of legislation in each of the past three years averaged approximately 40 Bills, the requirement in this session because of the pressure is for 30 Bills. As we move through next year, it may become a little less intense in that quite a number of these legislative items will have gone through the Houses.

The Attorney General has not given me, nor have I asked for, her opinion on the Finucane case. The Government's position on this issue has been quite clear. Before the Deputy was elected to this House, the Dáil unanimously approved a motion tabled in my name for an inquiry to be held into the Finucane case. This arose from the clear statement of Judge Peter Cory in which he recommended, following an initial trawl of information about a number of cases, that inquiries should be held. This is the reason the Smithwick inquiry is under way and is the reason the Government will give approval to an extension to that inquiry at the request of Mr. Justice Smithwick. The Government is clear on this position. As the Deputy is aware, the Tánaiste met the Finucane family yesterday. I spoke to the Tánaiste before he travelled to Japan last weekend, I answered questions in the House on this issue and the Government is clear that it is not moving from the position the Dáil has adopted of a requirement for an inquiry in this regard. I do not need advice on this issue from the Attorney General. While I do on many other issues, I am very clear about that.

Interdepartmental Committees

2. **Deputy Micheál Martin** asked the Taoiseach if he will detail the inter-departmental groups, including Cabinet committees, which his advisors are entitled to attend. [24733/11]

3. **Deputy Micheál Martin** asked the Taoiseach the committees he has established or which operate under his control which do not carry the status of a Cabinet committee. [26098/11]

4. **Deputy Micheál Martin** asked the Taoiseach if he will detail the specific EU coordination committees under the administrative control of his Department. [28462/11]

The Taoiseach: I propose to take Questions Nos. 2 to 4, inclusive, together.

My advisers are not prevented from attending meetings of any interdepartmental groups. My special advisers may attend Cabinet committee meetings in an advisory capacity when required to do so and with my prior approval. Attendance by special advisers is kept to the minimum consistent with the efficient functioning of the committees concerned.

Other than Cabinet committees, the following interdepartmental groups are chaired and supported by my Department, namely, the senior officials' group on social policy, the senior officials' group on health and the senior officials' group on climate change and the green economy. In respect of the economy, my Department chairs and supports the senior officials' group on labour market issues, the senior officials' group on economic recovery and jobs and the senior officials' group on economic infrastructure.

As for European Union co-ordination committees, the senior officials' group on European affairs is chaired by the second Secretary General in my Department with responsibility for European Union co-ordination. The interdepartmental co-ordinating committee on European affairs is chaired by the Minister of State for European affairs and the interdepartmental committee co-ordinating the Presidency is also chaired by that Minister of State.

Deputy Micheál Martin: I thank the Taoiseach for his response. As these three questions in effect relate to three different issues, I will try to take them separately. However, I wish to put an overall point to the Taoiseach. Does he agree it continues to be the case that the new structure of the Taoiseach's office makes it less subject to parliamentary scrutiny now than at any time in its history? The Taoiseach may recall that during the election campaign and in the programme for Government, people were promised a radically smaller Department, which would be like a Cabinet office. Instead, what exists at present is a Department that is exactly the same size as its predecessor, which is taking more control of issues but which has been given the cloak of confidentiality. The economic division, which preceded the economic management council, was subject to parliamentary questions. However, it now is gone and has been superseded by the economic management council, which is shielded from all questions about its work. Will the Taoiseach consider ways to enable Members to table questions in respect of the work of the economic management council?

As for European Union co-ordination, since the European Union unit of the Department of Foreign Affairs was transferred to his Department, the Taoiseach has refused to answer basic questions on matters such as, for example, his role in the 2013 European Union Presidency.

I want to ascertain whether the Taoiseach is in charge of EU policy, given that a large section has moved into the Department.

The Taoiseach: The position is well known to the Deputy from his experience over the years. The confidentiality of discussions at Cabinet and Cabinet committees is protected by Article 20.4.3°. In light of that, those matters that are discussed there are subject to Cabinet confidentiality. In reality if decisions are taken by the economic management council, they go forward to Government and become Government decisions if they are adopted by the Cabinet and are then available for discussion and question. It is a way of streamlining the activity of Government and Cabinet.

From my perspective, as Taoiseach, I have found that many Cabinet committees were only required to meet once a quarter. I have a very different view about this. I see part of my job being to drive the agenda through the committees to get results and get decisions through by Government, which is what is important. The function of the interdepartmental co-ordinating committee on European affairs, chaired by the Minister of State, Deputy Creighton, is to make arrangements of Ireland's Presidency of the Union for the first half of 2013.

The Deputy will be aware of the changed nature of the role of political leaders arising from the Lisbon treaty whereby Mr. Van Rompuy has a new function in driving the agenda. The nature of the role of European Union leaders has changed in respect of the onus on them during a Presidency. That is not to diminish in any way the decisions that need to be taken or whatever else. The Minister of State, Deputy Creighton, is now chairing the committee in preparation for the 2013 Presidency. The co-ordination of European activities is conducted by the second Secretary General in the Department of the Taoiseach. In so far as the duties and responsibility of the Tánaiste and Minister for Foreign Affairs and Trade are concerned, on European affairs or on a General Affairs Council, she reports to him and conducts the management of the economic management committee. The co-ordination of European issues is also under her control but in the Department of the Taoiseach — in other words, to get a better impact from all the Departments associated with this. From my perspective, it functions very well in that there is a more closely knit group in terms of how one looks at European issues, approaches and get the best impact from all Departments' senior officials and Ministers involved in whatever European issue might be under discussion.

Deputy Micheál Martin: Why will the Taoiseach not answer questions about the EU Presidency? He still transfers even the most basic EU questions to the Department of Foreign Affairs and Trade. It was always the precedent in the House that the Taoiseach would answer questions on his or her role in the Department of Foreign Affairs and Trade. The last time we discussed this, the Taoiseach said it might be down to the wording of the questions and he suggested a wording. We put in the wording he suggested and it still got transferred. I believe there is a tactic with someone in the Taoiseach's office or elsewhere trying to shut down the areas on which we can question the Taoiseach. It is shutting down and restricting the role of Parliament as a forum to ask the Taoiseach basic and fundamental questions about his role in the EU, particularly the preparation for the EU Presidency, on which he should be willing to answer to the House during questions to the Taoiseach. I have noticed an ongoing pattern of consistently restricting the area on which we can ask the Taoiseach questions.

The Taoiseach: As the Deputy is aware we introduced a change whereby before Council meetings and before Heads of Government meetings, there is a debate in the Dáil, giving people the opportunity, as they had last week, and again when the meetings are over.

The co-ordination of European matters rests in the Department of the Taoiseach and is conducted by the recently appointed second Secretary General. The Tánaiste and Minister for Foreign Affairs and Trade has responsibility for the GAC and works with the Minister of State in respect of those meetings. In so far as the 2013 Presidency is concerned — assuming that the Lord spares us — obviously the duties of the Leader of Government are set out in the changed context of the Lisbon treaty in what leaders have to do during a Presidency. It still places a great onus on all Ministers as the Deputy is aware given his experience of a Presidency, which, in the way it was constructed, demanded more time and meetings from every Minister of the Government of which the Deputy was a member.

The Minister of State is chairing the preparations for the Presidency. In so far as asking questions about the responsibilities that will belong to the Taoiseach during that Presidency in the first half of 2013, I do not have any difficulty in attempting to define what they are for the Deputy at this stage. I may be able to help him in terms of particular issues he wants answered by the Department of the Taoiseach or myself in so far as Europe is concerned, but they need to be within those categories. The Tánaiste has specific responsibility in this regard as has the Minister of State with responsibility for European affairs. As Taoiseach in charge of the overall co-ordination of European issues, I obviously have responsibility there and will have when the Presidency comes around in 2013. I might be able to help the Deputy there.

Deputy Micheál Martin: The Taoiseach is the Leader of the Government and one would expect he would want to put his stamp on an EU Presidency in terms of the themes of the Presidency and what he wants the Presidency to be about, albeit in changed circumstances administratively and co-ordination wise. They are issues that fall due to be discussed in a session such as this and to facilitate questions to inform that.

The Taoiseach: I do not have any difficulty with having a discussion at the appropriate time here in the House.

Deputy Micheál Martin: I should be allowed to table questions.

The Taoiseach: I do not mind. As business goes through, it may be Ireland's lot to have to decide finally on Common Agricultural Policy, CAP, reform, which will be of significant interest to the Irish agricultural sector and pose a range of difficulties in areas such as single farm payments, climate change, emissions etc. As the business moves through and as there is a failure to agree on serious business ends, these may well pile up and require to be dealt with during the Irish Presidency. Perhaps we can discuss those in the next round of questions on Europe. I would be happy to give the Deputy a clearer perspective on what might—

Deputy Micheál Martin: Why are questions to the Taoiseach always transferred to other Departments?

The Taoiseach: The Deputy should put it down to me as Taoiseach.

Deputy Micheál Martin: However, they are being transferred every time we do it.

The Taoiseach: I have defined the responsibilities of the Tánaiste, the Minister of State with responsibility for European affairs and me, as Taoiseach, overseeing the overall co-ordination of European issues. I do that to have a tighter and more cohesive approach to European issues so that it is not scattered across Departments. They are all called together in the Department of the Taoiseach to give a better impact in terms of the focus on whatever the issue might be. In so far as the Presidency is concerned I would be happy to give the Deputy a best shot at what might fall due to be decided during the Irish Presidency in 2013.

EU Summits

5. **Deputy Richard Boyd Barrett** asked the Taoiseach if he will report on the meeting of the Eastern Partnership in Warsaw; and if he will make a statement on the matter. [27356/11]

6. **Deputy Gerry Adams** asked the Taoiseach if he will report on his attendance at the Eastern Partnership meeting in Warsaw. [27366/11]

7. **Deputy Micheál Martin** asked the Taoiseach the policies in relation to the European Union's Eastern Partnership and Neighbourhood Policy which he proposed at recent EU meetings. [28453/11]

The Taoiseach: I propose to take Questions Nos. 5 to 7, inclusive, together.

On foot of an official invitation by the President of the European Council, Mr. Herman Van Rompuy, and by the Prime Minister of the Republic of Poland, Mr. Tusk, I attended the Eastern Partnership Summit in Warsaw on Thursday and Friday, 29 and 30 September. The Eastern Partnership initiative aims to enhance economic and political relations between the European Union and six neighbouring partners to the east — Ukraine, Moldova, Azerbaijan, Armenia, Georgia and Belarus. On Thursday evening I attended a working dinner for the

heads of delegations where we discussed the future prospects for relations between the EU and its eastern partners.

I participated in the plenary session on Friday morning, intervening in the discussions on economic integration and trade. I welcomed the fact that the Eastern Partnership is preparing for new association agreements between the EU and the six eastern partners. Deeper engagement and gradual integration in the EU economy will require a high degree of commitment to complex and broad-ranging reforms from our eastern partners, and we appreciate that this presents them with enormous challenges.

I also used the opportunity to outline Ireland's approach to its upcoming chairmanship in the office of the Organisation for Security and Co-operation in Europe, which starts in January 2012.

On the margins of the summit I met a number of my counterparts from the European Union. I had bilateral meetings with Prime Minister Mark Rutte of the Netherlands, Chancellor Faymann of Austria and Prime Minister Jyrki Katainen of Finland. I also spoke informally with several other EU leaders. Our discussions focused on financial stability in the eurozone and prospects for economic growth. I briefed them on the decisive action that the Government was taking to address our financial and economic situation and the progress being made to deliver in full and on time on the commitments set out in Ireland's EU-IMF programme.

I also had bilateral meetings with certain eastern partner countries. I met President Yanukovich of the Ukraine, Prime Minister Vlad Filat of Moldova and President Mikheil Saakashvili of Georgia. I referred to Ireland having declared its candidature for a seat on the UN Human Rights Council and said we would be very grateful for support from our eastern partners in securing this position. We discussed regional issues, including the progress made in the Geneva talks relating to the territorial integrity of Georgia. I said Ireland would be nominating a special representative to the southern Caucasus for the duration of our chairmanship of the OSCE who would participate in the Geneva talks. We also discussed the regional issue of Transnistria and I gave assurances that Ireland would pay close attention to this issue during our OSCE chairmanship.

Following the summit I attended an Irish business community reception at the Irish Embassy to demonstrate my strong support for the Irish business community in Poland and to emphasise the shared objective of restoring a strong and sustainable economy to Ireland.

Deputy Richard Boyd Barrett: Given the deteriorating situation in the eurozone, did any of the leaders of the eastern European states and other EU member states have any questions for the Taoiseach on the policy of continued austerity and bailing out banks, the detrimental effect this was having on growth in the European economy and how it might affect them? Did the Taoiseach have any discussions with the leaders of the eastern European states about the impact of the sale of State assets? These countries would be very familiar with the process of rapid disposal of state assets. The Taoiseach may be aware that this is something which led to the massive enrichment of a tiny minority of oligarchs in eastern Europe who gained control of these assets but which has led to major job losses for working people in these eastern European states. Did their leaders have anything useful to say about the experience of the wholesale privatisation of state assets and the effect this had had on society and the economies of these states?

The Taoiseach: Yes, they did have questions for me. They were related to the reasons the reputation of the country had changed so radically in six months. The leaders of the eastern European states wanted to know how the Government could work with people in making difficult decisions that pointed in the right direction in getting the country back on a trajectory

[The Taoiseach.]

towards prosperity, where jobs could be created and we could again be in charge of our economic destiny. They were well aware of the changed attitude in business and politics here and the international economic commentary on Ireland. I pointed out on a couple of occasions that owing to the troika deal, there was a requirement that we raise certain moneys from the sale of State assets and they understood this.

They focused on the fact that Ireland would hold the chairmanship of the OSCE for a calendar year, with the Tánaiste performing this role. It may well be that one of the regional conflicts constantly on the brink of war — the conflict in Transnistria — will be sorted out during that period. I cannot confirm this, but it would provide a great boost. They understood, given that we had a desperate situation in the North for 30 years but which resulted in peace through the Good Friday Agreement, that the Irish chairman of the OSCE would understand that conflict and how a resolution could be brought about.

President Yanukovich gave a dissertation on the pending trial of Yulia Tymoshenko. We heard about the focus of Georgia being on its territorial integrity. There were strong reactions to the human rights issues arising in Belarus, on which the entire meeting took a strong view. They asked how and why Ireland was able to make progress in the midst of global economic turmoil and looked forward to the Tánaiste chairing the OSCE in 2012.

Deputy Mary Lou McDonald: I notice references in the declaration to the human rights situation in Belarus, the deteriorating position on media freedom and the call for the immediate release and rehabilitation of political prisoners. Why did the declaration make no mention of the human rights situation in Ukraine? As the Taoiseach is aware, the former Prime Minister was recently convicted and sentenced to seven years in prison in what the European Union has described as a political trial.

The Taoiseach: This is a matter of concern to people in the European Union. Former Prime Minister Tymoshenko attended quite a number of meetings of the European People's Party which I also attended and she made her case in respect of the difficulties being encountered in her country at the time. For his part, President Yanukovich said he had decriminalised a range of issues on the basis that the former Prime Minister might not face a jail sentence. He gave briefings to other leaders on what the problem was from his perspective. The European Union has made a strong case that if there is an appeal against the seven year jail sentence handed down to the former Prime Minister, it should clearly be seen to be conducted in an entirely independent and fair manner. I support that view very strongly.

Deputy Micheál Martin: Did the Taoiseach table any particular proposals or ideas for the meeting of the eastern partnership? Did he raise the issue of what most observers would see as the political show trial of former Prime Minister Tymoshenko? There is a difficulty in progressing with the eastern partnership if regimes, either in Belarus or Ukraine, continue with practices that are not acceptable to the democratic norms to which we adhere in the European Union. Some steel needs to be shown in this relationship.

As the Minister who brought the proposal to chair the OSCE to the Cabinet, can the Taoiseach assure us that the resources will be made available to the Department of Foreign Affairs and Trade to chair this prestigious forum adequately in 2012?

In the bilateral meetings between the Taoiseach and the Prime Ministers of Austria, the Netherlands and Finland on the margins of the meeting, did he talk to them about the emerging proposals concerning bondholders, in particular the Greek sovereign bondholders who are likely to lose up to 50% of their money? There will be widespread recapitalisation of European banks, following on from the sovereign debt default in Greece. This is a very important oppor-

tunity for Ireland because the two consistent roadblocks to burning the bondholders in Irish banks will now be removed. We were told all along that sovereign debt default, bank recapitalisation and contagion would be the key issues for us. We are now on the cusp of a major opportunity, perhaps the first and only one for Ireland, to force bank bondholders to share the burden. Did the Taoiseach tease that out with the Dutch, Finnish and Austrian prime ministers? If so, what response did he get from them as regards Ireland having an opportunity — particularly in terms of Anglo Irish Bank — to burn those bond holders?

The Taoiseach: In respect of the meeting with President Yanukovich, we discussed the fact that the ongoing negotiations with the DCFTA could be concluded in time for the EU-Ukraine summit in December. He looked forward to the development of trade links between both countries and he mentioned the important contribution that the Ukrainian community makes here in Ireland. He also said he was confident that compromises would be reached shortly on the small number of outstanding bilateral issues between Germany, France, Italy and Spain.

He recognised that the case of the former prime minister, Yulia Tymoshenko, was an obstacle to completion of negotiations with the EU. He said that the action against Ms Tymoshenko was not a political trial — he insisted on that — and that it had not been initiated by his current government. He said the matter was very complicated; it has dragged on for a while and would now have to be brought to a conclusion. He also said he had decriminalised certain matters. We talked about that for a while and it was part of the EU's response that if there is an appeal it should be conducted in an entirely independent manner and be seen as such.

I also had discussions with representatives of the Netherlands, Austria and Finland. In respect of each of those, we talked about the difficulties facing the eurozone. As we speak, discussions are going on in preparation for the heads of government meeting on Sunday. The Deputy will be aware that ministers for finance will meet on Friday and Saturday. It is hoped that the major issues under discussion can be decided in a way that brings some certainty for the future. I discussed this with Prime Minister Rutte of the Netherlands. I outlined for him our concerns in that Ireland was seen to be a country making progress with confidence towards dealing with our problems. The Dutch have a particular view in respect of discipline and fiscal regimes being able to adhere to their commitments. Prime Minister Rutte has a strong view about that which he has articulated at several meetings.

In respect of the meeting I had with Austrian Chancellor Faymann, we discussed the question of a financial transaction tax. I made the point that this could not apply in sporadic areas and that one could not have a situation where such a tax applied in Ireland but not in London, or *vice versa*. The Minister for Finance has already pointed that out. We also discussed the EU-IMF programme, growth prospects, economic governance and his rejection of treaty change.

I also met Prime Minister Katainen of Finland who mentioned the collateral issue raised by his country, which has since been resolved. He believes there should be a competitiveness index for Europe because many countries have very different competitive rates. As a triple AAA country, looking at their projected growth figures for next year, they are concerned that Europe would do much better if it had a competitiveness index. I pointed out to him that our Competition Authority reports every year. In many cases the competitiveness report was not acted upon, although it contained some very good suggestions. We discussed the fact that Ireland's competitiveness has improved. Obviously, the collateral issue has been resolved. Mr. Katainen referred to the need to avoid bailout fatigue in Finland. He also said he was inviting speakers from abroad to address issues of EU governance on a public platform in Finland. He invited me to attend in Helsinki sometime towards the end of spring 2012. If we can do that, there might be other opportunities for a number of other areas to be discussed.

[The Taoiseach.]

Mr. Katainen agreed that it would be difficult to envisage a treaty change at this juncture. There is a crisis here that needs to be dealt with now by using the full flexibility of what was agreed on 21 July. He did not rule out treaty changes sometime in the future but making a comment like that now is not a solution to the current problem. I hope that when we get to Sunday, following the finance ministers' meeting on Friday and Saturday, this can actually be achieved.

Deputy Micheál Martin: Did the Taoiseach discuss the bondholders?

The Taoiseach: It was not mentioned in any great detail.

Deputy Richard Boyd Barrett: In discussing Ireland's economic and financial situation, the Taoiseach made much of Ireland's improved reputation but that was not really the question I asked. One cannot eat reputation and it does not provide jobs or services. I asked whether various leaders at the conference recognised that there is a major problem in terms of the impact of austerity strangling economic growth in the eurozone. That will have an impact on human beings who hope to get jobs and hope that they will not lose their homes. They also hope for some way out of the current economic crisis.

Although the Taoiseach did not respond, I further asked whether he learned anything useful about the rapid process of the disposal of State assets and the sale of natural resources in eastern European states. As I understand it, the result of that process was the creation of a tiny coterie of multi-billionaire oligarchs who now preside over those formerly State-owned assets. Meanwhile, the people who worked for those State enterprises now face high levels of unemployment and social misery as a result of the privatisation process in those states. Did the Taoiseach learn anything useful that might be beneficial to us, given the demands of the Troika to sell State assets here in a similar way?

The Taoiseach: I learned quite a number of things from the meetings I held. One was that people look at this country in terms of its reputation being changed. The Deputy might say that does not create jobs but it creates a sense of confidence, solidarity and progress. It all leads to an understanding that where a country acts on the decisions taken by the European Union and is able to comply with the conditions, it can and does make progress. I recognise that many people here have difficulties, anxieties and concerns. The problems the Government and our country face will not go away unless somebody does something about them. In many cases, countries in Eastern Europe and members of the EU have taken really difficult decisions. They are in a very different position to Ireland, the most extreme case being that of Greece.

The Deputy can take it that we have no intention of setting up multi-billion euro oligarchies out in Dún Laoghaire or places like that.

Deputy Richard Boyd Barrett: We did it with Denis O'Brien and Eircom, did we not?

The Taoiseach: Under the IMF-EU deal, the Government is required to raise €2 billion in the programme for Government from the sale of State assets at an appropriate time. For that purpose the Government has set up the NewERA facility in the NTMA, which will determine the economic impact, as well as evaluating it and reporting to the Department of Public Expenditure and Reform and to the Minister. In due course, if the Government sees fit, it will make a decision about the sale of a State asset, or part of a State asset, in the best interests of the people and of the country. We have no intention of having a swift sale of State assets that creates "multi-billionaire oligarchs", as the Deputy calls them, in the country.

Deputy Richard Boyd Barrett: It was done before.

Deputy Micheál Martin: I am somewhat surprised by the response on the discussions with the Prime Ministers of The Netherlands, Austria and Finland on the most fundamental issue facing the world, the future of the euro. This is bound up with the Greek default that is on the cards and the likelihood of sovereign bondholders losing up to 50% of their money. Are we bringing any proposals to the table at all? Are we outlining to the Prime Ministers Ireland's demands that we believe should be met in the context of a Greek default and the recapitalisation of French and German banks, which is likely to happen subsequent to a Greek default? Should Ireland not now seek the opportunity to do so in respect of bank bondholders? An opportunity has been created that did not exist heretofore. There is a new set of circumstances. Surely we should put this to the leaders of Europe. The Taoiseach should have put this to the Dutch, Austrian and other Prime Ministers. At bilateral talks, we should push our agenda to them in respect of the debt position.

I agree with the Taoiseach's statement to President Barroso that we do not envisage sovereign default in Ireland. We certainly do not but there are opportunities in respect of bank bondholders, and so on, that present themselves in the context of the Greek circumstances. I am surprised this was not discussed substantively at all with the three European Prime Ministers whom the Taoiseach met.

An Ceann Comhairle: That is a very detailed question.

The Taoiseach: I outlined the issues we discussed, including governance, restructuring, recapitalisation and the crisis within the eurozone. They were discussed with all three Prime Ministers. What we undertook at the negotiation table at Minister for Finance level was a phased renegotiation of the memorandum of understanding and the agreement we found on entering government. This has been done in phases in terms of the jobs initiative and the changed reflection of the Troika in respect of issues such as the minimum wage. Following this were discussions about interest rate reductions.

What we really want is to be able to prove that the decisions taken this weekend will be fair across the board. We want every opportunity to reduce the debt burden on Ireland reflected and encouraged by the European Union and eurozone in decisions made here. One does not want decisions that produce future problems for Ireland. They should apply across the board.

We have made representations constantly in the case of the opportunities that exist for a reduction of the debt burden on Ireland, and we will continue to do so. Some of the issues may well arise on Friday, Saturday and Sunday. The Deputy can take it from me that, in so far as Ireland is concerned, we will contribute cohesively and comprehensively to the discussions. I do not want to lose an opportunity to reduce the debt burden.

The discussions will——

Deputy Micheál Martin: The Greek crisis drove the interest rate——

The Taoiseach: ——centre on the Greek crisis, restructuring, recapitalisation, continued governance, and so on. We are central to this process. When I met President Barroso last week, he made the point that Ireland should and will speak from a position of having a bailout arrangement that involves its having moved away from Greece entirely towards a point where it is making progress, albeit with a very long way to go. Clearly, Ireland is required to move the agenda constantly for Irish debt reduction, such that it will be more advantageous for it to move out of its bailout arrangement and enter the bond markets itself and be in charge of its economic destiny. These points are all part of the central agenda.

[The Taoiseach.]

I cannot give the Deputy an up-to-date account of what is happening between the major players but papers are being discussed as we speak. Over the next day or two, we will be kept fully informed and make our best assessment as to what we must do at the meetings of the Ministers for Finance on Friday and Saturday and of other leaders on Sunday. We will not be found wanting in terms of opportunities to state the case of Ireland and Europe where we see it moving ahead of the curve and where there is ability to deal with responses from markets. The meeting was postponed last week to allow more time for the progress that is being made in these major areas. We will discuss these when we come back next week.

European Council Meetings

8. **Deputy Richard Boyd Barrett** asked the Taoiseach if he will report on the agenda for the forthcoming European Council meeting on 23 October 2011; and if he will make a statement on the matter. [27357/11]

9. **Deputy Richard Boyd Barrett** asked the Taoiseach the issues he intends to raise at the next European Council meeting; and if he will make a statement on the matter. [27358/11]

10. **Deputy Richard Boyd Barrett** asked the Taoiseach if he will hold a bilateral meeting with the Greek Prime Minister at the forthcoming European Council meeting on 23 October 2011; and if he will make a statement on the matter. [27359/11]

11. **Deputy Gerry Adams** asked the Taoiseach the issues that he will prioritise at the European Council meeting on 23 October 2011. [27365/11]

12. **Deputy Micheál Martin** asked the Taoiseach if he has tabled any items for inclusion on the agenda of the forthcoming EU Council meeting. [28454/11]

13. **Deputy Micheál Martin** asked the Taoiseach if he will detail any discussions which he intends holding with EU leaders in advance of the next European Council meeting. [28455/11]

14. **Deputy Gerry Adams** asked the Taoiseach the bilateral meetings or contacts he plans to have with other EU leaders in advance of the next meeting of the European Council. [28548/11]

15. **Deputy Gerry Adams** asked the Taoiseach if the process of creating a new integrated European affairs division with his Department has been completed; and if he will make a statement on the matter. [29512/11]

16. **Deputy Gerry Adams** asked the Taoiseach if he will report on his recent meeting with the President of European Commission, Mr Jose Manuel Barroso. [29604/11]

17. **Deputy Joe Higgins** asked the Taoiseach if he will report on his planned meeting with the President of the European Commission. [29813/11]

18. **Deputy Joe Higgins** asked the Taoiseach if he will report on the postponement of the European Council summit originally scheduled for 17 and 18 October 2011. [29815/11]

19. **Deputy Richard Boyd Barrett** asked the Taoiseach if he will report on his meeting with Mr José Manuel Barroso in Brussels; and if he will make a statement on the matter. [29881/11]

20. **Deputy Richard Boyd Barrett** asked the Taoiseach if Mr José Manuel Barroso indicated the need to change the European treaties in relation to economic governance; if a referendum on these changes may be necessary; and if he will make a statement on the matter. [29882/11]

21. **Deputy Richard Boyd Barrett** asked the Taoiseach if he will report on the decision by European Council President, Mr Herman Van Rompuy, to postpone the EU summit on the debt crisis; and if he will make a statement on the matter. [29883/11]

The Taoiseach: I propose to take Questions Nos. 8 to 21, inclusive, together.

As I informed the House in my statement last week, the European Council meeting originally scheduled to meet on 17 October will now be held this Sunday, 23 October. This arrangement has provided extra time in which to finalise a comprehensive strategy on the economic crisis facing the euro area.

In practice, there will be two meetings on Sunday, a meeting of the European Council and, following that, a meeting of the Heads of State or Government of the euro area. The draft annotated agenda for the European Council includes discussions on economic policy, including external aspects; preparations for the G20 Summit in Cannes; and climate change ahead of the Durban conference.

On economic policy, I will emphasise growth and jobs and what the European Union, together with the member states, can do to stimulate these, including through implementation of the Europe 2020 strategy. We will seek to identify a number of priority areas that can be expected to boost sustainable growth in the short term. I will seek to make this aspect as specific as possible, with priority given to measures that can make the most significant impact. Completion of the Single Market, including the digital dimension, has great potential in this regard.

We need to ensure that, in its external relations, the EU focuses more on improving its trade performance and attracting inward investment as part of its drive to create new jobs. We need to attach renewed priority to bilateral and regional trade agreements, given that the prize of completing the Doha round remains elusive. As a small, open trading economy, this is critical for Ireland.

More broadly, I expect that we will take stock of progress made in strengthening economic governance, and of recent economic developments in the euro area. We have completed the first phase of the new “European semester” cycle and it is now for the member states to implement the country-specific recommendations made to them.

As already noted, I will also attend the meeting of the Heads of State or Government of the euro area. Between the two meetings, the expectation is that we will bring forward a comprehensive package to address five key areas: the situation in Greece, with particular focus on the sustainability of its debt; preventing contagion to other member states, especially those that are in a programme, including Ireland; addressing any weakness in Europe’s banks, bearing in mind that Irish banks have already been tested to very high standards, as the House will be aware; ensuring that we create the right context for growth and job creation; and ensuring we have the right arrangements in place to enhance economic co-ordination, especially in the euro area.

Last week, the European Commission published its contribution to the debate and important contributions from President Van Rompuy and from other member states, including France and Germany, are awaited. I expect that, in his proposals, President Van Rompuy will focus on how to improve our working methods and enhance crisis management in the euro area. While we have yet to see his proposals, I anticipate they will focus on what can be achieved in

[The Taoiseach.]

the short term in addition to looking to possible action in the medium to longer term. These proposals will need to strike a delicate balance.

While I have no formal bilateral meeting planned with Prime Minister Papandreou, I will see him at the European Council. I met the President of the Commission, Mr. José Manuel Barroso, in Brussels last Thursday. Discussions focused on what needs to be done to address the economic crisis in a comprehensive, balanced and credible way, including in identifying means to generate jobs and growth. At the meeting I outlined Ireland's enduring support for the "Community method" and the special role of the European Commission, and also Ireland's strong support for measures that make a contribution to the growth and jobs agenda.

A new integrated European affairs division has been established within my Department. This involved the transfer on 3 October of 19 whole-time equivalent staff from the Department of Foreign Affairs and Trade who now work alongside existing staff from my Department in the new, integrated EU division. This new division supports me in my membership of the EU Council and supports the Tánaiste in his responsibility for overall co-ordination of European policy, including his membership of the General Affairs and External Relations Council. It secures more strategic, effective direction and co-ordination throughout Government in all matters related to the European Union.

Deputy Richard Boyd Barrett: Is the Taoiseach not going to tell our European partners that their strategy for dealing with the financial and economic crisis is in absolute tatters and that it is a disaster which is strangling economic growth as well as causing great suffering for people throughout Europe? Even on its own terms it is strangling economic growth and threatens to tip the European economy into recession. No matter how much they inflict the poison of austerity the situation gets worse, becomes deeper and spreads the contagion. Will the Taoiseach not tell them this? Will he not pose serious questions about what a disastrous failure the policy of bailing out the banks and imposing austerity has been for Greece and threatens to be for the rest of Europe? This has happened in a situation where Greek bondholders will be burnt to the tune of 50% now and, despite not imposing all the austerity demanded by the troika, the Greeks still got their €8 billion. Will the Taoiseach not question President Van Rompuy and the European authorities about their insistence that there should be no burning of Irish bondholders and that we should benefit in no way from the plans to burn bondholders in Greece? As a consequence, the Taoiseach's strategy of being the best boy in the class in Europe has failed disastrously.

An Ceann Comhairle: Thank you Deputy. This is Question Time.

Deputy Richard Boyd Barrett: We should have done what the Greeks did and resisted austerity because that way we might have got to burn the bondholders and we might have got the money without inflicting the brutal austerity the Taoiseach has been so enthusiastic to inflict.

The Taoiseach: That is complete rubbish. Deputy Boyd Barrett gets up here week after week and seems to assert that this country can be equated with the situation in Greece.

Deputy Richard Boyd Barrett: The facts are coming in.

The Taoiseach: They are two different countries in two different places with two different levels of debt.

Deputy Richard Boyd Barrett: Our debt is larger in proportionate terms.

The Taoiseach: I pointed out to Deputy Boyd Barrett that the bailout situation the Government inherited has had to be renegotiated on a phased basis as stated in the programme for Government. The Minister for Finance will contribute to the ECOFIN meeting on Friday and Saturday and I will do the same at the leaders' meetings of the EU and the eurozone on Sunday. We will focus on explaining the progress made here in all these meetings and we will make every effort at every opportunity to take whatever opportunity will result in the level of debt burden on this country being reduced.

Europe is looking for some success and, as Deputy Boyd Barrett is aware, the ground has shifted on many occasions. This is the reason for the meetings on Friday and Saturday and the Heads of Government meeting on Sunday. I hope the issues I have outlined, the five major issues under discussion, will be prepared, debated and decided upon on Sunday and that this will bring about some sense of conclusion to the situation with some confidence.

It will not be easy. There are different opinions across the spectrum but we are in a situation where we are fully funded to the end of 2013. Deputy Boyd Barrett and the people here can be assured we will take every opportunity to explain the opportunities that exist for a lessening of the burden of debt on our people. At the same time we will explain that we want to pay our way and we will pay our way as we have always done. It is naïve in the extreme for Deputy Boyd Barrett to stand here and equate this country with Greece.

Deputy Richard Boyd Barrett: They get to burn the bondholders; we do not. They stood up for themselves.

The Taoiseach: It smacks of Deputy Boyd Barrett seeking to go back to his old agenda of more and more protests.

An Ceann Comhairle: Other Deputies wish to ask questions. I call Deputy McDonald to be followed by Deputy Martin.

Deputy Mary Lou McDonald: The Taoiseach is being disingenuous because he knows full well the point made is that the issue of debt restructuring and write-down in respect of Greece has been conceded. In light of this how is it the Taoiseach does not pursue the matter of private bank debt and the huge burden it is inflicting on citizens? People have always paid their way and I and others do not appreciate the inference, made several times by the Taoiseach in the House, that there is some cheap skate mentality among the public. Why does the Taoiseach not put it on the agenda? The Taoiseach is proposing to hand over €700 million in non-guaranteed bonds to Anglo Irish Bank in 14 days time. Why is the Taoiseach doing this? Why is he not pursuing this argument at European level?

Last Sunday, Jean-Claude Trichet indicated that he favoured treaty change so the EU could impose its economic policies on member states. Will the Taoiseach tell the House and the meeting that Ireland does not favour this and that Ireland will resist it? Equally, will the Taoiseach tell the House whether he supports the moves to centralise fiscal powers at EU level?

Deputy Micheál Martin: Will the Taoiseach be specific in respect of the response to the questions I have put, especially the items he has tabled for inclusion in the agenda of the forthcoming EU Council meeting? Let us be clear: from the outset of the overall global crisis the Greek crisis has been the catalyst for changing the architecture for how Europe deals with countries in difficulty. It was largely responsible for the July deal and the reduction in interest rates. Now we have another opportunity because the Greek crisis is driving fundamental change again. We are facing a Greek default and significant bank recapitalisation throughout Europe. We were informed that if we went unilaterally and burned bank bondholders we would risk

[Deputy Micheál Martin.]

sovereign default and contagion. That is now removed and the road blocks will be removed next week.

Has the Taoiseach specifically put this item on the agenda of the summit to force bank bondholders to share the burden from an Irish perspective? Has the Taoiseach insisted that any deal must incorporate the concerns of Ireland in this regard and that our agreement to any deal must be on the basis of our getting an outcome on the burning of bondholders in the context of the Greek issue? Has the Taoiseach rung his close friend Chancellor Merkel about this and put it to her, given the profound nature of the debate to take place? I accept it will be a serious and grave meeting over the weekend but it is an opportunity for us. Will the Taoiseach answer the question of whether he has specifically put on the agenda that Ireland seeks such a deal?

The Taoiseach: One issue that has arisen at Heads of Government meetings and that is recognised by the President of the Commission is that the Ministers for Finance should be given the opportunity to carry through their responsibilities. I outline for Deputy Martin the five issues I have mentioned: the situation in Greece, preventing contagion, addressing weaknesses in Europe's banks, the opportunity for growth and jobs and the making of arrangements to enhance economic co-ordination in the eurozone. These five issues were tabled by the Minister for Finance at the ECOFIN meeting and made their way, although not exactly as he proposed them, onto the agenda for the Heads of Government meeting.

Deputy Micheál Martin: Those are the five issues.

The Taoiseach: It is not the first time that Ireland has had the agenda structured this way.

Deputy Micheál Martin: Is the Taoiseach saying we put Greece on the agenda?

The Taoiseach: I am not suggesting that Ireland——

An Ceann Comhairle: We are way over time. There is an answer to your question.

The Taoiseach: This is a serious matter. I do not suggest that Ireland was the only country to put Greece on the agenda when everyone else was discussing it. Contagion is on the agenda as a specific issue.

I did not ring Chancellor Merkel because I will go to Germany in November and I understand a date is fixed for the meeting.

Deputy Micheál Martin: The summit is on Sunday.

The Taoiseach: I understand that. Deputy Martin should know that the issue of contagion is there because the European Union and the eurozone want to prevent contagion spreading from Greece. Surrounding that element of the debate, all the issues the Deputy raises — debt write-downs, the sustainability of debt, restructuring and recapitalisation — come into the discussion. This is a central issue.

Deputy McDonald asked me about another element. As has been pointed out, we have consistently pushed the agenda of a reduction in the cost of the promissory note in respect of Anglo Irish Bank. If agreement could be reached on that issue, it would yield substantial savings to the taxpayer which would be far in excess of a write-down of debt for bondholders remaining in Anglo Irish Bank. As we pointed out, such a write-down would achieve savings in the order of €100 million, whereas many times that figure would be saved if agreement could

be reached on a reduction in the cost of the promissory note. Central to this, the question of contagion has been raised by Ireland, with many other issues.

Deputy Micheál Martin: Will the Taoiseach ask for bondholders to be burned?

The Taoiseach: We will ask for every opportunity to reduce the debt burden on the people.

Deputy Micheál Martin: The Taoiseach did not answer my question.

The Taoiseach: I did not call Chancellor Merkel on this occasion to ask her that question.

Deputy Micheál Martin: Did the Taoiseach ask for the bondholders to be burned?

The Taoiseach: No, I have not asked that question specifically because the comprehensive discussion on the question of contagion will deal with it.

Deputy Micheál Martin: Will the Taoiseach ask the question?

The Taoiseach: I will ask for every opportunity to keep down the cost of our debt burden.

An Ceann Comhairle: Please do not switch on the microphones unless I ask that they be switched on. The matter Deputy Martin raised was dealt with.

Deputy Micheál Martin: No, it was not.

Written Answers follow Adjournment.

Appointment of Minister of State

The Taoiseach: I formally announce for the information of the Dáil that today the Government assigned Deputy Brian Hayes to be Minister of State at the Department of Finance with special responsibility for international tax issues and customs reform. This is in addition to his responsibilities for public service reform and the Office of Public Works at the Department of Public Expenditure and Reform.

Order of Business

The Taoiseach: It is proposed to take No. 11, motion re proposed approval by Dáil Éireann of the Finance Act 2004 (Section 91) (Deferred Surrender to the Central Fund) (Amendment) Order 2011; and No. 15, statements on the report by the interdepartmental working group on mortgage arrears.

It is proposed, notwithstanding anything in Standing Orders, that (1) the Dáil shall sit later than 9 p.m. and adjourn not later than 10 p.m.; (2) No. 11 shall be decided without debate; (3) No. 15 shall be taken today and the following arrangements shall apply: (i) the statement of a Minister or a Minister of State and the main spokespersons for Fianna Fáil, Sinn Féin and the Technical Group who shall be called upon in that order shall not exceed 20 minutes in each case; (ii) the statement of each other Member called upon shall not exceed ten minutes in each case; (iii) Members may share time; (iv) the statements of other Members shall be interrupted at 2.57 p.m. on Thursday, 20 October and a Minister or a Minister of State shall take questions for a period not exceeding 45 minutes; (v) a Minister or Minister of State shall be called upon to make a statement in reply which shall not exceed five minutes; and (4) Private Members' business shall be No. 21, Debt Settlement and Mortgage Resolution Office Bill 2011 — Second Stage, the proceedings thereon shall, if not previously concluded, be brought to a conclusion at 9 p.m. on Wednesday, 19 October.

An Ceann Comhairle: There are four proposals to be put to the House. Is the proposal that the Dáil shall sit later than 9 p.m. agreed to? Agreed. Is the proposal for dealing with No. 11 without debate agreed to? Agreed. Is the proposal for dealing with No. 15 agreed to? Agreed. Is the proposal for dealing with Private Members' business agreed to? Agreed.

Deputy Micheál Martin: The Order Paper notes the latest report from the National Treatment Purchase Fund. As the report was brought to the Government last week, the Taoiseach will be aware that it records the treatment of almost 34,000 people and a 99% satisfaction rate among patients and those treated under the fund. Will the Government make time available to debate the report and seek clarity regarding the confusion that has followed the abolition of the fund by the Minister for Health? While he may, in reality, have only changed the title of the National Treatment Purchase Fund, I would like to tease out the matter a little more in the House.

The Taoiseach: Yes, I am agreeable to making time available whenever we can find a convenient time for a debate. Perhaps the Deputy will have his Whip raise the matter at the Whips' meeting tomorrow.

Deputy Mary Lou McDonald: As I am sure the Taoiseach is aware, almost 300 people, including families with children and young babies, have been moved out of their homes in Priory Hall in north Dublin and into the Regency Hotel. I understand neither the Taoiseach nor the Minister for the Environment, Community and Local Government, Deputy Hogan, nor his Minister of State, Deputy Penrose, have had any contact with the residents.

An Ceann Comhairle: A private notice question on this issue will be taken later.

Deputy Mary Lou McDonald: Yes. The programme for Government commits to the introduction of tougher and clearer rules on fire safety in apartment buildings and a new fire safety inspection and certification regime. When will the relevant legislation come before the House?

An Ceann Comhairle: When is the Bill due?

The Taoiseach: This issue would not have arisen in the first place if Mr. McFeely had done his job properly.

Deputy Mary Lou McDonald: I agree.

The Taoiseach: I am sure the Deputy is aware of Mr. McFeely's chequered history.

Deputy Aengus Ó Snodaigh: There are many builders like him.

The Taoiseach: I would have thought that, tragically and to the cost of the nation, we had learned much about the issue of fire certificates when the Stardust tragedy occurred. The matter the Deputy raises will come before the courts again this weekend. I know the people who are in the Regency Hotel are greatly discommoded and have been greatly upset by the finding that fire walls were not built between the apartments they had bought in good faith as homes in which to raise their families and do their business. We feel for the families in question. While I cannot give the Deputy a timeline, the Minister for the Environment, Community and Local Government will contact Deputies about the matter. At many locations around the country things have come to light which have shown that self-regulation has left much to be desired in cases where planning permissions were being issued.

Thanks be to God, a fire has not erupted in Priory Hall and lives have not been lost in a fire tragedy. I hope the decisions handed down by Mr. Justice Kearns will be acted on swiftly and

effectively to allow the families in question to return to their apartments in good time for Christmas. They are obviously upset and discommoded in their current surroundings which are located some distance from their homes. On the other hand, it is better to deal with the problem now in order that they have a guarantee that they will be able to live without fear and anxiety.

An Ceann Comhairle: We have strayed from the issue. On the Order of Business, has legislation been promised in this regard?

The Taoiseach: It has not been promised for this session, but the Minister for the Environment, Community and Local Government is examining the issue of fire certificates and the system of self-regulation that has applied to date.

Deputy Thomas P. Broughan: On the same issue——

An Ceann Comhairle: The Deputy has tabled a private notice question on the issue.

Deputy Thomas P. Broughan: Yes, but the House is discussing it.

An Ceann Comhairle: I did not realise we were straying onto this matter and I will not allow it to be discussed.

Deputy Thomas P. Broughan: On the legislation promised on the issue of building controls and fire safety, it is my understanding the previous Minister for the Environment, Heritage and Local Government, Mr. Gormley, implemented a new regime of building control which commenced in the middle of 2007. Will the Taoiseach confirm that is the case? As the leader of the country, will he undertake to ensure the 65 families in the Regency Hotel will be rehoused in appropriate accommodation?

An Ceann Comhairle: The Deputy may raise this issue when his private notice question is taken. There is no point in granting——

Deputy Thomas P. Broughan: I want to ask the Taoiseach in person whether he will give an undertaking to rehouse families——

An Ceann Comhairle: I ask the Deputy to resume his seat.

Deputy Thomas P. Broughan: ——which last night and tonight have been living like refugees in their own country owing to the gross incompetence of the supervisory authorities and the despicable builder in question.

An Ceann Comhairle: I ask the Deputy to please resume his seat. I granted a private notice question to allow all Deputies who so wished to raise this matter. I ask the Taoiseach not to reply, as the issue will be dealt with by way of a private notice question.

Deputy Thomas P. Broughan: I appreciate that. Will the Taoiseach reply to my question?

An Ceann Comhairle: No, he will not reply, as the matter will be dealt with by way of a private notice question.

Deputy Thomas P. Broughan: He wants to reply.

An Ceann Comhairle: There is no point in jumping the gun. Let us be fair to all the other Deputies who raised this matter. Are there any other matters arising in respect of promised legislation?

Deputy Bernard J. Durkan: An occasion such as this should never be allowed to pass. Legislation has been promised to provide for the amendment of the Criminal Justice (Money Laundering and Terrorist Financing) Act 2010.

According to an Order Paper of last week it is not possible to indicate the date of publication at this stage. Given recent publicity in such matters, is it possible to focus on that legislation to ensure it is attended to with some expedition? A second question concerns the proceeds of crime (amendment) Bill which relates to the powers of the Criminal Assets Bureau and is similarly vague. A third relates to legislation we all know and love, namely, the forthcoming budget and the preparation of Estimates, Revised or otherwise, for the various Departments. What time is scheduled for the preparation and completion of these and when will they be approved?

The Taoiseach: Deputy Durkan always asks pertinent questions in the Chamber. There is no date for the Bill on money laundering. Approval was given for the development of its heads last June but at this stage I cannot give the Deputy a date.

On the proceeds of crime (amendment) Bill, consultations with CAB are ongoing and therefore I am not in a position to give an accurate timeline.

Deputy Bernard J. Durkan: What about the budgetary matters and the Estimates?

The Taoiseach: I was asked about the budgetary process last week and will respond to Deputy Durkan's question for the information of the Dáil. What I intend to do this year is very different to what has applied to any other budget to date. It will give all Deputies the opportunity to assess the process leading to the budget so that they will be able to comment and provide views about alternatives.

We propose that before the Minister for Finance eventually reads out his budget a medium-term fiscal statement will be published — by the end of October — which will set out the Government's planned fiscal adjustment path, including tax spends split in the current capital split for the period 2012-2015, in line with the agreed commitments entered into under the EU-IMF programme. Given the presidential election the publication may well be delayed until the first few days in November.

Second, a medium-term capital investment programme will be published on Thursday, 10 November which will set out the capital envelopes for each Department for 2012 — 2016, in the light of the outcomes of the capital review.

Third, an expenditure reform programme on Thursday, 17 November will announce reform measures in the context of the comprehensive review of expenditure, including the medium-term expenditure framework and the new value for money arrangements agreed by the Government on 11 October. Other initiatives will be announced that will have been dealt with by the Minister for Public Expenditure and Reform.

Fourth, a comprehensive expenditure report on Thursday, 1 December will set out the high-level outcomes of the comprehensive review of expenditure along with the multiannual expenditure ceilings for each Department for 2012 — 2015, and the budget Estimates for 2012. All the background comprehensive review of expenditure documents will be made available online for the information of the people and everybody else.

Fifth, the White Paper on receipts and expenditure for 2012 will be published on Friday, 2 December and will set out the technical opening position for the Exchequer in advance of the budget day announcements. The 2012 budget, on Tuesday, 6 December, will set out the tax decisions and overall Exchequer position.

That has never been done in this House since the foundation of the State. It will apply now and every Deputy will have the opportunity to have thorough and comprehensive analysis of the scale of the challenge our country faces.

Deputy Niall Collins: On proposed legislation, given the expression of interest by Etihad airlines in acquiring the remaining shareholding in Aer Lingus, can the House have time to discuss the importance of ringfencing the landing slots in Heathrow for flights from Cork, Shannon and Dublin Airports?

An Ceann Comhairle: That is a matter for the Whips

Deputy Niall Collins: I raised this matter before but the Taoiseach will agree it is a very important geographical and regional issue.

An Ceann Comhairle: It is a matter for the Whips.

Deputy Niall Collins: I would appreciate the Taoiseach's consideration of that.

An Ceann Comhairle: The Deputy should talk to his Whip about that.

Deputy Pearse Doherty: The Financial Regulator, Mr. Matthew Elderfield, gave a warning to the banks that they should stop raising variable interest rates. Today, the head of the Banking Federation rejected his orders. Given it is Government policy that banks should absorb the interest increases that have happened——

An Ceann Comhairle: Where are we going with this?

Deputy Pearse Doherty: This relates to proposed legislation.

An Ceann Comhairle: Please get to it, thank you.

Deputy Pearse Doherty: Given that it is promised Government policy that banks should absorb the rate increases that have applied — twice since the Taoiseach took office — is it the intention of the Government to introduce legislation to give Mr. Elderfield legal powers to cap the variable interest rates as they now stand because the banks are clearly in defiance of the orders he gave last week?

An Ceann Comhairle: Is this promised legislation?

The Taoiseach: No, it is not because the regulator is independent and we cannot legislate for him. I would expect——

Deputy Pearse Doherty: Give him the powers.

The Taoiseach: The regulator is right to tell the banks he wants the variable mortgage interest rates not to be increased, and we support him in that. I hope the banks will take a responsible view of what the regulator announced. Clearly, this is a response from banks that lose money on tracker mortgages and expect a rate increase in the variable rates. I hope the banks will listen carefully and act accordingly on the regulator's decision in this regard.

Deputy Billy Kelleher: In the context of the debates on the public expenditure review, just outlined to the House by the Taoiseach, and in regard to health, will there be a full debate regarding every Department and every head, or will there be merely a broad-ranging debate on the actual review? Health is in serious crisis and there are cutbacks throughout the country——

An Ceann Comhairle: We cannot have a separate debate on this.

Deputy Billy Kelleher: In the context of health——

An Ceann Comhairle: We are not getting into it.

The Taoiseach: The Deputy will drown in debates and information about this budget.

Deputy Micheál Martin: I don't think so, Taoiseach.

The Taoiseach: The Deputy and all his individual spokespeople will have more than enough opportunity——

Deputy Billy Kelleher: Will we have enough time?

The Taoiseach: ——to give the Government the best view they have of what the alternatives might be.

Deputy Bernard J. Durkan: Hear, hear.

Deputy Timmy Dooley: We will give the Taoiseach and the House a reasoned——

Deputy Billy Kelleher: I have one or two views on Roscommon hospital.

An Ceann Comhairle: That completes the Order of Business.

(Interruptions).

Deputy Timmy Dooley: It will not be as easy for Deputy Stagg to go out there come December.

Private Notice Questions.

Private Rented Accommodation

An Ceann Comhairle: Before I call Deputies, I remind Members that persons outside the House should not be brought into proceedings. This is particularly important where aspects of a matter are before the courts. Members should direct their contributions to the actions to be taken and not to apportioning blame. This matter is before the courts. I call Deputies who tabled their questions to the Minister for the Environment, Community and Local Government, Deputy Phil Hogan, in the order in which they were submitted to my office.

Deputy Thomas P. Broughan: I ask the Minister for the Environment, Community and Local Government to report immediately on what action and liaison with Dublin City Council is occurring to urgently rehouse all the residents of Priory Hall, Dublin 13, in suitable apartment accommodation. Will the Minister and Dublin City Council bring forward a tranche of apartments, perhaps elsewhere on the North Fringe, to ensure that all Priory Hall residents will be rehoused immediately in residential rather than hotel accommodation? Will the Minister report on all other outstanding issues in regard to the full repair and remediation of the Priory Hall complex and make a statement?

Deputy Seán Kenny: Will the Minister for the Environment, Community and Local Government, Deputy Phil Hogan, ensure that Dublin City Council provides suitable accommodation

for the families who were forced yesterday by an order of the High Court to vacate their homes in Priory Hall, Dublin 13, on fire safety grounds?

Deputy Dessie Ellis: What action will the Minister for the Environment, Community and Local Government, Deputy Phil Hogan, take to support the residents of Priory Hall, Donaghmede, Dublin, who have had to evacuate their homes because of totally inadequate fire safety measures and bad construction? Will he carry out an urgent review and reform of building and fire regulations and inspection regimes, ending self-regulation, and will make a statement on the matter?

Deputy Niall Collins: What are the views of the Minister for the Environment, Community and Local Government on the need to address the evacuation situation in the Priory Hall complex in Dublin. Will he provide help for the affected residents there? Will the Minister make a substantive statement on the matter?

An Leas-Cheann Comhairle: As Deputy Wallace is not present to pose his question, I call on the Minister of State, Deputy O'Dowd, to reply.

Minister of State at the Department of the Environment, Community and Local Government (Deputy Fergus O'Dowd): Following serious concerns regarding fire safety at Priory Hall, Dublin City Council acted quickly and withdrew its tenants from the development approximately two years ago. Private tenants were advised by the council at the time that serious safety concerns existed. Dublin City Council initiated legal proceedings on 17 August, 2010 in respect of compliance with fire safety regulations. The enforcement proceedings in this regard are still before the courts. Local authorities carry out statutory functions as fire authorities under the Fire Services Act 1981. A High Court order was granted on Friday, 14 October 2011 for the evacuation of the development at Priory Hall on the grounds that it is unsafe. Dublin City Council has made arrangements for the temporary accommodation of the affected residents. Pending the current court hearing, a stay has been put on the evacuation order until Thursday, 20 October 2011. The developer has committed to carrying out a schedule of necessary remedial works. Media reports state that the developer said yesterday that he has the money to carry out this work. The court has directed that the first phase of remedial works be completed by 28 November. All works on the development are to be completed by 31 January 2012.

When fire safety notices were issued on 3 September 2009, all owners-occupiers were issued a copy of the notice and advised of the seriousness of the situation. Dublin City Council is not responsible for covering any costs but due to the fact that the developer stated that he could not afford to pay for the tenants' temporary accommodation, the court ordered the council to pay the costs involved. In addition to concerns regarding fire safety, Dublin City Council has further concerns regarding compliance with planning permission and with the requirements in the building regulations. Two fire safety certificates were issued by Dublin City Council in respect of the development at Priory Hall on the basis of the plans and specifications submitted to it. Certificate A, which relates to the north block, was issued on 23 June 2004, Certificate B, which relates to the south block, was issued on 16 August 2004. Conditions were attached to the issuing of both certificates. The building was subsequently constructed not according to the plans and specifications approved by Dublin City Council. As a result, the building does not meet the requirements of the building control standards, nor is it in line with the conditions laid down in the fire safety certificates.

The Building Control Act 1990 clearly places responsibility for compliance with the building regulations on the owner of the building concerned and on the builder or developer who carries

[Deputy Fergus O'Dowd.]

out the works. Enforcement of the building regulations is primarily the responsibility of the 37 local building control authorities, each of which has appointed a building control officer.

The Minister for the Environment, Community and Local Government, Deputy Hogan, indicated, on taking up office earlier this year, that he attached a high priority to consumer protection in the area of quality construction of new buildings. In July he announced a number of measures to be advanced by the Department and local authorities with a view to improving compliance with and oversight of the requirements of the building regulations. We expect significant progress to be made within 12 months. In broad terms the measures involve: the introduction of mandatory certificates of compliance by builders and designers of buildings confirming that the statutory requirements of the building regulations have been met; more efficient pooling of building control staff and resources across the local authority sector to ensure more effective and meaningful oversight of building activity; standardised approaches and common protocols to ensure nationwide consistency in the administration of building control functions; and better support and further development of building control functions nationwide.

All stakeholders in the industry agree that reforms are necessary. The regulations required to give effect to the introduction of mandatory certification are currently being prepared and will be the subject of industry and wider public consultation in the near future. The implementation of the other measures will be progressed by city and county managers, in consultation with the Department, in the context of the wider programme of achieving greater efficiencies in the local government system.

Deputy Thomas P. Broughan: The Minister of State probably heard me engaging with the Taoiseach in respect of this matter on the Order of Business. At present, 250 residents — including 65 families — from Priory Hall are living in hotel accommodation. Through no fault of their own, these people have almost become refugees in their own country. Is the Department of the Environment, Community and Local Government prepared to take action tonight to try to source alternative apartments for the individuals to whom I refer. It appears the period for remedial works will last until early January at least. Mothers, fathers and young children have been displaced from their immediate parish. They are being obliged to travel back and forth and live, in a sense, from hand to mouth. Is the Minister of State to take immediate action to source alternative accommodation for these people? I remind him that in the North Fringe district, where Priory Hall is located, there are at least 700 to 800 empty apartments and houses. Will he afford priority to this matter in the first instance?

Is the Department confident that Mr. Thomas McFeely, Coalport Building Company Limited and Mr. Lawrence O'Mahony possess the professional ability necessary to carry out the remediation repairs — particularly those which relate to electrical installations and others which relate to fire safety issues — required at Priory Hall? No one, least of all the displaced residents, has any confidence in what those to whom I refer might do.

With regard to the financial aspect of this matter, it has been stated that Mr. McFeely's assets have effectively been frozen. However, questions appear to have arisen in the context of how the remediation works are to be funded. Will the taxpayers of this city and their counterparts throughout the country be asked to foot the bill in respect of the problems that have arisen on foot of the disgraceful and despicable behaviour in which those to whom I refer engaged?

Dublin City Council is the building control authority and fire safety authority in this instance. A crazy self-certification process has obtained since 1990 and I hope, in the context of building control, this will be abolished. Dublin City Council bought at least 16 of the units at Priory Hall and had tenants in 14 others — seven under the rental accommodation scheme and seven

under the social and affordable housing scheme. Does the Minister of State intend to initiate an investigation to discover how the council, which was involved in the certification process, was able to purchase such a large number of properties but was not in a position to identify the blatant faults that existed?

An Leas-Cheann Comhairle: Thank you, Deputy. I wish to allow other Members to contribute, so I will call on the Minister of State to reply.

Deputy Thomas P. Broughan: During the lifetime of the previous Dáil, I asked two former Taoisigh, Mr. Brian Cowen and Mr. Bertie Ahern, to establish a commission of inquiry to investigate what happened at Priory Hall and elsewhere in the North Fringe district as a result of the use of building materials containing high levels of pyrite. Will the Department of the Environment, Community and Local Government establish some type of major investigation so that we might get to the bottom of this incredible catastrophe.

Deputy Fergus O'Dowd: I completely agree with Deputy Broughan in the context of his concerns regarding families and people, young and old, who have been discommoded. I am aware that there has been a particular impact on young children and senior residents. I understand that there are some 96 senior citizens involved.

The High Court has ordered that the families be accommodated at the place at which they are currently staying. I have not been briefed with regard to how the accommodation in question was selected. If people are unhappy with the accommodation in which they have been placed, they should, in the first instance, raise their concerns with Dublin City Council, which, I presume, was asked by the court to provide this facility and house the families in question.

Notwithstanding all the awful events that have occurred, the regulations are being changed. The Government and the Minister, Deputy Hogan, gave a commitment to the effect that they would be reassessed and this is happening. As a result, we will move from a position where self-certification applies to one where there will be a mandatory obligation on builders and others in respect of certification. They will have to stand over and conform to all requirements. This will not be opinion but fact. In other words, professional bonds and insurance will be on the line.

What has happened is totally unacceptable and the Minister and the Government are ensuring that, although only in office a short time, the regulations will be changed. There must be widespread consultation and there will be mandatory certification, which in future will ensure this can never happen again. I sympathise fully with all the upset families.

Deputy Seán Kenny: Does the Minister of State agree that in view of what has happened in Priory Hall, the building control regulations and self-certification compliance procedures do not work? They are far too loose and it is now high time these regulations were put on a proper statutory basis, with inspections by building control inspectors from the local authority before new buildings or apartments can be sold to consumers.

Deputy Fergus O'Dowd: I agree with the Deputy and he is absolutely correct. As I stated earlier, what he outlined is the intention of the Minister, Deputy Hogan, and this Government. They will ensure that from when these regulations become mandatory, another case like this will never happen again. The Deputy is right in saying the process has not worked, which is why the current appalling case has come about. The breaches of the Act, as identified by Dublin City Council, have been brought through a legal process and the Act allowed it to do so; as a result the council is bringing a resolution — albeit after two years — to this process. The defects will be fixed and the families are being accommodated.

Deputy Dessie Ellis: Does the Minister of State agree that what happened at Priory Hall is scandalous and shameless in 2011, where people in the city had to be moved from their homes into a hotel because of an unscrupulous developer and a complete lack of effective building regulations? What action will this Government take? The Minister of State spoke about local authorities but what action will the Government take to support these people? Will the Minister of State with responsibility for housing meet with the residents' committee this week and will the Government address the emergency housing needs of the residents, as hotel accommodation is totally unsuitable for residents and their families?

Nobody believes the proposed remedial works can be completed in five weeks so what accommodation will be provided for people at the end of that time? Families cannot be expected to live in hotel rooms. What about residents with mortgages on apartments which are now virtually worthless and to which they may never return? What will be done for such people? Does the Minister of State agree that we need an immediate review and fundamental reform of our building and fire safety laws because it was so-called self-regulation by developers that led to this scandal?

Deputy Fergus O'Dowd: I agree with Deputy Ellis and the position must change radically. I stated to the two previous Deputies that the Government is absolutely committed to this. There is no reason a meeting with the residents' association cannot be accommodated as soon as possible. Those people would have experience of how badly things can go wrong in the construction industry. They are the victims but their rights have been vindicated as Dublin City Council has brought this through the courts. The High Court has ruled that the defects should be remedied.

Deputy Niall Collins: Is the Department aware of how many other cases like Priory Hall are around the country? Does the Minister of State have any figures to hand? With regard to the remedial works, will the Minister of State use the auspices of his Department, through the local council, to bring an alternative developer on board? The original developer has claimed he is financially destitute, which indicates he is not in a position to carry out remedial works to any degree of satisfaction.

I echo the comments of Deputy Thomas Broughan. I heard him make similar statements in the previous Dáil with regard to having a commission of inquiry. I also echo the call to move the residents to accommodation nearer to Priory Hall because they have effectively been moved from their community. We need to relocate them in the community they have had to vacate.

Could we consider the use of some of the vacant NAMA properties in the vicinity? We have heard of the concept of social dividend and returning to the taxpayer on a social basis some of the dividend from NAMA and this could be a very good opportunity to put that to the test or put it in practice.

Deputy Fergus O'Dowd: As I noted earlier, the Minister's powers in this respect deal with making regulations, although it is the local authority which enforces them. The statutory obligation is on the developer to fix what has gone wrong. There have been important recommendations on the suitability of the accommodation, and I take the point that if somebody has a young family, particularly over the Christmas period, living in a hotel room would create much difficulty. I suggest that the issues raised by all the Deputies in the debate be brought to the attention of Dublin City Council at the highest level so the concerns are on the record. The Deputy asked how many more cases like Priory Hall are out there, which is important and pertinent. I will ask the Department about it and ensure that the Deputy gets the answer as quickly as possible.

Deputy Robert Dowds: There is one in Clondalkin built by the same developer.

Deputy Mick Wallace: As the Minister of State knows, I have raised these issues before. He has indicated that the introduction of mandatory certificates of compliance for builders and designers of buildings will confirm that statutory requirements of building regulations have been met. That will not mean anything unless there is on-site supervision 100% of the time by an independent authority. An engineer would not know what kind of steel went into a foundation unless he or she was present on the site to see it. The engineer would not know if the required amount of concrete was poured, if the damp-proof course went under the wall or if the fire stop went into the cavities or the openings. When there is an inspection once a week or once a fortnight, an inspector can only see what is visible and cannot see what has already been covered up. If we expect something worthwhile from an architect or engineer signing off, they should have an assistant on-site at all times if they cannot be there themselves. That assistant could vouch for what is being signed, as it would not count for anything otherwise.

There is no doubt that the lack of local authority control is a major issue. I know only too well that there was not enough personnel for the job and the people did not have enough time to get around. One might have had a visit from a building control person once during a two-year site contract. When a floor certificate is sought at the end of the job, the Department official checks only what he or she can see. That person will ask if certain elements have been included and the developer will always tell the person what should have gone in.

An Leas-Cheann Comhairle: This is time for a Private Notice Question.

Deputy Mick Wallace: The Government must try to understand what goes on in the industry and many areas must be given thought. Will the Government consult people in the industry who know what is happening because it must do so? The people doing the paperwork will not give the required cover in the area.

Deputy Fergus O'Dowd: I agree with Deputy Wallace's comments on supervision and accountability. Mandatory accountability means developers will be accountable in law and there will be no doubt about the responsibilities. I repeat my earlier comments. The Minister, Deputy Hogan, is particularly concerned that there should be more efficient pooling of building control staff and resources across the local authority sector to ensure more effective and meaningful oversight of building activity, which is the point made very well by the Deputy. The reason the new mandatory regulations will take about 12 months to finalise is that proper and comprehensive consultation will have to take place with all the stakeholders, professional bodies and people concerned, and that process is currently under way.

Deputy Kevin Humphreys: I sympathise with what the residents of Priory Hall are going through. Every week I hear horror stories about apartments across the city. Priory Hall is just the beginning. Is there anything the Minister of State can tell me or this House that will allow us to deal in a proper and controlled manner with the outrageous developments that were built during the period in which there was little or no regulation of apartment building? I deal with complaints about elements of cold bridging, bedrooms being unusable and there being no insulation in buildings. This is prevalent in estates from Clondalkin across the city. While the problems in Priory Hall must be addressed as a matter of urgency we must put *in situ* a plan to deal with some of the outrageous problems we have inherited from the lack of regulation of the building sector over a long period. Will the Minister of State confirm he will examine the manner in how we can progress from the mess we have inherited?

Deputy Fergus O'Dowd: I agree with the Deputy. I will bring his comments and those of the other Members to the attention of the Minister, Deputy Hogan. I suggest this will be a matter of priority for the Joint Committee on the Environment, Transport, Culture and the Gaeltacht. I will bring all their comments to the attention of the Department.

Each local authority has its own statutory responsibility. There will be an increasing focus on the professionalism across the board of different local authorities and how they deal effectively and comprehensively with this matter. If there are issues with other estates, as has been identified so clearly, as I said to Deputy Collins, I will ask the Department this evening to get an analysis for me on this matter and we will give it to Members of the Oireachtas as soon as it is available. I will ask for that as a matter of urgency.

Deputy Thomas P. Broughan: Will the Department ask Dublin City Council to produce a report on the building control investigation which is ongoing? The fire safety side of this issue was raised in court this week. Has the Minister of State's Department had sight of the Hayes Higgins report that covers the devastating list of mistakes and disastrous building practices which are before us? On the matter of rehousing these residents, will the Minister of State undertake to support Dublin City Council in whatever measures it needs to take to rehouse them properly?

Deputy Fergus O'Dowd: A key point is that it is a matter for Dublin City Council to deal with the statutory functions and duties that it has.

Deputy Thomas P. Broughan: It needs funding.

Deputy Fergus O'Dowd: The Minister has no function in this matter except in regard to the making of the regulations. Clearly, the views of Members of the Dáil and issues that they specifically mentioned will be brought to the attention of Dublin City Council.

I am not familiar with the report the Deputy mentioned but I will ensure I get a response on that issue from the Department for the Deputy

Deputy Dessie Ellis: I raised the matter of Balgaddy estate last week and the issues that have arisen in that estate. They are not unusual in that such issues have arisen in Ballymun where shoddy work has been done in recent years and builders built developments with practically no regulations in place. We are now experiencing such problems across this city and the country. Something needs to be done to sort this out and to tighten up regulations.

There is also the debacle of pyrite damage as a result of the lack of proper regulation and proper management in quarries and other places. It is not only the builders who are guilty in this instance. We need to tighten up the regulations. I ask the Minister of State to carefully examine this area.

Deputy Fergus O'Dowd: I will bring all the points Deputy Ellis made to the attention of the Department and the Minister, Deputy Hogan. I fully support the thrust of what he is saying. We need to get on top of all these issues, identify the problems and have them dealt with by the appropriate local authority as quickly as possible.

Topical Issue Matters

An Leas-Cheann Comhairle: I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 27A and the name of the Member in each case: (1) Deputy Peter Fitzpatrick — the number of patients on trolleys at Our Lady of Lourdes Hospital, Drogheda, County Louth; (2) Deputy Gerald Nash — the depositing of

bottom ash at the Whiteriver landfill site, County Louth; (3) Deputy Dan Neville — the increase in persons presenting to hospital due to self-harm; (4) Deputy Thomas P. Broughan — the need to rehouse residents of Priory Hall, Dublin and to repair fully the Priory Hall complex; (5) Deputy Shane Ross — the proposed closure of the motor tax office at Nutgrove shopping centre, Dublin; (6) Deputy Brendan Griffin — the need for a new school building at Milltown Presentation secondary school, County Kerry; (7) Deputy Michael McCarthy — the need for a fairer distribution of resources to west Cork under the local and community development programme; (8) Deputy Aodhán Ó Ríordáin — the initiation of legislation dealing with a proposed levy on online gaming in the context of sports funding; (9) Deputy John O'Mahony — the plans in place for teachers retiring during the school term; (10) Deputy Niall Collins — the need to address the evacuation situation in the Priory Hall complex, Dublin and to provide help for the affected residents there; (11) Deputy Seán Kenny — the need to provide suitable accommodation for the families who were forced to vacate their homes in Priory Hall, Dublin; (12) Deputy Dara Murphy — the need to provide funding in respect of facilities for cystic fibrosis sufferers in Munster; (13) Deputy Dessie Ellis — the need to support residents of Priory Hall, Dublin; (14) Deputy Billy Kelleher — the transfer of orthopaedic services from St. Mary's Orthopaedic Hospital to the South Infirmar-y-Victoria Hospital, Cork and the subsequent transfer of the South Infirmar-y-Victoria Hospital accident and emergency services to Cork University Hospital; (15) Deputy Timmy Dooley — the problem of overcrowding at the Mid-Western Regional Hospital, Limerick; (16) Deputy Micheál Martin — the issuing of passport and travel documents for children born outside of the State whose parents are Irish; (17) Deputy Mick Wallace — the need to change the manner in which workmanship on buildings is regulated; (18) Deputy Brendan Smith — the need to appoint a new dedicated national co-ordinator for the leaving certificate applied programme following the recent retirement of the national co-ordinator; (19) Deputy Joe Costello — the provision of funding in respect of For-óige for its programme of Big Brothers Big Sisters of Ireland; and (20) Deputy Barry Cowen — the need to address the growing problems in pensions here.

The matters raised by Deputies Martin, Dara Murphy, Fitzpatrick and Nash have been selected for discussion.

Topical Issue Debate

Passport Applications

Deputy Micheál Martin: I reluctantly raise this issue on the floor of the House because of the inability and failure of parents of a beautiful baby daughter who was born to them last September with the help of a surrogate mother in India to get a passport from the Department of Foreign Affairs. There are other children in this situation as well. It is my strong view that there is nothing to stop the Department of Foreign Affairs or the Minister for Foreign Affairs from issuing a passport to that child and to other children born through surrogacy. It is noticeable that when this child was born in India, the Irish embassy in Delhi referred to the child's citizenship as Irish on the emergency travel document. There is no reason that should not continue.

The key issue in determining the issuing of passports — Mr. Nugent, an official in the Department of Foreign Affairs, pointed out this in correspondence — is whether the child is an Irish citizen and whether the requisite consents of the guardians have been given. On the question of citizenship, the Department of Foreign Affairs says — I know this from having been a Minister for Foreign Affairs and there is precedent for this — that one may be able to establish

[Deputy Micheál Martin.]

that the child is an Irish citizen by providing satisfactory DNA evidence. In this case and in other cases, very strong and cast iron DNA validation has been provided. The parents have secured the DNA evidence from the Blackrock Clinic in Dublin, verified by St. Bartholomew's Hospital in London, and they have gone public on this and this is a matter of public record.

The Department of Foreign Affairs says in regard to guardianship that the Minister shall, before issuing a passport to a child, be satisfied on reasonable grounds that each person who is a guardian of the child consents to the issuing of a passport to the child. The consent by the mother to the issuing of a passport was full, free and informed in this case. The parents have signed the notarised affidavits from the birth mother to that effect.

Despite all of that, the passport has been refused and I know the Minister is aware of this situation. I would have been aware of another situation when I was Minister where I gave instructions to the officials to issue a passport and I received assurances earlier that a passport would be issued in that case. Subsequently, it was brought to my attention that a passport has not been issued. I had another meeting with officials and was told that the Attorney General had issues with the matter and referred to issues that had emerged from the commission on assisted human reproduction. I do not think that the issuing of passports should be used as a vehicle either to surface, or become a catalyst for dealing with, issues that came out of the commission on assisted human reproduction, which are complex and which the Oireachtas had before it in the context of an all-party committee and which it did not progress.

There is nothing in any of the correspondence I have seen or the responses I have received — I have written to the Minister on this — that cites any law preventing the Minister from issuing a passport and using his discretion to issue a passport to the child. This is important to the fundamental rights of the child in terms of the right of the child to travel, to access medical treatment and to take away the worries and concerns that parents have. In some cases because of work and other issues, people have to travel to other countries from Ireland and back again.

I am disappointed with the responses I have received so far. I have great respect for the officials of the Department of Foreign Affairs, having worked there, but I find the obduracy in regard to this issue perplexing and difficult. I know there is precedent for issuing passports on the provision of DNA evidence. That is a fact. I cannot understand why that cannot be invoked in regard to these cases.

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): I was not aware that the Deputy was going to raise a specific case. The note I have is that he was to ask me whether passports or travel documents can issue to children born outside Ireland when the parentage is proved to be Irish and, if not, whether the Government plans to bring forward urgent legislation to allow him to do so. It is to that general question to which I have prepared a response but I am aware of the case that the Deputy has raised with me and I am happy to address it directly. I hope he will allow for the fact that I am doing so with the use of——

Deputy Micheál Martin: It is on the general issue of surrogacy and the issuing of passports.

Deputy Eamon Gilmore: ——a prepared script. I am familiar with the case to which Deputy Martin referred because he raised it with me in correspondence and I have also met the parents of the child concerned. It is a case for which I have considerable sympathy and I have made extensive inquiries about it within my Department.

The Deputy stated that he is not aware of anything that would prevent me from issuing a passport, but this is not the case. A decision of the Circuit Court on 8 June refused the application for a declaration of parentage in respect of the child. In these circumstances, the legal

position of the child's parentage and thus entitlement to citizenship has not been established and therefore I cannot issue the child with a passport. I investigated the possibility of issuing an emergency travel certificate to the child, but I am advised on the basis of the information available that there is no legal basis for me to do so.

I understand the parents are unhappy with the situation, but given that the Circuit Court has issued a determination, no administrative procedure is available to me to overrule it. I am advised that the position can only change on foot of an appeal to the High Court to overturn the decision of the Circuit Court. The State will be co-operative in regard to the processing of any appeal to the High Court. The Attorney General will not oppose an appeal regarding the declaration of parentage and the State will not seek costs in respect of any application made. The State is also willing to co-operate on the processing of an appeal to the High Court if the parents' solicitor contacts the Office of the Chief State Solicitor. In one recent case which was taken to the High Court, a passport was issued within 24 hours of the court's decision being made.

The difficulty in this case is that we cannot ignore the decision of the Circuit Court and I cannot issue a direction to overrule it administratively. However, we will provide every co-operation in expediting an appeal to the High Court.

Deputy Micheál Martin: The parents have advised me that the Circuit Court refused to hear the case on 8 June, stating it should be heard in the High Court. There have been previous examples of refusals or reluctance to grant passport applications. I dealt with one such case, although unfortunately I resigned for political reasons shortly after I issued an instruction on it. I was told the Attorney General's office had concerns about this issue. Something is happening in the undergrowth that I do not understand. I hope I am not doing anyone a wrong but I just do not get it.

The DNA is absolute. We should not expect parents to incur all the costs associated with High Court cases simply to assert their rights. We issue passports in circumstance which do not approximate the rights to citizenship this child enjoys by reason of the DNA. As a political system, we should not be making parents look to the High Court to provide passports for their children if the DNA is cast iron guaranteed. We need to exercise discretion and pragmatic common sense.

Even before the Circuit Court issued its decision, there was a resistance to issuing passports. The original reasons given for this resistance was that the surrogacy laws and the recommendations of the commission on assisted human reproduction needed to be addressed. These are complex issues which must be debated in this House but parents and their children will be waiting several years before they are resolved. Meanwhile, the children are without passports or citizenship.

I do not think anyone would challenge the Tánaiste if he exercised his discretion to issue a passport. I ask him to consider the matter carefully.

Deputy Eamon Gilmore: Deputy Martin is incorrect to state that the Circuit Court refused to hear the case. The Circuit Court issued a ruling which refused the application for parentage. This ruling can only be dealt with in the High Court, which makes it impossible for me to exercise discretion, as the Deputy will understand.

Deputy Micheál Martin: The parents did not go to court for a passport.

Deputy Eamon Gilmore: For a passport, there has to be satisfaction——

Deputy Micheál Martin: Reasonable grounds.

Deputy Eamon Gilmore: The court has made a decision. We have made it clear that an appeal to the High Court will not be opposed. We will not seek costs and full co-operation will be offered. In any event, the issuance of a passport will not address the question of legal guardianship, which is necessary for granting consent to medical treatment.

The Deputy is correct that wider issues arise in regard to surrogacy and the issuing of passports. New legislation is required in the area of surrogacy and it is the Government's intention to bring forward legislation. That will take time, however, and in the interim, my Department, the Attorney General's office, the Departments of Justice and Equality and the Department of Children and Youth Affairs are at an advanced stage in preparing guidelines on how cases of surrogacy should be dealt with.

I do not have time to discuss all the issues that arise in this complex legal area. I could spend a considerable amount of time outlining existing legislation on guardianship and what happens in surrogacy cases. Irish law makes various presumptions about parentage and guardianship.

In the individual case to which Deputy Martin referred, a solution has been identified and we will co-operate in solving the problem. We cannot ignore the decision of the Circuit Court but we are addressing the wider issue by preparing guidelines to streamline the issuing of passports and other decisions on guardianship of children.

Health Services

Deputy Dara Murphy: I welcome the opportunity to raise the issue of facilities for cystic fibrosis sufferers in Munster. Approximately 25% of all cystic fibrosis sufferers in the Republic of Ireland have their treatment managed through Cork University Hospital. Unfortunately, Ireland has a disproportionately high number of cystic fibrosis sufferers and, until recently, the State was neglectful in mitigating the challenges faced by sufferers.

There is serious concern in the Munster area about recent media comments which may perhaps be untrue. The Build4Life charity has done a magnificent job in raising over €2 million towards the cost of completion of an inpatient facility at Cork University Hospital to complement the existing outpatient facility. In consultation with the consultant, Dr. Barry Plant, and the hospital, Build4Life has put together a proposal, whereby the facility can be built for €2.3 million. As part of the proposal, an application has been made to the Department of Health for €300,000 in national lottery funding. I do not have time to speak at length about the obvious medical need for this facility. However, it seems the provision of national lottery funding would be an entirely appropriate way of coming up with the money needed — it is not much more than 10% of the total cost — to allow the project to commence and be completed. It is important to mention that, in the light of the public employment embargo, with which we are all familiar, no additional staffing costs will be associated with the project. The ongoing medical treatment can be provided from within existing resources.

A broader point needs to be made in the context of the percentage required. The group undertaking to seek the balance of the moneys is a charity. Therefore, in VAT alone a figure of €400,000 would come back to the Exchequer. We are aware of the difficult financial position the country is in. However, there is potential for the Government to examine carefully schemes that would create work in the construction sector. As a result of PRSI payments, social welfare reductions and VAT payments, for example, the real cost to the Exchequer of such projects following the release of public funds might be very small. It seems from the figures I have seen that there would be a net benefit to the Exchequer if the money were to be found in this instance.

I know the Minister is extremely sympathetic to the plight of cystic fibrosis sufferers. I appeal to him, therefore, to examine carefully the case being made in this instance and find the sum of money being sought by a group of volunteers who have done outstanding work.

Minister of State at the Department of Health (Deputy Kathleen Lynch): The Minister for Health, Deputy Reilly, is strongly committed to supporting services for patients with cystic fibrosis. To this end, he has set out a policy, whereby sufficient inpatient beds must be available to treat all persons with cystic fibrosis when they require hospitalisation. Cork University Hospital has the second largest adult cystic fibrosis centre in Ireland. The centre caters for the needs of 145 adult patients from the Munster region. In September 2007 Dr. Barry Plant was appointed as the director of the adult cystic fibrosis programme at Cork University Hospital. In June 2008, in consultation with the cystic fibrosis multidisciplinary team and the cystic fibrosis community locally, he submitted a statement of need for cystic fibrosis services to the executive management board of Cork University Hospital. This document which was approved by the board outlined a strategic plan to develop cystic fibrosis services in the hospital, including the provision of day and inpatient facilities.

Dr. Plant is working with the executive management board of Cork University Hospital to develop a designated inpatient unit with en suite rooms for cystic fibrosis patients. A location has been identified for a combined designated adult inpatient facility and respiratory unit in a vacated ward on the Cork University Hospital campus. Provisional plans and costings have been made, with an estimated build cost of approximately €3 million. Some €2 million has been collected by the charity mentioned by the Deputy, Build4Life, towards the cost of the facility. Build4Life has done Trojan work in this area and the HSE is examining ways to secure additional capital funding to complete the unit. The need to develop the adult inpatient facility remains a priority for Cork University Hospital and the HSE, both of which will continue to work with Build4Life to complete the project.

The Build4Life group has submitted a grant application to the Department of Health for national lottery funding of €300,000 to help to build the inpatient cystic fibrosis unit. This is one of a large number of applications being assessed by the Department. It would not be correct to say the group recently failed in its grant application. In fact, no decision has yet been reached on the group's request for funding. The Minister will make a decision as soon as possible, having regard to the various applications submitted for many other good projects. The Department will ensure Build4Life is informed of the outcome in a timely manner. The Minister is happy to reiterate his continuing commitment to developing services for people with cystic fibrosis and working with the organisations representing them to ensure the best possible service can be delivered within the resources available.

Deputy Dara Murphy: I welcome the response of the Minister of State who comes from the same part of the world as me. Her clarification that, contrary to what has been reported, no negative decision has been made is particularly welcome. I am sure a large number of grant applications are before the Minister, Deputy Reilly, and all of his colleagues. I am sure also that the Minister and the Minister of State will take on board the message that this application is potentially revenue-neutral from the perspective of the State. I am sure also that people play the national lottery on the basis that the profits will go to worthy causes.

I attended the 65 Roses ball in Cork city a couple of years ago. "65 Roses" was a term used by a young cystic fibrosis sufferer who could not say the words "cystic fibrosis". It was a very uplifting experience. The plight of those for whose benefit the event had been arranged pulled at the heartstrings of those in attendance. All of the volunteers do magnificent work on their own. I note the Minister has said he will review the applications made. All of us should keep the pressure on him, the Minister of State and the Department of Health to deliver for people

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who deserve a boost for the great work they have done and will continue to do. I emphasise that Build4Life has raised over €2 million in the last four years. I am sure it will continue to operate as a successful and well supported fundraising group.

Hospital Services

Deputy Peter Fitzpatrick: I raise the issue of overcrowding at Our Lady of Lourdes Hospital in Drogheda. As the Minister of State is aware, the hospital provides an essential service for the people of the north east. As part of the Louth-Meath hospital group, it is also a teaching hospital. It provides acute medical and surgical services, as well as an excellent maternity service, for patients from across counties Louth and Meath and parts of north County Dublin. A wide range of medical services, including cardiology, oncology, geriatrics and palliative care, are provided at the hospital. The main accident and emergency unit for the Louth-Meath hospital group is located at Our Lady of Lourdes Hospital. It is in operation 24 hours a day, 365 days a year, and supported in providing care for patients from the region by an interim medical assessment unit and short stay unit, both of which are on site, and by minor injuries units at Louth County Hospital, Dundalk and the emergency department of Our Lady's Hospital, Navan.

There has been significant investment at Our Lady of Lourdes Hospital since 2007, including in the construction of a new emergency department which opened last year and associated patient accommodation. Despite this investment, the hospital has suffered as a result of tighter funding restrictions owing to the economic crisis. I pay tribute to the hard working staff at the hospital who provide an exceptional service on a continuing basis, for which they must be applauded. I know from first hand accounts that doctors and nurses in the hospital have worked tirelessly to ensure services are maintained with less manpower and no extra money. No hospital across the country has gone unaffected as a result of the financial crisis. Hospitals have been told they must stick to their budgets. There is simply no money left to make up any shortfalls at the end of the year, a practice which led to poor management practices in the past.

Our Lady of Lourdes Hospital has certainly not escaped the challenges that have been brought by reduced spending in our health service. According to the Irish Nurses and Midwives Organisation, there are 36 people on trolleys at the Lourdes hospital today. I am sure the Minister will agree this is a deplorable situation. Patients and staff deserve more.

I know the problem of overcrowding in our hospitals is a complex one which will take time to resolve. However, people need to know that concrete action is being taken. The Minister established the special delivery unit, SDU, earlier this year to address this very problem. I am sure the Minister can understand that people are becoming anxious, as winter approaches, given that they cannot see significant progress to date.

I understand Dr. Martin Connor, as head of the SDU, has been visiting hospitals around the country and looking at the systems in place in a bid to identify how service provision can be made more efficient. Can the Minister of State tell me whether he has submitted a report on Our Lady of Lourdes Hospital and, if so, when it can be implemented? Can she give the people who use the Lourdes hospital assurances that the situation will be improved?

Deputy Kathleen Lynch: I am grateful to the Deputy for raising this important issue. Our Lady of Lourdes Hospital, Drogheda, is continuously working across a number of levels to reduce the time patients wait on trolleys in the emergency department. The hospital is currently implementing a two-pronged approach to the management of overcrowding in the emergency department. First, it is working closely with the special delivery unit to improve capacity plan-

ning throughout the hospital. The clinical director and group general manager are fully engaged in managing scheduled care and unscheduled care under the direction of Dr. Martin Connor of the SDU. Second, the hospital is actively engaged in the implementation of the HSE's national clinical care programmes, which will focus on extending the hospital's acute medical assessment unit facility. In addition, the hospital is operating a proactive three-tiered response based on the level of overcrowding.

In response to the numbers of patients who have presented at the emergency department over the past month, the HSE arranged additional theatre time to facilitate the treatment of additional surgical cases. Additional diagnostic capacity was also provided to the medical assessment unit and to expedite discharge. Furthermore, for the past week the medical assessment unit and the day ward have remained open at night to accommodate patients from the emergency department.

The patient treatment plan of each patient is reviewed each morning by 8 o'clock and at regular intervals throughout the day, particularly when the escalation policy to deal with this issue is in place. Additional ward rounds are also undertaken throughout the day and on-call physicians and surgeons are met to review their treatment plans for patients. Where blockages are identified, the hospital management engages with the relevant service to expedite the provision of this service to the patients.

The situation in the emergency department earlier today was that there were 23 patients awaiting admission. While issues of overcrowding and waiting times in emergency departments, which are symptoms of broader hospital issues, are a source of concern, it is important to note that when a patient comes in to the emergency department, his or her treatment begins at triage and, in accordance with the priorities identified by way of the triage process, anybody requiring urgent care receives it.

The Minister, Deputy Reilly, fully acknowledges and has previously stated that the waiting times for admission for patients attending emergency departments in many hospitals are unacceptable, and he is determined that this situation should be addressed. Immediately following his appointment, the Minister 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 work to support hospitals in addressing excessive waiting times for admission to hospital.

Deputy Peter Fitzpatrick: I thank the Minister of State for her response and I look forward to hearing updates on this issue. I realise that repairing and reforming our health services at this time of economic austerity will take serious hard work, innovation and flexibility. I am confident the staff at Our Lady of Lourdes Hospital, Drogheda, have the determination to provide a high quality service, even if further challenges lie ahead. I ask the Minister to keep the house fully briefed on this situation.

Deputy Kathleen Lynch: Dr. Martin Connor has been working with the hospital. The difficulty is sometimes not in the emergency department but at the other end, which is where the blockages occur. Although it will be difficult, this is the type of issue we will have to deal with. It is not always about money, but about processes, how people work, step-down facilities and ensuring people are discharged when they can be. The idea of the consultant, whether in surgery or medicine, having two rounds a day will help that process. Dr. Connor is working with the hospital, particularly in the run-in to winter, to ensure there is a smoother transition. I will keep the Deputy informed.

Waste Management

Deputy Gerald Nash: I am pleased to have the opportunity to discuss this issue in the Chamber and pleased that the Minister of State, Deputy Fergus O'Dowd, who is our local Deputy and has considerable experience of the issue, is in a position to respond on behalf of the Minister, Deputy Hogan.

The operation of the waste management system has many deficits. However, the most yawning gap is the complete and utter disconnection between local democracy and the decision-making process when it comes to the final destination of residual waste. The Minister of State is only too well aware that Ireland's first municipal waste incinerator will open soon near Drogheda at Carranstown, County Meath. The Minister of State will not need reminding that I and some of the Minister of State's party colleagues have opposed this facility. The Minister of State has a track record in this regard since the project was first announced, which I am happy to acknowledge.

Deputy Fergus O'Dowd: I called the first public meeting on it.

Deputy Gerald Nash: The north-east waste management strategy, with incineration as its focus, was rejected by local authorities across the region, specifically Louth County Council, but it was imposed by the then Minister, Mr. Noel Dempsey. From start to finish, the process was an anti-democratic stitch-up, with a predetermined outcome which flew in the face of any semblance of local community intervention or democratic input at local level.

It is unfortunate to acknowledge in the Chamber today that I again feel anti-democratic decision making processes are beginning to rear their heads on the question of what it is we will do as a society and a community with the bottom ash left over from the burning of municipal waste at the Indaver facility at Carranstown. The Minister of State will know that only a matter of weeks ago Louth County Council decided unilaterally to sign an agreement that would essentially welcome the bottom ash into the council's landfill at Whiteriver, Philipstown, County Louth. This has caused a huge amount of anger, frustration and anxiety among the community at Philipstown. Local residents have gone through a tortuous enough time in recent years in terms of the operation of that site, with which the Minister of State is familiar. To add insult to injury, the council has signed off on a massive deal with Indaver to dump its bottom ash into what is already a troublesome site.

We are told by the council that the deal complies with what it calls the proximity principle. I want this matter to be informed by the precautionary principle. In other words, if there is any doubt, the bottom ash should be left out. There are huge concerns over the question of whether bottom ash is hazardous or non-hazardous, and the Minister of State will be aware that the literature and research in this area varies. As this is the first operation of its kind in the country, there is anxiety at the capacity of the authorities, such as the EPA and the county council, to deal effectively with this and to address the legitimate fears of the residents of the Philipstown area and the wider Louth area with this approach. Until such time as we can say with complete confidence that the bottom ash does not pose a threat to the people of Philipstown, I ask the Minister of State to use his influence with the Minister, Deputy Hogan, to intervene with the EPA to review the situation. We must stop Whiteriver from accepting the waste as agreed by Louth County Council, at the very least until such time as we can all be 100% certain that the safety of the bottom ash can be guaranteed.

The Minister of State might also use his influence with the Minister, Deputy Hogan, to arrange a meeting with the residents of Philipstown to attempt to assuage their legitimate and valid fears about this issue, which is a novel one given we are dealing with Ireland's first municipal incinerator and the first case of this kind in the country.

Minister of State at the Department of the Environment, Community and Local Government (Deputy Fergus O'Dowd): I am very familiar with this issue and for several years have been concerned about the operation of the waste facility at Whiteriver, and about the whole issue of the incinerator at Carranstown and the history of how it came about. I certainly commend the residents on their activity in ensuring, particularly in recent years, any release of toxic or noxious gases into the air has been dealt with adequately by the Environmental Protection Agency, EPA, and Louth County Council working together. If the file is examined, one will see significant correspondence from the EPA to Louth County Council on the issue.

There are two interrelated issues of relevance to the matter raised by the Deputy. The first relates to the issue of what wastes are permitted to be deposited at the landfill site in question under the terms of its waste licence. The second concerns the determination of whether bottom ash produced at the incinerator in question is classified as hazardous or non-hazardous waste. Decisions on both issues are the responsibility of the Environmental Protection Agency. For the information of the Deputy and the House, it may be useful to set out the legislative position involved. Taking the issue of waste licensing first, the Minister for the Environment, Community and Local Government has no role in the licensing of landfill or incineration facilities or the enforcement of conditions attaching to these. As I have indicated, these are matters for the EPA. Under section 60(3) of the Waste Management Act 1996, the Minister is precluded from exercising any power or control with regard to the performance in particular circumstances by the agency of a statutory function given to it under the Act.

Major waste facilities, including incinerators and landfill sites, are subject to stringent environmental standards set out in national and European Union environmental and waste-specific legislation. The landfill facility concerned is licensed by the Environmental Protection Agency under the Waste Management Act 1996. The agency, when it decided to grant a licence for the facility, only would have done so on the basis that it was satisfied that, subject to compliance with the conditions of the licence, any emissions would not give rise to environmental pollution. It has significant oversight and enforcement powers to safeguard the environment and ensure compliance with waste licence conditions. The Minister is satisfied that a rigorous and risk-based enforcement regime, including emissions monitoring, inspections and audits, is actively pursued by the agency.

I wish to make it clear that on the question of whether the waste is hazardous or non-hazardous, the Environmental Protection Agency is directly concerned with the issue. While due process is under way within the agency, it has met representatives of the residents and when I expressed their concerns to it, it assured me it would be happy to meet them and ensure no hazardous waste would be dumped there. Certain wastes are automatically considered to be hazardous by virtue of their demonstration of certain properties. Other wastes not specifically identified also may be classified as hazardous on the basis of their properties. Determination in this regard is entirely a matter for consideration and decision by the EPA.

I understand the commissioning of the thermal treatment facility concerned is ongoing and that the normal testing of output from a facility's processes required as part of the licensing process is under way. The testing is necessary both to ensure the facility in question is compliant with the terms of its waste licence and the bottom ash produced may be appropriately disposed of in the landfill facility concerned, having regard to the terms of the licence. Pending approval from the Environmental Protection Agency to proceed with the disposal of bottom ash at the landfill site concerned, I understand the ash produced by the thermal treatment plant is being stored on-site and that it is a matter for the EPA to control all such matters in its capacity as the licensing authority. The point is the EPA will not issue a licence unless it deems it to be non-hazardous.

Deputy Gerald Nash: I thank the Minister of State, Deputy O'Dowd, for his personal interest in this matter as a constituency colleague with a track record in the area. He has correctly pointed out that the Environmental Protection Agency has an enormous responsibility with regard to this facility, the testing of the ash and the classification as to whether it is hazardous or non-hazardous. I attended a meeting between local residents and the EPA three weeks ago and accept the assurances given to me by the agency to the effect that it was doing everything in its power to ensure what was produced at the site would be safe and that only non-hazardous waste would find its way into the Whiteriver site if this particular aspect of the project was to proceed. However, this is a novel situation in that this is the first challenge in Ireland to the disposal of bottom ash from a municipal waste incinerator. While I understand the EPA's responsibility in this regard, because this is such a novel prospect, I request the Minister for the Environment, Community and Local Government, Deputy Hogan, to keep a watching brief with the EPA on the exercise of the agency's functions. Moreover, I ask that the agency exceed and go above and beyond its statutory obligations, if confidence is to be given to the people of Philipstown and County Louth as to the safety of this practice.

I wish to make a final point on the classification of bottom ash. There are variations in scientific attitudes towards the question of whether bottom ash is hazardous or non-hazardous. I wrote to the Minister recently in this regard and repeat the precautionary principle should be deployed in the event that is concern regarding the nature of bottom ash. Fundamentally, if there is any doubt, we should leave it out. The trend elsewhere in Europe appears to be that bottom ash is used in the construction industry, particularly as road infill material and so on. I ask the Minister of State, Deputy O'Dowd and the Minister, Deputy Hogan, to examine this possibility with regard to the future operation of the site in question outside Drogheda and what is to be done with the bottom ash. In addition, I respectfully ask whether it would be possible for the Minister to meet the residents of Philipstown to assuage their legitimate fears about the facility, given that it is the first of its kind in Ireland.

Deputy Fergus O'Dowd: It is clear that the residents, Deputy Nash and I agree on the fundamental issue that no hazardous ash should be dumped at the facility. The statutory authority to decide this issue does not rest with the Deputy, me or Louth County Council but with the Environmental Protection Agency. I am sure the Deputy, if he has not already done so, will inform the agency of his concerns which I acknowledge the people of the area share. As for the Minister meeting the residents, in view of his statutory position, I am unclear on whether he can legally do so. However, I will be happy to bring the request directly to his attention. Depending on the status of the law, it might be deemed that were he to do so, he would technically be in breach of his powers or the law, but I will bring the request to his attention. I assure the Deputy of my ongoing concern about the issue.

**Finance Act 2004 (Section 91) (Deferred Surrender to the Central Fund) (Amendment)
Order 2011: Motion**

Minister for Finance (Deputy Michael Noonan): I move:

That Dáil Éireann approves the following Order in draft:

Finance Act 2004 (Section 91) (Deferred Surrender to the Central Fund) (Amendment) Order 2011, copies of which have been laid in draft form before Dáil Éireann on 12 October, 2011.

Question put and agreed to.

Report by the Interdepartmental Working Group on Mortgage Arrears: Statements

Minister for Finance (Deputy Michael Noonan): The Government last week published the report of the interdepartmental group on mortgage arrears. The group was requested by the economic management council to examine the further necessary actions that could be taken to address the increasing problem of mortgage over-indebtedness. The Government is aware of the increasing stress that some households are facing arising from difficulties in meeting their mortgage commitments and felt it was timely to ascertain what additional measures could be introduced to assist people dealing with such difficulties.

The group was chaired by Mr. Declan Keane, an accountant who was on secondment to my Department from KPMG. Officials from my Department, the Departments of the Environment, Community and Local Government, Social Protection, Justice and Equality, and Public Expenditure and Reform were on the group. The Central Bank of Ireland was also represented and the group included some industry expertise from the banking sector.

The principle of a fresh start for people facing difficulty in dealing with their mortgage commitments is a key priority for the Government. The approaches set out in the report will give people a fresh start and allow them to break the shackles of unsustainable debt, which can have such a destructive effect on family life.

When the economic management council requested work to be carried out in this area, two core objectives were set for the group. First, there was a desire to ensure that mortgage holders who are experiencing real difficulty should, where appropriate, be assisted in remaining in their own homes. Second, any framework and range of supports for mortgage holders must be able to distinguish between those who cannot afford to pay their mortgage on their primary home and those who choose not to pay their mortgage.

As a Government and society we must be open and willing to assist the first group in an appropriate way. However, where people are able to meet commitments they entered into, it should not be for society as a whole to offer benefits or gains to such groups at the expense of others who may have a greater need. This is even more relevant against the background of the severe fiscal circumstances that the country now faces.

The early reform of the personal insolvency legislation will be a central element in the majority of the resolution mechanisms proposed in the report. It will act as the catalyst for change in the relationship between the borrower and the lender. This report offers a range of solutions, which take account of the very different circumstances of each borrower and the difficulties they face.

The range of solutions includes: split mortgages which would allow borrowers to recalibrate the mortgage payment to a more sustainable level. This enables mortgage holders to reduce their weekly payments at the present time. When their circumstances improve, they can then increase their repayments. Trade down mortgages and sale by agreement mortgages offer solutions in other circumstances. These approaches allow families to move to homes more suited to their current needs; whether it is to obtain employment or to move to a more appropriately sized home for their family. Only where the mortgage is unsustainable would the mortgage to rent schemes become options. These schemes would allow people to stay in their homes albeit within the context of the social housing network. It would lift the crushing psychological burden of unsustainable debt, which can weigh on a family forever.

We all agree that the resolution of mortgage is complex and the decisions to be made by individuals should not be taken lightly. The report advocates the creation of an independent mortgage advice service to guide borrowers through the range of options open to them. This

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independent mortgage advice service will help ensure that the borrower selects the best option for him or her.

The key overall finding of the working group was not surprising and reflects the general finding of previous groups. That is, that there is no magic bullet or solution to address the problem of mortgage difficulty. Any attempt to address this problem in a global way would be very costly and will not offer sufficient real assistance to those people most in need of support.

There has been some commentary that clearing the negative equity of mortgages would resolve the difficulties in the mortgage market. The Central Bank has estimated that this option would cost approximately €14 billion. Such an approach would not address the key difficulty of making the mortgage payments affordable, which is essential to solving the difficulties experienced by people in arrears.

The main cause of mortgage holders going into arrears is that the household experiences an income shock, such as that which arises from a loss of employment, and not from negative equity at a particular point of time. While it is accepted that negative equity causes significant concerns for indebted households and that it can have a negative impact upon consumer and wider economic sentiment, it does not of itself cause people to go into mortgage arrears or experience affordability problems. The Central Bank estimates that only 10% to 13% of households in negative equity are also in arrears. Blanket approaches to deal with the problem of mortgage arrears by writing off debt would, therefore, be a costly and inappropriate public response to the problem of mortgage arrears.

The issue of mortgage difficulty can only be addressed in an effective way on a case-by-case basis. The circumstances of each household are different and each household will need to be treated having regard to its individual circumstances. The level of income, the size of the outstanding mortgage and other particular requirements or demands on the household will all have to be considered. The option that will be most appropriate for the particular household can only be considered when all of these factors are taken into account. This case-by-case approach, therefore, is the only appropriate way to deal with such a multifaceted problem.

Underpinning any proposed solution, will be the need to modernise our bankruptcy and personal insolvency law. The current legislative resolution framework for personal insolvency, the Bankruptcy Act, is antiquated and does not meet the requirements of the modern credit market. Accordingly, it is necessary to put in place a more modern framework, one that will not unduly penalise people who can no longer, through no fault of their own, meet their current debt commitments. It will be very important for people to have a realistic option of selecting bankruptcy as a means of debt settlement where the burden is just too great. The Minister for Justice and Equality, Deputy Shatter, will shortly introduce proposals for this important reform of the personal insolvency legislation. It should be recognised that while the Government will bring forward this legislation speedily it is by no means envisaged that it should or will become the debt-resolution option of choice for a significant number of mortgage holders. There is an onus on the banks to recognise the economic fact that bankruptcy settlement will often not be in the interest of any of the parties and that alternative solutions such as those advanced in the report and others need to be developed.

Another important recommendation is the proposed support and advice for distressed mortgage holders. This is a very complex and stressful situation. The solutions proposed in the report and any others that may be provided by mortgage lenders together with the proposed significant reform of personal insolvency law will create new options that will have to be evaluated and carefully considered by people with distressed mortgages. Many of those affected may need specialist advice and assistance to guide them. MABS currently provides an important

service, but the type and scale of the demands that now arise in the case of mortgage debt are of a different nature from the financial issues MABS was initially established to assist. Specialist financial, legal and accounting expertise will be required for the growing problem of mortgage and related debt. Also, the structure of the existing MABS service, based on more than 50 independent companies throughout the country, militates against the provision of such a specialised service. The report, therefore, suggests that a more centralised and specialised service should be provided that could nevertheless link into MABS and take referrals from the existing MABS service. To an extent this would mirror the approach already adopted by the banks, which operate a more centralised service in their dealings with people with problem mortgages and would allow for a more informed view of the actual approach that banks are taking in their dealing with mortgages in difficulty. The report proposes that the banks should fund this service and this is a view I would endorse.

The group found that existing forbearance approaches are a very worthwhile and appropriate response to most people experiencing mortgage difficulty. The key factor for mortgage sustainability is long-term affordability. Unfortunately, some people will experience temporary affordability difficulties arising from, for example, a loss of employment, but if they can secure alternative employment in the future they may be able to overcome such a temporary difficulty. In such cases, the forbearance approaches as set out in the code of conduct on mortgage arrears such as extending the term of the mortgage, reduced payments, interest only payments and the deferred interest scheme are all appropriate for consideration having regard to the individual circumstances of each case. The Department of Social Protection mortgage interest supplement also makes an important contribution for eligible households. Therefore, this forbearance approach allows a household experiencing temporary mortgage difficulty important breathing space to enable that household to get back on their feet and resume meeting their full mortgage commitments at a future time.

However, the group also recognised that, unfortunately, there are some mortgages that, even with the best will of all concerned, will not be sustainable on a long-term basis. Where there is little prospect of people ever being in a position to build up reasonable equity in their mortgage, the appropriateness of forbearance measures in such circumstances will need to be considered. In this context, consideration will also need to be given to the current unlimited duration of the mortgage interest supplement scheme. This scheme, which provides an income supplement to an eligible household that will meet most of the mortgage interest payments, can allow both the borrower and the mortgage lender maintain the *status quo* for an extended period of time. However, if the only reason a mortgage can be sustained on an extended basis is the fact that the Exchequer pays the bulk of the interest payments, then it has to be recognised and accepted that this is not in the long-term interests of the taxpayer or the other parties. Other more sustainable approaches will need to be considered.

The report outlines a so-called decision tree approach to assessment and suggests a range of solutions that may be appropriate. These include the following. Trade down mortgages could be suitable where the owner of a higher value or larger property trades down to a lower value house and will consequently have a more affordable mortgage. Given housing market developments, it may be possible for a person to trade down to a larger home. Split mortgages could be suitable where a household is not currently in a position to meet the commitments of the full mortgage but could meet the commitments on a reduced amount and perhaps repay the remainder overtime from income or capital increases. Sale by agreement could apply if an alternative solution cannot be reached and the borrower and lender agree to sell the property and resolve the shortfall in the mortgage in an appropriate and reasonable manner, after the sale taking account of the borrower's circumstances. Mortgage to rent would be suitable where the borrower and their home is social housing eligible.

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The report also makes clear that these solutions are not intended to be exhaustive or prescriptive. Other solutions can and must be developed by mortgage lenders to address individual cases. My Department will seek to advance this in its contacts with the banks.

The State has a responsibility to provide housing to those whose resources can no longer allow them to pay for housing. For example, many people in receipt of mortgage interest supplement on a long-term basis are likely to have an eligibility for social housing support. Recent information shows that the number of households in need of housing support has increased and there is, therefore, a need to boost the stock of available social housing in the State.

The mortgage to rent schemes allow the State to directly increase the number of social housing units and provide it directly to those in need. Two options are presented for development within the mortgage to rent scheme. The first envisages the involvement of appropriate Department of the Environment, Community and Local Government approved housing bodies, and the second will involve mortgage lenders entering into long-term leases with housing authorities. In each case, the borrower and the lender, as part of the MARP process, reach an agreement that the mortgage is not sustainable on a long term basis. Where the person would qualify for social housing support if the house was repossessed and the person's home is deemed suitable for social housing purposes, which in both instances will be decided by the local housing authority, then the possibility of utilising one of these proposed mortgage to rent schemes arises. The primary advantage of such a scheme is that the person stays in their home and their family remains in the local community of which they are part. It also ensures that the social housing list is not unnecessarily extended. The conversion of the home to social housing is done in a confidential manner so there is no social stigma attached. I should clearly say that there should never be stigma attached to a citizen of this State seeking assistance in their time of need, but unfortunately this is not always the case. It is proposed to launch these schemes on a pilot basis initially, and the Minister of State, Deputy Penrose, will outline greater details on these schemes in due course.

The challenges facing mortgage holders and society at large since the inception of the banking and economic crisis are significant. Nevertheless, we have already taken significant and essential steps to overcome them. The challenge for the Government is to manage and lead that process at a time when the resources are limited and the options are constrained.

All of us recognise that this problem is complex. Neither the work of the group nor this report, were designed to offer the complete solution to the mortgage arrears problem. As is recommended in the report, further solutions need to be developed by the mortgage lenders and these need to be assessed by the Central Bank. The report sets out some very important recommendations on where the State should play its part by supporting mortgage to rent schemes, establishing a mortgage advisory function and introducing more appropriate bankruptcy legislation. It also sets out a clear framework for assessing individual situations and a range of suggested solutions.

Others, in this House and outside, may also have other important contributions to make. I look forward to Deputies on all sides contributing to this very important debate and will consider all helpful and practical suggestions to tackle the problem of mortgage distress, both in my closing response and in the ongoing consideration by the Government of this important issue.

Deputy Michael McGrath: I welcome the opportunity to contribute to the debate on the report of the interdepartmental group on mortgage arrears, known as the Keane report. Every Member needs to take ownership of the issue of mortgage arrears. We all need to engage fully in the wider debate on the levels of personal debt and mortgage debt which are crippling many

families in Ireland today. Obviously, there is a particular responsibility on the Government to come up with solutions, given its power to take initiatives and to make and implement policy decisions. In that respect, I sincerely hope the Government will listen closely to the response of all Members to the Keane report. While I have criticisms to make, I will also endeavour to be as constructive as possible, as will my party colleagues.

I readily acknowledge that there is no silver bullet or one-size-fits-all solution for dealing with the growing problem of mortgage arrears. We are all aware of the scale of the problem, from looking at the official figures from the Central Bank and at a human level from daily direct contact with our constituents. While the figures are stark, the true picture is even worse. The official figures from the Central Bank, which give the picture as at the end of June, do not include persons with arrears of less than 90 days. Indeed, being one or two months behind on the mortgage can be a highly stressful and worrying experience for an individual or a family, and can in many instances be the beginning of a greater arrears problem. Since the end of June, which are the last official figures available, we have had a further European Central Bank interest rate increase, which was passed on by many banks, and unemployment remains stubbornly high. Unfortunately, it seems certain that the arrears figures at the end of September, which will become available in the coming weeks, will show that the mortgage arrears situation has deteriorated even further.

On balance, my overall reaction to the Keane report is one of disappointment. The report places too much emphasis on the role of banks. For example, the report states:

A range of solutions are recommended. These ... need to be further developed over time, by the banks.

The report seems to put the banks at the centre of resolving the mortgage arrears crisis but that is not appropriate. I do not believe that is a role they can play.

While the Minister and the Central Bank can correctly point to the fact that the banks have renegotiated and restructured about 70,000 mortgages, the majority of those have been adopting the straightforward options of going interest only, reducing the person's payment, extending the mortgage term and capitalising arrears. In fact, of the 70,000 mortgages that have been restructured by agreement between lenders and borrowers, 65,000 simply centre on amending the amount which is being repaid, extending the term and capitalising arrears.

As regards the more innovative solutions which are being put forward by other groups and which were put forward in the last report by the Hugh Cooney group, the banks have been sadly lacking. We should not be looking to the banks for solutions to this crisis. The banks' priority is to protect their own financial position and not that of borrowers. It is up to the Government to take account of the wider social and economic consequences of the mortgage arrears crisis. The Keane report singularly fails to achieve this.

Even when a solution is given to the banks, in many cases they fail to implement it. One only has to look at the deferred interest scheme put forward in the Cooney report last November as evidence for that. That report was published in November 2010, yet I am not aware of a single case where the banks have entered into a deferred interest scheme arrangement with borrowers. Many banks dragged their feet on agreeing to implement it. Some of them subsequently said they would sign up to it but they are not advertising it or making distressed borrowers aware that this option is available. I am not aware of individual cases where it has been. Perhaps at a policy level the Minister can confirm whether the banks are implementing the deferred interest scheme arrangement that the Cooney report put forward. Some of the solutions put forward in the Keane report have a role to play, but the distinct lack of a clear implementation

[Deputy Michael McGrath.]

plan with a strict timetable of key milestones to be achieved diminishes the overall effectiveness of the report.

This debate is important but we need firm and decisive action from the Government at the conclusion of the debate. Expectations had been allowed to develop that the Keane report would come forward with radical but realistic proposals that would be of practical assistance to distressed mortgage holders. The disappointment of groups working with distressed borrowers has been palpable. Many of them will be appearing before the Committee on Finance, Public Expenditure and Reform tomorrow, as will Mr. Declan Keane, to his credit, to take questions from members of the committee. Those appearing will include, New Beginning, the Free Legal Advice Centres, FLAC, the Citizens Information Board and the money advice and budgeting service, MABS. Some of these groups and others have been highly critical of the Keane report, so we should ask ourselves why. I believe it is because of the lack of radical solutions in the report and the lack of a clear implementation plan with a timeline for implementing the policy decisions that will emerge from this.

The seeds of those expectations about radical solutions were sown before the election and subsequently enshrined in the programme for Government where the Government promised to put the interests of distressed mortgage holders ahead of the interests of big developers and banks. The programme for Government states:

The recommendations of the Cooney report are inadequate to address the scale of the current crisis. A more radical approach is needed to protect families in fear of losing their home.

While we cannot assess this report as the Government's response, because clearly it is under consideration, the Minister's contribution at the conclusion of this debate and the implementation plan put forward by the Government will be the benchmark by which the Government is measured.

Some of the proposals in the programme for Government have already been abandoned, while others have been discredited. Six specific proposals were put forward by Fine Gael and Labour in the programme for Government. The first was an extension of mortgage interest relief to give those who purchased between 2004 and 2008 — the so-called negative equity generation — additional mortgage interest relief. That was to give people an extra €166 per month on average. That was meant to happen by June but it did not. It has now been put back into the budget mix with no commitment whatsoever from the Government that it will be implemented. In fact, the Keane report is damning of that particular provision in the programme for Government. The Keane report's authors make it clear that it represents an inefficient use of public resources in a non-targeted fashion.

The second proposal was to force banks to absorb the ECB interest rate increases, but that has not happened to date. In fact, the banks have not even been instructed, encouraged or given policy guidance by the Minister to do so. We had a welcome intervention by the Financial Regulator on the issue of banks hiking up their variable interest rates, but that was the regulator acting independently. The Office of the Financial Regulator is independent and that intervention was not made at the Government's behest.

The third proposal was a two-year moratorium on family home repossessions, building on the 12-month moratorium that is already in the code of conduct. However, there has been no mention of that being implemented.

The fourth proposal was a fast-tracking of personal bankruptcy reform. We are now told that will come about in the first quarter of 2012, but I do not regard that as fast-tracking.

The fifth item in the programme for Government was to convert MABS to a personal debt management agency. There is no mention of that in the Keane report. We have had the appointment of 100 extra advisers but we do not have any proposal to set up a statutory agency with real powers to intervene and resolve the mortgage crisis and the difficulties people are facing.

The sixth and final proposal in the programme for Government was to make greater use of the mortgage interest supplement scheme. We now have conflicting advice on that matter in the Cooney and Keane reports. The Government built up people's expectations in this regard and has thus far singularly failed to deliver. The truth is that nothing of any practical significance has been done so far to give assistance to distressed borrowers.

I now turn to a few specific areas in the Keane report. I have already referred to the mortgage interest supplement. We now have two reports saying different things and giving conflicting advice. The Cooney report suggested reforming the mortgage interest supplement scheme and relaxing some of the outdated restrictions, such as the rule that if one person in a couple is working 30 hours per week or more, he or she is prohibited from benefiting from the scheme. Most Members of the House would agree that that should be changed in light of the economic reality many people are facing.

The Keane report, however, recommends that the Government should move away from the mortgage interest supplement scheme once new alternatives have been developed. In my view, the recommendations of the Cooney report better serve the needs of people struggling with their mortgages. The mortgage interest supplement scheme is a cost-effective way of giving real financial assistance to people to meet their mortgage interest commitments. More than 18,000 people have availed of that at a cost of around €70 million. One must compare that with rent supplement which is costing the Exchequer about €500 million per year. If the mortgage interest supplement scheme was properly reformed, and it is certainly in need of reform, it would be a cost-effective tool available to distressed mortgage holders which could help them to meet their commitments and at least pay the interest on their mortgages.

The second proposal I wish to address concerns the two variations of the mortgage-to-rent schemes, which are put forward in the Keane report. The fundamental question surrounding those two schemes is what happens to the residual debt. This is something to which the Keane report alludes. My own view is that these schemes will not work until one has established a proper debt settlement system that can deal with the legacy of mortgage debt that will arise where someone must voluntarily surrender the family home. Drawing attention to a disadvantage for the borrower, page 25 of the Keane report states: "There may be a mortgage shortfall that will still need to be dealt with." That is true and a fundamental element of the problem. Where a house is to be repossessed either by court action or voluntary surrender and there is a shortfall, which will be the case in many instances, people need to be clear about the fate of that shortfall. In the case of the mortgage-to-rent proposal, the mortgage holder would no longer own his property and instead pay rent. He would have to pay the shortfall from the sale of that property. He would no longer own the house but could not walk away from it. He would be lumbered with all the debt and the bank would get paid everything it is owed and more. How is this an attractive solution for the people in these circumstances?

I do not believe it is realistic that chunks of mortgage debt would be written off by the banks where persons remain in the home. The Keane report addresses this proposal. We have not proposed, nor have we advocated, a formal scheme of mortgage debt forgiveness because it is fraught with difficulty. There are knock-on effects that need to be thought through very carefully. There is no doubt, however, that the banks have been writing off mortgage debt in a small number of cases. We have had confirmation of this. The incidence is likely to increase.

[Deputy Michael McGrath.]

Representatives of Allied Irish Banks confirmed recently at a meeting of the Joint Committee on Finance, Public Expenditure and Reform that, thus far in 2011, the bank has written off approximately €600,000 in mortgage debt in a small number of cases.

The application of debt forgiveness among banks needs to be actively supervised by the Central Bank and the Financial Regulator to ensure they are working to a common set of rules and that all borrowers are treated fairly and consistently, both between banks and within individual banks. People can have a very different experience depending on what branch or bank official they deal with.

The intervention of the Governor of the Central Bank following the publication of the report last week was interesting. Mr. Honohan called on the banks to ramp up their efforts to restructure mortgage loans much more quickly or write off some of the debt where relevant. He made the point that the banks have been provided with billions of euro in capital to restructure loans that are unsustainable.

The Keane report cites trade-down mortgages as comprising an option that can be developed. I am not certain it will be an attractive option for a great many people. Many people in negative equity are trapped in the properties in which they live. In a very large number of cases, those properties are too small for them. The inhabitants' original intention was to live in an apartment for a small number of years with a view to buying a bigger property on settling down or having a family. I am not sure many people in negative equity, especially younger people, have the option to trade down. Many are already in shoe-box apartments and have great plans to have a family or develop their lives. The proposal is not a realistic one that will be of benefit to a great many people.

The split mortgage proposal that Declan Keane makes is interesting but does need to be tweaked. The concept put forward by New Beginning has a role to play. It involves shelving a portion of the mortgage. That portion would not accrue interest and thus the bank would take a hit thereon. This must be acknowledged. One could argue it is a form of debt forgiveness but the banks have been adequately capitalised, as has been pointed out, to deal with this crisis. The element of burden sharing set out in the New Beginning proposal should be considered actively.

The appointment of 100 advisers will help some borrowers who lack the know-how or confidence to negotiate the restructuring of their mortgages. As the Minister will know, the MABS national management forum has expressed serious concerns over how this system would work. Rather than appointing 100 advisers with no real powers, a much more effective approach would be to have an agency that could put a binding solution in place between the bank and the borrower.

While the report acknowledges that 50% of the arrears to date are outside the covered banks, the report fails in any way to deal with the problem of non-Irish banks. What if the non-Irish banks refuse to co-operate or to finance any of the measures proposed? What will happen to the 50% of mortgage holders who have loans with these banks? This is a reasonable question for the Minister and I hope he can address it at the conclusion of the debate.

The report simply claims that: "Short of prescriptive legislation, the Government is not in a position to force solutions on the market." Prescriptive legislation is exactly what we need. It should lay down very clearly the criteria that must be used and give effect to the tools and wide range of options which are available and should be used by the banks.

As the budget of 6 December draws near, we will all have an extensive debate on the exact cuts required. All the pain that will inevitably be imposed on the people will be for nothing unless we tackle the mortgage crisis head on. The mortgage crisis has implications for the whole of society, not just those with mortgages.

The Minister indicated in the press statement that accompanied the report last week that there would be an implementation strategy at the conclusion of this debate. I welcome that. Such a strategy is distinctly lacking in the report. The strategy needs to have deadlines and set out clearly the Government's priorities in this area and how it proposes to address the issue.

Unsurprisingly, one of the few groups to welcome the report last week was the Irish Banking Federation, while organisations representing home owners, such as FLAC, MABS and New Beginning, all highlighted their disappointment with the fact that this report puts no onus whatsoever on the banks to implement any of the report's proposals.

The truth is that the Government has yet to introduce any real practical measures to assist people who are struggling with mortgages and other forms of personal debt. It has been acknowledged time and again that the mortgage crisis cannot be resolved in the absence of radical reform of Ireland's personal insolvency regime. The Minister alluded to this in his contribution. The Keane report states: "Early introduction of reformed bankruptcy law and new non-judicial debt settlement arrangements is vital." The group does not see a solution to the mortgage problem without it.

Last November, the Cooney report stated the Expert Group on Mortgage Arrears and Personal Debt:

[I]s of the view that significant reform is now required in regard to Ireland's personal insolvency regime. Such reform must have the broad objective of bringing about an efficient and cost-effective process for the settlement of arrears of personal debt.

Speaking at a conference in UCC last Friday, the Financial Regulator, Mr. Matthew Elderfield, alluded to this time and again. He made it very clear that in his view, there would not be a solution to the mortgage arrears crisis until the reform of that regime and a non-judicial debt system is established. It is not necessary to wait several more months before we act on this advice.

The Law Reform Commission, as the Minister knows, published extensive proposals on this area last December. It went so far as to publish a draft insolvency Bill. Fianna Fáil has adopted this Bill and amended it to take account of mortgage debt. That is why tonight, during Private Members' time, we will be asking the Government to support the Debt Settlement and Mortgage Resolution Office Bill. This establishes an independent debt settlement office that can deal with personal and mortgage debt. The Bill would allow people struggling with unsustainable debt to see some light at the end of the tunnel. We call on all parties to support this important Bill during Private Members' time tonight and tomorrow. I urge the Government to come forward on Thursday with proposals that are meaningful, tangible and to which people can relate. They should take account of some of the very good recommendations in the Keane report, the recommendations in reports that have yet to be implemented and the urgent need to have proper reform in the areas of bankruptcy and personal insolvency. We will contribute constructively in that regard.

Deputy Pearse Doherty: As we all know, Ireland is in the midst of a severe housing crisis. Every indicator shows housing need has been rising steadily since 2008. Almost 100,000 families are on the social housing waiting list. This is twice the number that were on it in 2008. The numbers of claimants for rent supplement and mortgage interest supplement have increased dramatically during the same period, from 63,658 to 96,809 and 5,212 to 18,564, respectively. This is occurring when homelessness charities are reporting an increase in demand for their services.

[Deputy Pearse Doherty.]

While access to housing was always unevenly spread during the boom years, the economic crisis has deepened housing inequality and housing need.

The economic crisis has created a new category of those with housing needs as people with mortgages are hit by falling incomes and rising rates as they fall into greater arrears. For the majority of these house owners the consequence is a mounting level of unsustainable debt. For some, crippling debt has given way to court repossession orders and the loss of the family home. We are familiar with the figures from the Financial Regulator which show that of the 777,321 residential mortgages held in the State, some 55,763 were in arrears for more than 90 days at the end of June 2011. The figures also show that 69,837 residential mortgages are categorised as restructured, including interest-only payment plans and, of these, a total of 30,442 are also in arrears. All of this adds up to the fact that 95,158 residential mortgages are in arrears of more than 90 days or have been restructured. We are aware that the situation has become worse since then but, as of June 2012, some 12% of residential mortgage holders are in some type of mortgage distress. Also, tens of thousands of others are not in mortgage distress at present but are at risk of mortgage distress in the immediate future. The problem facing these households is very simple and the Minister has referred to it: the gap between their falling income and rising debt is widening to a level that is unsustainable.

Unemployment stands at 14.3% and looks set to rise further in the coming period. While fears of recession throughout the EU have forced the European Central Bank to rethink further interest rate rises in 2011, inflation shows no sign of abating. Pressure on disposable household income will continue for the immediate future and, meanwhile, levels of debt remain unsustainably high. According to the Central Bank, the level of household debt to disposable income remained high at approximately 200% in early 2010, which was down from a peak of 230% in the third quarter of 2007. Even if household debt as a percentage of disposable income falls, the rising cost of living and a continued decline in wages will mean that household debt, and with it mortgage debt, will continue at unsustainable levels in future. All of this shows the severity of the problem and the fact that the future is not bright in respect of this problem resolving itself naturally with the given indicators.

The human cost of mortgage distress is obvious for all Members to see. We see it among our families and friends, in our communities and among those who come to our clinics with tears in their eyes. Hundreds of thousands of mortgage holders are being forced into simple choices between feeding their families, paying the bills, paying energy, school or doctors costs or paying their mortgage. This is the sad reality of the situation in which Ireland has found itself. The real fear of losing the family home is forcing some to choose mortgage payments over paying for food or medicine. I believe the story of the woman who came to me is not unique. She told me that she has not slept properly for six months because the bank is refusing to deal with the issue that her debt is unsustainable. I agree with her point that there is no way that she will be able to pay off the full amount of her mortgage in her lifetime or in her children's lifetime. In addition to the immediate financial impact, there is also great emotional cost and stress which disrupts family life, leading to psychological ill-health or marital breakdown in some cases. This real cost must be factored into the discussion.

During the general election Fine Gael and the Labour Party promised to take urgent action to address mortgage distress. The programme for Government includes six specific commitments on mortgage distress. One of the most important was a commitment to direct mortgage providers in receipt of State support to cut their costs over and above existing plans in a fair manner by a sufficient amount to forgo a 25 basis point increase on their variable mortgage rates. As the European Central Bank hiked up mortgage interest rates not once but twice, the

Government took no action to force the banks to absorb these increases despite a clear programme for Government commitment.

I have many difficulties with the decisions the Financial Regulator has taken, especially on credit unions, but I take my hat off to Matthew Elderfield. It was left to him to stand up last week and do what the Government should have done when he ordered the banks to stop increasing variable interest rates. That is making the mortgage situation worse and it is penalising those on variable interest rates simply because the banks got it wrong on their trackers. There is no economic justice to what the banks are doing to people who are trying and struggling to pay off their mortgages.

I put the question to the Taoiseach some moments ago. Matthew Elderfield knows full well that he does not have the power to force the banks not to raise the variable interest rate. He can only cause disruption, for want of a better word, within the banking system and audit them and breathe down their necks. Today, the Irish Banking Federation refuted the order from Matthew Elderfield. However, he stated in an interview that if the banks did not respond, the Central Bank would not be found wanting and would go to the Government and call for the necessary legislation to be put in place. Given the indications from the Irish Banking Federation today, will the Minister at least state clearly that if there is an increase in variable interest rates, which will make the situation worse, he will not be found wanting and will introduce immediate legislation to empower the Central Bank to put a cap on banks without undue delay? I call on the Minister to do this so that there will be no fear for the 200,000 mortgages holders who are trying to pay their mortgage. Some may be in distress already and others may not but all should be assured that regardless of what happens, the Government, the regulator and politicians are on their side and will ensure that the banks will no longer penalise them in this regard.

The programme for Government committed the Government to increasing mortgage interest relief to 30% for first-time buyers who bought between 2004 and 2008. It committed to introducing a two-year moratorium on the repossession of modest family homes where a family is making an honest effort to pay their mortgage. It promised to fast-track personal bankruptcy reform, to convert the money advice and budgeting service, MABS, into a strengthened personal debt management agency with strong legal powers and to make greater use of mortgage interest supplements to support families who cannot meet their mortgage payments. Months after taking office, however, no action has been taken to date on any these commitments.

In response to a growing media debate on the impact of the crisis, especially at the end of the summer months, and to high profile criticism from economists such as Morgan Kelly, the Government rushed to form an interdepartmental working group on mortgage arrears. Some of us believed this would be simply another group that would not come up with any comprehensive solutions. Others, who continue to see the Government in its honeymoon, took the view that they should give it the benefit of the doubt. Most people working at the coalface on these issues hold that the findings are a deep disappointment and that they do not provide anything close to a comprehensive solution to the issue of mortgage distress. The core proposal is to leave it up to the banks, to leave those in mortgage distress at the mercy of the banks and saddled with decades of unsustainable debt. Throughout the country tens of thousands of families who waited to see if the Government would provide a credible route out of mortgage arrears are disappointed. Instead, they have been given a minimalist response that will do little to address their distress. Some of those who sat at home and waited for the report asked what else we expected given that it is a group made up of 17 civil servants and five bankers.

The report also proposes a number of schemes such as split mortgages, mortgage-to-rent and mortgage-to lease which, if established, may assist a small number of people in mortgage distress. Such measures are welcome but they will not remotely address the severity of the crisis.

[Deputy Pearse Doherty.]

The report also proposed a strengthened mortgage advice service for those in distress. Depending on the detail, such elements could form part of the much needed comprehensive solution but, in their current form, offer little in the way of a meaningful response.

Having had three expert group reports published in almost two years, it is incredible that the main conclusion of the report before us is to leave the resolution of this problem to the banks. The Minister stated the lenders need to produce more solutions. Clearly he and his Government have not learned anything because this matter can no longer be left to the banks. The State must step in.

The report explicitly rules out a number of the Fine Gael and Labour Party programme for Government commitments. Increasing mortgage interest supplement, extending mortgage interest relief and transforming MABS into a personal debt management agency with strong legal powers are all ruled out and the report does not include any proposals on insulating mortgage holders from European Central Bank interest rate increases. Given that this is not a Government report, it begs the question as to what is the Government's position on the commitments it made in the programme for Government. When will we hear that the commitments the Government parties made prior to the election and those given by them in writing after the election will be acted on or is this a case of more broken promises from a Government that is not yet a year in office?

What is clear is that the Keane report does not provide the solutions urgently needed for the hundreds of thousands of families who are in or are threatened by serious mortgage distress. I welcome the Minister's statement that the Government is willing to listen to alternative proposals and accept there is no magic wand or silver bullet. Immediately after the PCAR results were published, I stated in this House that the Government, in deciding to resolve the problem in the banks by throwing billions of euro at them, must also resolve the problem facing mortgage holders. It has taken a long time for a report on the issue to be published that will allow a proper debate to take place on what solutions we will provide.

There is now an urgent need for the Government to act. It must establish a comprehensive mechanism for addressing the root causes of mortgage distress because the problem cannot be left to the banks to solve. Speaking in the House last week, the Taoiseach invited the Opposition to put other options on the table for his consideration, stating that all proposals would be seriously examined. I will take him at his word and, in light of the weaknesses in the Keane report, offer what I consider to be a viable alternative. There is a need for a strengthened distressed mortgage resolution process with a stronger code of conduct for mortgage lenders. This process must be backed up with an independent distressed mortgage resolution board to ensure decisions taken by lenders are an appropriate response to mortgage distress. Where such a response is found to be wanting, the board must have legal powers to enforce the appropriate solutions and penalise lenders for failing to act in an appropriate manner.

Four principles underpin Sinn Féin's response to this crisis. In the first instance, the priority must be to do everything humanly possible to enable people to remain in their family home. In the event that families do not wish to remain in the family home or such an option is not financially sustainable, a range of other options must be available to meet their housing needs. Underpinning these principles must be the objective of debt sustainability. The ability of the mortgage holder to service any new mortgage arrangement must be clearly demonstrated. Finally and crucially, mortgage lenders must absorb a significant portion of the losses on the value of the mortgage.

Sinn Féin does not believe the taxpayer should foot the bill for the mortgage crisis, nor do we believe it is necessary for the taxpayer to compensate banks further for the loss in value of

their residential mortgage loan books. There is sufficient capital in the banks to absorb a significant proportion of these losses. The four key principles I cited — maintaining the family home, providing appropriate alternatives, ensuring debt sustainability, and sharing the burden fairly — provide the basis for a solution to the causes of the mortgage crisis that is both fair and sustainable for borrowers, lenders and the taxpayer.

At the core of Sinn Fein's proposals is the principle of debt restructuring, which would involve reducing the debt burden on the household. The primary option used would be debt-for-equity swaps. The principle is simple. For a family to remain in their home, the value of their mortgage would be reduced by their lender in exchange for an equity stake in the property. The calculation would be based on reducing the mortgage to a sustainable level without undermining the viability of the banks. Such swaps could only function up to a maximum of a 49% equity stake by the banks. Borrowers would retain the option to buy back the swapped share at current market value as their financial position improved. The lender would have no property management functions and would not receive rent for its share of the property. However, if the house were sold at a later date, the bank would recoup its share of the sale price of the property. Following this formula, the borrower and lender would share a portion of the loss in value of the property. In addition to the debt-for-equity solution, other restructuring options should be available, including a reduction in the interest rates on the mortgage loan, an extension on the length of the mortgage loan and a reduction in the principal and-or interest on other unsecured loans held by the household.

Ensuring that the borrower can sustain the new debt arrangements in the long term is crucial in determining the viability of any restructuring. While such debt restructuring will provide a solution for many families currently in mortgage distress, there will also be those for whom debt-for-equity swaps do not provide a solution. A range of options needs to be available for mortgage holders in such circumstances. These may involve trading down to a smaller home with a smaller mortgage or trading up to a larger home and carrying a portion of the old mortgage to the new loan. The involvement of a local authority or voluntary housing association in either a shared ownership or mortgage to rent arrangement may also be an option. In some circumstances, the only solution to the mortgage crisis will be to allow the borrower to walk away from the property and make a fresh start. While this would represent an option of last resort both for the lender and borrower, in some cases it may be the only viable option.

It is also important to stress that in tackling the mortgage crisis the Government must not lose sight of the broader crisis in social housing. Funds must not be diverted from the already depleted social housing budgets, because to do so would push those already in grave housing need further down the housing queue.

Cost is the big unknown in all of this, whether in the Keane report or the other solutions that have been put forward. The Keane report suggests a blanket debt forgiveness scheme would cost in the region of €14 billion to clear all of the negative equity in mortgage portfolios across the State. This figure does not tell us anything about the potential cost of addressing mortgage distress in a targeted manner. At the end of March, distressed mortgages amounted to a staggering €12.5 billion. The figure is now significantly higher and expected to rise further. The banking stress tests carried out by BlackRock earlier this year estimated that lifetime loan losses on residential mortgages could be between a base case of €9.9 billion and a stress case of €16.5 billion. Based on these figures, the Central Bank estimated that the three year cost of these scenarios would be €5.8 billion for the base case and €9.5 billion for the stress case. These losses were based on an assessment of costs of enforcement at the time of liquidation, insolvency and-or balance sheet write-down.

[Deputy Pearse Doherty.]

The longer this problem is left to fester, the higher the costs will be. Taking action now on the basis I have outlined is the only way of ensuring the final cost is kept to the lowest levels possible. The solution will require the establishment of an independent body with the power to enforce a solution on the banks and a mechanism to have banks take an equity share in properties, with mortgage holders being required to cede a stake in their home in exchange for a debt write-down. Another basket of options will also be necessary to deal with cases where this solution does not fit.

We must address not only the housing crisis but also the broader crisis in the economy. We cannot have 100,000 mortgage holders, equating to perhaps 250,000 people, in financial mortgage distress. A number of months ago, the Minister called on people to spend. Those in mortgage distress cannot afford to spend money in the domestic economy. We have given the banks citizens' money to address the problem of mortgage distress. We can no longer leave it to them to provide a solution. Instead, an independent body is needed to address the problem. The new board Sinn Féin proposes would not go through each of the 100,000 distressed mortgages. By providing for the imposition of penalties in the event of failure, the banks would be incentivised to consider the basket of proposals and do the job required of them. Until now, they have failed to do so. Last weekend Mr. Matthew Elderfield again stated he would breathe down the banks' necks. Some weeks ago he and Professor Patrick Honohan attended the Joint Committee on Finance, Public Expenditure and Reform where he stated he is telling the banks to do more. We met the heads of the banks and it was amazing to look at the expressions on their faces as they told us they expect to do nothing in regard to this crisis.

Acting Chairman (Deputy Bernard J. Durkan): Deputy Halligan will be breathing down Deputy Doherty's neck if he does not bring this to a conclusion.

Deputy Pearse Doherty: We learned the lessons. Whatever happened in the past, whatever lack of action there was, we must park it. This crisis is too big for any of us to be scoring points or making political capital. There are people in serious distress. If we knock our heads together, there will be enough solutions for us to tweak and shape and find a proper comprehensive solution. The Keane report is not that, although there is much that is good in it. Let us go with it but we need something bigger, better and comprehensive. I am willing to step up to the mark and support the Minister if the proposal is a comprehensive one. There are other agencies willing to act and there is good will if the Minister wishes to take this on. We on this side of the House will not be found wanting.

Deputy John Halligan: It is as well to remind ourselves of the latest statistics from the Financial Regulator that show 56,000 householders were in arrears at the end of June 2011. I have little doubt the figure will now be well in excess of 60,000. Coupled with an estimated 40,000 households which have had their mortgages restructured and 19,000 households in receipt of mortgage interest supplement, or welfare payment, it is reasonable — even conservative — to assume there are now considerably more than 100,000 households in difficulty with their mortgages. I welcome that the Minister will initiate a report which will be brought before the Dáil. However, it will do little to ease the suffering and financial hardship endured by people in homes throughout the country. The report raises many more questions than it answers for many of the householders who are tearing the hair out of their heads wondering, come the weekend, how they will pay their mortgage.

I have a number of questions for the Minister who may be able to answer them. Was there any consultation with any of the front-line groups such as the money advice and budgeting service, MABS, New Beginning or the Free Legal Advice Centres, FLAC, all groups working

with distressed home owners day to day? They have some good proposals which I do not have time to put to the Minister but am sure were sent to the Government. Did we take into consideration the many people who appear to be off the radar, for example, those who took out loans through city and county councils on shared ownership schemes? Many of these people are in distress and in mortgage arrears. Did we enter into consultation with the individuals in the respective councils who deal day to day with those people who are trying to negotiate their mortgage terms?

Why is there no costing of the report's proposals? I missed the Minister's introduction and perhaps it was contained in it, but I put the question. Who will fund the new quango, the independent mortgage advice service? Who will fund the purchase of homes from distressed borrowers? How exactly will local units of foreign banks be forced to take a hit on their loans? We need to have answers to these questions. Who will fund the additional cost of housing those who will inevitably lose their homes, as the report states? Why does the report in effect offer no prospect of a debt-free future by virtue of it postponing reform of bankruptcy legislation that would take into account people's overall means and needs, a matter that has been discussed in this House on a number of occasions?

I refer also to the Government's election promises in regard to mortgage relief for those in negative equity which would have allowed savings of about €166 per month. The Government also pledged to force banks to squeeze their own costs before they squeezed those of customers to help holders of variable rate mortgages. The negative equity disaster has left hundreds of thousands of young families trapped under a mountain of debt they will never be able to pay off in their lifetimes, no matter how long or how hard they work. Whatever earnings they bring in, they cannot pay because they are in so much debt. Contrary to what some people may say, this negative equity was caused not by reckless borrowing but by reckless lending by the banks. We do not want to go through that matter all over again but it is a fact. These are the same banks into which the Government has, to date, injected €63 billion of taxpayers' funds. Last July the Government gave €19 billion of capital to Irish banks to cover potential future losses on loans. Surely some of those funds could have been put to far more productive use in restructuring negative equity mortgages on family homes? The Minister might return to the House on that point.

I fully acknowledge the mortgage arrears problem is serious and is an immediate priority for the Minister, but I am disappointed that no provision of any kind has been made for those who, in spite of being in negative equity, are just about making their mortgage payments at the expense of other basic necessities. How many of them are dreading the next budget? They are just about paying their mortgage — nothing more — and are not able to invest into the economy. None the less more money will be taken from them which will drive them into arrears.

I refer to the mortgage to rent scheme, the State rental scheme whereby local authorities take ownership of mortgage properties and rent them back to residents. I believe the scheme is ill-conceived, the tangible proof being that the report is geared to minimise the risk to banks, not to the home owners. The Government is buying homes for social housing by seeking funds from the original borrowing institution. This is a win-win situation but only for the banks. Little thought has been put into how morally demeaning it would be for a householder who, having put thousands of euro into his or her home, will lose ownership of that property but must still pay to keep the same roof over his or her head. These many people are not responsible for what has happened in the economy and will face a mortgage shortfall into the bargain. That is not fair. It is thoroughly unfair to those people who are not responsible for this situation in the first place. Surely a reduced mortgage payment by a householder, whatever sum he or she can realistically afford, is a far more reasonable solution than trapping people in an interminable rental situation.

[Deputy John Halligan.]

I spoke in the House some months ago about renegotiating mortgages, which surely makes sense. The Minister will know that when people go into arrears by more than €5,000, €6,000 or €7,000, they give up paying because they do not see any point in paying more. We should have forced the banks to take payments based on people's incomes, a payment of a reasonable amount every week. That would mean that banks would get something every month. This is not happening at present in spite of all claims to the contrary. In *The Irish Times* today there is a report of people who came to court with proposals but the banks said they were having none of it. The banks are not being fair to people who are going in to renegotiate.

I know the Minister must meet these people because I do every day of the week. They want to keep their homes, and while they cannot afford to pay €600 or €1,800 a month, they can pay something. Why can we not commit the banks to this plan of a person paying something based on what he or she earns rather than have them put that person out on the street or drive them into negative equity? Simply put, that is the way forward. I am not an economist by any stretch of the imagination but I meet people in my constituency every day of the week who are in arrears with their mortgage or suffering negative equity who do not want to be in a position of having to tell the banks they cannot pay them.

The Minister should look very carefully at the proposals made by MABS on how to deal with negative equity and mortgage arrears. I reiterate there must be a proposal in this document whereby a person can say to the bank that they have reduced earnings because they have lost their job or are on two days a week or whatever, and we should be able in that instance to force the banks to accept a percentage of whatever that person is earning and ensure they do not lose their home. At least the bank would get something.

Acting Chairman (Deputy Bernard J. Durkan): The Deputy has one minute remaining. He is sharing time in his 20 minute slot.

Deputy John Halligan: We are not sharing time. I will use up my minute if the Acting Chairman does not mind.

Acting Chairman (Deputy Bernard J. Durkan): The Deputy must move the adjournment of the debate.

Deputy John Halligan: I will finish.

Acting Chairman (Deputy Bernard J. Durkan): Will the Deputy move the adjournment of the debate, please?

Deputy John Halligan: I ask the Minister to consider some of these proposals because I would not like to vote against this motion. However, based on some of the proposals contained in it and others that are not, I may be forced to do so.

Acting Chairman (Deputy Bernard J. Durkan): I wish to confirm that the Deputy is sharing time.

Deputy John Halligan: I apologise. I am sharing time with Deputy Maureen O'Sullivan.

Debate adjourned.

Private Members' Business

Debt Settlement and Mortgage Resolution Office Bill 2011: Second Stage

Deputy Michael McGrath: I move: "That the Bill be now read a Second Time."

I wish to share time with Deputies Calleary and Kirk. I am pleased to commence the debate the Debt Settlement and Mortgage Resolution Office Bill 2011. Essentially, the Bill proposes the establishment of an independent, non-judicial debt settlement system for persons experiencing severe problems with personal and mortgage debt. I acknowledge it is based on the recommendations of the Law Reform Commission's report on personal debt management and debt enforcement, which was published on 16 December 2010, and the associated draft personal insolvency Bill, which the Commission published at the time. We have decided to extend the scope of the draft personal insolvency Bill to include the growing problem of mortgage debt by using a separate process established under the legislation. The Law Reform Commission is to be commended for its excellent work in this area and we believe the Oireachtas should be favourably disposed to accepting the broad thrust of the recommendations the commission put forward. For anyone with an interest in this area, the Law Reform Commission's report is well worth reading. It is appropriate that the commission's recommendations form a central part of the Bill before the House.

The need for a reform of Ireland's personal insolvency regime and, as part thereof, the establishment of a non-judicial debt settlement system has been advocated by a range of organisations and persons with expertise and experience in this area. This is a truly landmark item of legislation. I hope it will receive the support of this House and will be allowed to proceed to Committee Stage for more detailed consideration. I wish to emphasise strongly that the Bill is being put forward by Fianna Fáil on a non-partisan basis. This issue should not be about the Government versus the Opposition. We all have a stake in ensuring this issue should be addressed in a considered and comprehensive way. I have no doubt the Bill can be improved by the collective wisdom and experience of members of this House. My party is open to amending it on Committee Stage in order to ensure we achieve the best possible system for dealing with personal indebtedness.

Those who are members of all political parties and none have a duty to come up with solutions which can assist those struggling with high levels of personal debt and people experiencing difficulties in making mortgage repayments on their family homes. I sincerely hope the Government will consider the Bill in the spirit in which it is being offered. The Bill can form the basis of a radical overhaul of Ireland's personal insolvency regime and can allow thousands of distressed borrowers to see some light at the end of the tunnel. That is what lies at the heart of this legislation. There are thousands of people for whom personal and mortgage debt is making daily life a misery. They can see no light at the end of the tunnel. The nuclear option of bankruptcy is not appropriate in the great majority of cases. Having a debt settlement system which is transparent, fair and can result in definitive solutions tailored for individuals lies at the core of the Bill. I look forward to a full and constructive debate on the Bill.

I wish to make clear that the Bill does not provide an easy way out for anyone. It contains strict checks and balances which are designed to ensure that responsibilities as well as rights will be imposed on borrowers. The priority with this Bill is to assist those who are in genuine difficulty and who will not be able to meet their commitments as they are currently structured. It is appropriate that consideration of the Bill should coincide with the debate on the Keane report, to which I contributed earlier. The Cooney report, the Keane report and organisations such as the Free Legal Advice Centres, FLAC, have all called for a system of non-judicial debt settlement to be put in place. The Keane report, which was published last week, states "Early

[Deputy Michael McGrath.]

introduction of reformed bankruptcy law and new non-judicial debt settlement arrangements is vital ... the group does not see a resolution to the mortgage problem without it". The Cooney report, which was published last November, states:

The Group is of the view that significant reform is now required in regard to Ireland's personal insolvency regime. Such reform must have the broad objective of bringing about an efficient and cost-effective process for the settlement of arrears of personal debt.

On Friday last, I had the pleasure to attend a financial services conference in UCC at which the head of financial regulation at the Central Bank, Mr. Matthew Elderfield, made a speech. On a number of occasions during his contribution, Mr. Elderfield indicated that resolving the mortgage arrears crisis is not possible without the implementation of fundamental reforms to Ireland's personal insolvency regime and the establishment of a statutory, non-judicial debt settlement system.

It is time to update this nation's insolvency law to make it comprehensive, effective, and cost efficient. This has already been done in countries such as Germany and Sweden. Those who are in debt or who have mortgage arrears do not have to feel alone or helpless when facing the banks or their creditors. The system which the Bill proposes to create would ensure that all debtors and mortgage holders will be treated fairly and consistently by these entities. Assisting people to move towards paying their debts and their mortgages in a restructured manner will not only help the position of individual borrowers, it will also be a crucial step towards reinvigorating the social and economic well-being of the State.

I propose to comment on the main elements of the Bill, which make provision for the creation of the debt settlement and mortgage resolution office. The latter would be situated within a newly formed debt enforcement office, which would be responsible for the general oversight and management of debt enforcement procedures carried out by newly appointed debt enforcement officers, including putting in place an internal mechanism to handle appeals. A creditor would be able to apply to the debt enforcement office to seek an enforcement mechanism and the officers would seek to obtain information that would be as comprehensive as possible in order to adjudicate on the application. The office would then determine whether enforcement was possible and appropriate. A creditor or debtor could then appeal this decision to the office.

Under the Bill, an individual debtor could apply to the debt settlement and mortgage resolution office for a debt settlement arrangement or a debt relief order and a financially restricted mortgage holder could apply for a mortgage resolution order. This means there are three key processes catered for in the Bill, namely: a debt settlement arrangement, where a borrower's personal debts could be restructured following negotiation with creditors; a debt relief order, where an insolvent debtor could apply to have a personal debt rescinded; and a mortgage resolution order, where a mortgage holder could apply to the office to have his or her mortgage restructured and a binding order issued.

I will deal first with the debt settlement arrangement. If debtors find themselves unable to meet their personal debt commitments but are in a position to make some form of payments, there would be a process under the newly created office which would allow them to apply for a licensed personal insolvency trustee to examine the full picture of their financial affairs in considerable detail and to negotiate with their creditors to put in place an agreed debt settlement arrangement. Such an arrangement is an agreement between a debtor and his or her creditors, facilitated by a personal insolvency trustee, that establishes a set of terms and obligations between the two parties which will improve the position of the debtor to pay his or her debts.

The arrangement process would begin when a debtor applied for a debt settlement arrangement with the new office envisaged under the Bill. A personal insolvency trustee would review the application and the debtor's financial information in detail and confirm that he or she will serve as the debtor's trustee. It would then be the trustee's responsibility to hold a meeting with the debtor to discuss the arrangement and other various options, such as bankruptcy and debt relief order, to determine the best option for the debtor in regard to his or her individual situation. The process would continue with the trustee summoning a creditors' meeting and preparing a proposal on behalf of the debtor to be sent to that meeting. The creditors would then meet to review the proposal and would cast a vote to accept or reject the proposed debt settlement arrangement. The latter would have to be approved by a 60% majority on creditors, in value terms. Once passed, it would then be binding on all creditors who were eligible to vote and would come into effect 30 days later. The debt settlement arrangement essentially involves restructuring a person's personal debts over a period of up to five years. The overall value of a debtor's personal debts can be reduced through this restructuring arrangement. Once a debt settlement arrangement comes into effect a creditor cannot object to the arrangement, present a bankruptcy petition against the debtor or try to commence legal proceedings to recover any debt. Enforcement officers will also be prohibited from enforcing any judgment that seeks the debt owed by the debtor. These are key protections afforded to a debtor under the system. However, if a debtor fails to meet his or her obligations under the arrangement, the arrangement shall be deemed to have failed and will be revoked.

It is important to point out that small business-related debts can form part of the debt settlement arrangement. For example, this provision gives real hope to the thousands of people who were formerly self-employed in the construction sector but are now living with legacy debts after the collapse of their business, and those debts can also be considered as part of this process.

Debtors who are deemed to be an insolvent debtor under regulations to be issued to the office by the Minister may potentially obtain a debt relief order in which they may be relieved of some or all of their debts and liabilities. To do so, a debtor must first seek assistance from the Money Advice and Budgeting Service, MABS, to prepare and complete a comprehensive debt relief order which MABS will communicate to the office. Once an order is granted, a creditor cannot commence any legal proceedings for recovery of a debt in the debt relief order for a period of 12 months after the order has been granted.

At the end of the 12 months, the debts included within the debt relief order will be discharged. The office can amend or terminate the order if it finds that its conditions have been compromised or if the debtor no longer carries out his or her obligations. The debt relief order is not an easy way out for a debtor. Section 38 of this Bill puts an onus on the debtor to engage fully in the process. There is an obligation to co-operate fully, to make available all requested documents and financial information and to inform the office of any material change in his or her circumstances, particularly an increase in the level of the debtor's assets or income. A debtor who knowingly conceals, refuses to produce, or produces falsified documents as part of the process will be guilty of an offence and is liable to penalties under the Bill. This is to ensure that only genuine debtors can avail of this process.

With regard to mortgages, whereas banks and borrowers have successfully renegotiated mortgages in many cases to date, this involves the straightforward options of allowing the borrower to move to interest only payments, extending the term of the mortgage, changing the repayment amount and capitalising arrears. It is necessary to have an independent office which can impose a solution that is binding on both parties and which is tailored to the individual circumstances of the mortgage holder. Therefore, this Bill allows for a mortgage holder to apply for a mortgage resolution order in respect of a family home mortgage. Such an order

[Deputy Michael McGrath.]

effectively acts as a binding arrangement between the mortgage holder and the financial institution. The order can only be granted if the mortgage holder is deemed to be ‘financially restricted’ — the definition of this is to be set out in guidelines issued by the office taking account of reasonable living expenses and so forth. The mortgage holder must be the owner of the mortgaged property, have resided in that property for the two years prior to making the application, have provided written confirmation that they will not sell or lease the property, and have not previously been granted such an order. The office can refuse a mortgage resolution order, as outlined by specifications within the Bill, but must provide the reasons for doing so.

The mortgage resolution order process begins when a debtor applies for a mortgage resolution order in the office. The office will then submit the application to the financial institution that provided the mortgage within 14 days of receiving the application. The financial institution must provide a written response to the office, stating whether it accepts that the mortgage holder is financially restricted and that the mortgage is unsustainable. If it accepts the mortgage holder’s application and the mortgage holder accepts the financial institution’s response, the debt settlement and mortgage resolution office can then amend the terms of the mortgage. The office can amend a mortgage under such an order through some specific mechanisms laid out in the Bill, including interest only payments, mortgage extension, repayment holiday, interest rate adjustment in certain circumstances, debt for equity, deferred interest schemes and mortgage to lease. There are other options which can also be incorporated into the Bill, including the split mortgage proposal advanced by New Beginning. The full range of options should be included.

Once a mortgage resolution order has been put in place, a financial institution cannot take any action to secure repayments above and beyond what is in the order or seek repossession of the home that has been included in the order. There are other provisions in the Bill relating to debt enforcement procedures which can be examined at a later stage. It is essential that such a body would have a board comprising people with real experience and expertise in the area. Groups such as FLAC, New Beginning and MABS should be included in the process. I hope the Government will consider this Bill as a constructive proposal on a non-partisan basis and will be open to accepting the Bill in order for it to be fully debated on Committee Stage. I know every Member in the House has an interest in putting forward real solutions in this area to ensure that people with unsustainable levels of personal and mortgage debt can receive assistance.

Deputy Dara Calleary: I compliment Deputy Michael McGrath for introducing this Bill, the latest in a series of initiatives he and our colleagues in the Seanad have introduced to address the issue of mortgage and personal debt, the growing level of which is a potential tsunami facing this country. As Deputy McGrath outlined, under this Bill a person struggling to cope with personal debt can apply to a new office for a debt settlement arrangement. Following a comprehensive assessment of that person’s financial affairs, a personal insolvency trustee makes a proposal to the person’s creditors.

Deputy McGrath has gone through the various provisions of the Bill, all of which will have a very practical and real impact on people who are in a very challenging position across this country. He has gone to great lengths in the preparation of this Bill to ensure that this is not *carte blanche* for people who will not pay, as opposed to those who cannot pay. That has been the conundrum all along in the preparation of this legislation and the debate about mortgage debt; we have tried to strike a balance between those two categories. This is a Bill for those

who cannot pay, with a method offering a chance to come to an arrangement with those to whom money is owed.

The issue of mortgage and personal debt is a whole-of-life matter, requiring a whole-of-Government response. It requires the entire Oireachtas to come together, leave partisanship aside and produce a speedy and effective response. The response to date has not been urgent enough. When one considers the scale of the decisions of this new Government while this problem remains unresolved, it shows a lack of urgency which we must collectively resolve to address. In this Bill Deputy McGrath has provided a road map to do so.

We should reflect on the gravity of the issue. Figures provided by the Central Bank at the end of August show that in December 2010, one in ten mortgages was “in trouble”. In March 2011, three months later, the figure was one in nine and by the end of August the Central Bank identified that one in eight mortgages is, to use its phrase, “in trouble”. FLAC has provided a further breakdown of these statistics to put some real-life light on the argument. This amounts to 95,158 mortgages “in trouble”, of which 55,763 are in arrears and 39,395 have been restructured. FLAC breaks down the figures further to show that of the approximately 55,700 in arrears, 72% have been in arrears for more than six months, with the average amount of arrears in the category at €21,000 per household.

This relates to mortgage debt around the principal private residence. We do not have that kind of information about other personal debt and we do not have that information with regard to personal loans, credit and store cards, car loans and so-called home improvement loans. We do not have the information on loans between families, parents and children or between siblings. We know we have the highest *per capita* personal debt in the developed world. We know that one of the drivers of the collapse in our domestic economy is that people lucky enough to be in a position to pay down personal debt are doing so at a rate never before seen. Others are saving money because they are afraid to spend in a way that we need them to in order to create jobs because they do not want to end up in debt.

Those who are €21,000 in arrears with their mortgage are probably many more thousands of euro in debt from other forms of credit which we have referred to. There is not a Deputy who has not dealt with such a situation in his or her constituency clinic or in terms of the queries he or she receives on a daily basis.

The Money Advice and Budgeting Service is at the coalface of this challenge. That organisation does an extraordinary job with limited resources. I welcome the commitment in the Keane report to allocate 100 extra advisers to it. Its comments on the Keane report are relevant. It said “it is counterproductive to address mortgage arrears without simultaneously seeking to manage the issue of personal debt”. It also said “any arrangement which separates the matter of personal debt can only work to the detriment of the mortgage holder”. When the organisation dealing with this issue on a 24 hour a day seven days a week basis comes up with that contention that shows the reality of the situation and the need for Deputy Michael McGrath’s Bill.

I welcome the fact the Government will not oppose the Bill tomorrow night. However, my experience to date is that while it may not formally oppose it, it will file it under the heading “to be done and to be looked at” and that will be the end of it. We have a list of Bills like that. This Bill is incredibly important. It needs to proceed urgently. Deputy Michael McGrath said he is agreeable to discussing amendments to it on Committee Stage. Therefore, there is no reason we cannot get this process quickly under way.

The debt settlement and mortgage resolution office, as proposed by Deputy Michael McGrath, would give a voice to those who are drowning in personal debt. It would act as a trusted broker but, more importantly, it would be an empowered broker, a broker we currently

[Deputy Dara Calleary.]

do not have. The broker would be empowered to strike deals between those who owe and those who are owed. That is what we need.

If the proposed office were established, MABS would have an avenue open to it to send people who approach it for whom it cannot reach agreement with creditors. It would be empowering for people to have such an avenue open to them.

Most Deputies at this stage have had experience of dealing with the pressures of personal debt in their constituencies. Earlier this year I dealt with the case of an individual with a €30,000 debt on three credit cards. The spending on the credit cards was not extravagant in terms of expensive holidays or weekends away rather it was payments to Tesco, Lidl or Dunnes Stores. The person because he was self-employed was not in a position to sign on the dole or receive any benefits and for a year and a half had used those three credit cards to live. He had approached the Department of Social Protection for assistance and was turned down and he had approached the various agencies and was also turned down. Thus, the bill had amassed. He did not want to walk away from his debt. He had managed despite his difficulties to pay off the debts of his business but the debt had finally grown to a level where he could no longer live. Luckily we worked with him and got him his various social welfare entitlements and we are still working on the level of the debt with the credit card companies. In fairness to two of the three companies, they were amenable to being dealt with. As Members of the Oireachtas we cannot force either the supported banks, in respect of which we are all working hard, or the non-supported banks to examine the reality of the situation that they, in many instances, created by issuing credit cards, increasing limits without being asked and by not doing basic credit checks which bankers used to do before they offered personal loans and credit cards. That case is only one of a number with which I and, I assume, my 165 colleagues are all struggling to deal. When people with such difficulties come to us they want us to give them some hope and to show them an avenue out of their difficulties. We do that by working with MABS but Deputy Michael McGrath's organisation would have power to strike a deal with those who are willing to do so.

I am glad the Minister, Deputy Shatter is in the Chamber. He has been more active than many of his colleagues in producing legislation on a range of issues. I wonder why the personal insolvency Bill is so far down his list of priorities. He has been good at producing the heads of legislation and bringing them to committee before bringing the Bill to the floor of the House. Is it possible for him to bring the heads of this Bill to committee before Christmas so we can initiate the discussion on what, I gather, he is planning to bring forward in the first quarter of 2012? Even the production of draft heads, which he has produced for some Bills, would allow us to find out his thinking on the issue and allow the committee, which operates on a non-partisan basis, to give some direction to bringing in this important legislation. It would show that as an Oireachtas we are conscious of the pressures people are under and that we are willing to respond.

Deputy Michael McGrath has been careful in producing this legislation. This Bill and debate is not about helping people to walk away from responsibilities for which they have signed up. It is about assisting those in serious difficulties, which many people will not talk about or acknowledge and in respect of which many do not know where to go for assistance. This is affecting every aspect of their lives.

We have just completed Mental Health Awareness Week and last week various bodies at the coalface of dealing with mental health pointed to the impact of the recession as a driver in the increased demand for mental health services during the past 18 months to two years in particular. When one considers the figures given by Free Legal Advice Centres, namely, average mortgage arrears of €21,000, is borne on the shoulders of people around the country in

addition to debt not measured — if we could get figures on the levels of personal debt, that would contribute greatly to this discussion — people are under great pressure with that level of debt hanging over their heads on a daily basis. People who have taken pay cuts, have been subject to tax hikes and have suffered business failure through no fault of their own have this personal debt gnawing away at their day to day existence. That cannot continue. That gnawing will put pressure on a health system that is already stretched. We have it within our power as an Oireachtas to act and to do something practical that will assist these people.

I ask the Minister present, Deputy Shatter, and the Minister for Finance, Deputy Noonan, not to file this Bill under any other business. When we leave this Chamber tomorrow night without a division being called on it, I ask the Government not to file it as something that will be done at some point along the way. It needs to be urgently acted on. Such debt is an immediate pressure on people across the country who hear Members proclaiming green shoots are appearing which these people do not see. They are looking for an avenue through which to get assistance and we are providing such an avenue through this legislation. Please accept it and enact it as a matter of urgency.

Deputy Seamus Kirk: I take this opportunity to thank my party colleague, Deputy Michael McGrath, for bringing this Private Members' Bill before the House and affording us the opportunity to speak on the matter.

This Bill is a new step in regard to debt settlement and mortgage resolution. I know from my constituency office and the number of queries and representations on this matter that this Bill is urgently needed. During the boom period many people who bought and built houses now find they are left with a depreciated value on their home and as unemployment increases, more issues in regard to debt repayment problems are coming to the forefront.

I welcome this Bill and it is a step in the right direction. With a collective cross-party approach, we can offer some help to a large number of people in need. We welcome the recommendations of the Law Reform Commission's Report on Personal Debt Management and Debt Enforcement of December 2010. We recommend the creation of an independent statutory office where distressed borrowers are treated fairly and the utmost discretion is shown in each case.

It also important to note that the establishment of a non-judicial debt settlement agency is a key recommendation of the Cooney report on mortgage arrears and the Keane report.

I will describe the principal provisions of the Bill. If debtors are not in a position to meet their personal debt commitments, there will be a process under the newly created debt settlement and mortgage resolution office, DSMRO, to apply for assistance from a licensed personal insolvency trustee to examine their financial affairs in detail and negotiate with their creditors under a debt settlement agreement. A debtor will only be able to enter into a debt settlement arrangement once in a ten year period unless his or her case is determined to be exceptional. A debtor who seeks to enter a debt settlement arrangement will also be able to apply for a protective order to prevent the enforcement of personal debts by creditors or enforcement agencies. If a debtor defaults on the arrangement for six months, the arrangement will be deemed to have failed.

Debtors deemed to be insolvent under the Minister's regulations will be able to obtain a debt relief order which may release them from some or all of their debts and liabilities. However, a debt relief order will not release an insolvent debtor from any secured debt, and a creditor will be able to object to the debtor's participation in the debt relief order process within 12 months by applying to the DSMRO for an investigation.

[Deputy Seamus Kirk.]

The Bill will allow a person who holds a mortgage to obtain a mortgage resolution order in respect of a family home mortgage. A mortgage resolution order will only be granted if the financially restricted mortgagee is the owner of the mortgaged property, has resided in the property for two years prior to making the application, provided written confirmation that he or she will not lease or sell the property and not previously been granted a mortgage resolution order. Once a mortgage resolution order is in place, any financial institution involved in the order will be prevented from initiating legal proceedings against the mortgagee. A financial institution will not be able take any action to secure repayments or seek repossession of a mortgaged property that has been included in a mortgage resolution order.

The debt enforcement office will be responsible for the general oversight and management of debt enforcement procedures carried out by debt enforcement officers, including putting in place an internal mechanism to handle appeals. The Bill will also reform the enforcement mechanisms to be used when handling debtor situations and explicitly emphasises the principle of proportionality, which simply means focusing on the least restrictive mechanism for the specific debtor. The individual enforcement mechanisms discussed in the Bill are instalment orders, attachment of debt orders, attachment of earnings orders, goods seizure orders for seizure and sale of goods and orders to receive and retain money due to debtors from future sale.

The Bill is urgently needed to assist the large number of distressed home owners and should be passed by this Chamber. I urge Members from all parties to support it in order to assist those who are struggling with debts and mortgage repayments. The importance of finding a solution to the problem of distressed mortgages cannot be overemphasised because the problem will have to be addressed before the domestic economy recovers. The House has an opportunity to embrace the Bill as a significant contribution to addressing a critical issue for many in the country.

Minister for Justice and Equality (Deputy Alan Shatter): I commend Deputy Michael McGrath for bringing forward the Debt Settlement and Mortgage Resolution Office Bill 2011. The Government will not be opposing it on Second Stage because, as I previously pointed out to Deputy Calleary, this is the approach I tend to adopt with constructive proposals when they come before the House. While I thank Deputy Michael McGrath for promoting reform of our insolvency laws and practice, the Government is in the final stages of preparing its own legislation in the form of a personal insolvency Bill which will address the matter in a more coherent and comprehensive fashion, taking into account all the significant issues involved.

There is a commitment in the Government legislative programme published on 14 September to publish a personal insolvency Bill which includes provision for debt settlement arrangements by the end of March 2012. Preparation of that Bill is at an advanced stage. I noted with interest Deputy Calleary's remarks regarding the timeframe. This is the timeframe to which the previous Government agreed in the memorandum of understanding concluded with the troika. It is my objective, if possible, to do better than that timeframe.

Deputy Michael McGrath's Bill has two distinct elements. His proposals in regard to debt settlement and enforcement faithfully reproduce the text of the draft scheme of a Bill contained in the December 2010 report of the Law Reform Commission entitled, Personal Debt Management and Debt Enforcement. His proposals in regard to the debt settlement and mortgage resolution office which would grant mortgage resolution orders appear to be a continuation of the thinking contained in the Private Members' Bill entitled, Family Home Bill 2011, which his party brought forward in the Seanad. That Bill was debated on 27 July.

Let me, first, address the issue of the reform of personal insolvency laws. The recommendations of the Law Reform Commission in regard to reform of bankruptcy law and the creation of new non-judicial debt settlement systems are being taken into consideration in my own proposals and will contribute to shaping the general direction of the reform of our personal insolvency regime. I am sure Deputies will concur when I say we are grateful to the commission for its work in this area, including the consultation process in which it engaged and the consultation paper it produced. The commission also provided an interim report on certain matters and it fell to me as Minister to consider that report.

I am glad to say I was in a position to implement the key recommendations made by the Law Reform Commission. The Civil Law (Miscellaneous Provisions) Act 2011 made a number of important technical improvements to bankruptcy law to benefit the operation of the Office of the Official Assignee in Bankruptcy. More significantly, the Act began the process of reforming the discharge periods applying to bankruptcy. For the first time in our law an adjudication of bankruptcy is now automatically discharged after 12 years. In addition, the period for application to the court for discharge of bankruptcy is reduced from 12 years to five. However, discharge remains subject to the existing conditions: payment in full of all expenses, fees and costs of the bankruptcy and all preferential payments, primarily to the Revenue Commissioners and former employees. The costs and preferential debts involved may amount to large sums. In a significant number of cases the debtor will be unable to meet these amounts at any stage and thus may remain bankrupt for some time. The amendment will, however, give some a chance to recover and begin anew.

The introduction of automatic discharge of bankruptcies on the 12th anniversary of the adjudication order has allowed the Official Assignee in Bankruptcy to bring closure to 365 so-called legacy bankruptcies that were, in effect, clogging up the system. These are bankruptcies which have continued for longer than 12 years and where the persons involved could not satisfy the discharge conditions under the 1988 Act. The new discharge provisions will allow the people concerned to move on with their lives and permit them to fully engage in society without the stigma of bankruptcy. I hope it has brought some peace of mind to those who now stand discharged. These changes to section 85 of the Bankruptcy Act 1988 came into effect on 10 October.

It is also worth mentioning that the official assignee has, by virtue of the introduction of the new law, already managed to recover significant sums in the final resolution of bankruptcies to the benefit of creditors. These recent reforms to bankruptcy law are but the first step in the overall reform of our personal insolvency regime.

I do not propose to enter into a section by section discussion of the Bill but will instead address certain broad themes in regard to insolvency regime reform. The commitment in the programme for Government and the EU-IMF programme of financial support for Ireland is to publish a personal insolvency Bill by the end of March 2012. I have indicated to the House that I will, if possible, publish the Bill before that date. It is planned to furnish a copy of the heads of the Bill, when they are complete, to the Joint Committee on Justice, Defence and Equality for its consideration and comment. That was always my intention and I hope Deputy Calleary will welcome the fact that I am dealing with the matter.

My Department continues to engage in focused consultations with key stakeholders, including the State, financial institutions, legal and financial experts and advocacy groups, to identify, at minimal cost, the optimum new structures for bringing about reform. This necessary consultation, particularly in the context of the exceptional economic situation in which we find ourselves, is greatly assisting the development of detailed legislative proposals. In considering reform of our insolvency law and practice, we might bear in mind a number of general guiding

[Deputy Alan Shatter.]

principles. The overall objective is to permit efficient and effective insolvency proceedings while minimising moral hazard. The resolution of significant personal indebtedness should not be punitive or destroy the enterprise and hopes of a person for the future. All debt settlement arrangements of whatever type should operate on the basis of consistency, clarity and certainty and be arrived at on a case by case basis between the debtor and the creditor. There should be an acceptance that there will be implications for financial institutions and other creditors. Losses are likely to accrue through debt modification and write-down in any debt settlement plan. There is a need to develop all types of debt settlement in tandem to ensure coherence. That was recommended in the Keane report. The development of our personal insolvency law, taking into account international best practice, will lessen the opportunity for forum shopping, something we have seen a considerable amount of over the last two years.

The Government strategy, which is based on these principles, will not be found wanting. It will seek to be as humane as possible, consistent with the need to administer a system that achieves a balance of interests, facilitates resolution between parties and provides for adjudication where necessary. Informal or bilateral agreements to manage or settle debt between debtors and a single creditor can play a significant role in specific circumstances. They can often be the most sensible and cost-effective arrangements, particularly where the issue is one of dealing with repayment difficulties for a single major credit, such as a mortgage. Such agreements can involve both secured and unsecured debt. There is some evidence in the case of mortgage repayment difficulties that financial institutions are often slow to initiate or react to contact from debtors, are inflexible and for the most part refuse to contemplate reasonable proposals. I think the House will agree that the banks must improve their game in this regard.

I agree with the proposal in the Deputy's Bill that we should introduce a debt relief order scheme. This is essentially a mechanism to enable people with no assets and no income to write off unsecured debt, such as credit card debt, personal loans or catalogue debt, within a short period. In effect, a debt relief order applicant would not be a property or asset owner and would have very limited available income to service debts. As I envisage it, on approval of the application for a debt relief order, there would be a moratorium of 12 months, for example, during which debts would be frozen. During this time, creditors would not be able to pursue the debtor for the outstanding debt or add further interest on the balances. If, after that period, the debtor still cannot pay the debts back at a reasonable amount each month, they are written off. Each debt relief order would be publicly registered on an insolvency register.

I am not convinced that a person should be entitled to avail of a debt relief order more than once. I am conscious that potential participation in a debt relief order scheme may involve negative incentives, such as fraudulent behaviour, non-acceptance of employment or involvement in the black economy. A critical feature of the scheme that I am developing will be the setting of appropriate levels in relation to the debt ceiling concerned, the value of assets held and the net disposable income available to the person each month after reasonable living expenses. The Law Reform Commission envisages that the Money Advice and Budgeting Service, MABS, could be the main approved intermediary body with the primary processing role for applications for debt relief orders.

I am sure that Deputies will agree that MABS provides a critical service in assisting people who are over-indebted and need help and advice in coping with debt problems. Some 52 independent MABS companies operate local MABS services from 65 locations throughout the country. The MABS national telephone helpline is available from 9 a.m. to 8 p.m. from Monday to Friday. The MABS website can be accessed 24 hours a day. Some 90% of clients presenting to MABS are assisted through the telephone helpline, which provides assisted help to ensure clients take steps to assess and address their situations. Based on the latest information avail-

able from the Citizens Information Board, at the end of June 2011, the average national waiting time from point of contact to first appointment with a MABS money adviser is between five and six weeks. During the waiting period, clients are assessed. Those in need of immediate assistance are given priority appointments. Others are provided with assisted self-help to ensure they have taken steps to assess their situations and, if appropriate, are supported to take holding action with their creditors.

To assist the work of MABS, the Government has made funding of approximately €18.3 million available in 2011. The number of new clients presenting to MABS to the end of September 2011 was 17,536. This represents a 3% increase on the number of new clients presenting in the same period in 2010 and a 19% increase on the 2009 figure. Of those who contacted the MABS to the end of September 2011, some 51.6% were aged between 26 and 40; some 40.2% were aged between 41 and 65; some 19% were single and 15.3% single with children; some 58.3% were in receipt of a social welfare payment; some 26.7% were working; some 40% were single income households; some 20.4% were living in private rented accommodation and some 44.7% of new clients were people with mortgages. The total amount owed to creditors by new MABS clients in September 2011, based on the debt they had when they first came to MABS, amounted to €359.2 million. Of that total, 71.6% was owed to banks or financial institutions and 12.2% was owed to credit unions. I agree that MABS should have an important role to play in debt settlement arrangements. The scope of that role, and the question of other options in addition or as an alternative, are under consideration in the relevant Departments. They will be detailed in my legislative proposals to establish those arrangements. The Bill before the House does not have sufficient detail in that regard.

The Deputy's Bill sets out proposals, similar to those recommended as he acknowledged by the Law Reform Commission, for the introduction of a new non-judicial debt settlement arrangement. This would be similar to schemes in the UK and Australia which operate on the basis of a legal agreement between a debtor and two or more creditors to repay an agreed amount of debt over a set period of time. At the satisfactory conclusion of the agreement, normally after five years, all debts covered by it would be discharged. The debt settlement arrangement scheme proposed by the Law Reform Commission and the Deputy would be similar to those in the UK, Australia and New Zealand. It would essentially have regard only to unsecured credit. Secured credit, such as mortgage debt, car loans, student loans and certain taxes, would not be debt settled.

The introduction of such a debt settlement arrangement dealing with unsecured debt only is a valid reform approach in itself. In a typical scenario, a debtor might also have difficulties with the repayment of secured or preferential debt. Such a person is normally exhorted to maintain mortgage repayments as fully as possible at the expense of the unsecured creditors. In such circumstances, little if any money may be available from that person to propose a debt settlement arrangement to the unsecured creditors. These creditors would then have little reason to engage with the debt settlement arrangement process and could resort to other enforcement proceedings.

I am concerned that if we introduce a debt settlement arrangement scheme that does not deal with secured credit in some way, it may overly incline debtors or creditors towards bankruptcy as the most practical application for a full resolution of their position. Deputies may wish to note that in Australia, which has very developed non-judicial debt settlement systems, bankruptcy is the option of choice in approximately 70% of insolvency cases. The Government will make decisions in this area based not only on what the Law Reform Commission recommends, but also on the developing situation in the economy, various economic analyses, the Keane report and different approaches in other relevant jurisdictions.

[Deputy Alan Shatter.]

I wish to speak about the last major element of a personal insolvency regime. I refer to bankruptcy, which is a longstanding judicial process that involves the Office of the Official Assignee in Bankruptcy and the High Court. The Bill proposed by Deputy McGrath makes no mention of the reform of our bankruptcy law. As I have said in this House previously, we must strike a balance within our bankruptcy laws where we do not reward those who trade recklessly and destroy other people's lives, while finding a mechanism to facilitate those who may be able to recover, rebuild their lives and have the possibility of re-engaging in business at some stage. We must safeguard against those who seek to manipulate the system and ensure we have appropriate measures to deal with unco-operative or fraudulent bankrupts.

The reform of bankruptcy law will invariably focus on the length of the discharge period that will apply to the person adjudicated bankrupt. We debated this point in the House during the passage of the Civil Law (Miscellaneous Provisions) Act 2011 in July. Opinions varied as to the appropriate period. There was consensus that the one-year period that applies in the UK and Northern Ireland is too short, but anything beyond five years is too long, particularly if the bankrupt person has been fully compliant and not behaved fraudulently in any way. No final decision has been taken by the Government in this regard. I will be happy to hear the views of Deputies on the matter once more. I invite them to address it further during the course of the debate on this Bill.

It is critical in the case of a bankruptcy that the insolvency trustee — the official assignee or a private trustee — should ensure the speedy realisation of the assets of the bankrupt for the benefit of creditors. Given the potential numbers involved, there could be significant recourse to personal insolvency trustees in addition to the role of the official assignee in bankruptcy. These are considerations to be addressed in legislation. I am conscious that a significant expansion of existing State structures will be required to effect properly the reform of personal insolvency. The Office of the Official Assignee in Bankruptcy, which is part of the Courts Service, has nine staff at present. It deals with a small number of applications and adjudications in bankruptcy each year. Under reformed legislation, the prospective caseload for this office or its replacement will be significant and will require staff and funding. As it stands, the Deputy's Bill is unworkable because it avoids the hard questions of the administrative arrangements, organisation, staffing and funding that will be necessary to operate it. As Minister, I do not have that luxury and I must address the matter comprehensively in my own Bill with the backing of my colleagues in Government, particularly on the finance side.

In so far as those matters are concerned, I am considering the establishment of an Irish insolvency service to be the prime motor and focus of non-judicial debt settlement activity. Insolvency and trustee services have been established in the UK, Northern Ireland, Australia and New Zealand. While the insolvency services in those other states combine the administration of judicial bankruptcy and non-judicial debt settlement, it is a matter for consideration as to whether that would be feasible in our jurisdiction. An insolvency service would require some form of quasi-judicial status. It would determine the applications for the proposed debt relief orders. It would critically maintain and update the registers of all non-judicial debt agreements to ensure compliance and to provide information to potential creditors. I am in consultation with my colleagues in Government and the Attorney General with a view to establishing the best and most economic model for our jurisdiction.

Deputy Michael McGrath's Bill also makes certain proposals in regard to mortgages. He envisages there should be a debt settlement and mortgage resolution office to administer mortgage resolution orders. I have commented on the incomplete nature of the administrative arrangements proposed in the Deputy's Bill. The treatment of mortgage arrears requires careful consideration and needs to be set in the context of all of the potential debt settlement and

insolvency measures. My colleague, the Minister for Finance, will set out in detail to the House this week the report of the interdepartmental working group on mortgage arrears, better known as the Keane group. I do not propose, therefore, to go into much detail on the report. It is important to note, however, that the Keane group concluded that those who can pay their mortgages should do so and that blanket debt or negative equity forgiveness is not appropriate. It would be a costly response and an inefficient way to make mortgages more affordable for those experiencing most difficulty.

The report sets out a range of possible solutions, including trade-down mortgages, which could be suitable where owners of higher value or larger properties trade down to a more affordable mortgage; split mortgages, which could be suitable where a household is not currently in a position to meet the commitments of the full mortgage but could meet the commitments on a reduced amount and perhaps repay the remainder over time from income or capital increases; and sale by agreement, where in the event that an alternative solution cannot be reached, the borrower and lender would agree to sell the property and resolve the shortfall in the mortgage in an appropriate and reasonable manner after sale, considering the borrower's circumstances.

The State also has a significant role to play, especially where a person with a distressed mortgage will qualify for social housing support. The group proposes the introduction of two new mortgage-to-rent schemes by the Department of the Environment, Community and Local Government utilising approved housing bodies and leasing to local authorities. The key criterion to qualify in each case is that the person with the distressed mortgage and the person's house both qualify for social housing.

My Department contributed significantly to the work of the Keane group. I acknowledge the considerable effort made by Mr. Declan Keane and the members of the working group in bringing forward their proposals in such a short timeframe. Given the complexity of the problem, theirs was a very challenging task and I am pleased it was possible to come up with a range of solutions which, when implemented, will enhance the possible options available to those in difficulty with their mortgage repayments. I was disappointed to note comments in the media, including by Members of this House, casting aspersions on the bona fides of the members of the group.

I am sure the House would agree with me that we need to be realistic in how we approach this problem. The spectrum of mortgage difficulties which people are experiencing is quite wide, ranging from those who are in temporary difficulty to those at the most severe levels of indebtedness. There is no one-size-fits-all solution, and this is reflected in the recommendations of the working group which are aimed at providing measures which will augment the existing menu of options available.

In so far as my own Department is concerned, the reform of the bankruptcy and personal insolvency regime will play a significant part in how we deal with the problem of personal indebtedness generally. Indeed, this reform was identified by the Keane group as being fundamental in underpinning the range of solutions to the mortgage problem. At the best of times, this is a complex area of the law where a careful calibration is required between the rights of debtors and creditors. The task is perhaps even more difficult when one attempts to introduce such reform during times of severe economic difficulty.

The difficult decisions will be taken by Government in regard to this matter. The economic and financial effects of certain of the new arrangements that are being contemplated are being carefully assessed to ensure all relevant issues are addressed and their impact and economic and social consequences are fully anticipated and understood. Our personal indebtedness problem differs from many other countries in that such a significant proportion of personal debt-

[Deputy Alan Shatter.]

edness in Ireland is linked to property ownership. Any new insolvency systems must take this into account in their design.

Deputy Michael McGrath in his proposed Bill also raises the issue of debt enforcement practices and mechanisms. Apart from the well-publicised lists relating to applications for possession orders in regard to property, issues relating to debt come before our courts in several guises. Many involve small creditors, for example, family law maintenance, hire purchase agreements or creditor loans, as well as failure to pay loan repayments to financial institutions. Generally, the courts take the view that, where possible, such disputes are best resolved through mediation between the parties involved, avoiding court intervention unless absolutely necessary. There will inevitably be circumstances where it will be necessary for people to be able to rely on the offices of the State to enforce the terms of a contract. It would be undesirable to rush to legislate to make enforcing these rights more difficult. It would leave Ireland in a most unfavourable light internationally if our law prevented people from exercising and relying on their contractual rights.

The current legislation upholds these rights with specific safeguards. For example, a person cannot be imprisoned merely on the grounds of inability to fulfil a contractual or debt obligation. Committal orders are granted only where a person fails to comply with a court order. The law provides that the judge shall only make a committal order where the debtor shows that the failure to pay was due to his wilful refusal or culpable neglect. This provision is intended to ensure that if a debtor is genuinely unable to meet the repayments under an instalment order, steps can be taken to ensure that such a debtor is not deprived of his or her liberty. A debtor may apply for legal aid or the judge can refer the parties for alternative dispute resolution. Since the introduction of the 2009 amendment to the Enforcement of Court Orders Act, only 162 persons have been imprisoned in regard to a debt matter in 2009 and five in 2010.

It is worth recalling that when a judgment for the payment of money is obtained from a court, the primary method of enforcement of such a judgment is for the judgment creditor to obtain from the court an order directed to the sheriff commanding him to seize goods belonging to the judgment debtor and to produce the sum due out of their sale. It should be borne in mind that the execution of money judgments by a sheriff is only one of a number of methods of enforcing such judgments. These other methods require an application to court and do not come within the scope of sheriff law. These other methods include registration of a judgment mortgage which entitles a creditor to institute proceedings for the sale of the debtor's land; a garnishee order, requiring a person who owes money to the debtor, including a bank, to pay the money involved to the creditor; a charging order, which can make available to the creditor stocks and shares belonging to the debtor; the appointment of a receiver by way of equitable execution, making other assets of the debtor available to the creditor; and an order requiring the debtor to pay his debt by instalments under pain of imprisonment where the failure to pay is, as I said, due to wilful refusal or culpable neglect. The proposals contained in Deputy Michael McGrath's Bill, which are taken from the Law Reform Commission's draft scheme, would involve a significant change in regard to debt enforcement procedures. I am of the opinion that this particular area requires further and careful consideration.

As I said at the beginning of my speech, the Government will, in its own Bill, provide for a comprehensive new framework for settlement and enforcement of debt and for personal insolvency. The Government will not shirk from its own responsibilities in this area and we will develop the legislation as rapidly as possible. As already stated, Deputy McGrath's Bill unfortunately falls substantially short in scope and detail as well as policy. In the spirit of encouraging the fullest possible debate on all options and of encouraging Deputies opposite to produce constructive legislative proposals for this House, the Government is not opposing the Bill which

in its own right attempts to establish certain principles in support of necessary reform. In the circumstances, upon the completion of debate on the Bill tomorrow evening, it will pass Second Stage and move on to Committee Stage.

It is anticipated that within a short few weeks the heads of the insolvency Bill under preparation within my Department will come to Cabinet. It is my intention, with Cabinet agreement, to furnish the heads of the Bill to the Joint Committee on Justice, Defence and Equality. As the Bill is further developed by the Attorney General, it would be particularly helpful were the joint committee to receive observations and hold such public hearings as it deemed appropriate on both Deputy Michael McGrath's Bill and the heads of the Government Bill furnished to it.

It is not my intention, contrary to Deputy Calleary's suggestion, that Deputy McGrath's Bill be put into some form of cold storage. It is my intent to ensure that at the end of this process, Members will produce the most comprehensive legislation possible to address all the relevant areas. It is my hope that the Oireachtas joint committee would then produce a report to contribute to the development of the Government Bill and its finalisation by the Parliamentary Counsel. By such approach, Members can ensure they produce the very best legislation in a manner which facilitates a meaningful contribution to its development being made at an early stage by all sides in the House.

I hope the Government's approach to the Bill and to the proposals contained therein will be perceived as genuine and constructive in the manner in which it intends to deal with legislation and Private Members' Bills produced by Deputies on the other side of the House. I hope Members will be able to work together across the Chamber to produce the best possible legislation to address the very real needs and difficulties that so many thousands of people in this State are in as a consequence of the economic tsunami with which we have been hit, the fiscal difficulties that have occurred, the dreadful negative equity in which so many people find themselves and the difficulties that many are experiencing in making mortgage repayments due to job losses.

While I do not wish to be uncharitable in any way in respect of this legislation, it is appropriate that Members are addressing this issue. Perhaps it is appropriate the Deputies opposite produced this Bill, the present Government having inherited the worst fiscal and economic legacy——

Deputy Dara Calleary: The Minister managed nearly 15 minutes without mentioning it.

Deputy Alan Shatter: ——of any Government in the history of this State as a consequence of the abject failure of its predecessors in Government.

Deputy Dara Calleary: He could not resist.

Deputy Alan Shatter: It is only right that members of the party that previously dominated Government in this State for 14 years seek to make a contribution to assist the Government in resolving the appalling difficulties confronting so many people, which are causing enormous pain and hardship both to them and to their families.

Deputy Dara Calleary: He nearly got there.

Deputy Dessie Ellis: The problem posed by distressed mortgages cannot be overplayed. It is one of the biggest challenges facing the Government and the solution is neither easy nor simple. As someone who, in common with most Members, is deeply troubled by the problems facing thousands of people in this State, I must consider the Bill before the House and judge it on its

[Deputy Dessie Ellis.]

own merits. That said, it is difficult to not perceive this Bill as an attempt by the party responsible for the problem to try to look like the good guys. This is the party which, for two or three years, did nothing about the problem its members helped to create. Doing nothing, given the nature of distressed mortgages, is a wholly negative contribution. I cannot get past how much we might have saved or how much hardship, worry and struggle for ordinary families might have been avoided, had Fianna Fáil, now clasping what its members claim to be a solution, actually done a single meaningful thing while on the other side of this Chamber to bring about solutions for distressed mortgage holders.

Deputy Michael McGrath: A lot was done.

Deputy Dessie Ellis: We might then be in a much better position than that in which we now find ourselves, on the day Members are debating the utterly unhelpful Keane report, which gives people no hope for the present. It is important to recognise these facts and that Fianna Fáil is not allowed to forget its culpability and inaction. I strongly believe that unless its members were reminded of this fact, this evident move in its position would not have taken place.

While these proposals do not amount to a panacea, it is a step in the right direction towards debt restructuring and mortgage resolution. I commend those who put it together because it is a sign that even those on the right are waking up to the realities that the old methods of dealing with the banks and hoping for a solution are set for failure. The policy of giving billions and getting nothing in return has failed and failed badly. It appears as though there is agreement that many are coming around to what Sinn Féin has been saying all along. Throughout the lifetimes of the last Government and the present Fine Gael-Labour Party coalition, Sinn Féin has argued in favour of supporting those who can manage a restructured sustainable debt, as well as the formation of a body which would, on a case-by-case basis, offer solutions to distressed mortgage holders. I hope this motion constitutes the beginning of some form of consensus on how distressed mortgages and debt resolution must be approached. The 95,000 people who are either 90 days in arrears or who have restructured their mortgages deserve Members' efforts beyond political point-scoring. I am happy to support this Bill. There must now be movement towards the development of a legislative debt resolution process that can enforce its decisions and offer real change to this drastic and growing problem.

Deputy Pearse Doherty: As I noted in my remarks during the debate on the Keane report earlier, Sinn Féin believes there is an urgent need for the Government to act and put in place a comprehensive mechanism for addressing the root causes of mortgage distress. Everyone within this Chamber and further afield is aware of the 100,000 homeowners in serious mortgage distress and of the many more who are at risk of distress. The costs of inaction will be devastating for the economy, for society and for those ordinary citizens. Of course we have not just learnt about this mortgage crisis today, yesterday, last month or when the Keane commission was set up two months ago. We have known it has been spiralling out of control for some time, as far back as 2009. It is part of an unravelling of the housing bubble generated by that toxic mix of Fianna Fáil policy that incentivised reckless bankers and greedy developers to feed a housing bubble, irrespective of the social, economic or environmental costs. Moreover, as is so often the case with Fianna Fáil policy while in office during the previous Administration, the ordinary men and women are those who suffer.

Each day, tens of thousands of families are faced with a stark choice of whether to pay their mortgage or feed their children, which is a choice foisted on them by a bad Fianna Fáil Government. This mortgage crisis is one of the many toxic legacies of the previous Government. I

recall sitting in the Seanad Chamber at the height of the property boom, when the then Leader of that Chamber, former Senator Donie Cassidy, a long-standing member of the Fianna Fáil Parliamentary Party, stared the cameras in the face and imparted his wisdom to the young generation of Ireland by telling them to go out and buy houses. These are the people who may have followed the advice of Donie Cassidy and other Ministers to buy, at a time when the Taoiseach stated there would be a soft landing. They are now being penalised. Members today are trying to pick up the pieces in this regard.

In response to the growing crisis the previous Government convened an expert group on mortgage arrears and personal debt. The group produced two reports in July and November 2010 that included a total of 62 recommendations, many of which would provide short-term relief to those in mortgage distress. However the expert group fell far short of providing a comprehensive solution to the underlying problems of unsustainable debt and falling incomes. In the main, its recommendations were focused on better regulating the relationship between the mortgage provider and lender and providing short-term forbearance measures such as a deferred interest scheme. Moreover, despite the production of the aforementioned interim and final reports, the previous Administration brought forward no legislation in 2010. It basically ignored the recommendations, which subsequently had no impact.

It is ironic that having created the mortgage crisis during the boom and then having stood idly by as tens of thousands of home owners fell into mortgage distress in 2009 and 2010, Fianna Fáil now stands before Members offering solutions to its own mess. It is also interesting to see how the policy has evolved.

In common with my colleague who preceded me, I welcome the proposal before Members. In July, Fianna Fáil published the Family Home Bill and proposals for the reform of mortgage interest supplement. These proposals were little more than a repeat of elements of the expert group's recommendations and focused on short-term measures. Significantly, the Fianna Fáil Family Home Bill only dealt with those cases in which the mortgage provider is seeking repossession which, as indicated by the figures from the Financial Regulator, is a tiny fraction of those currently in mortgage distress. Importantly the mechanism for dealing with these cases was the courts — that was the mechanism proposed.

At the time Sinn Féin strongly argued for a radical approach to address this growing problem. We consistently made the case for targeted debt restructuring, focusing on the use of debt-for-equity swaps, backed up by an independent distressed mortgage resolution board. I welcome that Deputy Michael McGrath's Bill, into which he has obviously put considerable time, has included those recommendations, including an independent board with debt for equity as one of the solutions.

In addition to a strengthened distressed mortgage resolution process and statutory code of conduct for mortgage lenders, Sinn Féin argued that the independent board must have the legal powers to enforce resolution orders and penalise lenders for failing to act in an appropriate manner. So I am pleased to see that finally Fianna Fáil has accepted the strength of those arguments. However the 100,000 distressed mortgage holders across the country will today rightly ask why Fianna Fáil did not adopt these policies when in government. Meanwhile Fine Gael and Labour, in what can only be described as a surreal role reversal, are now adopting from the Government benches the minimalist approach of their Fianna Fáil predecessors. Having promised so much when in opposition, they are now doing little about it.

We have consistently argued for a comprehensive solution to this crisis. Four key principles underlie our proposals: maintaining the family home, providing appropriate alternatives ensuring debt sustainability and sharing the burden fairly. These four principles provide the basis for a solution to the causes of the mortgage crisis that is fair and sustainable for borrowers,

[Deputy Pearse Doherty.]

lenders and the taxpayer. Underpinning these principles must be the objective of debt sustainability. The ability of the mortgage holder to service any new mortgage arrangement must be clearly demonstrated. Crucially mortgage lenders must absorb a significant portion of the losses on the value of the mortgage. This can best be achieved through targeted debt restructuring to reduce the debt burden on the household. In exchange lenders would receive an equity share in the property.

We do not believe the taxpayer should foot the bill for the mortgage crisis, nor do we believe in blanket debt forgiveness. However, a solution cannot be found that does not involve banks shouldering their share of the burden. There is sufficient capital in the banks to absorb a significant proportion of these losses. On the day the PCAR results were announced, I stood in this Chamber and said the Government had addressed the issue of the banks by shoving money into them and filling the black hole, but it then needed to deal with the issue of the mortgage holders. However, that crisis was not given the same urgency by the Government as was the issue of resolving the bank crisis. It is unfortunate that we give greater value to financial institutions than the financial, economic and social well being of our citizens.

It is time to act collectively. We need articulate here why so many people got into this position. Anger is being vented across communities in different forms. When one goes up the long lanes to visit the elderly woman or the young couple, they show their anger at how the previous Government led them into this situation.

I welcome the Bill before us and I agree with many of its underlying sentiments, with respect to its general debt settlement and mortgage resolution proposals. It is clear that there is a growing consensus emerging for a more comprehensive solution to the mortgage crisis than that contained in the Keane report. No one party has all the solutions but we must all play our part in resolving this crisis.

On that basis Sinn Féin will support the Debt Settlement and Mortgage Resolution Office Bill. We urgently need legislation to be passed in this House offering a comprehensive solution to the 100,000 families in mortgage distress. The time for pushing this problem down the road in the hope that something will turn up is over. Addressing the mortgage crisis demands debt restructuring. This can only be enforced by a strong independent distressed mortgage resolution process, empowered with a range of solutions including debt-for-equity swaps which will force the banks to absorb their fair share of the losses. This is the position Sinn Féin has continually argued throughout this period. It is the position I put to the Financial Regulator, Mr. Matthew Elderfield, and the Governor of the Central Bank, Professor Patrick Honohan. It is the position we continually put to Government. I am glad to see it forms a central part of Deputy Michael McGrath's Bill. I am aware that the Government will not obstruct the passage of the Bill. More importantly we need to stop playing clever games; we need to get it into Committee to tease out its details, strengthen it where it needs to be strengthened, delete the bits that need to be deleted and get it passed. The Government should not just allow the Bill to pass Second Stage and then park it in some committee. Let us deal with the problem together. Sinn Féin, Labour, Fine Gael, Fianna Fáil and the Independents should work collectively to get this problem solved. There is a great demand to get this resolved from the many people in mortgage distress and those other people who are creeping into mortgage distress every day.

Deputy Joan Collins: Before I comment on the Bill, further to what Deputy Doherty said, I must state that Fianna Fáil played a major role in the debt crisis and the mortgage crisis affecting so many of our citizens. It played a major role in the inflation of the property bubble, pushing the cost of basic housing needs beyond affordability for ordinary people particularly in the years from 2003 to 2007 when house prices became false prices in a false economy. This

was accompanied by the effective ending of the construction of social housing, again a policy of the previous Government. People were forced into huge mortgages and now find themselves in huge negative equity. The human, family and social cost of this negative equity is having a great impact on our communities. Fianna Fáil was also responsible for the economic collapse which has seen so many people lose their jobs and so many small businesses go under. This is why we have a debt crisis.

That said, there is urgent need for legislation on bankruptcy and debt resolution. Eight months since the formation of the new Government we are still discussing that and still waiting for the heads of the Bill. I was glad to hear the Minister, Deputy Shatter, say he was moving on that and it cannot come soon enough for many people. I have been representing a young man with a young family whose small business got into difficulty and he lost his home. He also lost his business and is now bankrupt owing to having received extremely poor legal advice. He faces the next 12 years on the dole, claiming rent allowance and unable to hold a bank account. Any earnings over €300 must be forfeited to his creditors. He is effectively frozen out of society and frozen out of the economy.

Resolution of this problem is the responsibility of the Government. We must introduce legislation urgently and there are good ideas in this Bill. The 12-year bankruptcy period is brutal — and it can even go beyond that. Five years is not good enough and we should introduce legislation to reduce the bankruptcy period to three years. We must allow people such as this young man from a working class background to get his life back together and earn a living for his family and have a future.

The Bill does not go far enough in addressing the general insolvency and mortgage issues, and does not even deal with the tip of the iceberg. We need legislation, not guidelines, to keep people who are engaging with lenders in their homes. This means a ban on repossession and eviction in these circumstances. We need independent assessors to assess ability to pay, with a cap of 35% on net income and the power to enforce payment arrangements with lenders on that basis. We also need a write-down of negative equity — there is no way around this. A man, with whom I would generally not agree politically, President Bill Clinton, made a very important point at the Global Irish Economic Forum. He understands the nature of capitalism and understands that unless this economy is freed from debt and the mortgage crisis is off our back, we will not come out of this recession. Unless the crisis is dealt with, we will have no growth in our economy and we will not move forward.

The banks have already been recapitalised by €10 billion, following the stress tests. Up to €14 billion will be needed to remove households from negative equity mortgages. If we take out trophy houses and buy-to-let mortgages and service the negative equity in ordinary homes and small apartments, that would cost €7-8 billion. We should look at that figure when trying to remove negative equity from ordinary people who bought houses at false prices in a false economy. We cannot tiptoe around this issue. We cannot protect the bankers. We cannot allow them to keep making profit out of people's misery and indebtedness, and we must stop this madness in the economy at the moment.

The Keane report was produced by six bankers, one of whom is an accountant, and 16 top civil servants. Not one of them is in negative equity. Not one of them is facing the crisis that ordinary people are facing, many of whom are sitting behind closed doors, pushing the world away, and when the post arrives, they sit down and look at the letter for two hours. I have spoken to people in this situation and I am sure the Minister has done so too. His community is not immune to people who are facing this kind of crisis. They have a big monkey on their back. They think they are responsible, but they are not responsible. The banks are responsible, as are the brokers.

[Deputy Joan Collins.]

I will not oppose this Bill on Second Stage. There should be more debate on it, but we need a quick resolution for people who are desperately waiting for an outcome to their situation.

Debate adjourned.

Report by the Interdepartmental Working Group on Mortgage Arrears: Statements (Resumed)

Deputy Maureen O’Sullivan: It is very significant that as well taking statements on the inter-departmental working group on mortgage arrears this week, at the same time Fianna Fáil is tabling a Private Members’ Bill on debt settlement and mortgage resolution.

We have taken far too long to get to this point. The issue of mortgage arrears and difficulties did not happen overnight, so this debate is long overdue. Perhaps the situation would not be at crisis point for many mortgage holders if the situation had been treated swiftly and efficiently when the cracks began to appear in the system some years ago. In his discussion on the Private Members’ Bill, Deputy Michael McGrath made the point that it is a duty for all of us, whether in a political party or not, to try to come up with solutions to assist those struggling with high levels of personal debt, and those having difficulties in making mortgage repayments on their family homes, that there is a need for this debate not to be a “them or us” debate, Government versus Opposition, but that all suggestions should be listened to in order to bring about a solution.

There are those who say that people chose to take out 100% mortgages for houses that everyone knew were not worth half that amount, and in some cases were not worth even a quarter of that, and that we should acknowledge personal responsibility. That has to be balanced with the arguments that banks and financial institutions practically threw money at people, with no real discussion of the implications and the “what ifs”. There were no allowances for job losses or for the slump in the market. Who at that stage would not have taken the opportunity to have a 100% mortgage? Media hype also contributed to the crisis, as people were told that they had to get on the property ladder and that if they did not do so now, they would lose out. The hype was that the good times would last forever, and we know that does not happen. The crisis was also fuelled by bad planning decisions, tax breaks, property speculation and the property bubble. We know that bubbles burst, and this one certainly did.

The interdepartmental group on mortgage arrears was composed of civil servants who are probably on a salary scale and with many years of service, and so not unduly affected by mortgage difficulties. Bankers were also on the group, while the chairman was originally with an accountancy firm. I am amazed it did not strike anyone that when discussing mortgage arrears, they might talk to those in arrears. The bankers will come at this problem from a banking perspective, and who welcomed the report? The Irish Banking Federation welcomed it. We know that bankers are into making profits, often at the expense of the customer.

Who should have been asked to contribute to the report? I would have suggested a random selection from a variety of banks of those in arrears with various types of difficulty, and organisations like MABS, the Society of St. Vincent de Paul and FLAC, which are in direct contact with people who are struggling. The policies and practices of banks and bankers have brought about the problem, yet we are expecting them to come up with the solution. They will come up with solutions, but for whose benefit?

The need for an independent body is worth considering, and this was in Deputy McGrath’s proposal and in the Keane report as well. That independent body is vital. It will look at each

case, listen to the bank situation, listen to the householder in arrears and then come up with proposals for restructuring or solving the problem.

I looked at the MABS response to the Keane report, and I know that the Minister has some reservations and made some points about MABS in his statement. However, I think the service has much to contribute. It has been in existence for 20 years. It has been giving expert advice to families struggling with managing money and dealing with debt. The service has a skilled staff with much expertise, but most particularly, it comes at the matter with people in mind, and not just figures on the balance sheet. As debt matters worsened in recent years, the State looked to MABS for its expertise in the area of indebtedness, and MABS responded, so I do not understand why its representatives were not included on the group that produced the Keane report. People were turning to MABS at the time the report was being compiled as their banks and their financial institutions were letting them down and were not considering the human cost. I share the disappointment expressed by the representatives of MABS that they were not included and that the Keane group did not seek their expert advice. My understanding is that MABS is an international model of good practice in debt resolution.

In its own report, MABS welcomes the provision of additional resources to assist families in mortgage difficulty, but makes the important point that those in mortgage difficulty are also experiencing difficulties with other types of debt. That brings me back to the irresponsibility of lending institutions in throwing money at people. Yes, people took the money, but there is a major “but”. At least the Keane report tacitly acknowledges the relationship between mortgage debt and other types of debt, so MABS calls for a total solution if we are really looking for effective solutions. Mortgage arrears must be dealt with along with the arrears along the issue of personal debt, so there is a need for a comprehensive and complete solution, where the debtor must be given the right to regain control of his or her finances. The report suggests 100 additional advisers and protocols, but I hope they will not be buried in layers of bureaucracy. I hope they will work with the MABS advisers and within that process.

The Keane report appears to suggest that the mortgage advice services could be linked with MABS. I agreed with the AIB comment that all solutions, short term or long term, need the customer working with the lender to reach a solution. Working “with” is the key. The bottom line is that people paid astronomical prices for houses. This began in 1999, but the situation became much worse after 2003. It is far too late to be dealing with the situation, because the writing was on the wall years ago. Those who bought their homes between 2003 and 2007 played a totally uneconomic price in a false market. That has led to Ireland having an extremely high, if not the highest household debt *per capita* in the developed world. If the mortgage loans are too high, they cannot be repaid.

We cannot confuse the word “home” with those who are speculators on the property market and who bought property to let for tax purposes, or holiday homes here and abroad.

I am talking about helping people to hold on to their homes. If their incomes are declining, they cannot repay crippling mortgages that should never have been given in the first place.

Repossession has been discussed but I do not believe it is an option as it would place an intolerable burden on housing authorities. As someone who is involved with Dublin City Council, I know the housing lists at this stage are far too high and to add more people to the waiting list would cripple the system. The other question is what will happen to repossessed properties. That will leave room for speculators of the future.

We are in difficult times and they may get worse. Mortgages are based on ability to pay so if people are losing their jobs or have reduced working hours, their ability to pay is seriously affected. Rising prices will also affect them seriously. A range of tools is needed to deal with

[Deputy Maureen O'Sullivan.]

this situation, including debt forgiveness which should be considered in some cases. We must acknowledge the need to write off certain borrowings which should never have been allowed in the first place.

The bankruptcy laws need to be reformed. Other suggestions include trading down mortgages, splitting mortgages, selling by agreement, interest-only arrangements, mortgage-to-rent schemes and extending the years of a mortgage. Part of the proposal has approved housing bodies taking ownership of houses in certain circumstances, and the leasing of houses by banks to local authorities if that is deemed to be more appropriate. I know there is going to be an announcement on this. I have doubts about it and only time will tell if it will work. The bottom line is that there is no one-size-fits-all solution.

The Minister's report referred to forbearance and it is important to acknowledge that circumstances do change. They have changed for the people who took out mortgages in the past, so circumstances could change again and we must allow for that.

Deputy Olivia Mitchell: I wish to share time with Deputy Dara Murphy.

Acting Chairman (Deputy Peter Mathews): Is that agreed? Agreed.

Deputy Olivia Mitchell: I welcome this report and its guiding principles, including primarily the acceptance that those who can pay must pay. This report is not about those people, rather it is about those who absolutely cannot pay. The report also recognises that there is no automatic entitlement to a solution and that all solutions have consequences both for those seeking a solution and those who are required to fund it.

There were high expectations about this report and there has been disappointment that there is no blanket debt forgiveness scheme. Those who expected one are not really facing up to reality. It is undoubtedly heartbreaking to see what has happened to so many young people who bought houses in the Celtic tiger boom and are now unable to meet the repayments. I understand people's instinctive desire to make banks or building societies who loaned recklessly to young people take a hit. The reality is that every time the banks take a hit, the taxpayer funds the bill. To be honest, the taxpayer can no longer afford it. That is the reality and there is nowhere to borrow.

We hope banks are sufficiently capitalised to deal with the bad debts that will inevitably arise. That said, recognising that there will be bad debts and actually setting up a scheme of blanket debt forgiveness are two very different things. Taxpayers cannot afford it. They have already covered the banks' borrowings as well as the banks' major lending through NAMA. There just is no more money. I realise that is not fair but it is how things are, however unfair that may be.

On a related issue, I realise the need for more realistic personal insolvency rules, which are recommended in this report. I completely agree with that recommendation. I have highlighted the abuse by some company directors of the company insolvency procedures, whereby they can walk away from debt and restart the next day with the same staff in the same premises and with the same customers. I do not want to see a system of personal insolvency legislation which facilitates similar abuse. The easy option route should never be taken because it is easier than paying one's debts. I am conscious that an easy option insolvency regime would be great for some people who bought property towards the end of the boom, may have had 100% mortgages or more, and probably never made any repayments or very few. They could just walk away and lose nothing, but someone has to pay the bill for them. I do not think that is

what this report intends to happen. We must be very careful that we do not introduce a system like that in any new legislation.

I wish to make a substantial case for mortgage holders in negative equity. One hears every day about distressed mortgages and that case has been well made in the course of this debate. The sort of cases I hear about in my constituency concern people in negative equity who can continue to pay their mortgages but simply need to move house. In many cases they are couples who bought one or two-bedroom apartments as starter homes and now require a bigger home as they have started their families. Others may need to move because of their work. The economy needs a mobile workforce and, in addition, it needs mortgage holders to remain in employment and keep paying their bills. Broadly speaking, banks will not allow negative equity mortgage holders to sell up, buy a new house and take the negative equity with them.

During the boom years in Dublin almost all home building was in apartments. As the Acting Chairman knows, thousands of young people in our constituency had no choice but to buy a home which they never intended to be a long-term residence but simply a starter home. As the babies arrive and because they cannot sell, many of them are now forced to move out and rent bigger houses. To put the tin hat on their woes, they then become liable for the non-principal private residence tax.

The Keane report recommends negative equity mortgages in a trading-down situation. I ask the Minister to ensure there is flexibility for those wishing to trade sideways or upwards. No one wants a reckless overlending regime. Where it is clear to lenders, however, that customers — usually their existing customers — have the ability to pay, are genuine cases and have a real need to relocate, then I can see no reason such cases should not be facilitated. I understand the Financial Regulator would have to approve any such new product and he, of course, must be mindful of the danger of fuelling a new property boom. To be honest, we are a million miles from such a boom. It would not be a bad thing for the housing market to facilitate those who can pay and wish to move. I ask the Minister to encourage the regulator in this regard.

Deputy Dara Murphy: I welcome the opportunity speak on this report and note that the Fianna Fáil Private Members' Bill covers the same topic. From what I have heard this evening, it will have support from all sides. When those in political life attend their clinics, there is a constant stream of people who find they cannot escape mortgage arrears. All those who have attended my office have found themselves in this position through no fault of their own. They were encouraged by society, the banking industry and governments to get onto to the housing ladder as quickly as possible. That has left many of them unable to get off the housing ladder now. Deputy Olivia Mitchell spoke about the huge problem facing those in apartments who are starting to have families. When they bought property initially, their ambition was to move up to a semi-detached house and they thought that people coming up behind them would purchase their apartment. They expected to go through the normal progression, moving forward from starter homes. That option is not possible at the moment for many thousands of people. I welcome the fact the Government is preparing legislation, which I hope will find a solution for these people. It could also involve a stimulus for the housing market.

I want to refer, in particular, to other forms of debt. The Minister's response to the Keane report, as outlined this evening, implies that since the MABS has 52 offices, there is perhaps a need for one agency or group to propose guidelines, if not regulations. The response states the banking industry is now operating from a more centralised point. I have a difficulty with this. One of the reasons for our problems is the removal of the relationship between customers and individual branch managers. I refer to individual branch managers who are not pressurised into achieving targets, selling more houses and cars or increasing credit card limits. With a hands-on approach, local managers could consider the total debt of individuals and seek to find a

[Deputy Dara Murphy.]

solution in each case. There are excellent staff in the banking sector, particularly in the branch structure. However, they have been much maligned. They have a humane approach and also a great sense of who they are dealing with and how to deal with them. I warn against the aspiration of sticking to the centralised approach. There ought to be a case-by-case approach to dealing with people's debt.

A large number of the self-employed, many of whom have for many years been the most innovative and hard working in society, have found it extremely difficult to obtain social welfare. We need to find a system under which the skills of these individuals who have proved they can run businesses and create employment could be rehabilitated, even if, like the country and the world in general, they have run into financial difficulties. If, as seems to be the case, we are moving towards restoring economic growth, sorting out the banks and restoring our status as a sovereign, independent nation, we will have to allow small businesses to move towards economic recovery along with everybody else.

Deputy Éamon Ó Cuív: I will not be able to do justice to this very complicated subject in ten minutes, but I hope to lay down some basic principles, the first of which is that we should acknowledge what has long been a basic characteristic of Irish society, namely, that families desire to own their own homes. Second, we must recognise that the vast majority at risk of losing the family home bought it in good faith.

The reasons people are in difficulty vary greatly from person to person and from family to family. Some problems arise because loans were not sustainable in the first instance. In some extreme cases which I have encountered, it is fair to say the banks put down fictitious information on income when granting loans. Statements were also made on the ability to obtain a lot of income from renting a room. This income never materialised in many cases. Some problems arise owing to a loss of or a reduction in employment, particularly in two income households. In the latter case, a couple — for example, a construction worker who formerly had the largest income and a person with a State job — may be trying to survive on income from one job, or on much reduced overall income.

We must recognise that, even in the good times, there were people who could not repay their mortgages because of alcoholism, marriage break-up, gambling problems, etc. These will always have to be dealt with, ultimately under the social housing system. This, however, is not what we are talking about; we are talking about those persons who bought homes in good faith and who, for genuine reasons addressable over time, cannot pay for their houses.

We must recognise that if people can only pay a certain sum of money — one must work out how much every person can pay — it will cost the taxpayer, no matter what approach is taken. The State often does not recognise this. If one decides on a write-off for the banks or allows people not to pay the banks, one must recapitalise the banks even further since the State now owns them. The idea of investing €10 billion in the banks to arrive at a base level from which one could start writing off willy-nilly without having to top up the fund seems to defy logic. If one decides to allow repossession, on the other hand, one is choosing the dearest answer of all because the State must step in and provide social housing. It must buy the whole house for a person to pay for part of it.

The third option proposed is a half and half option, whereby one might own half the house and pay half the mortgage. In this regard, there were some very interesting proposals made by New Beginning today. There is another version in the Keane report where it is proposed that half the house would be purchased and rented back to the client. My experience of the shared ownership scheme was that it was immensely complicated legally. Ultimately, this moves away

from the fact that most want to own their house outright. They do not want to wind up as tenants in a house they bought 30 years previously.

My final point concerns a practice in which the State has always engaged but which, for some reason, faced resistance from all the groups set up. We set up the Cooney group and now have the Keane report. I refer to the State directly helping those who need help temporarily until their income grows once more. It is a matter of parking the issue of negative equity.

Deputy Mitchell's point was very interesting. She stated the immediate crisis for people concerned their keeping up mortgage and interest repayments in order that they could retain a certain degree of ownership of their houses and not go to bed at night in total fear of repossession.

I have been told that pursuing the third option would be too dear. Would it be dearer than the first two solutions? I refer to the totally crazy set of circumstances where one does not know what the banks will have to write off. I refer to Allied Irish Banks and building societies, for example. The option would certainly be no dearer than investing the money in social housing.

I will give two examples of schemes under which the State gives direct assistance: the mortgage interest supplement scheme and the mortgage interest relief scheme. The latter used to be much more generous when we were poor because a marginal rate of tax applied. The standard rate now applies. We had proposed and decided to reform the mortgage interest supplement scheme, on which I have documentation to hand. The scheme involves working out one's basic weekly income and stipulates one cannot live on less than the supplementary welfare allowance. It is implied that, in the event of one's financial problem being caused by unemployment, 100% of the interest, up to a certain limit, will be paid directly to the bank on one's behalf. One could develop that scheme, as Fianna Fáil was going to do, because the payer of the money could begin to call the shots. We were going to get rid of a stupid rule stipulating that if one's partner was working for more than 20 hours per week, one was not entitled to the mortgage interest supplement, no matter what financial difficulties one faced. We proposed that this rule be abolished in the spring social welfare Bill to help a large number of distressed individuals at the very bottom. I cannot understand why the Minister, Deputy Burton, did not introduce that change. It was a one-line change, it had been agreed and my officials stated it could go into the spring social welfare Bill. It would have been a get-out-of-jail clause.

However, we were not giving a free lunch because in return for all of this we said the banks would have to carry the first six months of any problem with arrears. Furthermore, we said that since the State would pay the banks directly, the banks would not be allowed to charge more than the basic interest rate and there could be no penalty interest because the risk was no longer there as long as the mortgage interest supplement was being paid. In addition, we stated that if those involved in the sub-prime market wanted the mortgage interest supplement payment, they would have to cut the interest to a core rate. We could have set it at 4% and asked them whether they wanted the interest. We could have paid it directly to the bank as long as the person was entitled to the supplement and the rate was 4%. It would have been on a take it or leave it basis and those concerned would not have been allowed to pay any money themselves because we would have already determined that they could not.

My experience of those involved in the sub-prime market is that, faced with that situation, they would take the money because it would amount to a question of some money or no money. They have argued that the reason they charge high interest is because of risk but if one takes away the risk for the moment, why should they get a premium for the risk?

As a result of multiple debts everywhere, the Bill we discussed earlier is crucial. There is no one-size-fits-all solution. I do not believe that the fundamental approach in the Keane report

[Deputy Éamon Ó Cuív.]

is the right way to go. It will cause residual problems in future which are unfair on a generation. We should address the issue by direct investment, set it aside in our priorities and help those who need it and given them a reasonable family income. The supplementary welfare allowance income is too low for families with higher expectations and I have some ideas in this regard. Since they are involved in rearing the next generation, the money would be well-invested and, in time, one would get back one's investment.

People may say we cannot afford this. Two figures in the Department of Social Protection have always intrigued me. One is always informed that one cannot afford certain things that might be socially affordable. I am not convinced that if one makes a given choice one cannot afford it because there would be great savings for the banks since there would be no excuse for people not paying. Let us remember two figures. We were paying €69 million in mortgage interest supplement per annum to help people own their own homes, with all the attendant value; we know the social value of people owning their own homes. We were paying €900 million plus to people to rent properties in the State. Let us think about that. We paid more than €900 million as opposed to €69 million. The latter sum has the great social advantage of enabling people to own their own homes while the former sum has all the disadvantages associated with temporary accommodation, such as bad thermal conditions.

It is necessary to decide on priorities. The way forward is to sustain those mainly within the 30 to 45 years age group in reasonable comfort through a radical scheme. What we have under discussion amounts to tinkering at the edges, deferring the problem and creating a further serious problem that will arise in 20 years time.

Deputy Brendan Ryan: I welcome the opportunity to speak on the Keane report. Like many in the country, I awaited the publication of the report with some anticipation. Given the scale of the mortgage arrears crisis which, we should remember, is a human and family crisis, the report is too shallow in its findings to deal adequately with the crisis.

I am keen to focus on two points. The significant limitations of the interdepartmental group's procedures are highlighted by the working group and there are issues relating to the mortgage-to-rent proposals recommended in the report. It is disappointing that the working group met only eight times, too few meetings given the scale of the crisis. The working group did not carry out in-depth reviews of the loan books and operations of the lending institutions. In addition, there were no data available to the working group on the proportion of those mortgage holders currently making scheduled repayments but on the verge of going into arrears. While this is not the fault of the working group, it is the duty of the Government to seek out these data and I believe it will do so. Those on the verge of arrears today will be in arrears next week or month and if this crisis is to be met head-on the Government must plan based on the problem as it exists today but also on the problem as it may develop in coming weeks and months.

The second issue I wish to raise relates to the recommendations for mortgage-to-rent schemes included in the report and, specifically, the leasing scheme from local authorities. I understand the proposal calls for the local authority to enter into a 20-year lease with the mortgage lender. The mortgage holder would then become a tenant of the local authority and pay a differential rent to the authority. The difference between the differential rent and the amount owed to the lender would be met by the Department of the Environment, Community and Local Government. My fear is that given the gap in data available to the working group, the potential costs for the Department of the Environment, Community and Local Government have not been calculated or assessed adequately. We must ensure we have fully costed such a scheme before we consider introducing and implementing it and, based on the report alone, I

am not confident that these calculations have been done. More work must be done in this area. Home owners who enter such mortgage-to-rent schemes should have the opportunity, if their circumstances improve in future, to avail of tenant purchase schemes.

I am also concerned about the capacity of local authorities to cope with the possibility of thousands of extra properties falling under their remit for repair and maintenance. Fingal County Council, which is in my constituency, is pinned to its collar as it stands. Regrettably, at the end of the month we will see an end to Fingal County Council's bin service due to lack of funding and resources. The Keane report recommends the potential handing over of properties in mortgage arrears to local authorities and this has the potential to cause major problems for them.

During the past week we saw residents of the Priory Hall apartment complex in Donaghmede in my neighbouring constituency of Dublin North-East having to evacuate their homes due to critical safety concerns related to the buildings' construction. Some Deputies spoke on these matters today. There are estates in Dublin North and elsewhere afflicted with pyrite heave and many of the families living in pyrite-affected homes are in mortgage arrears as well. It is important that the pyrite working group addresses the fact that many home owners will not be able to sort out these pyrite issues by themselves and, in many cases, the developer is gone.

Will the local authorities be able to repair and maintain these homes should the mortgage holders fall into a mortgage-to-rent scheme? Home owners with such fire safety issues or pyrite problems should not be excluded from the schemes available. The Government must address these major issues when deciding on policy. While I support the Government and I realise it is trying earnestly to tackle the mortgage arrears problem in the context of wider economic problems, I voice my dissatisfaction with the depth and recommendations of the report. I recognise that the report is only one part of a process that will feed into a resolution of mortgage arrears issues.

I welcome the report as an important stepping stone and I commend the work done but the people have put us into this House to push further, to dig deeper and to work harder to find the right course of action to deal with these important issues. This is an important debate and it will continue on Thursday. The Government should accept ideas — I know it will — from all sides of the House in trying to come up with solutions because no one side of the House has a monopoly on the solution. I look forward to the remainder of the debate.

Deputy Gerald Nash: Upon publication six days ago I was prepared to give the Keane report and its measures a broad welcome. One week on and following a significant amount of media comment in recent days my position has not changed. The report could have benefited greatly from formal input at review group membership level from housing agencies, academics and people who have proven to be innovators in the area of housing and debt resolution. That is not to say the report fails in its mission. The overall aim is to ensure no one loses the roof over their head and, in that respect, the suite of options contained in the report can and will achieve that purpose. Apart from joblessness, no other single concern ranks higher in the minds of those who were forced to buy homes at inflated prices during the so-called boom years than the fear of losing one's home. Culturally and for all sorts of historical reasons people in Ireland are wedded to home ownership and the legitimate and valid expectation and ambition of owning their own home. Further, the historical experience of the loss of property is deeply ingrained in the Irish psyche. As legislators, while we may differ in terms of our nuanced position on this issue, our motivation and action should be directed towards reasonably and fairly recognising this challenge and historical issue for Irish society.

The issues are complex and demand a multifaceted approach. The mortgage arrears report provides such an approach, even if it does not, in many respects, provide a complete road map

[Deputy Gerald Nash.]

to fully meet the challenge. Any comprehensive approach to the issue of mortgage arrears must also address Ireland's Dickensian, anachronistic and punitive bankruptcy and debt resolution regimen. To address the crisis and return confidence to citizens two steps must be taken. First, legislation to protect the interests of distressed mortgage holders must be fast-tracked and prioritised. In parallel with this initiative, radical personal debt resolution legislation must be implemented to address the wider problems of indebtedness across society and ensure the banks which got us into the current mess do not continue to hold all the cards. If advanced properly, the introduction of such measures could be a decisive game changer for home owners. They would also provide the first genuine, sincere and comprehensive approach to the crisis, three years after the banking collapse.

I look forward to the publication and enactment of legislation to give effect to the measures proposed in the report and the critical debt resolution measures required to reinforce them. These measures must be presented to the House as soon as is humanly possible to ensure the misery being endured by tens of thousands of people and their lack of confidence in the system are addressed and we free up much needed resources to be spent in the economy so that jobs will be secured and economic growth achieved.

Deputy Dessie Ellis: I would be lying to the House if I stated that the failure of the Keane report on mortgage arrears to provide real solutions for those with distressed mortgages was surprising. It would be naive to expect anything more from this Government and a collection of civil servants and bankers. Nevertheless, many families will be disappointed that the Government they voted into power in desperation owing to their worsening circumstances has failed to deliver the goods. The Fine Gael-Labour Party programme for Government promised much but has delivered little. Despite a commitment to deal with distressed mortgages, none of the measures laid down in the programme for Government have been brought to fruition. Instead, we have the Keane report which states in its preamble that mortgage holders are not entitled to a particular solution and all solutions carry consequences. These consequences will apply not to those who caused the crisis, namely, those in government and the financial institutions who urged people to take out large, unsustainable mortgages, but to those who are struggling to pay a mortgage on the roof over their heads. It is these individuals who must now decide whether to forgo paying the electricity bill or another household bill to pay their mortgage and keep their heads above water. They will face the consequences of a solution if one is to be offered. They also fear the impending household charge.

Almost 100,000 people have residential mortgages which have been restructured or are in arrears of more than 90 days. This proportion of mortgages is much too large to be described as "distressed" and does not take account of the significant problem of general household debt. We have an entirely new housing crisis which must be addressed as quickly as possible. This will require providing people with real and meaningful opportunities to emerge from their desperate circumstances and, through whatever means, have a secure home.

Just as the previous Government failed those on massive housing waiting lists — a problem which persists to this day — the current Government is failing distressed mortgage holders. The solution cannot be found in the banks or by blaming mortgage holders. As my party has outlined, we need an independent distressed mortgage resolution process backed up by legislation to give mortgage holders the solutions they need. This is not a wholly new idea as similar proposals have been made by others, including the free legal advice centres. While responses must be tailored towards individual cases, the principles underpinning the process must be the same in all cases. The principle underpinning the process is not, as the Keane report suggests, to punish people for buying into the hype of the pre-collapse mortgage market or daring to

believe that they, too, could own a home but one of sustainability. If a mortgage holder can, with proper support, remain in his or her home and manage his or her debt, that option should be supported, while those who cannot manage their debts must be assured their housing needs will be met. The practice of making citizens pay for the crisis must end. We have paid far too much for far too little. The banks must begin to play their part in developing a more sustainable debt position.

The problem of distressed mortgages and the costs of not dealing with them are spiralling. Inaction will make any solution more expensive. We cannot afford to get this wrong or wait any longer. We must begin the process of restructuring the debt of the thousands of people in mortgage arrears and build a sustainable process which can be shown to be addressing the issues and providing hope that the affected families will not be left alone in the mire or punished for transgressions they did not commit. Reports which blame people for not being *au fait* with sub-prime market risks or global economic forecasts are worthless, especially when they overlook the failings of the banking sector in creating the crisis and in failing to address it.

Of the billions of euros the banks have taken from us, practically none of it has been used to help mortgage holders. I remind the Government that it was the distressed mortgage holders and their friends and families who put it where it is in the hope that it would listen to their needs and act accordingly. The bankers have failed the country and continue to fail the people, with no return on the massive amounts of money being pumped into the banks from the pockets of ordinary working people. No solution is possible if it does not reflect the role and culpability of the banks. No solution drawn up by the banks for the banks, as is the case with the Keane report, will resolve the problem. The only value of the report is to show the Government it needs to listen to citizens and organisations such as the free legal advice centres and New Beginning and seek solutions for the people they represent.

Can anyone imagine how people in negative equity feel? Some of them face additional problems caused by the use of pyrite in their homes. Some are upping sticks and leaving their homes, including in my constituency. They are returning their house keys to the banks and local authorities rather than be scourged by the problems of debt. We need a sustainable solution because our citizens deserve it.

Deputy Mary Mitchell O'Connor: I will share time with Deputy McLoughlin.

I welcome this debate which I am sure many thousands of mortgage holders will follow with interest. I also welcome the publication of the Keane report as it provides a workable solution for those who are suffering negative equity and unmanageable mortgages. The report takes a considered approach and makes the correct distinction between those who cannot pay and those who will not pay. It does not propose blanket debt or negative equity forgiveness. Its authors have carefully considered the impact of such an approach on the beleaguered taxpayer as well as on those who cannot pay their mortgages.

We cannot view the problem of mortgage arrears purely through the prism of economics. The speculative nature of the property market over the past decade resulted in families paying over the odds for their private residence. The Government has a duty to protect the family home and I am pleased the Minister will address mortgage difficulties. It is important that children have a stable upbringing in their communities. Parents who have mortgage difficulties need help. I commend in particular the mortgage-to-rent scheme whereby families and people in extreme mortgage distress remain in the family homes as social housing tenants. This initiative allows an escape route without the loss of face involved in having to move out of one's home. People can remain in their communities and enjoy the social benefits. Mortgage interest supplement is also a good idea. This is the option whereby the Government pays towards the cost of interest in the short term. It allows people to meet their interest payments without

[Deputy Mary Mitchell O'Connor.]

suffering from spiralling debt, in which situation unpaid interest is added to capital debt. Too many families are under severe pressure. Some 45,000 households are 90 or more days in arrears. The Government is committed to assisting those families who are facing difficulties with their mortgages. Fine Gael campaigned on this issue during the general election and our plans formed part of the programme for Government.

I wish to raise another cohort of people who present at my advice clinics in Dún Laoghaire-Rathdown. Divorced and separated women who are rearing families are especially vulnerable to falling into mortgage arrears. In many cases these women have given up their careers to raise their children. They do not have an income yet are saddled with exorbitant mortgages. Through no fault of their own they have had to take out mortgages to save the family home or pay off their partner. With the economic downturn this group has struggled to find suitable employment, is in negative equity and cannot afford basic household bills. I want the Minister to look at this group of women who have massive debts and to offer help to them by means of mortgage resolution or write downs. This group must be helped.

I reiterate my welcome for the report. I genuinely want a workable solution for those people who cannot pay their mortgages.

Deputy Tony McLoughlin: The decision by the Government's economic management council to establish a working group to consider the great difficulties faced by many mortgage holders in this country was very welcome and is a first step in establishing and framing policy that will try to tackle this widespread difficulty in our communities.

The threat of losing one's home or the roof over one's family must be the most devastating feeling for a mother, father, husband, wife or partner to experience. When the majority of these people entered into mortgage agreements with their banks and building institutions between 2001 and 2007, they were comfortable with their payment terms and the purchase price of their homes. They entered into these agreements in good faith. Today, in late 2011, these same people have gone from having two jobs to having one or none. If they have a job, the income related to it probably has dropped by up to 20%, and in many cases the market price of their house has dropped by up to 55%. It is those people in our society who fall into this category that the Government must target for assistance with the publication of this report. Unfortunately, as in every society, there are people who will never honour their financial obligations, who will use this impasse to refuse to pay and may try to ride on the backs of mortgage holders in genuine difficulty who are simply unable to meet their obligations.

There will be many contributions on this report from all sides of the House. I commend the Minister for Finance, Deputy Michael Noonan, and the Minister of State, Deputy Brian Hayes, who will take into consideration all statements and ideas made in the House this week before formally setting out Government policy. The Minister, Deputy Noonan, stated, "It is incumbent on the State authorities and the banks to fully consider [the problem of mortgage difficulties] and for the financial institutions to bring forward other innovative solutions which will help this difficult and complex problem."

Many commentators expressed their disappointment in this report, identifying the lack of debt reduction or write-off as their main points, although it is estimated these would cost the State €14 billion. While I agree that a total write-off cannot realistically happen, I agree with the proposal that each case must be treated on its own merits having regard to the individual circumstances. This is the key to moving forward.

How do we propose to advance this proposal and how would it work? The current industry approach for dealing with arrears and pre-arrears is the mortgage arrears resolution process, MARP. This process is an important foundation to the individual case assessment approach in

which the mortgage holder completes up-to-date information on his or her current income and commitments and the bank considers alternative repayment arrangements. Eventually the mortgage holder can appeal to the Financial Ombudsman or accept these recommendations.

The Minister, the banks and the mortgage arrears and personal debt group should revisit MARP to beef up the resolution process and should consider setting up an independent agency which would mediate between the mortgage holder and the lending institution. Recommendations from this process would be binding on all sides. Debt reduction must be considered as part of this process. Let us consider a mortgage holder whose income has dropped by 50% , the value of whose property has dropped by 45% and who is now in negative equity. If the borrower has been paying according to the terms agreed up to the time of job loss and has a history of honouring his or her financial commitments, it is important that this borrower is given the opportunity to get back to a position in which he or she can continue to pay for the home as he or she was prepared to do during the good times.

On the other hand, if the bank pursues the borrower to the end, evicts the householder and tries to sell the property, can it realise the principal it invested? It cannot and the lengthy and costly legal issues only exacerbate the bank's position. If the bank were to sign up with an agency along with the borrower, it could allow a percentage of the principal to be written off or parked for ten years in line with property prices and allow an interest-only option for one or two years. Then, if at any time the personal income of the borrower were to improve, the case could be reviewed. It is in the best interest that this approach is embraced or considered by our banks because a plethora of repossessed property on the market would further devalue the properties of the banks' other customers. An agency such as I suggest could be similar to the money advice and budgeting service, MABS. This approach would only be successful if the banks agreed to sign up to a process that is binding on all parties and administered and regulated by the Financial Regulator and the Central Bank.

The idea of split mortgages, as contained in the report, is worthy of consideration and should be so considered by any such agency. It needs to be considered alongside the fact that it may take up to 25 years for property prices to reach the heights they did in 2006. For that reason partial write-off of debt needs to be part of any arbitration process.

I welcome the recommendation on the establishment of a mortgage advice and support function which will act as an adviser to troubled mortgage holders. I argue strongly for the Minister to consider going further and developing an agency that would work case by case and would be financially supported by the banks and the Government to ensure it does not get bogged down and has a realistic chance of working.

There are many other recommendations worth considering in this report. There are many honourable people in my constituency and those of all Members who find themselves in an impossible position. They want to pay but cannot and want to find a solution which involves paying for a house that has a realistic value and a realistic mortgage premium. I call for a mechanism for those people in order that they can meet their obligations in a realistic way through mediation and an input from both this Government and, most importantly, from banks who have been afforded the same opportunity from this State.

Deputy Michael Healy-Rae: I thank the Technical Group for allowing me time to speak on this very important matter. As the Members on the Government benches well know, I am not a critic of the Government. I support it when I believe it is doing the right thing and going in the right direction. I am not a knocker for the sake of it. I welcome the report, therefore, even though in my opinion and that of many others it falls short in a number of regards. At the same time, it shows the Government is genuinely committed and is trying to address this horrible situation, namely, the many thousands of people who struggle daily to pay the banks

[Deputy Michael Healy-Rae.]

the enormous sums of money they owe every month. I am aware of families which go without heat and the other bare essentials to meet their loan repayments. I do not have a monopoly in this regard because those who fill the other 165 seats in this Chamber are dealing with this matter on a daily basis. This is probably one of the greatest problems with which Members of these Houses and county councillors throughout the country are trying to come to grips. Young families and others are approaching their local politicians seeking information on what they can do in order to honour their commitments to their banks.

Irish people are extremely proud and sincere. When they borrow money, they want to repay their debts to the best of their ability. People are heartbroken because they are struggling to try to pay back the enormous loans they took out. For as long as I live, I will never forgive the bankers and developers who led those to whom I refer up the garden path by allowing them to believe that it was acceptable to borrow €300,000 or €400,000 in order to purchase property. These are ordinary working people who earn average wages and they will be saddled with enormous debts for the remainder of their lives.

It would be an awfully poor politician who would come before the House and criticise a Government that is trying to address this issue. The Government, and the Minister for Finance, Deputy Noonan, and Minister of State, Deputy Brian Hayes, in particular, need us to be both supportive and positive. We must work towards one objective, namely, assisting those who are struggling on a daily basis. There is nothing more terrible than to be visited at one's clinic by a young man and a young woman and to be informed about the horrendous difficulties they are experiencing. People such as those to whom I refer are trying to raise their children in the best way possible but they are in dire circumstances as a result of a lack of cash.

I welcome the advent of the mortgage to rent schemes. These will provide a solution whereby people will at least retain the dignity of remaining in their homes. It does not make economic sense for banks to put people out of their houses — and sell them on at much reduced prices — because those individuals then have to be rehoused by their local authorities. No one should be obliged to leave his or her home because he or she is not in a position to make mortgage repayments. As previous speakers indicated, the banks should, in conjunction with the relevant Departments, make arrangements on a case by case basis. That is the correct way to proceed, particularly as there is no one-size-fits-all approach in respect of this matter.

I accept that there may be an extremely small minority of what might be termed “rogue” borrowers. However, the majority of individuals are sincere and want to repay their loans at a rate they can afford. That is why the banks will be obliged to work with people. I accept that there may be circumstances in which banks may have to take houses back but they should allow people to remain in them. I say this because, regardless of whether they live in rural or urban areas, people are connected to their neighbours and their communities, their children attend local schools and they do not want to move elsewhere. As already stated, I welcome the mortgage to rent schemes but issues relating to them should be teased out further.

I welcome the debate on the report of the interdepartmental working group on mortgage arrears. However, as is the case with every report that is ever published, I am sure those on the Government benches would like it to be tweaked in a number of ways. No one on the opposite side of the Chamber is going to state that the report represents the answer to all our problems. Of course it is not the answer to all our problems but it represents a step in the right direction. I am of the opinion that further deliberation will be required in respect of the mortgage interest supplement scheme.

The banks are going to be obliged to play their part because, after all, we own them. The branch managers who are dealing with the type of young couples to whom I refer are, as far

as I am concerned, in charge of nothing. We should be issuing directions to the banks and informing them that we all live in this country, that we want to help those who are in trouble and that we must work together to identify solutions that will suit individual cases. I reiterate that I do not want people — regardless of whether they are young, in middle age or old — to live under the threat of being obliged to leave their homes. We had enough of that in the past when a great many individuals were put out of their houses. I do not want to live in a country in which people can be evicted from their homes. We should identify a solution whereby citizens can retain their dignity. Irish people are extremely proud and they do not want to be left at the side of the road and obliged to seek alternative accommodation.

We must work together in a positive fashion. For my part, I will make a constructive contribution at every possible opportunity. I will continue to work not only in my constituency but also elsewhere. We will all be obliged to put our shoulders to the wheel in respect of this very important issue. We can only hope that sensible approaches will be adopted and that people will pull together to find a solution that will help everyone. I commend those who have contributed to this debate so far. I am aware that every Member of the House is genuine in his or her commitment to wanting to assist those who are in trouble at present. I again thank the Technical Group and the Ceann Comhairle for making it possible for me to contribute to the debate.

Deputy Simon Harris: I welcome the opportunity to speak on the issue of mortgage arrears and the commonly referred to Keane report. Before dealing with the substance of the issue, it is important to pay tribute, as previous speakers have done, to organisations such as the Society of St. Vincent de Paul and MABS and citizens information offices on the excellent work they are doing in all our constituencies, including that which I represent, Wicklow. These entities have been swamped with queries from all of our constituents as the mortgage arrears crisis has heightened. Those who work for them are often the unsung heroes when it comes to dealing with this matter.

I welcome the publication of the Keane report, which has been produced in an efficient and timely manner. It is important to state categorically it does not, as Deputy Healy-Rae indicated, provide any sort of magical solution to what is a complex and difficult problem. The report states “it is not contemplated that the Working Group will provide an exhaustive set of recommendations and/or solutions”. This debate represents an important opportunity for Government and Opposition Deputies to come forward with constructive proposals. Members should indicate what is good about the Keane report and highlight what is missing from it. They should also outline what we need to do. Deputy Healy-Rae’s contribution was extremely constructive in that regard and was in stark contrast from those of Sinn Féin Members, who rejected the Government’s approach despite the fact that said approach has yet to be delineated. Sinn Féin is actually trying to pre-empt Government action on this issue. Those who represent that party cannot wait to criticise the Government before it has even reached a decision in respect of this matter.

The Keane report is merely that — a report. It provides a useful set of guidelines, recommendations, opinion and thought, which is extremely helpful. However, it does not constitute a Government decision. It is now the responsibility of the Fine Gael and Labour parties, on a collective basis in Cabinet, to implement the programme for Government and to do everything possible to assist those whose mortgages are in arrears.

There has been some criticism in recent days with regard to the involvement of bankers in the formulation of the Keane report. I am of the view that it was wholly appropriate to bring bankers to the table. As Deputy Healy-Rae stated, it is time bankers stepped up to the plate. Those in the banks must accept responsibility for the mess in which many people with mortgages find themselves and they must also be part of the solution.

[Deputy Simon Harris.]

I wish to focus on a number of issues, namely, advocacy, the mortgage to rent schemes, recapitalisation of the banks and the reform of personal insolvency legislation. In the context of advocacy, we must respond to the reality that many people find it extremely difficult or even intimidating to approach their banks and renegotiate the repayments on their mortgages. The lingo used by those within and the culture of the financial services sector can be off-putting and inaccessible to many. MABS does a wonderful job with regard to advising and supporting people in respect of financial matters. However, as the report before the House outlines, this organisation is not resourced or structured to assist people in dealing with banks and other financial institutions. There is a need for an organisation to act as a consumer advocate for mortgage holders. An “honest broker”, for want of a better term, that could speak on behalf of, advise and assist mortgage holders and provide them with a voice in the renegotiation process. I welcome the Keane report’s recommendation in this regard and it must be acted upon. Each mortgage is different and in such circumstances there is a need for an advocate who can consider matters on a case by case basis.

I have a range of concerns, questions and queries in respect of the mortgage to rent scheme. It is understandably incomprehensible that people would want to rent back their homes from any organisation or authority having pumped every cent they possess into meeting their repayments.

Debate adjourned.

The Dáil adjourned at 10 p.m. until 10.30 a.m. on Wednesday, 19 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 21, inclusive, answered orally.

Questions Nos. 22 to 38, inclusive, resubmitted.

Questions Nos. 39 to 50, inclusive, answered orally.

Ministerial Meetings

51. **Deputy Gerry Adams** asked the Minister for Arts, Heritage and the Gaeltacht if he will provide update on the North-South meetings and other engagements he has had with his counterpart from the Northern Assembly; and if he will make a statement on the matter. [29861/11]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): Since my appointment as Minister, I have met with my counterpart, Ms Carál Ní Chuilín, MLA, Minister for Culture, Arts and Leisure, on a number of occasions, both formally and informally.

The Deputy will, of course, be aware that my Department and the Department of Culture, Arts and Leisure co-fund and co-sponsor two North-South Implementation bodies. These are Waterways Ireland and An Foras Teanga (comprising Foras na Gaeilge and the Ulster Scots Agency/Tha Boord o Ulstèr- Scotch). The Deputy will also be aware that there are a number of functional areas that come within the ambit of my Department that also come within the ambit of the Department of Culture, Arts and Leisure in Northern Ireland, including responsibility for arts, culture, museums and galleries, language and commemorations. Indeed, officials of my Department are currently exploring with their colleagues in the Department of Culture, Arts and Leisure potential mechanisms to enhance co-operation across all of these areas.

The most recent formal meeting between Minister Ní Chuilín and myself was at the NSMC Inland Waterways and Language sectoral meetings on 12 October last, directly following which we attended an event to launch the 18th William Kennedy Piping Festival in Armagh. The Deputy will be aware from previous replies to Parliamentary Questions that I also met Minister Ní Chuilín at the NSMC Inland Waterways and Language sectoral meetings on 7 July 2011.

In addition, I met Minister Ní Chuilín on National Famine Commemoration Day, which was held in Clones, Co. Monaghan on 10 September 2011, and also in the context of a recent

[Deputy Jimmy Deenihan.]

Waterways Ireland Conference in Dublin Castle on 14 September 2011. We also met at the unveiling of newly installed artwork at the NSMC offices in Armagh on 28 September last. I should say that both Deputy Dinny McGinley, Minister of State at my Department, and myself have separately met Minister Ní Chuilín on a range of issues in Belfast. The next scheduled formal meeting between Minister Ní Chuilín and myself will take place on 7 November 2011.

Question No. 52 answered with Question No. 48.

State Collections

53. **Deputy Denis Naughten** asked the Minister for Arts, Heritage and the Gaeltacht the steps he will take to maximise the use of State exhibits and exhibitions currently held in storage; and if he will make a statement on the matter. [29503/11]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): The Deputy will appreciate that the management of exhibitions and exhibition material is an operational matter for which the individual institutions have responsibility and this is reflected, in particular, in the legislative basis under which the national institutions such as the National Museum, National Gallery and National Library operate. I am, however, arranging to have the Deputy's interest in these matters conveyed to the Directors of the relevant institutions.

Arts Policy

54. **Deputy Pádraig Mac Lochlainn** asked the Minister for Arts, Heritage and the Gaeltacht how he plans to maximise participation in the arts; and if he will make a statement on the matter. [29856/11]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): Government policy on the Arts is set out in the Programme for Government and aims to promote and strengthen the arts in all its forms, increase access to and participation in the arts, and make the arts an integral and valued part of our national life.

Responsibility for the promotion of the arts at all levels throughout the country is primarily devolved to the Arts Council. The Arts Council is the principal agency through which State funding is channelled to the arts. Under the Arts Act 2003, the general functions of the Council include the following:

- to stimulate public interest in the arts;
- to promote knowledge, appreciation and practice of the arts; and
- to assist in improving standards in the arts.

The Arts Council is a statutorily independent body funded by my Department and is independent in its day-to-day operations, including in relation to its funding decisions. For 2011 the Exchequer allocation to the Arts Council is €65.127 million.

55. **Deputy Richard Boyd Barrett** asked the Minister for Arts, Heritage and the Gaeltacht the number of persons employed in the arts; his plans for job creation in the arts; and if he will make a statement on the matter. [29879/11]

62. **Deputy Joan Collins** asked the Minister for Arts, Heritage and the Gaeltacht his plans for sustained funding and job creation in the arts; and if he will make a statement on the matter. [29853/11]

292. **Deputy Bernard J. Durkan** asked the Minister for Arts, Heritage and the Gaeltacht the total number of persons employed directly or indirectly in the arts at present; if he will endeavour to ensure that such numbers are retained or expanded, with particular reference to both the economic and cultural benefit; and if he will make a statement on the matter. [30139/11]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): I propose to take Questions Nos. 55, 62 and 292 together.

The arts and culture sectors continue to offer vital opportunities for the provision of important cultural, social and employment benefits to communities throughout the country. As the Deputies will appreciate, the nature of employment within the arts sector encompasses a very wide range of activities. Its scope can include those engaged in the arts practice within specific artistic genres and can also encompass areas which flow from such artistic pursuits. It may also embody the whole industrial creative sectors — the foundation of which lie in the pure arts areas. Accordingly, there are differentiated sets of figures which reflect the differing basis from which employment numbers are derived.

Using data compiled by DKM consultants in 2009, “Economic Impact of the Arts, Culture and Creative Sectors”, which examined available statistics on the arts and culture sector, employment in the arts, culture and creative industries areas was demonstrated as being of the order of 170,000. It may be noted that this study took a wide definition of the arts and included part of the broad cultural and creative industries, including direct, indirect and induced employment numbers, and also took into account those employed, for instance, in the advertising sector, architecture, fashion and design, and cultural tourism.

The Government appreciates and values the contribution the arts sector makes to the internationally renowned artistic reputation of this country. Within the current economic constraints, that investment in the arts, culture and creative sectors is more important than ever, having regard to the employment intensity of the sector. In the context of the 2012 Estimates, I will, of course, be endeavouring to maximise continuing Government support for the arts.

56. **Deputy Jonathan O’Brien** asked the Minister for Arts, Heritage and the Gaeltacht the role he sees for the arts in mental well-being; his efforts to see that potential realised; and if he will make a statement on the matter. [29865/11]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): The Deputy will appreciate that I have no statutory responsibility in relation to mental health, which is a matter for my colleague, the Minister for Health. However, the Deputy may find the *www.artsandhealth.ie* website of interest. This website is funded by the Arts Council, which is statutorily independent in its funding decisions.

Question No. 57 answered with Question No. 46.

National Monuments

58. **Deputy Sandra McLellan** asked the Minister for Arts, Heritage and the Gaeltacht his plans for the continued protection of post-1700 monuments; and if he will make a statement on the matter. [29860/11]

301. **Deputy Sandra McLellan** asked the Minister for Arts, Heritage and the Gaeltacht his plans for the continued protection of post-1700 monuments; and if he will make a statement on the matter. [29905/11]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): I propose to take Questions Nos. 58 and 301 together.

I can assure the Deputy that there are no proposals to remove the protection of the National Monuments Acts from any category of monument. My Department's National Monuments Service is reviewing the policy for including monuments in the Record of Monuments and Places (RMP) because the current RMP, drawn up more than 10 years ago, is not consistent across all counties, where post-1700 AD monuments are concerned.

The objective of this current review is to bring about greater consistency across the board. This is only one element of a wider strategy to improve the management, protection, presentation and appreciation of Ireland's unique archaeological heritage. My Department is working to provide high quality, accurate and accessible information through its dedicated website *www.archaeology.ie*. A comprehensive new Monuments Bill is also being drafted to consolidate, modernise and improve the legislative code for the protection and regulation of our archaeological heritage. In addition, detailed guidance is being developed on archaeological best practice and procedure, based on comprehensive recommendations from an expert review group that has been engaged in an intensive examination of practice over a number of years.

There are obviously issues that will arise as to how, and under which legislation, certain structures should be best protected. There is no question, however, of the current Record of Monuments and Places (RMP) being revised until the review has been completed. When draft policy and criteria for updating the RMP have been developed, my Department will consult with interested parties before any decisions are made.

Arts Funding

59. **Deputy Martin Ferris** asked the Minister for Arts, Heritage and the Gaeltacht his plans to prioritise supports and funding for independent art centres here into the future in view of the important role that such centres play within communities; and if he will make a statement on the matter. [29862/11]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): Primary responsibility for the promotion of the arts at all levels throughout the country is devolved to the Arts Council. The Council is funded by my Department and is independent in its day to day operations, including funding decisions. The allocation to the Arts Council for 2011 is €65.16m. My Department has no statutory responsibility for the ongoing funding of independent arts centres.

Under the ACCESS programme, my Department is responsible for the provision of capital monies for arts centres, galleries, theatres, etc. A total of €7.8m was allocated in 2011 for regional arts capital projects throughout the country. Many projects have already been completed, are open to the public and are providing resources for local communities. A list of the successful ACCESS II projects and the amount of grant aid allocated to each project is available on my Department's website.

National Asset Management Agency

60. **Deputy Michael Colreavy** asked the Minister for Arts, Heritage and the Gaeltacht the progress that has been made to date in securing properties under the control of NAMA that may be suitable for use as local arts facilities; and if he will make a statement on the matter. [29866/11]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): As I mentioned in replies to previous Parliamentary Questions, I have met the chair and chief executive of NAMA in relation to the potential use of NAMA buildings for cultural purposes. As the

Deputy and the House will, however, appreciate, NAMA is required to deal with a range of sensitive financial matters in carrying out its functions and is restricted in regard to the information it may make available in relation to assets.

Turbary Rights

61. **Deputy Denis Naughten** asked the Minister for Arts, Heritage and the Gaeltacht the step he will take to minimise the impact of the ban on turf cutting on individuals and families; and if he will make a statement on the matter. [29502/11]

294. **Deputy Bernard J. Durkan** asked the Minister for Arts, Heritage and the Gaeltacht the extent to which an amicable settlement has been found with traditional turfcutters who are affected by various EU and other conservation measures; and if he will make a statement on the matter. [30141/11]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): I propose to take Questions Nos. 61 and 294 together.

Further to Ireland's obligations under EU law to protect rare and threatened natural habitats, it is clear that further turf-cutting and conservation of Ireland's 53 raised bog Special Areas of Conservation (SAC) is incompatible. Earlier this year, the Government announced a compensation package for those affected by the cessation of turf cutting in these 53 raised bog SACs. The package offers qualifying turf-cutters the option of a financial payment of €1,000 per year index linked, for a period of 15 years or, where feasible, their relocation to a non-designated bog, where they can continue to cut turf.

In April, the independently chaired Peatlands Council was established, comprising representatives of turf-cutting interest groups, environmental groups, Bord na Móna and my Department. The remit of the Council includes an opportunity to review the compensation arrangements, to make proposals and to provide advice to me. As part of its contribution, one of the turf-cutting representative groups, the IFA, proposed that the State would provide a delivery of turf to those who must stop turf-cutting as an alternative to a financial payment. My Department is now making arrangements to include this as an element of the compensation arrangements. The Council has also proposed an approach that would focus on the long-term energy requirements of affected turf-cutters and this proposal is also being explored.

In terms of relocation, following lengthy discussions between affected turf-cutters, Bord na Móna and my Department, agreement has been reached on the terms and conditions for relocation from the first of the 53 raised bogs to an alternative undesignated bog, where the turf-cutters involved will be cutting in 2012. This relocation can now be used as a template for other groups who wish to continue cutting on alternative bogs.

The Peatlands Council has shown that it can be a vehicle to deliver results and a credible forum where the interests of turf-cutters can be represented and accommodated. While one group — the Turf-Cutters and Contractors Association (TCCA) — has withdrawn from the Peatlands Council, it had been working, with the assistance of my Department, to explore relocation sites for the 53 SACs. I would still welcome any proposals which the TCCA wish to propose to the Peatlands Council and my Department in this regard.

It is also intended that the Peatlands Council will be the vehicle for the drawing up of a Peatlands Strategy, which my Department is undertaking, and where longer-term issues regarding the future use of Ireland's peatlands will be set out. Interested parties can make their views known by writing directly to the Peatlands Council or by having their views directed to it through one of the representative groups sitting on the Council.

Question No. 62 answered with Question No. 55.

Museum Projects

63. **Deputy Mary Lou McDonald** asked the Minister for Arts, Heritage and the Gaeltacht the contact or discussions between him and the Bank of Ireland on making the Bank of Ireland premises in College Green, Dublin 2, available as a public building for use for cultural purposes; and if he will make a statement on the matter. [29857/11]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): I refer the Deputy to my previous replies on this matter on 24 May, 2 June and 14 September 2011. I have met the Chair and Chief Executive of Bank of Ireland and had a constructive engagement on the issues. That engagement will continue.

Arts Policy

64. **Deputy Seán Crowe** asked the Minister for Arts, Heritage and the Gaeltacht the efforts he has made in co-operation with the Department of Education and Skills to increase participation in the arts at primary and secondary school level; and if he will make a statement on the matter. [29859/11]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): Since assuming the role of Minister for the Arts, Heritage and the Gaeltacht, I have had discussions with the Minister for Education and Skills to explore ways to improve participation in the arts within the education system. Arising from these discussions, senior officials from my Department and the Department of Education and skills are now examining a number of initiatives to address arts in education.

Irish Museum of Modern Art

65. **Deputy Richard Boyd Barrett** asked the Minister for Arts, Heritage and the Gaeltacht if, in view of the planned closure of Irish Museum of Modern Art from November 2011 to January 2013, he will provide an outline of the schedule of works; the position regarding staff during renovations; if he will give confirmation that it will open again; and if he will make a statement on the matter. [29880/11]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): The primary purpose of the works at the Irish Museum of Modern Art (IMMA) is to upgrade to modern standards the fire, safety and security systems in the premises. The work will be carried out in different phases over the course of 2012 and will consist of external works in the grounds to install new security infrastructure, the provision of a new security room within the building, rewiring for the new systems on the three floors of the East, West and South wings, which will involve the stripping out of all the old systems, lifting of floorboards, taking down ceilings and their subsequent reinstatement, and the installation of additional fire stopping measures.

IMMA will retain a presence at the Royal Hospital Kilmainham (RHK) site during its closure via its exhibition programme in the New Galleries and the Artists' Residency Programme. The café, bookshop and grounds will also remain open to visitors. All other IMMA staff will move to alternative accommodation during the period of the closure of the RHK site and this process has just commenced in relation to administrative staff. The works are due to be completed in time for IMMA/RHK to re-open in early 2013. Meanwhile, IMMA, my Department and OPW are working to relocate the IMMA exhibition programme to the site used by Dublin Contemporary 2011 at the National Concert Hall complex at Earlsfort Terrace for Spring 2012.

Appointments to State Boards

66. **Deputy Michael McGrath** asked the Taoiseach if he will provide a list of all appointments to State boards, including any appointments to the position of chairperson (shown separately) he has made since coming to office; the details of any remuneration or expenses arrangement that applies in respect of each appointment; the vacancies on the boards that were publicly advertised; and the prospective nominees that went before the Oireachtas committee for questioning. [29513/11]

The Taoiseach: The National Economic and Social Development Office (NESDO) was established under the NESDO Act 2006 and is the body corporate for the National Economic and Social Council (NESC). It has been the previous practice to appoint the Secretary General of my Department as Chairperson of the NESC. Since entering office, in accordance with that practice, I appointed Martin Fraser, Secretary General of my Department as Chair of the NESC on 1 August.

I also appointed the following experts to the NESC in June:

Prof. Edgar Morgenroth, Economic and Social Research Institute

Prof. John McHale, National University of Ireland, Galway

Prof. Mary Day, Queen's University Belfast

Prof. Anna Davis, Trinity College

Prof. Seán Ó Riain, National University of Ireland, Maynooth

Dr. Michael O'Sullivan, Credit Suisse — London

Ms Mary Walsh, Chartered Accountant

Dr. Michelle Morris, University College Dublin was appointed in July. The appointments were not publicly advertised but were made following careful consideration of the necessary skills, knowledge and expertise relevant to the functions of the Council. No remuneration is payable to persons for their membership of NESC, though members may claim expenses in accordance with the relevant Department of Public Expenditure circulars.

Croke Park Agreement

67. **Deputy Simon Harris** asked the Taoiseach the position regarding the Croke Park agreement; if he has received implementation plans for this agreement from his Department and each State agency under his remit; the status of these implementation plans; the discussion he has had with the EU and IMF regarding the agreement; and if he will make a statement on the matter. [29691/11]

The Taoiseach: Under the *Public Service Agreement 2010-2014* (the Croke Park Agreement), detailed action plans have been developed across each sector of the public service to underpin the change and reform process envisaged by the Agreement. The Action Plan developed by my Department was finalised in January 2011 and published on its website. In May my Department reported for the first time on progress in implementing the Agreement, and is due to submit a second progress report to the Implementation Body shortly.

The National Economic and Social Development Office (NESDO) is the only State Agency under the aegis of my Department. The NESDO, which was established under the NESDO Act 2006, is the body corporate for the National Economic and Social Council (NESC). The Office developed an Action Plan under the *Public Service Agreement 2010 — 2014* in January 2011 and its first progress report on implementing the Agreement was presented in May. Their second updated progress report is expected shortly. Responsibility for the Croke Park Agree-

[The Taoiseach.]

ment in general is a matter for the Minister for Public Expenditure and Reform, and I understand that he has responded to the wider issues raised in this question in a reply to a similar question on 12 October 2011.

Pension Provisions

68. **Deputy Mary Lou McDonald** asked the Taoiseach the saving to the Exchequer if all existing public service pension payments to former employees of State agencies under the aegis of his Department were capped at €35,000 per year. [29787/11]

The Taoiseach: The National Economic and Social Development Office (NESDO) is the only State Agency under the aegis of my Department. The NESDO, which was established under the NESDO Act 2006, is the body corporate for the National Economic and Social Council (NESC). No former employees of the NESDO/NESC are in receipt of public service pension payments so the question of savings does not arise.

Appointments to State Boards

69. **Deputy Sean Fleming** asked the Taoiseach his role in relation to appointments to all State boards and agencies; his views on introducing a cap or ceiling to the number of boards on which one person can serve; and if he will make a statement on the matter. [29982/11]

The Taoiseach: I appoint members to the National Economic and Social Council and the National Statistics Board.

The National Economic and Social Development Office (NESDO) was established under the NESDO Act 2006 and is the body corporate for the National Economic and Social Council (NESC). The Act provides for the appointment by me of the Council on the basis of nominations received from representatives of trade unions, business and employers, farmers' organisations, environmental sector and community and voluntary sectors.

The Act also provides for the appointment by me of a number of public servants and a number of independent experts to the Council: the number of independent experts was increased to eight in the *National Economic and Social Council (Alteration of Composition) Order 2010*. I appointed seven independent experts in June and one in July. I recently appointed Martin Fraser, Secretary General in my Department, as Chairperson of the Office and the Council. The Statistics Act 1993 provides that I appoint seven of the eight members of the National Statistics Board. The Act provides that the Board consists of eight members, comprising the Director General of the CSO, who is appointed by the President on my nomination, and seven persons appointed by the Taoiseach as follows:

(a) five persons of proven ability and experience in relevant fields, two nominated by the Taoiseach and three nominated by such organisation or organisations as the Taoiseach considers representative of the users of official statistics and providers of information under the Act,

(b) an Assistant Secretary or equivalent or higher grade in the Department of the Taoiseach, and

(c) an Assistant Secretary or equivalent or higher grade in the Department of Finance. It also provides that the Chairman shall be appointed by the Taoiseach from among the members of the Board appointed under (a) above.

As has been the precedent, these functions in relation to the National Statistics Board have been delegated to the Chief Whip under the Statistics (Delegation of Ministerial Functions) Order 2011. No appointments have been made to the National Statistics Board since the Government took office.

The Deputy will be aware that the Government has put new arrangements in place for the making of appointments to State boards. Departments invite expressions of interest in vacancies on the boards of bodies under their aegis on their websites. Ministers are not confined to considering those who make expressions of interest but must ensure that all appointees have the relevant qualifications. In addition, those being proposed for appointment as Chairperson of State boards are required to make themselves available to the appropriate Oireachtas Committee to discuss the approach they will take to their role as Chairperson and their views about the future contribution of the body in question. Following that discussion, decisions are taken by the Minister or the Government, as appropriate, to confirm the nominee as Chairperson. The Government will continue to keep the arrangements for appointments to State boards under review.

70. **Deputy Mary Lou McDonald** asked the Taoiseach the saving to the State if all State agency board members' annual payments were rescinded and instead board membership was awarded without remuneration. [30261/11]

The Taoiseach: The only saving that would arise in relation to appointments made by me relates to the National Statistics Board. Some €32,918 would be saved if the annual stipend payments to the members of the National Statistics Board were rescinded.

State Visits

71. **Deputy Catherine Murphy** asked the Tánaiste and Minister for Foreign Affairs and Trade if an invitation has issued to the Pope to visit here in 2012; if so, the issues that are anticipated in view of the range of reports of clerical child sexual abuse and the recent exchange between him and the Papal Nuncio; if not, if an invitation is under active consideration; and if he will make a statement on the matter. [29514/11]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): An invitation has not issued nor is one currently under active consideration. As to the other matters raised in the question, I would refer the Deputy to the Statement of 8 September by the Government of Ireland on the response of the Holy See regarding the report of the Commission of Investigation into the Catholic Diocese of Cloyne, which states

The Government of Ireland thanks the Holy See for its response of 3 September regarding the report of the Commission of Investigation into the Catholic Diocese of Cloyne (the Cloyne Report) and the representations made to it by the Tánaiste in this regard in his meeting with the Apostolic Nuncio on 14 July 2011. The Government acknowledges and welcomes the statement in the response that the Holy See is sorry and ashamed for the terrible sufferings which the victims of abuse and their families have endured. The victims of abuse and their families must remain foremost in our considerations.

Having considered carefully the Cloyne Report and the response of the Holy See, the Government of Ireland remains of the view that the content of the confidential letter in 1997 from the then Apostolic Nuncio, Archbishop Storero, to the Irish Bishops, regardless of whether or not it was intended to do so, provided a pretext for some members of the clergy to evade full cooperation with the Irish civil authorities in regard to the abuse of minors. This is a matter of great concern to the Irish Government.

[Deputy Eamon Gilmore.]

The Government of Ireland notes the comments in the Holy See's response on the political debate which ensued in Ireland after the publication of the Cloyne Report and in particular the statements made by the Taoiseach and other political leaders. The Government of Ireland must point out that the comments made by the Taoiseach and other political leaders accurately reflect the public anger of the overwhelming majority of Irish people at the failure of the Catholic Church in Ireland and the Holy See to deal adequately with clerical child sexual abuse and those who committed such appalling acts.

It is the Government of Ireland's hope that, in spite of outstanding differences, lessons have been learned from appalling past failures. In this regard, it welcomes the commitment in the concluding remarks of the Holy See's response to a constructive dialogue and cooperation with the Government. In welcoming this commitment, the Government expects the fullest cooperation from the Holy See, the Catholic Church in Ireland and all other relevant bodies with a view to ensuring that Ireland is a society fully safe for children and minors and that all of those with responsibility for the welfare and care of children in this country are fully subject to Irish laws and requirements.

Global Irish Economic Forum

72. **Deputy Peadar Tóibín** asked the Tánaiste and Minister for Foreign Affairs and Trade the cost benefit of Farmleigh's conference on job creation in 2010. [28890/11]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): The first meeting of the Global Irish Economic Forum was held at the Farmleigh Estate in Dublin from 18-20 September, 2009. It was convened by the then Government with two broad goals: to explore how the Irish at home and abroad could work together and contribute to our economic recovery; and to examine ways in which Ireland and its global community could develop a more strategic relationship with each other. Some 130 leading Irish connected individuals living abroad from the business and cultural sectors attended the Forum. The overall cost of the Forum was €330,000. The formal report of the Forum sets out 59 specific and medium term objectives identified at the 2009 Forum. The Department of Foreign Affairs and Trade published updates in April and October, 2010 and in April 2011. These updates, which are available on the Forum's website *www.globalirishforum.ie*, demonstrate the significant number of proposals that have either been fully or substantively delivered by Government.

Some of the initiatives were general or thematic in nature and covered a range of sectors including: innovation; education; tourism; culture; diaspora engagement and network development. Other proposals were more specific and project orientated. The report "The First Global Irish Economic Forum — Two Years On" was prepared for participants at the 2011 Forum and provides an indication of the progress achieved on a number of the key initiatives, and a copy is being forwarded to the Deputy.

In addition to the specific initiatives, one of the most significant long term outcomes from the 2009 Forum was the significant increase in awareness it generated here within the public and private sectors of the importance of the Diaspora as a source of soft power. As a direct consequence of the Forum, many private and public sector entities now include a Diaspora dimension in their business planning strategies.

The Deputy will also wish to note that the Comptroller and Auditor General included a chapter on the 2009 Forum in his 2010 Annual Report which noted a "reasonable level of tracking and reporting". The second Global Irish Economic Forum took place in Dublin Castle on 7- 8 October, 2011 and the formal report of the Forum will be available shortly.

Croke Park Agreement

73. **Deputy Simon Harris** asked the Tánaiste and Minister for Foreign Affairs and Trade the position regarding the Croke Park agreement; if he has received implementation plans for this agreement from his Department and each State agency under his remit; the status of these implementation plans; the discussion he has had with the EU and IMF regarding the agreement; and if he will make a statement on the matter. [29686/11]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): The Public Service Agreement, 2010-2014 (the Croke Park agreement) provides a framework for public service management and staff to work together to reduce the cost of delivery of public services while also maintaining or improving the quality of those services. An Implementation Body was established to drive the implementation of the Agreement across all sectors and ensure that early, robust and verifiable reforms were secured which would in turn lead to verifiable and sustainable savings in the cost of public service delivery. My Department's initial Action Plan under the Croke Park Agreement was submitted to the Implementation Body in October 2010, followed by a second iteration in early January 2011. The initiatives in the Action Plan, which build on on-going reforms in the Department's business processes, are kept under continuous review and have yielded significant savings in the administrative costs of running the Department. These reforms are contributing to the effort to meet the challenge of maintaining the range, quality and geographic scope of the policy, programme management, promotional and front-line citizen services provided by the Department with the reduced resources available.

The Department regularly reports to the Implementation Body, most recently this week, on progress made in implementing the actions specified in our Action plan as well as on savings being achieved. These progress and savings reports are published on the Department's and the Implementation Body's websites. My Department is fully cognisant of the extremely difficult economic and budgetary circumstances facing the State. Under my direction, it remains fully committed to ensuring that its responsibilities are fulfilled and that the frontline services it provides to the public are delivered as cost-effectively as possible. It is working hard to achieve reforms and savings within the specified timeframes and I am very satisfied with the progress being made in this regard. There are no State bodies under the aegis of the Department of Foreign Affairs and Trade.

The Minister for Public Expenditure and Reform has overall responsibility for coordinating the implementation of the Croke Park Agreement and for leading any discussions that may be appropriate with representatives of the EU or the IMF on that subject.

Pension Provisions

74. **Deputy Mary Lou McDonald** asked the Tánaiste and Minister for Foreign Affairs and Trade the saving to the Exchequer if all existing public service pension payments to former employees of State agencies under the aegis of his Department were capped at €35,000 per year. [29781/11]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): There are no State agencies under the aegis of my Department. However, I can advise the Deputy that three individuals who retired from the former Agency for Personal Service Overseas (APSO), which was integrated into my Department in 2004, are in receipt of pensions direct from the Department. The annual amount in each case is less than €35,000.

EU Funding

75. **Deputy Pádraig Mac Lochlainn** asked the Tánaiste and Minister for Foreign Affairs and Trade his view on whether it is appropriate that Israeli arms companies (details supplied) that participate in the construction of Israel's illegal wall and private companies based in illegal Israeli settlements receive EU funding through the seventh framework programme; the steps he is taking to ensure that such companies will not be able to participate in Horizon 2020; and his view on basing the rules for participation in Horizon 2020 on the UN guidelines for businesses and human rights. [30149/11]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): Israel is one of a number of third countries participating as “associated countries” in the Seventh Framework Programme for research, technological development and demonstration activities (2007-2013). Such participation is governed by science and technology agreements concluded with each country concerned. The agreement with Israel was signed on 16 July 2007, with provisional application from 1 January 2007, and entered into force on 17 December 2008. Under the Agreement legal entities established in Israel are eligible for participation under the same conditions as legal entities established in the Member States. Israel makes a financial contribution to the Seventh Framework Programme in proportion to its GDP. This agreement applies for the duration of current Framework Programme. The Association agreement seeks to strengthen scientific and technological cooperation between the EU and Israel through the Framework Programme. Israel is a leader in many high-tech fields, and both the EU and Israel benefit from such exchanges. Israel is a small state with a large military sector, and most Israeli high-tech firms will have links or contracts with the military. However, the EU only funds specific activities targeting civil research that are clearly defined in the annual work programmes. No military research is or can be funded either directly or indirectly under the Framework Programme.

The Decision of the European Parliament and the Council adopting the Seventh Framework Programme provides that research activities supported by the Programme should respect fundamental ethical principles including those reflected in the Charter of Fundamental Rights of the European Union. All proposals submitted for funding are subject to ethical review. The Government's position on Israel's security wall is clear: Israel is entitled to build such a wall if it wishes, on its own territory, but we do object to the large sections of it which are built on Palestinian land. Our problem is therefore not with the wall as such, or the companies involved in building it, as with the decisions of the government as to where it should run.

The EU has a clear position that the Israeli settlements on Palestinian territory are illegal, and a barrier to peace. I would agree that EU research funding should be consistent with wider EU policies. If the Deputy has evidence that funding to companies actually based in settlements has taken place I would be glad to see it. I understand that the rules for participation in the next Framework Programme — Horizon 2020 — will be set out in a Regulation of the Council and the European Parliament following a proposal from the Commission. When the Commission proposals are available they will be examined to ensure that procedures are in place to ensure that funding provided is consistent with wider EU policies.

Departmental Appointments

76. **Deputy Gerry Adams** asked the Minister for Finance the reason he has decided not to reappoint a person (details supplied) to the European Court of Auditors. [29515/11]

Minister for Finance (Deputy Michael Noonan): Having taken all relevant factors into account, the Government has nominated Mr. Kevin Cardiff, Secretary General at the Depart-

ment of Finance, for appointment to the European Court of Auditors. Mr. Cardiff will attend a hearing of the European Parliament's Budgetary Control Committee before his nomination goes to the Council for approval. As the Taoiseach said in the Dáil last week, "Mr. Cardiff carries with him a long career of distinguished public service here and the credentials to do a first class job in respect of the European Court of Auditors."

Appointments to State Boards

77. **Deputy Mary Lou McDonald** asked the Minister for Finance the remuneration of each of the five members of the Fiscal Advisory Council. [30013/11]

102. **Deputy Pearse Doherty** asked the Minister for Finance the operating budget for the Fiscal Advisory Council for 2011 and the expected operating budget for the council for 2012, including salaries, premises, communication and administration costs; and if he will make a statement on the matter. [29997/11]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 77 and 102 together.

In the *Revised Estimates for Public Services 2011* published in July, the Fiscal Advisory Council was provided with an allocation of €300,000 for 2011. As the Council was established at the end of June, this covers the six month period of July to December 2011 and covers a number of costs associated with establishing the Council. The Estimates for 2012 are currently being considered and final allocations will be set out in the Revised Estimates for Public Services 2012 as is normally the case. However, at the time of establishment, it was envisaged that the Council's annual allocation would be between €400,000 and €650,000.

There are five members of the Fiscal Advisory Council. Two of the Council's members are Irish public servants and they are not paid for their service on the Council. In the case of the remaining three members of the Council, a stipend of €5,000 will be paid.

Betting Regulations

78. **Deputy Michael Healy-Rae** asked the Minister for Finance if he will extend the opening hours of licensed bookmaking premises, which it is estimated would result in additional betting duty of €5.28 million per annum to the Exchequer. [30074/11]

113. **Deputy Brendan Smith** asked the Minister for Finance his plans to extend the opening hours for betting shops for trading in the winter months; and if he will make a statement on the matter. [30151/11]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 78 and 113 together.

The proposed Betting (Amendment) Bill, which is being drafted at present, will amend the 1931 Betting Act to *inter alia* establish the regulatory framework for the licensing of remote bookmakers and betting exchanges, including measures to enforce the regulatory framework. The extension of the opening hours of retail betting shops over the winter period is being considered in that context.

An estimate of the potential tax revenue the extension of the opening hours would generate is not possible to predict as it would depend on a number of factors not least the number of betting shops that would avail of the new opening hours. I note that the representative body of bookmakers has estimated potential additional revenue of around 5 million euro which would include betting duty, PAYE, PRSI etc.

79. **Deputy Michael Healy-Rae** asked the Minister for Finance if he will license the use of technology in betting shops, which, it is estimated, could bring in between €2 million and €4 million per annum to the Exchequer, and upwards of €10 million to the Exchequer if applied to machines in all other locations. [30075/11]

112. **Deputy Brendan Smith** asked the Minister for Finance his plans to review betting legislation, particularly in relation to the possible introduction of new technology into betting shops; and if he will make a statement on the matter. [30150/11]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 79 and 112 together.

I will not be amending the betting legislation to allow for the introduction of gaming or any other type of gambling other than that of bookmaking into betting shops. The Deputy may be aware that the Minister for Justice and Equality is currently preparing a comprehensive Bill on gambling; however, the Minister has stated that new legislation will prohibit fixed odds betting terminals.

80. **Deputy Michael Healy-Rae** asked the Minister for Finance if he will reform the approach to betting taxation to combine a licensing system applied to all operators, be they in shops, over the telephone, or online, with taxation on profits and not on turnover. [30076/11]

114. **Deputy Brendan Smith** asked the Minister for Finance when it is proposed to introduce the necessary legislation to tax online betting; and if he will make a statement on the matter. [30152/11]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 80 and 114 together.

The proposed Betting (Amendment) Bill, which is being drafted at present, will amend the 1931 Betting Act to *inter alia* establish the regulatory framework for the licensing of remote bookmakers and betting exchanges, including measures to enforce the regulatory framework. The drafting of the Bill, which is fairly complex, is well advanced. The Finance Act 2011 contained measures to allow for the extension of the 1% betting duty to remote bookmakers and for a 15% gross profit tax to betting exchanges. The taxation provisions are subject to a Ministerial Commencement order which can only be commenced when the Betting (Amendment) Bill is enacted.

Customs and Excise

81. **Deputy Jonathan O'Brien** asked the Minister for Finance the amount it is costing the Exchequer to supply the security measures currently in place for the facilitation of the Smithfield horse fair, Dublin, in terms of Customs and Excise officials; and if he will make a statement on the matter. [30148/11]

Minister for Finance (Deputy Michael Noonan): The Revenue participation in operations in Smithfield are part of our ongoing efforts to counteract the shadow economy with a focus on tax, customs and excise duty evasion. Many of the personnel participating on the operations did so as part of their normal duties. Some staff who took part in the operations were eligible for overtime and travel and subsistence payments. In 2011 these payments amounted €1,736 for overtime and €127 for travel & subsistence.

Financial Transactions Tax

82. **Deputy Kevin Humphreys** asked the Minister for Finance his views on a European-wide financial transaction tax, FTT; if he will provide any briefing documents drawn up by him on the FTT to this Deputy; if he has conducted an economic impact assessment on the FTT for Ireland; if not, his plans to conduct one; if he has made any submission to the EU Commission on President Barroso's proposals for an FTT; if he will provide a copy of such to this Deputy; and if he will make a statement on the matter. [29457/11]

Minister for Finance (Deputy Michael Noonan): The European Commission recently published its proposal for a Financial Transactions Tax, or FTT. My Department is analysing the detailed proposals contained in the draft Directive. The draft Directive will now be subject to detailed discussions at EU level and, as always, we will participate constructively in those discussions. There is no consensus as yet among European Member States on this issue, either about whether an FTT should be introduced, or what precise form it should take.

It is important that any proposal does not have the effect of encouraging relocation of activity or damaging the EU's competitiveness in financial services. It is for this reason that there is an emerging view that the EU and other international groupings, such as the IMF and G20, should move together in a global manner to avoid the danger of financial sector business gravitating to jurisdictions where taxes are not levied on financial transactions. Indeed the Commission has indicated that it sees its proposal as part of a wider development in this area.

In my view any tax would be best applied on a wide international basis to include the major financial centres. I also think it important that the proposed Directive would apply on an EU wide basis to prevent any distortion of activity within the European Union.

The Commission is proposing that the FTT should be an "own resource" tax imposed centrally to fund the EU and will be developing proposals in the context of the future of the EU Budget. However, we will need to assess the impact of this on our contribution vis-à-vis the current system based on Gross National Income.

My Department has not conducted an impact analysis as yet but it is consulting with various parties on the possible impact of an FTT. The EU Commission published an impact analysis simultaneously with the Directive and this is available on the Commission's website. I have not made a submission to the Commission on the proposal as yet since we will be participating, as is normal, in the detailed discussions within the Council.

Civil Service Staff

83. **Deputy Gerry Adams** asked the Minister for Finance the severance or pension arrangement that will be put in place for a person (details supplied) if they depart from their position as Secretary General of his Department to take up a position with the European Court of Auditors; if they will be entitled to receive a pension; and if they will receive severance pay or any other payments or allowances. [29482/11]

Minister for Finance (Deputy Michael Noonan): On resignation from the Civil Service, the person will take up a post with the European Court of Auditors. Given that he is being assigned to a position abroad, he will not be entitled to the enhanced superannuation provisions under the TLAC retirement terms for Secretaries General provided for in the Government decision of 5 March 1987. He will in due course be eligible for the standard Civil Service superannuation benefits, which will not include severance or added years on foot of the aforementioned TLAC terms.

Banking Sector Remuneration

84. **Deputy Michael McGrath** asked the Minister for Finance, further to Parliamentary Questions No. 92 of 30 June 2011 and No. 92 of 21 July 2011, if he will investigate the reason the information on bonus payments at Anglo Irish Bank which he promised would be made available to the questioner was never made available but appeared in the print media in recent days following a leak in his Department; and if he will make a statement on the matter. [29489/11]

Minister for Finance (Deputy Michael Noonan): The assessment of the report into bonus payments at Anglo Irish Bank has taken longer than expected. However, the assessment has now been finalised and I will be in a position to make the information available to the Deputy within the next week. I regret the delay in this instance. I can assure the Deputy, however, that details of the report have not been leaked by anyone in my Department. The assessment and categorization of payments has just been completed by the Department in conjunction with the bank. The information will, as a matter of courtesy and respect be provided to the Deputy in the first instance.

EU-IMF Programme

85. **Deputy Mary Lou McDonald** asked the Minister for Finance the progress he has made in negotiations with the troika to achieve agreement for partial proceeds from the sale of the State assets to be used to fund domestic investment and stimulus. [28642/11]

Minister for Finance (Deputy Michael Noonan): The fourth quarterly review of the EU/IMF Programme of Financial Support for Ireland is still under way and is due to finish on 21st October 2011. The review comprises a series of meetings to evaluate all the elements of the programme covering fiscal developments including the Comprehensive Review of Expenditure and potential asset disposal, the macroeconomic outlook, progress on commitments in restructuring the financial sector and structural reform. Under 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 External Partners in advance of taking final decisions on the programme to be pursued.

This draft programme is to include the identification of the potential assets to be disposed, any necessary regulatory changes and a timetable for implementation. As a signal of its intent in this area, the Government has announced that it is prepared to dispose of a minority stake in the Electricity Supply Board.

The use of the proceeds of any such asset disposals is a key issue for discussion with the External Partners. This is something on which we will continue to engage with the External Partners. The Government has already signalled its wish to retain some of the proceeds for reinvestment in job creation initiatives in the economy as part of the NewERA programme. Beyond this, I will not be in a position to comment any further until our discussions with the External Partners on the matter are completed.

Banking Sector Regulation

86. **Deputy Thomas P. Broughan** asked the Minister for Finance if he anticipates further stress tests for Irish banks in view of the likely impact of new stress tests in other EU countries on peripheral countries' sovereign debt and the further impact on contingent convertible bonds and the capitalisation of Irish banks; and if he will make a statement on the matter. [29589/11]

Minister for Finance (Deputy Michael Noonan): The Central Bank has informed me that there are no formal proposals from the European authorities or otherwise in this regard. They have also advised me that as agreed in the Memorandum of Understanding (MoU) and the Memorandum of Economic and Financial Policies (MEFP) with our external partners, a further Prudential Capital Assessment Review (PCAR 2012) will be carried out in 2012 to assess the adequacy of the capital of the banks at that time as part of an ongoing programme of capital review.

National Asset Management Agency

87. **Deputy Dominic Hannigan** asked the Minister for Finance if he has drawn up any plans to make amendments to the governing legislation of the National Asset Management Agency to include additional objectives to the agency's remit; if a social dividend is one of these objectives; and if he will make a statement on the matter. [29594/11]

Minister for Finance (Deputy Michael Noonan): I stated in the Seanad recently that I do not propose to change the NAMA legislation yet and that in the last three months, NAMA has been working more efficiently than was previously the case. The Deputy will also be aware that a senior international banker has been examining NAMA. I will consider his advice before deciding whether to initiate any changes to the objectives of NAMA.

Croke Park Agreement

88. **Deputy Simon Harris** asked the Minister for Finance the position regarding the Croke Park agreement; if he has received implementation plans for this agreement from his Department and each State agency under his remit; the status of these implementation plans; the discussion he has had with the EU and IMF regarding the agreement; and if he will make a statement on the matter. [29685/11]

Minister for Finance (Deputy Michael Noonan): Under the *Public Service Agreement 2010-2014*, detailed action plans have been developed across each sector of the public service to underpin the change and reform process envisaged by the Agreement. The Action Plans were first developed in October 2010 and subsequently revised in January 2011. Public service bodies in each sector were required to prepare their first detailed report on the progress being made in implementing their Action Plans last May and this formed part of the first annual review of the Agreement undertaken by the Implementation Body.

The second phase of progress reporting on the Agreement is under way at present. The Department of Finance will be submitting a return to the Implementation Body as part of this process. The return will reflect the functions of the Department of Finance following the establishment of the Department of Public Expenditure and Reform. It should be noted that it is the Department of Public Expenditure and Reform which has the responsibility for receiving the implementation plans for each Department and State Agency as well as the onward transmission to the Implementation Body of the aggregate material.

Sectors are due to submit updated progress reports to the Implementation Body during October. These sectoral reports will be examined by the Body and published on its website (www.implementationbody.gov.ie). 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.

The Government has indicated that the Public Service Agreement represents a key enabler to meeting its fiscal targets under its obligations under the EU/IMF Joint Programme of Assistance. The quarterly returns made to date by the Government under the Programme on public

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service numbers and the pay bill have indicated that the numbers of public servants are falling and we are on track to meet the existing target of 302,000 public service posts by end 2011. Similarly, the Exchequer pay bill return for the first six months is in line with the 2011 pay bill targets. The Government has indicated that it wishes to honour the commitments given in the Public Service Agreement. However, this will only be possible if the Agreement is implemented in full.

Pension Provisions

89. **Deputy John Lyons** asked the Minister for Finance the rules governing access to an approved minimum retirement fund before the age of 75 years; and, specifically with regard to a person (details supplied) in Dublin 11, if a new guaranteed income requirement applies. [29730/11]

94. **Deputy John Deasy** asked the Minister for Finance the number of persons in receipt of approved retirement funds; the number in receipt of approved minimum retirement funds; his plans to change the existing ruling whereby a person is unable to access their retirement fund until they reach 75 years of age; and if he will make a statement on the matter. [29868/11]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 89 and 94 together.

These questions relate to the flexible options on retirement first introduced in Finance Act 1999. Prior to that Act, any person taking a pension under a defined contribution (DC) scheme or a Retirement Annuity Contract was required to purchase an annuity with their remaining pension pot after drawing down the appropriate tax-free lump sum. Finance Act 1999 introduced significant changes which gave a considerable degree of control, flexibility and personal choice to certain categories of individuals in relation to the drawing down of benefits from their pension plans. These choices include the options to purchase an annuity, to receive the balance of the pension fund in cash (subject to tax, as appropriate), to invest in an approved retirement fund (ARF) or an Approved Minimum Retirement Fund (AMRF), subject to certain conditions.

Access to these flexible options was extended to all main benefits from retirement benefit schemes (other than Defined Benefit arrangements) in Finance Act 2011. The changes made in Finance Act 2011 have particular relevance for ordinary members of occupational DC pension schemes in respect of the main benefits from such schemes, as up to the passing of the Act, the only option available to them in respect of those benefits had been the purchase of a retirement annuity after taking the tax-free lump sum. These individuals now have the choices referred to above depending on their particular circumstances. It should be borne in mind, however, that the option to invest in an ARF or AMRF as opposed to purchasing an annuity may not be appropriate for everyone.

Under the regime the options to — invest in an ARF, or — receive the balance of the pension fund in cash (subject to tax, as appropriate) are subject to conditions. The conditions include the requirements that the individual be over 75 years of age or, if younger, that the individual has a guaranteed level of pension income (specified income) actually in payment for life at the time the option to effect the ARF or cash option is exercised. Finance Act 2011 increased the guaranteed level of pension income required from the previous fixed amount of €12,700 introduced in 1999, to a variable amount equal to 1.5 times the maximum annual rate of the State Pension (Contributory) bringing the “specified income” limit to €18,000 per annum at present.

The purpose of the specified income limit is to ensure, before an individual has unfettered access to their remaining retirement funds via an ARF for example, that they have the security of an adequate guaranteed income throughout their retirement. The change to the specified income limit introduced in Finance Act 2011 was strongly signalled in the National Pensions Framework published in March 2010.

Where the minimum specified income test is not met, and an individual does not wish to purchase an annuity, then an AMRF must be chosen into which a “set aside” amount must be invested from the pension fund equal to 10 times the maximum annual rate of State Pension (Contributory) — €119,800 at present — or the remainder of the pension fund, after taking the tax-free lump sum, if less. Prior to Finance Act 2011, the “set aside” amount was fixed at the first €63,500 of the pension fund or the remainder of the fund after the tax-free lump sum, if less than that amount. The purpose of an AMRF is to ensure a capital or income “safety net” for individuals with pension income below the specified income limit throughout the period of their retirement. The funds in an AMRF can be used by the owner at any time to purchase an annuity. On death of the AMRF owner, the AMRF automatically becomes an ARF and any remaining funds may be passed on in a tax efficient way to a surviving spouse and/or children.

Prior to Finance Act 2011, if the minimum specified income test was not met at the time the option to effect the ARF or cash option was exercised and the individual placed a “set aside” amount in an AMRF, that capital sum was effectively “locked in” and could not be accessed by the individual, other than to purchase an annuity, until he or she reached 75 years of age (at which point the AMRF automatically becomes an ARF) though any income generated by the fund could be drawn down subject to tax. This was the position even if the minimum specified income test was met after retirement. Finance Act 2011 changed this rule so that where the minimum specified income test is met at any time after retirement and before age 75, the AMRF automatically becomes an ARF with full access to the funds.

As a transitional measure, Finance Act 2011 allows the previous lower guaranteed income requirement of €12,700 per annum to continue to apply for a period of 3 years from the date that Act was signed into law (6 February 2011)—

- for individuals who had retired before that date and who already had an AMRF, and
- for individuals who availed of the deferred annuity purchase option, had exercised the ARF (or cash) option within one month of the date of passing of Finance Act 2011 and who in exercising that option had transferred the requisite amount to an AMRF within that one month period.

This means that if such individuals satisfy the guaranteed income requirement of €12,700 within that three-year period their AMRF becomes an ARF. After this three-year period expires, the new higher guaranteed income test will have to be satisfied before the AMRF can become an ARF. The amount of guaranteed income required to meet the test will change in line with any future change in the maximum annual rate of State Pension (Contributory).

Where individuals do not meet the new specified income test and choose not to take the AMRF option, they can of course purchase an annuity. Depending on the particular scheme rules, the annuity can be designed to include features that best suit the individual’s particular needs, in terms of how long the annuity payments may be guaranteed after death, whether they revert to a dependant after death and whether they remain at the same level or increase during payment.

There is no general requirement for data on the number of persons with ARFs or AMRFs to be returned to my Department or to the Revenue Commissioners. I am not, therefore, in a position to provide information on this point.

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The Budget and Finance Act 2011 changes seek to ensure that those in pension arrangements to whom the flexible ARF options on retirement have been extended will have choices which best suit their particular circumstances. In making the changes, however, there was also a concern to ensure that the parameters and rules governing the extension are set in a way that avoids an increase in the risk of income poverty in old age. 1 The deferred annuity purchase option was introduced with effect from 4 December 2008 for members of defined contribution occupational pension schemes and allowed them to defer the purchase of an annuity for an initial period of 2 years, in light of the fact that pension funds had been adversely affected by the falls in equity markets and the more general falls in assets values. The deferral option was operated administratively by the Revenue Commissioners. The period of deferral was subsequently extended to 6 March 2011 i.e. one month beyond the passing into law of the Finance Act 2011.

National Pensions Reserve Fund

90. **Deputy Timmy Dooley** asked the Minister for Finance if, in respect of the National Pensions Reserve Fund, he will provide the total fund value size of each six month stage since 31 December 2006 (details supplied); and if he will make a statement on the matter. [29745/11]

Minister for Finance (Deputy Michael Noonan): The National Pensions Reserve Fund (NPRF) was established on 2 April 2001 under the National Pensions Reserve Fund Act 2000 for the purpose of meeting as much as possible of the cost to the Exchequer of social welfare pensions and public service pensions to be paid from the year 2025 until the year 2055, or such other year as may be specified by order. Subsequent amendments to the National Pensions Reserve Fund Act provide that the Minister for Finance may direct the National Pensions Reserve Fund Commission to invest in certain credit institutions, to buy Government bonds and, until 2013, to provide money to the Exchequer for capital purposes.

The total value of the Fund for the dates requested by the Deputy are set out in the following table:

Date	Published Value of NPRF (€bn)
31 December 2006	18.900
30 June 2007	21.032
31 December 2007	21.153
30 June 2008	19.462
31 December 2008	16.142
30 June 2009	19.406
31 December 2009	22.335
30 June 2010	24.062
31 December 2010	22.686
30 June 2011	20.828

Banking Sector

91. **Deputy Pearse Doherty** asked the Minister for Finance the position held by a person (details supplied) on the day Anglo Irish Bank was nationalised in 2009; the position they held the day after Anglo Irish Bank was nationalised in 2009 and the position held by the same person currently in Anglo Irish Bank; the roles and responsibilities held by this person in each

case; the number of staff under their management in each case; the name of the person to whom they reported in each case; and if he will make a statement on the matter. [29759/11]

Minister for Finance (Deputy Michael Noonan): As the Deputy is aware the Board of the bank is responsible for the day to day operation of the bank, including the appointment of and assignment of staff within the bank. The Minister's approval is required in relation to the appointment of senior management at the bank. The person to whom the Parliamentary Question refers is not or and has never been a member of the senior management team of the bank.

Public Service Pensions

92. **Deputy Mary Lou McDonald** asked the Minister for Finance the saving to the Exchequer if all existing public service pension payments to former employees of State agencies under the aegis of his Department were capped at €35,000 per year. [29780/11]

Minister for Finance (Deputy Michael Noonan): In response to the Deputy's question, based on 2011 figures there would be a saving of €638,000 per annum to the Exchequer if pension payments to former employees of the National Treasury Management Agency, National Pensions Reserve Fund, National Development Finance Agency, National Asset Management Agency and State Claims Agency were capped at €35,000 per year.

State Investment Fund

93. **Deputy Peadar Tóibín** asked the Minister for Finance when the proposed State investment fund or bank, as per the programme for Government, will be established. [28874/11]

Minister for Finance (Deputy Michael Noonan): Following a decision by the Government, I, along with my colleagues Mr Brendan Howlin, TD, Minister for Public Expenditure and Reform, and Mr Fergus O'Dowd, TD, Minister of State for NewERA, announced on Thursday, 29 September, the establishment of NewERA and the Strategic Investment Fund under the National Treasury Management Agency (NTMA). The Strategic Investment Fund, which will be the forerunner of the Strategic Investment Bank, will, following appropriate legislative changes to the investment policy of the National Pensions Reserve Fund (NPRF), channel commercial investment from the NPRF towards productive investment in the Irish economy. As well as money from the NPRF, the Fund will seek matching commercial investment from private investors and target investment in areas of strategic significance to the future of the Irish economy. It will comprise a series of sub-funds targeted at commercial investment in critical areas of the Irish economy, including infrastructure, venture capital and provision of long-term capital for SMEs. The NPRF will take a lead role in the development and implementation of each sub-fund.

Question No. 94 answered with Question No. 89.

Tax Collection

95. **Deputy Jack Wall** asked the Minister for Finance if a person (details supplied) in County Kildare is entitled to a tax rebate; and if he will make a statement on the matter. [29897/11]

Minister for Finance (Deputy Michael Noonan): I have been advised by the Revenue Commissioners that, based on records available, no tax rebate is due to the person concerned as no tax has been paid during the tax years 2007 to date.

Tax Reliefs

96. **Deputy Simon Harris** asked the Minister for Finance the reason a person (details supplied) in County Dublin is being denied rent relief for the property in which the person is currently living in as a family home, in view of the fact that the person does not enjoy the use of any other residential premises; and if he will make a statement on the matter. [29947/11]

Minister for Finance (Deputy Michael Noonan): I am advised by the Revenue Commissioners that the taxpayer had previously claimed, and was granted, rent tax credit for all years from 2007 to 2010 inclusive. No claim has been submitted for 2011.

Pension Provisions

97. **Deputy John Halligan** asked the Minister for Finance if he will clarify a matter (details supplied) regarding pensions. [29956/11]

Minister for Finance (Deputy Michael Noonan): The stamp duty levy of 0.6% applies to the market value, on the valuation date, of assets under management in pension funds and pension plans approved under Irish tax legislation. I cannot say what the precise impact of the levy will be on individual funds, schemes or members as this depends on whether and to what extent pension fund trustees and Life Offices decide to pass on the levy to individual members, given the particular circumstances of the pension funds or pension plans that they are responsible for.

I can say that the Finance (No 2) Act 2011 provisions which introduced the levy include certain safeguards in this area. The payment of the levy is treated as a necessary expense of a scheme and the trustees or insurer, as appropriate, will be entitled where needed to adjust current or prospective benefits payable under a scheme to take account of the levy. However, should the option of reducing scheme benefits be taken, it must essentially be applied in an equitable fashion across the different classes of scheme members that could include active, deferred and retired members. In no case may the reduction in an individual member's or class of member's benefits exceed the member's or class of member's share of the levy.

The Revenue Commissioners are also afforded oversight authority to review, where they consider it appropriate, instances where benefits are adjusted as a result of the payment of the levy to ensure that any such adjustment is in keeping with the requirements of the levy legislation. In undertaking any such review Revenue may consult with appropriate experts as they see fit. However, before Revenue could act in that regard, instances of concern on foot of actual adjustments made would first have to be brought to their attention.

As regards the questionable basis for applying the levy, the levy is a relatively small charge on the significant assets of pension funds, much of which are represented by investments outside of Ireland. As the legislation introducing the levy makes clear, it is for a temporary four year period only and pension funds are being asked to make a contribution to getting the domestic economy moving again over that period. This is a reasonable and targeted tax measure being introduced to fund the various measures set out in the Jobs Initiative. The country is facing an economic and unemployment crisis and the Jobs Initiative will help tackle that crisis and applying a temporary levy to pension funds is less damaging economically than raising other taxes.

Tax Collection

98. **Deputy Dan Neville** asked the Minister for Finance, further to Parliamentary Question No. 19 of 21 September 2011, if a decision has been made on the internal review in respect of a person (details supplied) in County Cork. [29975/11]

Minister for Finance (Deputy Michael Noonan): The Internal Review has finished and its conclusions were issued on the 26th September 2011. The decision was that the person in question would qualify if the conditions to Section 472 Taxes Consolidation Act 1997 were met. These conditions are: the employee is a “specified employed contributor” as defined in Section 472 or that the Income Tax (Employments) (Consolidated) Regulations 2001 have been complied with by her employer; the employee is a full time employee (i.e. is required to devote, throughout the year of assessment, substantially the whole of his/her time to the duties of the office or employment and the individual does in fact do so); and the amount of emoluments paid to the employee in the year of assessment is not less than €4,572.

Revenue needs to carry out a brief inspection of the records of the employer to ensure that the Income Tax (Employments) (Consolidated) Regulations 2001 have indeed been complied with. This inspection should be carried out shortly.

Financial Products

99. **Deputy Peter Mathews** asked the Minister for Finance the position regarding a matter (details supplied) regarding negative equity; and if he will make a statement on the matter. [29977/11]

Minister for Finance (Deputy Michael Noonan): The Central Bank has advised me that they wrote to all mortgage lenders to ascertain whether they were offering, or intended to offer, a mortgage product that would allow home owners to sell their existing home and transfer the negative equity portion of the original loan to the new loan. The Central Bank was concerned as to whether such products were in the long term interest of consumers as it could lead to indebtedness at a time when there was no certainty over the direction of future property values. In addition consumers would be moving to a new product and consequently those on tracker mortgages would move to fixed or standard variable rates which were generally higher than existing tracker rates. The higher rates would impact on the continued affordability of such mortgages and there would also be an increase in the loan to value ratios of many mortgages.

In response to the Central Bank’s letter, only a small number of mortgage lenders said that they would consider offering such a facility, but it would be on an exceptional basis, would only be considered following an approach from an existing customer and would be subject to strict criteria in relation to debt service ratio, net disposable income, loan to value ratios, income multiples, credit history, transparency and suitability. A trial period commenced in mid-2011 and is due to be assessed by the Central Bank and the institutions involved before the end of the year. Any institution offering such a facility may only do so in accordance with criteria agreed in advance with the Central Bank and subject to a trial period. Consequently any arrangement that might be agreed with a customer would have to be in the context of the parameters set out above and not as a result of the introduction of a negative equity type product.

Tax Yield

100. **Deputy Pearse Doherty** asked the Minister for Finance the amount the income levy in place last year would have returned in a full year if all those under the tax net were excluded from it. [29978/11]

Minister for Finance (Deputy Michael Noonan): The Income Levy was collected by the Revenue Commissioners as a component of Income Tax. I am informed by the Revenue Commissioners that it is estimated that €1,446 million was collected from the Income Levy in the calendar year 2010. However, as is normal, it would have been expected that the total Income

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Levy liability for the income tax year 2010 would be higher at €1,710 million and the difference would have been collected in 2011/12.

I am advised by the Revenue Commissioners that the estimated full year cost to the Exchequer of applying an exemption from the Income Levy for income earners outside the income tax net in 2010, in addition to the pre-existing Income Levy exemptions, would be in the order of €215 million in 2010.

These figures are estimates from the Revenue tax-forecasting model using actual data for the year 2009 adjusted as necessary for income and employment trends for the year 2010. They are, therefore, provisional and may be revised.

Departmental Transport

101. **Deputy Seán Kenny** asked the Minister for Finance the number of marked and unmarked cars, vans and jeeps that are currently in use by Customs and Excise; and if he will make a statement on the matter. [29990/11]

Minister for Finance (Deputy Michael Noonan): Revenue currently deploys 9 marked vehicles, including 2 mobile scanner units, and 164 other vehicles for operational purposes countrywide. Operations cover a range of Revenue activities including Customs and Excise work. Unmarked vehicles may be temporarily ‘marked’ using appropriate signage when operational requirements prove necessary.

Question No. 102 answered with Question No. 77.

National Asset Management Agency

103. **Deputy Éamon Ó Cuív** asked the Minister for Finance the amount of money lent or invested by the Exchequer in the guaranteed financial institutions and the National Asset Management Agency, broken down by institution, to date in 2011; and if he will make a statement on the matter. [30048/11]

104. **Deputy Éamon Ó Cuív** asked the Minister for Finance the amount of money lent or invested by the National Pensions Reserve Fund in the guaranteed financial institutions and the National Asset Management Agency, broken down by institution, to date in 2011; and if he will make a statement on the matter. [30049/11]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 103 and 104 together.

In March 2011, the Exchequer provided a combined €3.06 billion to Anglo Irish Bank and INBS, representing the first instalment of the Promissory Notes committed to those institutions in 2010.

In June 2011, the Exchequer provided €25 million to EBS, representing the first instalment of the Promissory Note committed to that institution in 2010.

In 2011, at the direction of the Minister, the NPRF liquidated assets in order to set aside €10 billion in cash to meet the Fund’s proposed contribution to the EU/IMF Programme of Financial Support for Ireland.

In July 2011, at the direction of the Minister, the NPRF invested the above mentioned €10 billion, €8,771 million in Allied Irish Banks and €1,229 million in Bank of Ireland.

€1,051m of the Fund's investment in Bank of Ireland was recouped from the sale of a portion of the investment to private investors. The proceeds from the sale (€1,017 net of transaction fees) are to be transferred to the Exchequer at the direction of the Minister for Finance, €233m was transferred in August. A second and final transfer of €784m is due to be made this month.

In July 2011 the Exchequer injected €3.883bn into AIB and EBS, of which €1.6bn was in the form of contingent capital and €2.283bn via capital contributions.

The Exchequer also injected €985m (net of expenses) of contingent capital into BoI (July 2011).

In July, the Exchequer provided €2.3bn of equity to IL&P, with an additional €0.4bn injected in the form of contingent capital (€2.7bn in total).

105. **Deputy Éamon Ó Cuív** asked the Minister for Finance the amount of money paid by the guaranteed financial institutions and the National Asset Management Agency to the Exchequer and the National Pensions Reserve Fund by way of payment for the guarantee, interest, dividend or any other payment or repayment to date in 2011; the details of such payments; and if he will make a statement on the matter. [30050/11]

Minister for Finance (Deputy Michael Noonan): The National Pensions Reserve Fund (NPRF) has also received the following payments in 2011. Directed Portfolio (Public Policy Investments made at the direction of the Minister for Finance) — €214 million in respect of dividends on preferences shares in Bank of Ireland. Discretionary Portfolio (the Fund excluding Public Policy Investments made at the direction of the Minister for Finance) — €200 million in respect of an Irish Life & Permanent mortgage-backed debt, which matured in July 2011; a €5 million interest payment in respect of an Allied Irish Banks Lower Tier 2 bond, which in addition was repurchased for €34 million in June 2011, and a €2 million interest payment in respect of an asset covered security issued by the Bank of Ireland Mortgage Bank.

In addition, and while not paid directly by a financial institution, by end-September €233 million in receipts had been paid into the Exchequer from the sale of part of the State's shareholding in Bank of Ireland. A further €784 million payment is due to be made this month.

Credit Unions

106. **Deputy Michael Healy-Rae** asked the Minister for Finance his views regarding the regulation of credit unions (details supplied); and if he will make a statement on the matter. [30066/11]

107. **Deputy Michael Healy-Rae** asked the Minister for Finance his view on whether specifying and laying down the total loan amount that can be issued each month is hindering the effectiveness of credit unions; and if he will make a statement on the matter. [30067/11]

108. **Deputy Michael Healy-Rae** asked the Minister for Finance his view on whether linking the total loan amount issued to cash received without reference to assets, reserves, liquidity and so on is hindering the effectiveness of credit unions; and if he will make a statement on the matter. [30068/11]

109. **Deputy Michael Healy-Rae** asked the Minister for Finance his view on whether imposing specific loan terms in addition to existing limits is not helpful to credit unions; and if he will make a statement on the matter. [30069/11]

110. **Deputy Michael Healy-Rae** asked the Minister for Finance his view on the fact that the approximately 400 credit unions are financially healthy, that they have €12 billion in assets, loans of €5 million and €1.7 billion in reserves, but over-regulation is actually threatening the stability of the credit unions by adversely affecting their most important source of income, loan interests; his further views on whether curtailing the ability to lend inhibits their ability to generate income; and if he will make a statement on the matter. [30070/11]

111. **Deputy Michael Healy-Rae** asked the Minister for Finance his views on whether the banning of all commercial business loans affects the self-employed, tradesmen, farmers and so on; his further view on whether this is affecting the effectiveness of credit unions; and if he will make a statement on the matter. [30072/11]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 106 to 111, inclusive, together.

As Minister for Finance, my role is to ensure that the legal framework for credit unions is appropriate for the effective operation and supervision of credit unions. It would not be appropriate for me, as Minister for Finance, to examine or adjudicate on whether the placing of lending restrictions is necessary on a case by case basis. I believe that such action would represent interference in the work of the independent financial regulator.

The Registrar of Credit Unions has imposed lending restrictions on a significant number of credit unions in recent months. 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.

It is important to provide an accurate picture of the degree to which the Registrar has imposed lending restrictions and the type of restrictions being imposed.

About 50% of credit unions are subject to lending restrictions at present. Almost all credit unions with a lending restriction have a maximum individual loan size restriction. Of the credit unions with lending restrictions: 70% can lend €20,000 or more to an individual member; only 9 are restricted to loans of less than €10,000 to an individual member; and just 1 credit union is restricted to lending less than €5,000 per member.

With regard to commercial lending, commercial lending restrictions apply to approximately a third of credit unions. This does not preclude credit unions from lending small business type loans if appropriate in certain circumstances. It goes without saying that a credit union must have the relevant skill and expertise to evaluate and manage this category of lending and the resulting exposure to the credit union.

Question No. 112 answered with Question No. 79.

Question No. 113 answered with Question No. 78.

Question No. 114 answered with Question No. 80.

Appointments to State Boards

115. **Deputy Mary Lou McDonald** asked the Minister for Finance the saving to the State if all State agency board members' annual payments were rescinded and instead board membership was awarded without remuneration. [30257/11]

Minister for Finance (Deputy Michael Noonan): In response to the Deputy's question, savings of approximately €1.121 million could be made if State agency board members' annual payments were rescinded in respect of State agency boards which come under the remit of my Department.

School Accommodation

116. **Deputy John McGuinness** asked the Minister for Education and Skills his plans to develop new school accommodation (details supplied) in Dublin 24; the contacts he has had in this matter; and if he will make a statement on the matter. [29469/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I can confirm to the Deputy that my Department is examining the accommodation needs of the school to which he refers. My officials will be in further contact with the school authorities as soon as this process has been completed.

Schools Building Projects

117. **Deputy John McGuinness** asked the Minister for Education and Skills the confirmed plans for a new school building (details supplied) in County Dublin; and if he will make a statement on the matter. [29470/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The provision of a new building for the school to which the Deputy refers necessitates the acquisition of a suitable site. This is actively being pursued by my Department. Due to the commercial sensitivities attaching to site acquisitions generally, I am not in a position to comment further on this aspect of the matter at this time. Once a site has been acquired, the advancement of a building project will be considered in the context of my Department's multi-annual School Building and Modernisation Programme. However, in light of current competing demands on my Department's capital budget, it is not possible to give an indicative timeframe for the progression of the project at this time.

118. **Deputy John McGuinness** asked the Minister for Education and Skills If he will present an update on plans to provide the long awaited extension at a school (details supplied) in Dublin 24; if he appreciates the concerns of the local school community in the matter; and if he will make a statement on the matter. [29471/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The Major Building Project at this school is at an advanced stage of architectural planning. The design team is working on stage 2(b) of architectural planning, which includes applications for planning permission, fire certificate and disability access certificate and the preparation of tender documents. Planning permission was granted on 22 February 2011. Upon completion of stage 2(b), the design team will submit the required documentation to the Department. Subsequently, assuming no further issues arise, my Department will be in contact with the board of management with regard to the further progression of the project.

Special Educational Needs

119. **Deputy Seán Crowe** asked the Minister for Education and Skills if he will reinstate the five special needs assistants that were lost to a school (details supplied) in County Wexford. [29474/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The Deputy will be aware that the National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOs) for allocating resource teachers and Special Needs Assistants (SNAs) to schools to support children with special educational needs. The NCSE operates within my Department's criteria in allocating such support. This now includes a requirement for the NCSE to have regard to an overall cap on the number of SNA posts. The NCSE has now advised all mainstream schools, including the school referred to by the Deputy, of their SNA allocation for the current school year, taking into account the care needs of qualifying pupils attending the school.

The NCSE recently published statistical information on 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, *www.ncse.ie*. The school referred to by the Deputy has an allocation of 18 SNA posts and 97.6 Resource Teaching Hours. It is considered that, with equitable and careful management and distribution of these resources, there should be sufficient posts to provide access to SNA support for all children who require such care support to attend school, in accordance with departmental criteria.

The recruitment and deployment of SNAs within schools are matters for the individual Principal or Board of Management. SNAs should be deployed by the school in a manner which best meets the care support requirements of the children enrolled in the school for whom SNA support has been allocated. It is a matter for schools to allocate support as required, and on the basis of individual need, which allows schools flexibility in how the SNA support is utilised. The NCSE will advise schools in the near future of a process to review allocation decisions to ensure correct procedures were followed and they comply with my Department's policy. The merits of individual allocation decisions will not be open to appeal under this mechanism. It will be expected that schools, before requesting a review, will be in a position to demonstrate they have made every effort to manage their allocation of SNA posts to best effect.

120. **Deputy Seán Crowe** asked the Minister for Education and Skills if he will reinstate the five special needs assistants that were lost to a school (details supplied) in County Wexford. [29475/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The Deputy will be aware that the National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOs) for allocating resource teachers and Special

Needs Assistants (SNAs) to schools to support children with special educational needs. The NCSE operates within my Department's criteria in allocating such support. This now includes a requirement for the NCSE to have regard to an overall cap on the number of SNA posts. The NCSE has now advised all mainstream schools, including the school referred to by the Deputy, of their SNA allocation for the current school year, taking into account the care needs of qualifying pupils attending the school.

The NCSE recently published statistical information on 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, *www.ncse.ie*. The school referred to by the Deputy has an allocation of 22 SNA posts and 84 Resource Teaching Hours. It is considered that, with equitable and careful management and distribution of these resources, there should be sufficient posts to provide access to SNA support for all children who require such care support to attend school, in accordance with departmental criteria.

The recruitment and deployment of SNAs within schools are matters for the individual Principal or Board of Management. SNAs should be deployed by the school in a manner which best meets the care support requirements of the children enrolled in the school for whom SNA support has been allocated. It is a matter for schools to allocate support as required, and on the basis of individual need, which allows schools flexibility in how the SNA support is utilised. The NCSE will advise schools in the near future of a process to review allocation decisions to ensure correct procedures were followed and they comply with my Department's policy. The merits of individual allocation decisions will not be open to appeal under this mechanism. It will be expected that schools, before requesting a review, will be in a position to demonstrate they have made every effort to manage their allocation of SNA posts to best effect.

School Transport

121. **Deputy Jonathan O'Brien** asked the Minister for Education and Skills the number of bus routes that are operational under the school transport scheme in County Cavan; the number of catchment areas; the number of students on each route; if changes to the school transport scheme mean that students outside a catchment area in which a service has been removed have to get a bus on another route; and if he will make a statement on the matter. [29496/11]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): I take it that the Deputy is referring to the Post Primary School Transport Scheme. There are seven post primary centres in County Cavan. Bus Éireann, which operates the School Transport Schemes, has advised that in the 2010-11 school year, over 1,600 pupils were accommodated on 58 vehicles operating on 58 routes to post-primary centres in County Cavan. In general, pupils who are availing of catchment boundary transport under the terms of the above scheme have to make their own way to and from a pick-up point within the catchment area of the school they are attending. If the Deputy has a particular case in mind, I will be happy to request a more detailed report from Bus Éireann.

Vocational Education Committees

122. **Deputy Jonathan O'Brien** asked the Minister for Education and Skills the criteria that were used in making decisions about headquarters in the VEC amalgamations; if the criteria were based on current or future issues; and if he will make a statement on the matter. [29497/11]

Minister for Education and Skills (Deputy Ruairí Quinn): In arriving at my decisions on the location of headquarters of merged VECs, I considered a range of factors including the need to ensure 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.

Higher Education Grants

123. **Deputy Jonathan O'Brien** asked the Minister for Education and Skills the number of students that have been deemed ineligible for student grants due to the fact that their course is at the same level as one previously attended; if he will provide this information on a county basis; and if he will make a statement on the matter. [29498/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I regret that the information requested by the Deputy is not collated by the student grant awarding authorities.

Redundancy Payments

124. **Deputy Dara Calleary** asked the Minister for Education and Skills when a redundancy payment will issue to a person (details supplied). [29517/11]

Minister for Education and Skills (Deputy Ruairí Quinn): An application for redundancy in respect of the person referred to by the Deputy was received by my Department on 9 September 2011. Redundancy applications are processed in date order of receipt. Every effort is being made to process these applications as quickly as possible. Applications received in December 2010 and January 2011 are currently being processed. The priority of the Department over the past two months has been to ensure replacement teachers and special needs assistants being appointed for the 2011-12 school year are placed on payroll for payment. This process has now been completed. Extra resources are currently being assigned to the redundancy unit to try and ensure special needs assistants who have been made redundant will have their claims for payment processed as quickly as possible. My Department will also now prioritise the processing of redundancy applications from those SNAs who have not obtained alternative employment in a non-teaching capacity in primary, secondary, community or comprehensive schools in the current school year.

Schools Building Projects

125. **Deputy Noel Grealish** asked the Minister for Education and Skills if he will give a commitment that funding will be provided for construction of the school (details supplied) in County Galway in view of the fact that planning permission has been granted; and if he will make a statement on the matter. [29524/11]

Minister for Education and Skills (Deputy Ruairí Quinn): Once a site has been acquired, the advancement of a building project will be considered in the context of my Department's multi-annual School Building and Modernisation Programme. However, in view of the priority being given to school applications for essential mainstream classroom accommodation to meet demographic demands which will be the main focus for capital investment in schools in the coming years, it is not possible to give an indicative timeframe for the progression of the project at this time

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.

School Accommodation

126. **Deputy John Deasy** asked the Minister for Education and Skills the position regarding an application for a multipurpose room in respect of a school (details supplied) in County Waterford. [29549/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The school to which the Deputy refers has applied to my Department for funding for the provision of a General Purpose Room. In accordance with the agreed criteria for the prioritisation of projects, the application was assessed and assigned a Band 3 rating.

Given the current financial constraints within which my Department is operating, the position is that priority is being given to school applications for essential mainstream classroom accommodation. In this regard, the delivery of new schools, together with extension projects to meet the demographic demand, will be the main focus for capital investment in schools in the coming years.

The current status of all projects on the school building programme may be viewed on my Department's website at www.education.ie and this will be updated regularly throughout the year.

Third Level Fees

127. **Deputy Robert Dowds** asked the Minister for Education and Skills his views on changing the residency requirements for third level fees in order that a student who met the residency requirement at some point during their studies could be subject to lower fees for the remainder of their course. [29575/11]

Minister for Education and Skills (Deputy Ruairí Quinn): Currently under the terms of my Department's Free Fee Initiative the Exchequer meets the cost of tuition fees in respect of eligible students who are pursuing full-time undergraduate courses of study which are a minimum of two years duration in an approved higher education institution. The main conditions of the scheme are that students must be first-time undergraduates, hold inter alia EU/EEA/Swiss nationality in their own right, and have been ordinarily resident in an EU/EEA/Swiss state for at least three of the five years preceding their entry to an approved third level course.

I have no plans at present to amend the residency criteria of the Scheme.

Where undergraduate students do not meet the eligibility criteria of the free fees schemes, including the residency requirement, it is the higher education institution concerned that determines, in accordance with its criteria, the appropriate tuition fee (EU or non-EU rate) payable by such students.

Section 473A, Taxes Consolidation Act, 1997, as amended by Section 11 of the Finance Act 2011, provides for tax relief, at the standard rate of tax, for tuition fees paid in respect of approved courses at approved colleges of higher education including certain approved undergraduate and postgraduate courses in E.U. Member States and in non-EU countries. Details are available on the Revenue Commissioners' website at www.revenue.ie.

Special Educational Needs

128. **Deputy Brendan Griffin** asked the Minister for Education and Skills if a piece of equipment will be made available to a person (details supplied) in County Kerry; and if he will make a statement on the matter. [29582/11]

Minister for Education and Skills (Deputy Ruairí Quinn): Under Special Education's Assistive Technology Scheme, the Department provides funding to schools towards the cost of assistive technology for pupils in primary schools and special schools for personal computers and specialist software. However, funding is not provided towards the cost of communication devices.

On 08 September 2011, a letter issued to The Principal of Nagle Rice Primary School sanctioning the following software: Laptop Computer, Printer/Scanner, Clicker 5, Boardmaker and Step by Step. However, the Schools application for Eye Gaze Technology was refused as this is a communication device and does not come under the remit of the Assistive Technology Scheme. I am aware that the HSE has provided once off grants under the Aids & Appliances Scheme for "low and high tech assistive technologies including communication devices and computer access software. This funding is dispersed by local HSE services to local community care clinics or voluntary agencies. Information in relation funding under the Aids & Appliances Scheme is available from Local Health Centres.

Weight of Schoolbags

129. **Deputy Kevin Humphreys** asked the Minister for Education and Skills if there is a code of practice in place in schools to reduce the weight of school books that children have to carry home; his plans to work towards resolving this issue or directing schools to provide facilities to allow storage of books overnight; if teachers will be asked to ensure that pupils have to carry home the minimum amount of books; and if he will make a statement on the matter. [29593/11]

Minister for Education and Skills (Deputy Ruairí Quinn): My Department issued Circular M35/05 in 2005 to highlight the potential health hazard of overweight schoolbags and to outline a range of local measures that could be put in place to help alleviate the problem.

The circular referred to the recommendations of the previously published report of the Working Group on the Weight of School Bags. This report acknowledged that many of the solutions belong at local school level and made various recommendations in this regard, such as optimum use of storage facilities, developing pupil organisation skills and timetabling.

It is a matter for each individual school to determine which particular measures are most suited to its individual circumstances and to how the school concerned organises teaching and learning.

The circular and the report of the Working Group on the Weight of School Bags are available on my Department's website at www.education.ie.

School Curriculum

130. **Deputy Michael McGrath** asked the Minister for Education and Skills the policy in place on the rights, if any, of children on the autistic spectrum to be taught some level of the Irish language, including children who attend ASD units attached to primary schools and who join mainstream classes for certain subjects; and if he will make a statement on the matter. [29595/11]

Minister for Education and Skills (Deputy Ruairí Quinn): It is policy of my Department that all children attending primary and post-primary schools which are recognised by my Department should be taught Irish at a level appropriate to their ability unless otherwise exempted from the study of Irish in line with the provisions of Departmental circulars 12/96 for the primary sector and M10/94 for the post-primary sector.

Children on the autistic spectrum range from children who are high functioning and who have exceptionally good facility with language to those who are low functioning and may be non-verbal. Those who are at the higher functioning levels would be expected to be taught the full curriculum, including Irish, while those at lower functioning levels may be exempted from learning Irish where their circumstances meet the criteria for the granting of an exemption.

131. **Deputy John Lyons** asked the Minister for Education and Skills his plans to review the teaching of IT and computer skills at second level, including plans to review the existing curriculum; and if he will make a statement on the matter. [29600/11]

132. **Deputy John Lyons** asked the Minister for Education and Skills his plans to utilise the opportunity provided by a revised junior certificate programme to allow for students to experience courses such as IT, computer science or computer engineering; and if he will make a statement on the matter. [29601/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 131 and 132 together.

The National Council for Curriculum and Assessment advises that ICT is not a stand alone subject but rather a tool to be integrated into the teaching and learning of all subjects, and this is in keeping with international practice.

The NCCA has developed an ICT framework for schools setting out the skills which students should acquire at different levels across the curriculum. This is supported by the Council's action website which sets out practical examples of how ICT can be embedded in teaching and learning across the curriculum. The schools ICT programme is continuing, under which €92m was provided in infrastructure grants to schools between November 2009 and the end of 2010. This programme provides investment in professional development for teachers (12,000 places for teachers were provided in 2010 alone), an e-learning handbook for teachers, the schools broadband programme and extensive digital resources on the Scoilnet webset.

I have just received the advice on the NCCA on the future direction of junior cycle, and my officials are examining the proposals at present and identifying the resource implications. Once these have been identified and the Government has been informed, a process of engagement will begin with the partners in education on implementation plans. One of the objectives of the reforms is to promote increased creativity and innovation and better embed ICT across the curriculum. There will also be the opportunity for short courses to be provided by schools, and each subject will be assessed by means of a written examination and a portfolio. Taken together the reforms will present further opportunities for strengthening ICT across the curriculum.

Higher Education Grants

133. **Deputy Dara Calleary** asked the Minister for Education and Skills when higher education grants will be processed in respect of persons (details supplied) in County Mayo; and the amount each person will be awarded. [29608/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The processing of student grants is carried out by local grant awarding authorities: VECs and local authorities. The students in question should contact their grant awarding authorities to ascertain the position with their applications. The Deputy will appreciate that in the absence of all of the details that would be contained in a student grant application form, it would not be possible for me to say if a student would qualify for a grant or what level of grant they might be entitled to.

School Transport

134. **Deputy Pat Breen** asked the Minister for Education and Skills the reason persons (details supplied) in County Clare have not been facilitated regarding their school transport; and if he will make a statement on the matter. [29620/11]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): Under the terms of the Primary School Transport scheme pupils are eligible for school transport if they reside 3.2 kilometres or more from and are attending their nearest national school. The family referred to by the Deputy in the details supplied are not attending their nearest school and are therefore not eligible for school transport under the terms of the scheme. Pupils who are not eligible for school transport may apply for concessionary transport provided there are spare seats available on an existing service. In this case Bus Éireann, which operates the School Transport Schemes, has advised that the service in question is operating to capacity and it is not possible to accommodate the pupils referred to by the Deputy.

Schools Building Projects

135. **Deputy Noel Coonan** asked the Minister for Education and Skills the progress that has been made in relation to building works in respect of a school (details supplied) in County Tipperary; if construction has commenced; and if he will make a statement on the matter. [29655/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I am pleased to inform the Deputy that this school building project commenced on site earlier this year.

Croke Park Agreement

136. **Deputy Simon Harris** asked the Minister for Education and Skills the position regarding the Croke Park agreement; if he has received implementation plans for this agreement from his Department and each State agency under his remit; the status of these implementation plans; the discussion he has had with the EU and IMF regarding the agreement; and if he will make a statement on the matter. [29683/11]

Minister for Education and Skills (Deputy Ruairí Quinn): In January 2011, my Department submitted a revised Action Plan for implementation of the Public Service Agreement in the Education Sector to the Implementation Body established by the Government to drive and monitor the Agreement's implementation. The Implementation Body published its first review of the Agreement in June 2011 which reviewed progress made and savings achieved in the first year of the Agreement.

My Department has received implementation plans and progress reports for the Agreement from the bodies and agencies under its remit, and these have formed the basis for the Education sector Action Plan and progress reports submitted by my Department to the Implementation Body. The second progress report to the Implementation Body, to report on progress made in the last six months, is in the process of being finalised. The Government has indicated that the Public Service Agreement represents a key enabler to meeting its fiscal targets under its obligations under the EU/IMF Joint Programme of Assistance.

School Inspections

137. **Deputy Tony McLoughlin** asked the Minister for Education and Skills if he proposes to carry out a cost-benefit analysis of whole-school evaluations in relation to the amount of periph-

eral information necessary for inspections and the additional workload applied to our schools in view of the current challenging times in education. [29707/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I am pleased to advise the deputy that the Inspectorate of my Department is engaging in a continuing programme of reform and development of the range of inspection models that it employs, in fulfilment of its role under section 13 of the Education Act 1998.

Recent changes to inspection procedures include: a significant reduction in the volume of documentation requested from schools; a stronger focus on evaluating the learner experience in schools and on the quality of teaching across curriculum areas; greater emphasis on internal school self-evaluation and review processes; and the development of unannounced incidental inspection procedures for both primary and post-primary schools.

The reformed school evaluation processes are intended to be fair and reasonable in terms of what is expected of schools (including requests for necessary information) but they are also very clearly focussed on school improvement and ensuring that schools deliver effectively for all learners.

I should also note that the Inspectorate has developed additional materials to support schools in implementing school self-evaluation and is working with a number of pilot schools to develop these materials and processes further. This will ensure that robust processes of internal self-evaluation and external inspection can compliment each other to promote and secure continuing improvement in the work of schools.

School Curriculum

138. **Deputy Tony McLoughlin** asked the Minister for Education and Skills if he will cost the introduction of Project Maths in relation to the purchase of new textbooks for both junior and leaving certificate students. [29708/11]

Minister for Education and Skills (Deputy Ruairí Quinn): Textbooks for schools are generally produced on a commercial basis by educational publishers. My Department has no function in regard to the selection of textbooks. This is a decision made at local level by schools.

It is the case that students would generally have purchased textbooks for maths in any event. My Department does not have an exhaustive list of textbooks available in Mathematics. However, examples of the range available include:

Understanding Maths 1 Junior Cert €20.95,

Understanding Maths 2 Junior Cert €21.95

Maths World 1 & 2 Junior Cert €18.50 each

Maths Volume 1& 2 Leaving Cert €16.30 each

Maths & Focus Lower Foundation Level €27.50

In the case of Project Maths, the website www.projectmaths.ie provides a range of resources for teachers and students, including teacher handbooks, teaching and learning plans, a student CD and booklet and interactive activities to accompany them, and links to additional resources provided by the National Council for Curriculum and Assessment. Sample examination papers published by the State Examinations Commission for the Junior Certificate 2011, sample papers for the Leaving Certificate 2010 and 2011, and the actual examination papers for the Leaving Certificate in 2010 are also available at www.examinations.ie.

Teaching Council

139. **Deputy Tony McLoughlin** asked the Minister for Education and Skills if he will name three measurable improvements in education as a result of the introduction of the Teaching Council. [29709/11]

Minister for Education and Skills (Deputy Ruairí Quinn): As the Deputy is aware, the Teaching Council has a wide range of statutory functions and objects, which include the regulation of the profession, the promotion of teaching as a profession, the maintenance and improvement of the standards of programmes of teacher education and training and the professional conduct of teachers and the promotion of the continuing professional development of teachers.

In carrying out its functions, the Teaching Council aims to promote and maintain the highest standards of teaching, learning and professional conduct in our schools. Since its establishment, much work has been done by the Council in the furtherance of its various aims, including, but not limited to, the establishment of the register of teachers, the publication of Codes of Professional Conduct for Teachers, the review of programmes of initial teacher education, preparation for commencement of the remaining sections of the Teaching Council Act 2001, and preparation of advice on a range of teacher education matters. Further detail on some of these follows:

In common with most self-regulated professions, the Teaching Council has established and maintains a register of its members. Currently, over 70,000 teachers are registered. The register stands as a verifiable expression of the standard of teaching, knowledge, skill and competence that teachers aspire to have and maintain. To be registered, a teacher must have attained a satisfactory level of professional qualification and training. Only persons who reach these standards will be able to work as teachers in State funded positions, except in limited time bound circumstances.

The Teaching Council has a statutory role in relation to the review of standards required for entry into the teaching profession, including the standards of knowledge, skill and competence required for the practice of teaching. The recent review of eight programmes of initial teacher education by the Teaching Council has provided an opportunity for the Higher Education Institutions concerned to demonstrate that they offer quality programmes of teacher education, and for the Teaching Council to make appropriate recommendations for the improvement of these programmes.

The Council recently published its policy on the continuum of Teacher Education, which was developed following significant consultation with stakeholders in education. The policy reiterates the critical objectives of promoting quality teaching and learning, as well as the centrality of the core values and professional commitments of the teaching profession. The policy will serve as the Council's framework for its functions relating to teacher education.

The Council recently also published criteria and guidelines for initial teacher education providers. These form a bridge between the Council's policy and the development and implementation of reconceptualised programmes of initial teacher education in Higher Education Institutions, providing clarity for HEIs to enable them to ensure that their programmes meet the Council's accreditation requirements.

Vocational Education Committees

140. **Deputy Tony McLoughlin** asked the Minister for Education and Skills his views on the rationalisation programme of vocational education committees; and if he will list three measurable improvements in education in the vocational sector as a result of the introduction of amalgamations. [29712/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The previous Government decided in October 2010 to reduce the overall number of VECs from 33 to 16 and agreed on the merger of particular counties. In June of this year, the Government confirmed a reduction to 16 but decided to revise the configuration agreed by the previous government.

The new VEC structure fits with the Government's policy of reducing the number of agencies and is consistent with the strategic objectives of the transforming public service agenda through service delivery by a smaller number of agencies, each benefiting from efficiencies of greater scale.

This change will better position the sector for future development particularly in the context of the work of SOLAS. It will also facilitate the required reductions, under the public service Employment Control Framework, of administrative staff employed in VECs, while protecting the services provided by VECs.

The new bodies will be better positioned to establish shared services and to provide support services to schools not just within the VEC sector but to primary schools and other second level schools in their areas.

The Special Group on Public Service Numbers and Expenditure Programmes estimated savings of €3m arising from the rationalisation programme. I am satisfied that a saving of that order is a reasonable projection in the medium term.

Pupil-Teacher Ratio

141. **Deputy Simon Harris** asked the Minister for Education and Skills his views on the causes for a geographical area (details supplied) having the most overcrowded primary school classes in the country, according to a recent Irish National Teachers' Organisation study; his plans to reduce class sizes in this area; and if he will make a statement on the matter. [29714/11]

177. **Deputy Stephen Donnelly** asked the Minister for Education and Skills the reasons for the discrepancy in average class sizes per county across the country; if his attention has been drawn to the fact that County Wicklow has the highest proportion of children in classes of 30 or more students; if he will give a guarantee that, should there be measures in budget 2012 to increase average class sizes, these will not impact on children who are already in classes of 30 students or more; if his further attention has been drawn to the fact that, according to the OECD, Ireland has the second highest average class sizes in Europe; and if he will make a statement on the matter. [30169/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 141 and 177 together.

Class size data for all primary schools is compiled by my Department on an annual basis and is available on the Department's website. The most recently published data relates to the 2010/11 school year. The staffing schedule is the mechanism used for allocating mainstream teaching posts to all schools. It currently operates on the basis of a general average of 1 classroom teacher for every 28 pupils. Schools have autonomy on how these posts are deployed to individual classes.

School authorities are advised in the staffing schedule to ensure that the number of pupils in any class is kept as low as possible, taking all relevant contextual factors into account (e.g. classroom accommodation, fluctuating enrolment etc.) In particular, they should ensure, as far as possible, that there is an equitable distribution of pupils in mainstream classes and the differential between the largest and the smallest classes is kept to a minimum. With over 20,000

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individual classes spread across all schools throughout the country there will always be differences in individual class sizes.

At this point I do not propose to give any specific commitment on the allocation of teachers to schools for the 2012/13 school year.

The number of teaching posts that we can afford to fund in schools is a matter that I will have to consider with my colleagues in Cabinet in the context of the next budget and meeting our obligations under the EU/IMF Programme.

The Government will endeavour to protect front-line education services as best as possible. However, this must be done within the context of bringing our overall public expenditure into line with what we can afford as a country. All areas of Government will have to manage on a reduced level of resources. The challenge will be to ensure that the resources that can be provided are used to maximum effect to achieve the best possible outcome for pupils.

School Accommodation

142. **Deputy Noel Coonan** asked the Minister for Education and Skills the position regarding funding for a resource room in respect of a school (details supplied) in County Tipperary; if same funding will be provided; when a decision will issue; and if he will make a statement on the matter. [29731/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I can confirm that the school referred to by the Deputy was approved funding for a resource room in July 2011. This resource room was in addition to a mainstream classroom approved earlier this year in January.

Pension Provisions

143. **Deputy Mary Lou McDonald** asked the Minister for Education and Skills the saving to the Exchequer if all existing public service pension payments to former employees of State agencies under the aegis of his Department were capped at €35,000 per year. [29778/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The information sought by the Deputy is being collated and will be forwarded as soon as possible.

Schools Building Projects

144. **Deputy Robert Troy** asked the Minister for Education and Skills the length of time it will take to progress an application for a new school (details supplied) in County Westmeath in view of the fact that all technical issues are resolved; and if he will make a statement on the matter. [29790/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The major building project at the school referred to by the Deputy was included in the Work Programme for 2011 announced last January. The Design Team are currently working on finalising the Stage 2(b) Submission (Detailed Design) which will then be submitted to my Department for review. Subsequently, assuming no further issues arise, my Department will be in contact with the Board of Management with regard to the further progression of the project.

EU Funding

145. **Deputy John Deasy** asked the Minister for Education and Skills if the €35 million from the European Globalisation Adjustment Fund announced for the construction industry will be accessible by self-employed persons whose businesses had been connected to the industry and

who now have lost their employment due to the downturn; the criteria for access to this fund and if it only applies to PAYE persons; and if he will make a statement on the matter. [29867/11]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): On 7 October 2011, the European Commission approved co-financing of €35.7m under the European Globalisation Adjustment Fund (EGF) in respect of three applications for assistance submitted in June 2010 for almost 9,000 employees made redundant at enterprises belonging to employers in the construction NACE 41, 43 and 71 sub-sectors between 1 July 2009 and 31 March 2010. These applications still require to be approved by the other EU budgetary authorities of the European Council of Ministers and the European Parliament.

The affected population of almost 9,000 employees were identified based on data held in the statutory redundancy payment system and in the FÁS redundant apprentice system.

Self-employed workers are not currently covered under the EGF Regulation for the period 2007-2013. A new European Commission proposal tabled on 6 October on an EGF Regulation for the period 2014-2020 does however propose the inclusion of self-employed workers. Discussions on the new proposals have not yet commenced at EU level.

School Accommodation

146. **Deputy John Deasy** asked the Minister for Education and Skills the position regarding an application for additional accommodation for a school (details supplied) in County Waterford; and if he will make a statement on the matter. [29869/11]

Minister for Education and Skills (Deputy Ruairí Quinn): My Department is currently reconsidering an application for funding from the school referred to by the Deputy for the works in question. A decision will be conveyed to the school authority as soon as this process has been completed.

Special Educational Needs

147. **Deputy Mary Mitchell O'Connor** asked the Minister for Education and Skills his views on the setting up of a special class for children with mild to moderate educational disabilities in the Dún Laoghaire area of County Dublin, in view of the fact that a school (details supplied) is oversubscribed for September 2012, leaving many sixth class primary school students in the area with nowhere to go in September; and if he will make a statement on the matter. [29870/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The Deputy will be aware that the National Council for Special Education (NCSE) through its network of local Special Educational Needs Organisers (SENOS), is responsible for processing applications from primary and post primary schools for special educational needs supports. This includes the allocation of resource teaching hours to schools as well as the establishment of special classes in various geographical areas as required and the discontinuation of such classes where the need no longer exists. The NCSE operates within my Department's criteria in allocating such supports.

Second level schools which have enrolled pupils with an assessed special educational need are allocated additional resource teaching support on the basis of the pupil's 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. It is open to parents to contact their

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local SENO directly to discuss their child's special educational needs, using the contact details available on www.ncse.ie.

148. **Deputy Mary Mitchell O'Connor** asked the Minister for Education and Skills the position regarding a school place in respect of a person (details supplied); and if he will make a statement on the matter. [29871/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I wish to advise the Deputy that the enrolment of a child in a school is a matter in the first instance for the parents of the child and the Board of Management of a school. My Department has no role in relation to processing applications for enrolment in schools. The National Educational Welfare Board (NEWB) is the statutory agency which assists parents who are experiencing difficulty in securing a school place for their child. The NEWB will try to help parents to find an alternative school placement if their child has been unable to secure a placement to date.

Where a school refuses to enrol a pupil, the school is obliged to inform parents of their right under Section 29 of the Education Act 1998 to appeal that decision to the Secretary General of my Department. Where an appeal under Section 29 is upheld, the Secretary General may direct a school to enrol a pupil.

The Deputy may be aware that the National Council for Special Education (NCSE), through its network of local Special Educational Needs Organisers (SENOs), is responsible for processing applications from schools for special educational needs supports. The NCSE operates within my Department's criteria in allocating such support. The SENOs co-ordinate special needs education provision at local level and arrange for the delivery of special educational services. They 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. 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.

School Staffing

149. **Deputy Finian McGrath** asked the Minister for Education and Skills how the education system will survive the exit of many teachers in February 2012; and if it is possible to extend the redundancy plan until 2012 to facilitate pupils and schools. [29874/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The Financial Emergency Measures in the Public Interest (No. 2) Act 2009 provided for a reduction in the remuneration of public servants. Section 3 provided that the reduction in pay would be disregarded in the calculation of pension entitlements for any person who left service before the end of 2010 or a later date specified by the Minister for Public Expenditure and Reform. The Public Service Pension Rights Order 2011 (S.I. No. 80 of 2011) sets 29 February 2012 as the later date. I am not empowered to extend this date which is of general application across the public service.

My Department is conscious of the potential impact of teachers retiring on State examination classes in post-primary schools. It is intended to issue information to schools on re-employing such teachers for the remainder of the school year where this is considered necessary to reduce that impact.

Traveller Training Centres

150. **Deputy Finian McGrath** asked the Minister for Education and Skills if he will review a matter regarding the closure of a training centre. [29885/11]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): The centre referred to is a Senior Traveller Training Centre (STTC) managed by County Dublin Vocational Education Committee (VEC). In line with the Traveller Education Strategy and the 2008 Value for Money (VFM) Review of Youthreach and STTCs, it was announced in Budget 2011 that an integrated further education provision for Travellers would be implemented through the phasing out of STTCs by June 2012 and replacement places, prioritised for Travellers, being provided under the Back to Education Initiative (BTEI).

I understand that County Dublin VEC has decided to close this centre as part of the implementation of the phasing out process and the learners have been given an opportunity to continue their education programme for this academic year at another STTC managed by the VEC.

Schools Refurbishment

151. **Deputy Brendan Smith** asked the Minister for Education and Skills if further consideration will be given to an application for funding towards the provision of toilet facilities at a school (details supplied) in County Cavan; if this application will be urgently reviewed in view of the case made in correspondence to his Department by the secretary of the board of management; and if he will make a statement on the matter. [29895/11]

Minister for Education and Skills (Deputy Ruairí Quinn): My Department is currently considering an application for funding from the school referred to by the Deputy for the works in question. A decision will be conveyed to the school authority as soon as this process has been completed.

FÁS Training Programmes

152. **Deputy Catherine Murphy** asked the Minister for Education and Skills the arrangements for training of new employees by employers; if there are interim arrangements with FÁS in such circumstances; if so, the budget available; the arrangements in place between him and the Department of Jobs, Enterprise and Innovation in respect of such training; and if he will make a statement on the matter. [28949/11]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): I understand that FÁS Training Services has no mechanism to fund or part-fund the training of new employees or to provide or procure training or assist with providing/procuring training for new employees. However, new employees may enrol on a suitable FÁS night course for a fee.

In addition, through Skillnets, which is funded by my Department from the National Training Fund, employers can benefit from subsidised training for all their employees (both new and existing) by joining a Skillnets network. A full list of Skillnets networks together with contact details and other information can be accessed via www.skillnets.ie/networks.

Also, I understand that FÁS in association with my Department and the Department of Social Protection operates a series of training and employment supports to assist people with disabilities to access and progress in employment.

School Curriculum

153. **Deputy Thomas P. Broughan** asked the Minister for Education and Skills his view on the possibility of making computer science a full syllabus subject at primary level and at secondary junior and senior cycle level; and if he will make a statement on the matter. [29922/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I have no plans to make computer science a specific subject in schools. The National Council for Curriculum and Assessment advises that ICT is not a standalone subject but rather a tool to be integrated into the teaching and learning of all subjects, and this is in keeping with international practice. The NCCA has developed an ICT framework for schools setting out the skills which students should acquire at different levels across the curriculum. This is supported by the Council's action website which sets out practical examples of how ICT can be embedded in teaching and learning across the curriculum. The schools ICT programme is continuing, under which €92m was provided in infrastructure grants to schools between November 2009 and the end of 2010. This programme provides investment in professional development for teachers (12,000 places for teachers were provided in 2010 alone), an e-learning handbook for teachers, the schools broadband programme and extensive digital resources on the Scoilnet website.

I have just received the advice on the NCCA on the future direction of junior cycle, and my officials are examining the proposals at present and identifying the resource implications. Once these have been identified and the Government has been informed, a process of engagement will begin with the partners in education on implementation plans. One of the objectives of the reforms is to promote increased creativity and innovation and better embed ICT across the curriculum. There will also be the opportunity for short courses to be provided by schools, and each subject will be assessed by means of a written examination and a portfolio. Taken together the reforms will present further opportunities for strengthening ICT across the curriculum.

Schools Refurbishment

154. **Deputy Paschal Donohoe** asked the Minister for Education and Skills if his attention has been drawn to the difficulties facing a school (details supplied) in Dublin 7 in respect of concrete spalling; his view on the funding of repairs and remedial work through either the summer works scheme or the emergency works programme; and if he will make a statement on the matter. [29936/11]

Minister for Education and Skills (Deputy Ruairí Quinn): An application under my Department's Emergency Works Scheme for repairs to spalling concrete has been received from the schools referred to by the Deputy. The purpose of the Emergency Works Scheme is solely for unforeseen emergencies or to provide funding to facilitate inclusion and access for special needs pupils. An emergency is deemed to be a situation which poses an immediate risk to health, life, property or the environment which is sudden, unforeseen and requires immediate action and in the case of a school if not corrected would prevent the school or part thereof from opening.

As the scope of works for this project is outside the terms of the Emergency Works Scheme it cannot be considered for emergency funding. The schools have been informed of the decision. However, it is open to the schools in question to apply for funding under future rounds of the Summer Works Scheme to have this work carried out.

Teacher Training

155. **Deputy Eamonn Maloney** asked the Minister for Education and Skills the current number of students preparing to become primary teachers through the BEd programme in colleges of education; the numbers currently enrolled in the Hibernia College primary teacher programme; the number of graduates from each of these courses in the past three years; his plans to limit primary teacher supply in view of concerns regarding unemployment among newly qualified teachers; and if he will make a statement on the matter. [29946/11]

Minister for Education and Skills (Deputy Ruairí Quinn): Anecdotal evidence indicates that there is an oversupply of teachers currently and that there are newly qualified teachers not yet holding teaching positions in schools. The level of student intake to the state-funded Colleges of Education is determined annually by my Department and it takes account of the supply of, and demand for, primary teachers. The level of intake to these Colleges has decreased in recent years in light of available resources and factors impacting on demand. This situation is subject to review.

My Department has introduced a circular which obliges schools to recruit unemployed teachers ahead of retired ones, in an effort to ease the difficulties for those who cannot find work in the profession.

In addition, the Deputy might also wish to note that the JobBridge National Internship Scheme has recently been extended to teachers. This provides newly-qualified teachers with opportunities to gain experience and to undertake the necessary teaching duties to complete the process of probation and fulfil the requirements for full registration with the Teaching Council.

The statistics requested by the Deputy are set out in the table below with the exception of the data from Hibernia College which will be forwarded to the Deputy as soon as it is received from the College. This data does not include the number of graduates from the postgraduate diploma in education (primary).

	2011		2010	2009
Primary ITE Providers	Bachelor of Education Years 1-3 Current Enrolment	B.Ed Graduates	B.Ed Graduates	B.Ed Graduates
Mary Immaculate College of Education	1,239	407	377	353
Church of Ireland College of Education	94	31	27	23
St. Patrick's College of Education	1,261	360	358	365
Froebel College of Education	199	63	75	66
Coláiste Mhuire, Marino	320	85	83	70
	3,113	946	920	877

School Accommodation

156. **Deputy Alan Farrell** asked the Minister for Education and Skills the schools in Dublin north in which prefabricated buildings are in use at primary and second level; the position of each school on the school building project in tabular form; and if he will make a statement on the matter. [30003/11]

Minister for Education and Skills (Deputy Ruairí Quinn): A list of the primary and post primary schools in County Dublin that have rented temporary accommodation is included for the Deputy's attention. My Department does not hold such information in the sub-county format as requested. The Deputy may wish to note that in cases where schools have been approved for additional accommodation, schools have the option of building permanent classrooms or of purchasing prefabricated buildings.

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.

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Rented Prefabs in Dublin — Primary and Post-Primary

(Please note that one prefab unit may consist of one or more classrooms and/or Ancillary Accommodation) —
October 2011

Roll No.	School Name	Address	Town/ Townland	County	Desc. of rental
00697S	St Brigids Mixed Ns	Castleknock		Dublin	Pre-fab Unit
00697S	St Brigids Mixed Ns	Castleknock		Dublin	Pre-fab Unit
00697S	St Brigids Mixed Ns	Castleknock		Dublin	Pre-fab Unit
00697S	St Brigids Mixed Ns	Castleknock		Dublin	Pre-fab Unit
00752A	Central Model Senior Mixed NS	Marlborough St		Dublin	Pre-fab Unit
01170G	Naul National School	Naul		Dublin	Pre-fab Unit
01170G	Naul National School	Naul		Dublin	Pre-fab Unit
01170G	Naul National School	Naul		Dublin	Pre-fab Unit
01795A	Central Model Infants School	Marlborough St		Dublin	Pre-fab Unit
01795A	Central Model Infants School	Marlborough St		Dublin	Pre-fab Unit
01795A	Central Model Infants School	Marlborough St		Dublin	Pre-fab Unit
06200O	St Mary's BNS	Grotto Place	Boosterstown	Dublin	Pre-fab Unit
07546J	Our Lady of Lourdes NS	Goldenbridge	Inchicore	Dublin	Pre-fab Unit
07546J	Our Lady of Lourdes NS	Goldenbridge	Inchicore	Dublin	Pre-fab Unit
07546J	Our Lady of Lourdes NS	Goldenbridge	Inchicore	Dublin	Pre-fab Unit
07546J	Our Lady of Lourdes NS	Goldenbridge	Inchicore	Dublin	Pre-fab Unit
07546J	Our Lady of Lourdes NS	Goldenbridge	Inchicore	Dublin	Pre-fab Unit
07546J	Our Lady of Lourdes NS	Goldenbridge	Inchicore	Dublin	Pre-fab Unit
07546J	Our Lady of Lourdes NS	Goldenbridge	Inchicore	Dublin	Pre-fab Unit
09492W	Balscadden School	Balscadden	Balbriggan	Dublin	Pre-fab Unit
09492W	Balscadden School	Balscadden	Balbriggan	Dublin	Pre-fab Unit
09932B	Stanhope St Convent	Stanhope St		Dublin	Pre-fab Unit
12014D	St Andrew's NS	Chapel Hill	Lucan	Dublin	Pre-fab Unit
12014D	St Andrew's NS	Chapel Hill	Lucan	Dublin	Pre-fab Unit
12014D	St Andrew's NS	Chapel Hill	Lucan	Dublin	Pre-fab Unit
14180H	Holmpatrick NS	Convent Lane	Skerries	Dublin	Pre-fab Unit
16333Q	St. Patricks JNS	Skerries		Dublin	Pre-fab Unit
16333Q	St. Patricks JNS	Skerries		Dublin	Pre-fab Unit
16461C	St Finian's NS	Newcastle Lyons		Dublin	Pre-fab Unit
16461C	St Finian's NS	Newcastle Lyons		Dublin	Pre-fab Unit
16461C	St Finian's NS	Newcastle Lyons		Dublin	Pre-fab Unit
16461C	St Finian's NS	Newcastle Lyons		Dublin	Pre-fab Unit
16461C	St Finian's NS	Newcastle Lyons		Dublin	Pre-fab Unit
16675V	Mulhuddart NS	Powerstown Road	Tyrrelstown	Dublin	Pre-fab Unit
16675V	Mulhuddart NS	Powerstown Road	Tyrrelstown	Dublin	Pre-fab Unit
16675V	Mulhuddart NS	Powerstown Road	Tyrrelstown	Dublin	Pre-fab Unit
16675V	Mulhuddart NS	Powerstown Road	Tyrrelstown	Dublin	Pre-fab Unit
16675V	Mulhuddart NS	Powerstown Road	Tyrrelstown	Dublin	Pre-fab Unit
16675V	Mulhuddart NS	Powerstown Road	Tyrrelstown	Dublin	Pre-fab Unit

Roll No.	School Name	Address	Town/ Townland	County	Desc. of rental
16860Q	Corpus Christi NS	Home Farm Rd	Drumcondra	Dublin	Pre-fab Unit
16972E	SS Peter & Paul JNS	Chapel Street	Balbriggan	Dublin	Pre-fab Unit
16972E	SS Peter & Paul JNS	Chapel Street	Balbriggan	Dublin	Pre-fab Unit
16972E	SS Peter & Paul JNS	Chapel Street	Balbriggan	Dublin	Pre-fab Unit
17055T	Scoil Naomh Mhuire		Saggart	Dublin	Pre-fab Unit
17055T	Scoil Naomh Mhuire		Saggart	Dublin	Pre-fab Unit
17055T	Scoil Naomh Mhuire		Saggart	Dublin	Pre-fab Unit
17055T	Scoil Naomh Mhuire		Saggart	Dublin	Pre-fab Unit
17055T	Scoil Naomh Mhuire		Saggart	Dublin	Pre-fab Unit
17055T	Scoil Naomh Mhuire		Saggart	Dublin	Pre-fab Unit
17055T	Scoil Naomh Mhuire		Saggart	Dublin	Pre-fab Unit
17055T	Scoil Naomh Mhuire		Saggart	Dublin	Pre-fab Unit
17055T	Scoil Naomh Mhuire		Saggart	Dublin	Pre-fab Unit
17055T	Scoil Naomh Mhuire		Saggart	Dublin	Pre-fab Unit
17055T	Scoil Naomh Mhuire		Saggart	Dublin	Pre-fab Unit
17055T	Scoil Naomh Mhuire		Saggart	Dublin	Pre-fab Unit
17055T	Scoil Naomh Mhuire		Saggart	Dublin	Pre-fab Unit
17055T	Scoil Naomh Mhuire		Saggart	Dublin	Pre-fab Unit
17055T	Scoil Naomh Mhuire		Saggart	Dublin	Pre-fab Unit
17083B	Scoil Mhuire gan Smal		Dublin 8	Dublin	Pre-fab Unit
17472M	Hedgestown NS	Hedgestown	Lusk	Dublin	Pre-fab Unit
17559B	St. Mary's NS	Garristown		Dublin	Pre-fab Unit
17569E	St Oliver Plunkett NS	Balrothery	Balbriggan	Dublin	Pre-fab Unit
17569E	St Oliver Plunkett NS	Balrothery	Balbriggan	Dublin	Pre-fab Unit
17691E	Lusk NS	Chapel Rd	Lusk	Dublin	Pre-fab Unit
17912O	St John Boscus SBS	Navan Rd		Dublin	Pre-fab Unit
17912O	St John Boscus SBS	Navan Rd		Dublin	Pre-fab Unit
17912O	St John Boscus SBS	Navan Rd		Dublin	Pre-fab Unit
17912O	St John Boscus SBS	Navan Rd		Dublin	Pre-fab Unit
17912O	St John Boscus SBS	Navan Rd		Dublin	Pre-fab Unit
17953F	Edmondstown NS	Edmondstown	Rathfarnham	Dublin	Pre-fab Unit
17961E	Lusk NS	Chapel Rd	Lusk	Dublin	Pre-fab Unit
17961E	Lusk NS	Chapel Rd	Lusk	Dublin	Pre-fab Unit
17961E	Lusk NS	Chapel Rd	Lusk	Dublin	Pre-fab Unit
17961E	Lusk NS	Chapel Rd	Lusk	Dublin	Pre-fab Unit
17961E	Lusk NS	Chapel Rd	Lusk	Dublin	Pre-fab Unit
17961E	Lusk NS	Chapel Rd	Lusk	Dublin	Pre-fab Unit
17961E	Lusk NS	Chapel Rd	Lusk	Dublin	Pre-fab Unit
17961E	Lusk NS	Chapel Rd	Lusk	Dublin	Pre-fab Unit
17961E	Lusk NS	Chapel Rd	Lusk	Dublin	Pre-fab Unit
17961E	Lusk NS	Chapel Rd	Lusk	Dublin	Pre-fab Unit
17961E	Lusk NS	Chapel Rd	Lusk	Dublin	Pre-fab Unit
17961E	Lusk NS	Chapel Rd	Lusk	Dublin	Pre-fab Unit
17961E	Lusk NS	Chapel Rd	Lusk	Dublin	Pre-fab Unit
17961E	Lusk NS	Chapel Rd	Lusk	Dublin	Pre-fab Unit
17961E	Lusk NS	Chapel Rd	Lusk	Dublin	Pre-fab Unit
17961E	Lusk NS	Chapel Rd	Lusk	Dublin	Pre-fab Unit
17961E	Lusk NS	Chapel Rd	Lusk	Dublin	Pre-fab Unit
17961E	Lusk NS	Chapel Rd	Lusk	Dublin	Pre-fab Unit
17961E	Lusk NS	Chapel Rd	Lusk	Dublin	Pre-fab Unit
17961E	Lusk NS	Chapel Rd	Lusk	Dublin	Pre-fab Unit
17977T	Scoil Aine	Raheny		Dublin	Pre-fab Unit
17978V	Naiscoil Ide	All Saints Drive	Raheny	Dublin	Pre-fab Unit
17978V	Naiscoil Ide	All Saints Drive	Raheny	Dublin	Pre-fab Unit
18046A	Scoil Bhríde BNS	Church Ave	Blanchardstown	Dublin	Pre-fab Unit
18046A	Scoil Bhríde BNS	Church Ave	Blanchardstown	Dublin	Pre-fab Unit
18046A	Scoil Bhríde BNS	Church Ave	Blanchardstown	Dublin	Pre-fab Unit

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Roll No.	School Name	Address	Town/ Townland	County	Desc. of rental
18047C	Scoil Bhríde GNS		Blanchardstown	Dublin	Pre-fab Unit
18047C	Scoil Bhríde GNS		Blanchardstown	Dublin	Pre-fab Unit
18047C	Scoil Bhríde GNS		Blanchardstown	Dublin	Pre-fab Unit
18047C	Scoil Bhríde GNS		Blanchardstown	Dublin	Pre-fab Unit
18210K	St Michaels House Special School	College St	Baldoyle	Dublin	Pre-fab Unit
18210K	St Michaels House Special School	College St	Baldoyle	Dublin	Pre-fab Unit
18210K	St Michaels House Special School	College St	Baldoyle	Dublin	Pre-fab Unit
18210K	St Michaels House Special School	College St	Baldoyle	Dublin	Pre-fab Unit
18210K	St Michaels House Special School	College St	Baldoyle	Dublin	Pre-fab Unit
18210K	St Michaels House Special School	College St	Baldoyle	Dublin	Pre-fab Unit
18210K	St Michaels House Special School	College St	Baldoyle	Dublin	Pre-fab Unit
18210K	St Michaels House Special School	College St	Baldoyle	Dublin	Pre-fab Unit
18210K	St Michaels House Special School	College St	Baldoyle	Dublin	Pre-fab Unit
18386B	Marist NS	Crumlin		Dublin	Pre-fab Unit
18386B	Marist NS	Crumlin		Dublin	Pre-fab Unit
18411U	St Marys NS	Bancroft Ave	Tallaght	Dublin	Pre-fab Unit
18411U	St Marys NS	Bancroft Ave	Tallaght	Dublin	Pre-fab Unit
18411U	St Marys NS	Bancroft Ave	Tallaght	Dublin	Pre-fab Unit
18412W	Scoil Phadraic C	Donabate		Dublin	Pre-fab Unit
18632N	SN Eoin Bosco	Navan Rd		Dublin	Pre-fab Unit
18763F	St Michaels Special NS	Ballymun Rd		Dublin	Pre-fab Unit
18763F	St Michaels Special NS	Ballymun Rd		Dublin	Pre-fab Unit
18763F	St Michaels Special NS	Ballymun Rd		Dublin	Pre-fab Unit
18778S	St. Mochta's NS	Porterstown Road	Clonsilla	Dublin	Pre-fab Unit
18778S	St. Mochta's NS	Porterstown Road	Clonsilla	Dublin	Pre-fab Unit
18778S	St. Mochta's NS	Porterstown Road	Clonsilla	Dublin	Pre-fab Unit
18778S	St. Mochta's NS	Porterstown Road	Clonsilla	Dublin	Pre-fab Unit
18778S	St. Mochta's NS	Porterstown Road	Clonsilla	Dublin	Pre-fab Unit
18778S	St. Mochta's NS	Porterstown Road	Clonsilla	Dublin	Pre-fab Unit
18778S	St. Mochta's NS	Porterstown Road	Clonsilla	Dublin	Pre-fab Unit
18778S	St. Mochta's NS	Porterstown Road	Clonsilla	Dublin	Pre-fab Unit
18815V	Our Lady of Lourds	Rochestown Ave	Dun Laogharie	Dublin	Pre-fab Unit
18817C	Scoil Bhríde	Ranelagh		Dublin	Pre-fab Unit
18976W	St Colmcilles BNS	Chapel Lane	Swords	Dublin	Pre-fab Unit
18976W	St Colmcilles BNS	Chapel Lane	Swords	Dublin	Pre-fab Unit
18977B	St Colmcilles GNS	Chapel Lane	Swords	Dublin	Pre-fab Unit
18977B	St Colmcilles GNS	Chapel Lane	Swords	Dublin	Pre-fab Unit
18977B	St Colmcilles GNS	Chapel Lane	Swords	Dublin	Pre-fab Unit
19066L	Loreto Primary		Dalkey	Dublin	Pre-fab Unit
19220S	Scoil Ide	New Rd	Clondalkin	Dublin	Pre-fab Unit
19220S	Scoil Ide	New Rd	Clondalkin	Dublin	Pre-fab Unit
19221U	Scoil Aine	New Rd	Clondalkin	Dublin	Pre-fab Unit
19221U	Scoil Aine	New Rd	Clondalkin	Dublin	Pre-fab Unit

Roll No.	School Name	Address	Town/ Townland	County	Desc. of rental
19221U	Scoil Aine	New Rd	Clondalkin	Dublin	Pre-fab Unit
19259W	St. Patricks GNS	Foxrock		Dublin	Pre-fab Unit
19319O	St Olafs NS	Balally Drive	Dundrum	Dublin	Pre-fab Unit
19319O	St Olafs NS	Balally Drive	Dundrum	Dublin	Pre-fab Unit
19319O	St Olafs NS	Balally Drive	Dundrum	Dublin	Pre-fab Unit
19374W	Our Lady's Grove NS	Goatstown Rd	Goatstown	Dublin	Pre-fab Unit
19374W	Our Lady's Grove NS	Goatstown Rd	Goatstown	Dublin	Pre-fab Unit
19374W	Our Lady's Grove NS	Goatstown Rd	Goatstown	Dublin	Pre-fab Unit
19374W	Our Lady's Grove NS	Goatstown Rd	Goatstown	Dublin	Pre-fab Unit
19390U	St. Marks SNS	Tallaght		Dublin	Pre-fab Unit
19435Q	St Francis Xavier JNS	Roselawn Rd	Castleknock	Dublin	Pre-fab Unit
19435Q	St Francis Xavier JNS	Roselawn Rd	Castleknock	Dublin	Pre-fab Unit
19435Q	St Francis Xavier JNS	Roselawn Rd	Castleknock	Dublin	Pre-fab Unit
19435Q	St Francis Xavier JNS	Roselawn Rd	Castleknock	Dublin	Pre-fab Unit
19470S	St Francis Xavier JNS	Coolmine	Castleknock	Dublin	Pre-fab Unit
19472W	St Marks JNS	Springfield	Tallaght	Dublin	Pre-fab Unit
19472W	St Marks JNS	Springfield	Tallagh	Dublin	Pre-fab Unit
19472W	St Marks JNS	Springfield	Tallaght	Dublin	Pre-fab Unit
19472W	St Marks JNS	Springfield	Tallaght	Dublin	Pre-fab Unit
19472W	St Marks JNS	Springfield	Tallaght	Dublin	Pre-fab Unit
19510E	Talbot SNS	Bawnogue	Clondalkin	Dublin	Pre-fab Unit
19510E	Talbot SNS	Bawnogue	Clondalkin	Dublin	Pre-fab Unit
19510E	Talbot SNS	Bawnogue	Clondalkin	Dublin	Pre-fab Unit
19515O	St. Teresa's NS	Balbriggan Rd	Balbriggan	Dublin	Pre-fab Unit
19515O	St. Teresa's NS	Balbriggan Rd	Balbriggan	Dublin	Pre-fab Unit
19515O	St. Teresa's NS	Balbriggan Rd	Balbriggan	Dublin	Pre-fab Unit
19515O	St. Teresa's NS	Balbriggan Rd	Balbriggan	Dublin	Pre-fab Unit
19535U	St Cronan's SNS	Brackenstown	Swords	Dublin	Pre-fab Unit
19535U	St Cronan's SNS	Brackenstown	Swords	Dublin	Pre-fab Unit
19535U	St Cronan's SNS	Brackenstown	Swords	Dublin	Pre-fab Unit
19535U	St Cronan's SNS	Brackenstown	Swords	Dublin	Pre-fab Unit
19535U	St Cronan's SNS	Brackenstown	Swords	Dublin	Pre-fab Unit
19545A	St Patricks JNS	Corduff	Blanchardstown	Dublin	Pre-fab Unit
19574H	Divine Word NS	Marley Grange	Rathfarnham	Dublin	Pre-fab Unit
19574H	Divine Word NS	Marley Grange	Rathfarnham	Dublin	Pre-fab Unit
19601H	St Philip the Apostle JNS	Mountview	Clonsilla	Dublin	Pre-fab Unit
19605P	Scoil Mhuire JNS	Blakestown		Dublin	Pre-fab Unit
19624T	St Catherine's NS	Kenure	Rush	Dublin	Pre-fab Unit
19624T	St Catherine's NS	Kenure	Rush	Dublin	Pre-fab Unit
19624T	St Catherine's NS	Kenure	Rush	Dublin	Pre-fab Unit
19625V	Scoil Realt na Mara	Balbriggan Rd	Skerries	Dublin	Pre-fab Unit
19625V	Scoil Realt na Mara	Balbriggan Rd	Skerries	Dublin	Pre-fab Unit
19625V	Scoil Realt na Mara	Balbriggan Rd	Skerries	Dublin	Pre-fab Unit
19628E	St Fiachras SNS	Montrose Park	Beaumont	Dublin	Pre-fab Unit
19628E	St Fiachras SNS	Montrose Park	Beaumont	Dublin	Pre-fab Unit
19628E	St Fiachras SNS	Montrose Park	Beaumont	Dublin	Pre-fab Unit
19636D	St Patricks SNS	Corduff	Blanchardstown	Dublin	Pre-fab Unit

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Roll No.	School Name	Address	Town/ Townland	County	Desc. of rental
19636D	St Patricks SNS	Corduff	Blanchardstown	Dublin	Pre-fab Unit
19636D	St Patricks SNS	Corduff	Blanchardstown	Dublin	Pre-fab Unit
19636D	St Patricks SNS	Corduff	Blanchardstown	Dublin	Pre-fab Unit
19636D	St Patricks SNS	Corduff	Blanchardstown	Dublin	Pre-fab Unit
19643A	St Philips SNS	Clonsilla		Dublin	Pre-fab Unit
19643A	St Philips SNS	Clonsilla		Dublin	Pre-fab Unit
19652B	Sacred Heart NS	Tallaght		Dublin	Pre-fab Unit
19660A	Rush NS		Rush	Dublin	Pre-fab Unit
19660A	Rush NS		Rush	Dublin	Pre-fab Unit
19660A	Rush NS		Rush	Dublin	Pre-fab Unit
19660A	Rush NS		Rush	Dublin	Pre-fab Unit
19662E	St Michael's Primary School	Dominican Campus	Ballyfermot	Dublin	Pre-fab Unit
19676P	Scoil Aine Naofa	Esker	Lucan	Dublin	Pre-fab Unit
19676P	Scoil Aine Naofa	Esker	Lucan	Dublin	Pre-fab Unit
19757P	St Michaels Special NS	Skerries		Dublin	Pre-fab Unit
19782O	St Brigids JNS	Brookfield	Tallaght	Dublin	Pre-fab Unit
19782O	St Brigids JNS	Brookfield	Tallaght	Dublin	Pre-fab Unit
19782O	St Brigids JNS	Brookfield	Tallaght	Dublin	Pre-fab Unit
19782O	St Brigids JNS	Brookfield	Tallaght	Dublin	Pre-fab Unit
19782O	St Brigids JNS	Brookfield	Tallaght	Dublin	Pre-fab Unit
19785U	St Bernadettes SNS	Quarryvale	Clondalkin	Dublin	Pre-fab Unit
19785U	St Bernadettes SNS	Quarryvale	Clondalkin	Dublin	Pre-fab Unit
19785U	St Bernadettes SNS	Quarryvale	Clondalkin	Dublin	Pre-fab Unit
19785U	St Bernadettes SNS	Quarryvale	Clondalkin	Dublin	Pre-fab Unit
19817H	Scoil Mhuire	Woodview	Lucan	Dublin	Pre-fab Unit
19817H	Scoil Mhuire	Woodview	Lucan	Dublin	Pre-fab Unit
19817H	Scoil Mhuire	Woodview	Lucan	Dublin	Pre-fab Unit
19817H	Scoil Mhuire	Woodview	Lucan	Dublin	Pre-fab Unit
19834H	St Aidans NS		Brookfield	Dublin	Pre-fab Unit
19834H	St Aidans NS		Brookfield	Dublin	Pre-fab Unit
19834H	St Aidans NS		Brookfield	Dublin	Pre-fab Unit
19834H	St Aidans NS		Brookfield	Dublin	Pre-fab Unit
19877C	Holy Family SNS	River Valley	Swords	Dublin	Pre-fab Unit
19877C	Holy Family SNS	River Valley	Swords	Dublin	Pre-fab Unit
19878E	Holy Rosary PS	Old Court Avenue	Firhouse	Dublin	Pre-fab Unit
19878E	Holy Rosary PS	Old Court Avenue	Firhouse	Dublin	Pre-fab Unit
19878E	Holy Rosary PS	Old Court Avenue	Firhouse	Dublin	Pre-fab Unit
19878E	Holy Rosary PS	Old Court Avenue	Firhouse	Dublin	Pre-fab Unit
19878E	Holy Rosary PS	Old Court Avenue	Firhouse	Dublin	Pre-fab Unit
19878E	Holy Rosary PS	Old Court Avenue	Firhouse	Dublin	Pre-fab Unit
19878E	Holy Rosary PS	Old Court Avenue	Firhouse	Dublin	Pre-fab Unit
19878E	Holy Rosary PS	Old Court Avenue	Firhouse	Dublin	Pre-fab Unit
19878E	Holy Rosary PS	Old Court Avenue	Firhouse	Dublin	Pre-fab Unit
19878E	Holy Rosary PS	Old Court Avenue	Firhouse	Dublin	Pre-fab Unit
19907I	Gaelscoil Mologa	Charleville Road		Dublin	Pre-fab Unit
19949B	Muslim NS	19 Roebuck Rd	Clonskeagh	Dublin	Pre-fab Unit

Roll No.	School Name	Address	Town/ Townland	County	Desc. of rental
20012S	Griffith Barracks Multi D School	The Old Guard House	South Circular Rd	Dublin	Pre-fab Unit
20012S	Griffith Barracks Multi D School	The Old Guard House	South Circular Rd	Dublin	Pre-fab Unit
20028K	Setanta Special School	Stillorgan		Dublin	Pre-fab Unit
20028K	Setanta Special School	Stillorgan		Dublin	Pre-fab Unit
20028K	Setanta Special School	Stillorgan		Dublin	Pre-fab Unit
20028K	Setanta Special School	Stillorgan		Dublin	Pre-fab Unit
20035H	St. Gabriels NS	Cowper St		Dublin	Pre-fab Unit
20043G	Gaelscoil Chnoc Liamhna	Sean Bhothar Chnoc Liamhna	Cnoc Liamhna	Dublin	Pre-fab Unit
20047O	Gaelscoil Bharra	Ascal an Fhasaigh	Cabra	Dublin	Pre-fab Unit
20047O	Gaelscoil Bharra	Ascal an Fhasaigh	Cabra	Dublin	Pre-fab Unit
20139T	Inchicore NS	Sarsfield Road	Inchicore	Dublin	Pre-fab Unit
20139T	Inchicore NS	Sarsfield Road	Inchicore	Dublin	Pre-fab Unit
20139T	Inchicore NS	Sarsfield Road	Inchicore	Dublin	Pre-fab Unit
20152T	North Dublin Muslim School	Cabra	Inchicore	Dublin	Pre-fab Unit
20152T	North Dublin Muslim School	Cabra	Inchicore	Dublin	Pre-fab Unit
20152T	North Dublin Muslim School	Cabra	Inchicore	Dublin	Pre-fab Unit
20168D	Glasnevin Educate Together NS	Church Ave	Glasnevin	Dublin	Pre-fab Unit
20190T	Holy Trinity NS	Glencairn Drive, The Gallops	Leopardstown	Dublin	Pre-fab Unit
20190T	Holy Trinity NS	Glencairn Drive, The Gallops	Leopardstown	Dublin	Pre-fab Unit
20190T	Holy Trinity NS	Glencairn Drive, The Gallops	Leopardstown	Dublin	Pre-fab Unit
20190T	Holy Trinity NS	Glencairn Drive, The Gallops	Leopardstown	Dublin	Pre-fab Unit
20190T	Holy Trinity NS	Glencairn Drive, The Gallops	Leopardstown	Dublin	Pre-fab Unit
20190T	Holly Trinity NS	Glencairn Drive, The Gallops	Leopardstown	Dublin	Pre-fab Unit
20190T	Holy Trinity NS	Glencairn Drive, The Gallops	Leopardstown	Dublin	Pre-fab Unit
20190T	Holy Trinity NS	Glencairn Drive, The Gallops	Leopardstown	Dublin	Pre-fab Unit
20190T	Holy Trinity NS	Glencairn Drive, The Gallops	Leopardstown	Dublin	Pre-fab Unit
20190T	Holy Trinity NS	Glencairn Drive, The Gallops	Leopardstown	Dublin	Pre-fab Unit
20190T	Holy Trinity NS	Glencairn Drive, The Gallops	Leopardstown	Dublin	Pre-fab Unit
20190T	Holy Trinity NS	Glencairn Drive, The Gallops	Leopardstown	Dublin	Pre-fab Unit
20190T	Holy Trinity NS	Glencairn Drive, The Gallops	Leopardstown	Dublin	Pre-fab Unit
20190T	Holy Trinity NS	Glencairn Drive, The Gallops	Leopardstown	Dublin	Pre-fab Unit
20190T	Holy Trinity NS	Glencairn Drive, The Gallops	Leopardstown	Dublin	Pre-fab Unit
20190T	Holy Trinity NS	Glencairn Drive, The Gallops	Leopardstown	Dublin	Pre-fab Unit
20190T	Holy Trinity NS	Glencairn Drive, The Gallops	Leopardstown	Dublin	Pre-fab Unit
20190T	Holy Trinity NS	Glencairn Drive, The Gallops	Leopardstown	Dublin	Pre-fab Unit
20190T	Holy Trinity NS	Glencairn Drive, The Gallops	Leopardstown	Dublin	Pre-fab Unit
20190T	Holy Trinity NS	Glencairn Drive, The Gallops	Leopardstown	Dublin	Pre-fab Unit
20190T	Holy Trinity NS	Glencairn Drive, The Gallops	Leopardstown	Dublin	Pre-fab Unit
20190T	Holy Trinity NS	Glencairn Drive, The Gallops	Leopardstown	Dublin	Pre-fab Unit
20190T	Holy Trinity NS	Glencairn Drive, The Gallops	Leopardstown	Dublin	Pre-fab Unit
20190T	Holy Trinity NS	Glencairn Drive, The Gallops	Leopardstown	Dublin	Pre-fab Unit

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Roll No.	School Name	Address	Town/ Townland	County	Desc. of rental
20304I	St. Francis of Assisi	Belmayne		Dublin	Pre-fab Unit
20308Q	Belmayne ETNS	Belmayne		Dublin	Pre-fab Unit
20334R	Gaelscoil Ros Eo	Rush		Dublin	Pre-fab Unit
20334R	Gaelscoil Ros Eo	Rush		Dublin	Pre-fab Unit
20334R	Gaelscoil Ros Eo	Rush		Dublin	Pre-fab Unit
20348F	Hollywell ETNS	Swords		Dublin	Pre-fab Unit
20348F	Hollywell ETNS	Swords		Dublin	Pre-fab Unit
20348F	Hollywell ETNS	Swords		Dublin	Pre-fab Unit
20348F	Hollywell ETNS	Swords		Dublin	Pre-fab Unit
20348F	Hollywell ETNS	Swords		Dublin	Pre-fab Unit
60092U	Clonkeen College	Clonkeen Rd	Blackrock	Dublin	Pre-fab Unit
60092U	Clonkeen College	Clonkeen Rd	Blackrock	Dublin	Pre-fab Unit
60092U	Clonkeen College	Clonkeen Rd	Blackrock	Dublin	Pre-fab Unit
60343T	St Josephs Sec School	Convent Lane	Rush	Dublin	Pre-fab Unit
60343T	St Josephs Sec School	Convent Lane	Rush	Dublin	Pre-fab Unit
60343T	St Josephs Sec School	Convent Lane	Rush	Dublin	Pre-fab Unit
60370W	St Fintan's High School	Sutton		Dublin	Pre-fab Unit
70010V	Balbriggan Community College	Chapel Street	Balbriggan	Dublin	Pre-fab Unit
70010V	Balbriggan Community College	Chapel Street	Balbriggan	Dublin	Pre-fab Unit
70230M	Killester College	Collins Avenue		Dublin	Pre-fab Unit
76062B	Castleknock Community College	Castleknock		Dublin	Pre-fab Unit
76062B	Castleknock Community College	Castleknock		Dublin	Pre-fab Unit
76085N	Gaelcholaiste Reachrann	Grange Abbey Rd	Donaghmede	Dublin	Pre-fab Unit
76085N	Gaelcholaiste Reachrann	Grange Abbey Rd	Donaghmede	Dublin	Pre-fab Unit
76085N	Gaelcholaiste Reachrann	Grange Abbey Rd	Donaghmede	Dublin	Pre-fab Unit
76085N	Gaelcholaiste Reachrann	Grange Abbey Rd	Donaghmede	Dublin	Pre-fab Unit
76130P	Luttrellstown Community College	Luttrellstown		Dublin	Pre-fab Unit
76130P	Luttrellstown Community College	Luttrellstown		Dublin	Pre-fab Unit
76130P	Luttrellstown Community College	Luttrellstown		Dublin	Pre-fab Unit
76130P	Luttrellstown Community College	Luttrellstown		Dublin	Pre-fab Unit
81002K	Mount Temple Comprehensive School	Malahide Road		Dublin	Pre-fab Unit
81002K	Mount Temple Comprehensive School	Malahide Road		Dublin	Pre-fab Unit
81002K	Mount Temple Comprehensive School	Malahide Road		Dublin	Pre-fab Unit
01795A	Central Model Infants School	Marlborough St		Dublin	Pre-fab Unit
03359N	Ballyroan Boys NS	Ballyroan Road	Rathfarnham	Dublin	Pre-fab Unit
19877C	Holy Family SNS	River Valley	Swords	Dublin	Pre-fab Unit

Bullying in Schools

157. **Deputy Alan Farrell** asked the Minister for Education and Skills the guidelines he has in place for dealing with all forms of bullying within primary and second level schools; when they were last updated; and if he will make a statement on the matter. [30004/11]

162. **Deputy Alan Farrell** asked the Minister for Education and Skills the guidelines or proposed guidelines he has to deal with social media bullying for children and teenagers; and if he will make a statement on the matter. [30009/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 157 and 162 together.

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.

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.

In 1993, my Department 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 in 2007 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.

When a Whole School Evaluation (WSE) is conducted by my Department's Inspectorate, the code of behaviour, including its anti-bullying policy, is reviewed by the inspection team to check that it is in line with the Department's guidelines. Inspectors normally meet with the principal, the board, post-holders, year heads, class teachers, programme co-ordinators, the pastoral care team, representatives of the students and parents. During these meetings there is a particular emphasis on the quality of student care and support. The inspectors' evaluation is also informed by observations in classroom settings and throughout the school. Where there are weaknesses in a school's policy or implementation of policies clear recommendations for improvement are made and are included in the published report of the inspection.

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Revised procedures for WSE in schools have recently been put in place. A new element of the revised WSE process involves the issuing of questionnaires directly to pupils and parents. Children and parents will be asked to respond to questions about how the school deals with bullying, discipline in the school and whether or not the school provides a safe environment for children. This enhanced engagement with parents and pupils through questionnaires aims to further support all schools to implement effective measures to counter bullying.

The Deputy may also be aware that the education of students in both primary and post-primary schools in relation to anti-bullying behaviour is part of the Social, Personal and Health Education (SPHE) curriculum. SPHE is now a compulsory subject both at primary level and in the junior cycle of post-primary schools. Since 2001, national professional development support services have provided ongoing support to schools in planning policies on child protection and the code of behaviour and in supporting teachers and principals in the implementation of SPHE. In addition, training on The Stay Safe Programme is offered on an ongoing basis to primary schools.

Other measures in place include the Webwise Internet Safety Initiative, the EU Safer Internet Programme campaign and the establishment of the National Behaviour Support Service (NBSS) which is currently working with over 80 post-primary schools to promote and support positive student behaviour.

Mental Health Services

158. **Deputy Alan Farrell** asked the Minister for Education and Skills his policies or future proposals to prevent mental health issues in students at primary and secondary level; and if he will make a statement on the matter. [30005/11]

159. **Deputy Alan Farrell** asked the Minister for Education and Skills the resources in place within schools for children with diagnosed or suspected mental health issues; and if he will make a statement on the matter. [30006/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 158 and 159 together.

The Social Personal and Health Education (SPHE) programme is a mandatory part of the curriculum in primary schools and in junior cycle since 2003 and is designed to promote positive mental health. It is supported by comprehensive teacher guidelines and curriculum support services which provide training and advice for schools and a resource directory. Its aim is to foster personal development, health and well being of children, to help them create and maintain supportive relationships, and develop the skills and attitudes for responsible citizenship.

All post-primary schools also provide a guidance and counselling service for their students and they receive ex-quota hours from the Department for this provision. The service includes the provision of individual guidance and counselling for students either at critical stages in their education or at times of personal crisis.

Schools also use Mental Health Matters, a resource pack on mental health for 14 to 18 year olds developed by Mental Health Ireland on an optional basis as a module in the Transition Year Programme, an element of the Leaving Certificate Applied Programme, a component of the SPHE programme or an element of other subjects such as Religion or Home Economics. Psychologists from my Department's National Educational Psychological Service are present in schools across the country and provide a range of supports to school authorities and communities which include both the promotion of positive mental health among the general student

body and assistance in supporting pupils with particular social emotional or behavioural difficulties. NEPS promotes the development of structures and supports among teachers and schools care teams which assists and encourages the development of contact and collaboration with the relevant local HSE mental health agencies including the Community Psychology Services and Mental Health Promotion Officers and the referral services of the Child and Adolescent Mental Health Service (CAHMS).

My Department also provides a range of teaching and care supports for children of school-going age with special educational needs, including children with Emotional Disturbance and Severe Emotional Disturbance. The precise level of support is determined by the special educational needs of the particular child.

Children with Emotional Disturbance/ Severe Emotional Disturbance may be entitled to additional provision in school, either under the terms of the General Allocation Model (GAM) of teaching supports, if the pupil's educational psychological assessment places the pupil in the mild general learning disability/high incidence disability category, or through an allocation of individual additional resource teaching hours if the child is assessed as being within the low incidence category of special need, as defined by my Department's Circular Sp Ed 02/05. Pupils who have care needs may also receive access to Special Needs Assistant support.

It is a matter for each individual school to use its professional judgement to use the resources available to the school to intervene at the appropriate level with such pupils. My Department has provided a range of advice to schools on the matter of whole-school planning by means of various publications including Circular SP ED 02/05, the Learning Support Guidelines and the National Educational Psychological Service (NEPS) booklet 'A Continuum of Support'.

Schools should use the guidance in the documents that have been provided to develop policies and procedures to suit the circumstances of the school and the needs of the pupils. It is open to schools to seek advice of their NEPS psychologist to seek further guidance and advice in relation to the establishment of whole-school procedures.

Finally, the Deputy is aware that the National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOs), for allocating resources to schools to support children with special educational needs. The NCSE operates within my Department's criteria in allocating such support.

160. **Deputy Alan Farrell** asked the Minister for Education and Skills the extent to which teachers are trained to provide counselling, support and development therapy for children with mental health issues; if there are any proposals in place to improve the availability of counselling services for students within schools; and if he will make a statement on the matter. [30007/11]

161. **Deputy Alan Farrell** asked the Minister for Education and Skills if teachers at primary and second level are trained to recognise symptoms of mental health disorder in students; if not, his plans to introduce this at a later date; and if he will make a statement on the matter. [30008/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 160 and 161 together.

Student teachers in the Primary Colleges of Education are supported across a range of courses to identify children who are at risk from a variety of causes, including those that would contribute to issues around mental health. These courses include Psychology, Sociology, Social Personal and Health Education and aspects of Teaching Studies. While counselling children

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with mental health issues is best undertaken by professionals in that area and not by teachers, it is important that student teachers have the knowledge and skills needed to identify the need for early intervention.

At post-primary, student teachers have courses in educational psychology and in special education needs. These courses prepare them to recognise common special needs in students and to respond appropriately in their teaching. They also learn about adolescent development and some of the psychological stresses that may occur. They are not specifically prepared to recognise or diagnose any specific mental health disorders, or to determine the appropriate treatment of these disorders.

The Social Personal and Health Education (SPHE) programme is a mandatory part of the curriculum in junior cycle since 2003 and is designed to promote positive mental health. It is already supported by comprehensive teacher guidelines and curriculum support services which provide training and advice for schools and a resource directory. Its aim is to foster personal development, health and well being of children, to help them create and maintain supportive relationships, and develop the skills and attitudes for responsible citizenship. It is designed for implementation in the context of a caring whole-school approach which is supported by the pastoral care structures in schools and provides opportunities to teachers to train in the area of Mental Health.

The Support Service have collaborated with the Mater Child and Adolescent Health Service to develop a resource for schools called “Working Things Out” through SPHE. This resource contains classroom materials on a number of mental health issues and is given to teachers as part of the mental health training course. It also assists teachers in recognising early indications of mental health condition in pupils. The SPHE Support Service is also currently working with the National Office of Suicide Prevention and the HSE to develop guidelines for schools on mental health promotion.

Schools also use Mental Health Matters, a resource pack on mental health for 14 to 18 year olds developed by Mental Health Ireland on an optional basis as a module in the Transition Year Programme, an element of the Leaving Certificate Applied Programme, a component of the SPHE programme or an element of other subjects such as Religion or Home Economics. All post-primary schools also provide a guidance and counselling service which is available for their students and they receive ex-quota hours from the Department for this provision. My Department recognises qualifications specifically for the purpose of guidance at post primary level. The service availability is adequate and includes the provision of individual guidance and counselling for students either at critical stages in their education or at times of personal crisis. My Department funds the provision of ongoing professional support through a Counselling Supervision service, providing advice and sharing practice on issues of concern.

Psychologists from my Department’s National Educational Psychological Service (NEPS) are present in schools across the country and provide a range of supports to school authorities and communities which include both the promotion of positive mental health among the general student body and assistance in supporting pupils with particular social emotional or behavioural difficulties. NEPS promotes the development of structures and supports among teachers and schools care teams which assists and encourages the development of contact and collaboration with the relevant local HSE mental health agencies including the Community Psychology Services and Mental Health Promotion Officers and the referral services of the Child and Adolescent Mental Health Service (CAHMS).

Question No. 162 answered with Question No. 157.

Departmental Expenditure

163. **Deputy Mary Lou McDonald** asked the Minister for Education and Skills the cost for the printing, posting and administration of payslips to primary school teachers. [30015/11]

164. **Deputy Mary Lou McDonald** asked the Minister for Education and Skills the cost for the printing, posting and administration of payslips to secondary school teachers. [30016/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 163 and 164 together.

Details of the costs associated with the printing, posting and administration of payslips to primary and post-primary teachers are set out in tabular format below.

Printing Costs for the Primary and Post Primary Payslips

Primary 2010	€40,758.00
Primary 2011 to date	€36,474.00
Post Primary 2010	€36,474.00
Post Primary 2011 to date	€26,053.00

Postage Costs for the Primary and Post Primary Payslips

Primary 2010	€523,626.66
Primary 2011 to date	€427,311.58
Post Primary 2010	€299,378.28
Post Primary 2011	€219,095.16

Administration Costs (based on average salaries by grade)

Primary 2010	€50,933
Primary 2011 to date	€33,619
Post Primary 2010	€39,432
Post Primary 2011 to date	€25,861

Vocational Education Committees

165. **Deputy Brendan Smith** asked the Minister for Education and Skills the national criteria for determining head office locations for merging vocational education committees; how the criteria were applied in the decision to locate the head office for Cavan Monaghan Vocational Education Committee in Monaghan town; and if he will make a statement on the matter. [30057/11]

166. **Deputy Brendan Smith** asked the Minister for Education and Skills the projected savings arising from the decision to locate the head office for Cavan Monaghan Vocational Education Committee in Monaghan town; and if he will make a statement on the matter. [30059/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 165 and 166 together.

In arriving at my decision in relation to the location of headquarters of the merged 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.

The distance between Cavan and Monaghan marginally exceeds the 45 km distance agreed under the Croke Park Agreement in relation to redeployment and may preclude redeployment of staff currently employed in Cavan to Monaghan and vice versa. Consequently, I decided that a sub-office would be required for the foreseeable future. In determining Monaghan as a headquarter location I was aware that both VECs are very closely matched on the criteria mentioned above although Co. Monaghan VEC has marginally more second level schools under its control.

It would be very difficult to accurately predict the savings which will arise from any one particular merger. The Special Group on Public Service Numbers and Expenditure Programmes suggested that overall savings of €3 million could be realised. The reconfiguration to 16 can, over time, yield such savings in the recurrent cost of the headquarter functions of VECs which, at present, is of the order of €40 million in total.

Departmental Schemes

167. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills if he will clarify his plans regarding the school book rental scheme; the arrangements he is proposing to make between schools operating such schemes and the publishers; and if he will make a statement on the matter. [30080/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I have held meetings with educational book publishers, representatives of parents' organisations and the Society of St. Vincent de Paul regarding the cost of school textbooks. I also had a further meeting with the book publishers on 10 October 2011.

The publishers present stated that they were committed to the code of practice where publishers undertook not to publish new or revised editions of textbooks for six years, except in the context of significant change to the curriculum or examinations. Publishers also said they were willing to make minor updates available online in the future. Publishers stated that they would allow discount rates for bulk buying to schools which would support the introduction of book rental or loan schemes in schools. In the context of the concerns raised by the Deputy for jobs in shops where school textbooks are currently sold, it would be open to shops to also offer discounts to schools. I requested publishers not to print workbook-style material within textbooks as this rendered loan or rental schemes impracticable. The publishers undertook to bear my concerns in mind in the development of any new publications.

I recognise that educational publishers are independent commercial companies who compete in an open market for the sale of their textbooks. I recognise that I cannot interfere in the matter of price setting but have sought assurances from publishers they will facilitate schools that wish to purchase bulk stock for the operation of rental schemes. I am pleased to have received this assurance. I am very satisfied with the progress made in my meetings with publishers and I welcome their positive and proactive approach to co-operating with me in reducing the cost of textbooks to students and families. My Department is undertaking a survey of

schools to establish the current situation regarding school book rental and loan schemes so that I can consider how I might incentivise the introduction of book loan or rental schemes.

I have invited the National Parents Councils at primary and post-primary levels to provide me with examples of good practice of book rental schemes. My Department is currently preparing guidelines for schools on best practice in the operation of such schemes.

Schools Refurbishment

168. **Deputy Seán Kyne** asked the Minister for Education and Skills the position regarding an application under the emergency works scheme in respect of a school (details supplied). [30124/11]

Minister for Education and Skills (Deputy Ruairí Quinn): An application under my Department's Emergency Works Scheme for fencing has been received from the school referred to by the Deputy.

The purpose of the Emergency Works Scheme is solely for unforeseen emergencies or to provide funding to facilitate inclusion and access for special needs pupils. An emergency is deemed to be a situation which poses an immediate risk to health, life, property or the environment which is sudden, unforeseen and requires immediate action and in the case of a school if not corrected would prevent the school or part thereof from opening.

As the scope of works for this project is outside the terms of the Emergency Works Scheme it cannot be considered for emergency funding. The school has been informed of the decision.

School Transport

169. **Deputy Seán Kyne** asked the Minister for Education and Skills if consideration will be given to the commencement of a trial scheme for public service obligation contracts in the Connemara area by way of public tender for school transport provision which would enable private transport operators to bid. [30125/11]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): Generally Public Service Obligation services are operated by Bus Éireann under contract to the National Transport Authority. School transport contracts are a separate matter and in this regard Bus Éireann, which operates the school transport schemes, has advised that an extensive procurement exercise was conducted in summer 2011. This exercise invited applications from operators of large, medium, small buses and taxis who were interested in undertaking, on a contractual basis, the operation of school transport services throughout Ireland. Advertisements were placed on the eTenders website, the Official Journal of the European Union (OJEU), and in the local and national newspapers.

It may be of interest to the Deputy that some 85% of the vehicles used to provide services under the School Transport Scheme, equivalent to over 3,300 vehicles, are provided by private operators under contract to Bus Éireann.

School Staffing

170. **Deputy Finian McGrath** asked the Minister for Education and Skills the number of posts allocated to primary schools in each county for the teaching of English as an additional language. [30129/11]

171. **Deputy Finian McGrath** asked the Minister for Education and Skills the number of posts allocated to second level schools in each county for the teaching of English as an additional language. [30130/11]

172. **Deputy Finian McGrath** asked the Minister for Education and Skills the number of appeals submitted this year by primary schools against a decision not to sanction the appointment of a teacher of English as an additional language; and the number of schools to which posts were allocated on appeal. [30131/11]

173. **Deputy Finian McGrath** asked the Minister for Education and Skills the number of appeals submitted this year by second level schools against decisions not to sanction the appointment of a teacher of English as an additional language; and the number of schools to which posts were allocated on appeal. [30132/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 170 to 173, inclusive, together.

Significant support is given to schools by way of language support provision. The level of extra teaching support provided in respect of language support to any school is determined by the numbers of eligible pupils enrolled and the associated assessed levels of those pupils' language proficiency. There are currently circa 840 full-time teaching posts in respect of English as an additional language (EAL) allocated to primary schools for the 2011-2012 school year. The corresponding whole time equivalent figure for post primary schools is 200 posts. The final EAL position for all schools will ultimately not be known until later in the Autumn. At that stage the allocation process will be fully completed and the latest appeals to the Staffing Appeals Board will have been considered. Having regard to the overall level of demand for language support and other upward pressures on teacher numbers, the Department is not in a position at this stage to process and approve applications for language support posts received from primary schools after 6 May 2011. Such applications will be considered shortly when a clearer picture will have emerged in relation to how the Department is managing within the overall limits on teacher numbers. All applications for the appointment of teachers of English as an additional language from post primary schools that had met the criteria laid down in the allocations process were sanctioned.

The allocation process also includes an appeals mechanism for schools to submit an appeal under certain criteria to an independent Appeal Board. To date, 56 primary schools have appealed their EAL allocation to the Primary Staffing Appeal Board of which 21 were successful. The Appeal Board operates independently of the Department and its decision is final. There were no EAL appeals from post primary schools.

School Placement

174. **Deputy Brendan Smith** asked the Minister for Education and Skills if he decides on the relevant catchment areas for all second level schools; and if he will make a statement on the matter. [30134/11]

Minister for Education and Skills (Deputy Ruairí Quinn): Catchment boundaries have their origins in the establishment of free post-primary education in the late 1960s and were determined following consultation with local educational interests. For planning purposes the country was divided into geographic districts each with several primary schools feeding into a post-primary centre with one or more post-primary schools. The intention was and continues to be that these defined districts facilitate the orderly planning of school provision and accommodation needs.

Higher Education Grants

175. **Deputy John McGuinness** asked the Minister for Education and Skills if a grant will be

approved by Kilkenny Vocational Education Committee in respect of a person (details supplied) towards the cost of a course. [30156/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The processing of student grants is carried out by local grant awarding authorities, the VECs and local authorities. In the circumstances, the student in question should contact his grant awarding authority to ascertain the position with his application.

The Deputy will appreciate that in the absence of all of the details that would be contained in a student grant application form, it would not be possible for me to say if a student would qualify for a grant.

Vocational Education Committees

176. **Deputy Stephen Donnelly** asked the Minister for Education and Skills, with regard to the appointment of a new chief executive to lead the new merged Wicklow Kildare Vocational Education Committee, if that position is being filled based on merit or seniority; the process being followed to fill that position; and the criteria being used in making the appointment. [30168/11]

Minister for Education and Skills (Deputy Ruairí Quinn): My officials have recently concluded an agreement with SIPTU, the trade unions representing the Chief Executive Officers (CEOs) of VECs, on a redeployment scheme for CEOs in the context of the Croke Park agreement.

This scheme will be used, in the first instance, for determining the appointment of CEOs to the new VEC bodies, following the enactment of the relevant legislation. The agreed scheme provides an opportunity for those appointed (other than in a temporary acting capacity) in the grade of CEO of a Vocational Education Committee to elect for redeployment to the new CEO positions. Where there is more than one volunteer for any of the new CEO positions, the scheme provides for the position to be offered, in the first instance, to the most senior eligible volunteer.

In the event that the elective process does not result in the filling of all of the posts, the scheme provides for assignment of an existing permanent CEO to a post for which s/he has not volunteered or for appointment of a holder of an analogous post in the Public Service to any of the available positions in accordance with the provisions of the Croke Park agreement.

Question No. 177 answered with Question No. 141.

178. **Deputy Stephen Donnelly** asked the Minister for Education and Skills, with regard to the decision to make Wicklow Vocational Education Committee a sub-office of the newly merged VEC for Counties Wicklow and Kildare, the criteria used to decide whether Wicklow or Kildare should host the main VEC centre; the weighting that was allocated to each criterion; how each VEC scored against these criteria; if a cost analysis was done as part of the decision making process; the amount that was forecast to be saved by basing the main VEC centre in Kildare rather than in Wicklow; if he will release the full cost analysis that was done, including all input assumptions; if his attention has been drawn to the fact that the staff in Wicklow learned about the decision through the news media; if he is satisfied that this is an appropriate way to treat staff; and the rationale for releasing the decision to the media first. [30171/11]

Minister for Education and Skills (Deputy Ruairí Quinn): In arriving at my decision in relation to the location of headquarters of the merged VECs, I considered a range of factors including the need to ensure that the location of a VEC headquarters will, to the greatest

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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.

The distance between Naas and Wicklow exceeds the 45km distance agreed under the Croke Park Agreement in relation to redeployment and may preclude redeployment of staff currently employed in Wicklow to Naas and vice versa. Consequently, I decided that a sub-office would be required for the foreseeable future. A cost analysis of leasing arrangements and staff residential addresses having regard to the criteria for redeployment in the context of the Croke Park Agreement would have involved a time consuming exercise which would not have been justified over the longer term, particularly given the decision to maintain both offices for the foreseeable future. Consequently, no such cost analysis was carried out. In determining Naas as a headquarter location I was aware that both VECs are very closely matched on the criteria mentioned above. I am satisfied that geographically, Naas is the most favourable location for the headquarters.

It is regrettable if staff of Co Wicklow VEC were caused any upset on learning about the decision to locate the head office of the merged VEC in Naas and to have a sub office in Wicklow on the news. However, I was aware that my decision in relation to the locations of the headquarters was eagerly awaited by the VECs, their staffs, students and the wider population around the country. In this regard, I am satisfied that it was important to put that decision in the public domain as soon as possible.

Appointments to State Boards

179. **Deputy Mary Lou McDonald** asked the Minister for Education and Skills the saving to the State if all State agency board members' annual payments were rescinded and instead board membership was awarded without remuneration. [30255/11]

Minister for Education and Skills (Deputy Ruairí Quinn): Based on current rates as per Department of Finance guidelines, the Chairperson of FÁS is eligible for a payment of €20,520 per annum while eight ordinary members are eligible for payments of €11,970; the Chairperson of the Grangegorman Development Agency is eligible for a payment of €8,978 per annum; the Chairperson of the Higher Education Authority is eligible for a payment of €11,970 per annum while eighteen ordinary members are eligible for payments of €7,695; the Chairperson of Skillnets Ltd is eligible for a payment of €8,978 per annum while ten ordinary members are eligible for payments of €5,985; and the Chairperson of the State Examinations Commission is eligible for a payment of €11,970 per annum while the other four Commissioners are eligible for payments of €7,695. Based on these figures a potential saving of €387,316 could apply if no fees were applicable with regard to the five agencies referred to above.

In addition the Deputy should note that fees paid to boards of the Residential Institutions Redress Board (RIRB) and the Residential Institutions Review Committee (RIRC) up until end of September 2011 total €707,228. Ordinary board members are paid a per diem rate which in both cases is currently €668 per day (pension abatement applies where appropriate). The Chairperson of the RIRC is paid by the Department based on annual salary for a Supreme Court judge subject to abatement.

No fees are paid to board members in relation to any of the other bodies under the aegis of my Department except as outlined above.

Local Authority Charges

180. **Deputy Anne Ferris** asked the Minister for Public Expenditure and Reform his plans

to review the mechanism for calculating commercial rates, given that valuations only take place every ten years and in view of the current economic climate; and if he will make a statement on the matter. [29583/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The Commissioner of Valuation has sole responsibility for all valuation matters under the Valuation Act 2001 which includes the implementation of the revaluation of all commercial and industrial properties on a nationwide basis. The basis of valuation for all commercial property is net annual value, i.e. the rental value of the property. To ensure equity and uniformity, valuation revisions set for modified or new properties are determined by reference to the values of comparable properties on the same valuation list.

The revision process deals with the physical changes that take place to properties such as new buildings, extensions, subdivisions, exemptions etc and reflect these changes in the valuation lists. Both rating authorities and ratepayers submit requests to the Valuation Office to have rateable valuations amended to take account of these types of changes.

Revaluation is the mechanism whereby economic changes that take place in the property market are reflected in the valuation lists and in individual ratepayers' rates liabilities. The purpose of revaluation is to bring more equity, fairness and transparency to the local authority rating system, and, following revaluation, there will be a much closer relationship between rental value and commercial rates liability and this relationship will thereafter be maintained by means of recurring revaluations provided for in the Act.

The revaluation programme began in November 2005 in the South Dublin County Council area and has since been rolled out to the areas covered by Fingal and Dún Laoghaire-Rathdown County Councils. The revaluation of South Dublin was completed in December 2007, Fingal was completed in 2009 and Dún Laoghaire-Rathdown was completed in 2010 and the process is now being rolled out in the Dublin City Council area.

My Departmental officials are reviewing various provisions of the Valuation Act, 2011, to modernise and streamline the valuation process in the interests of both ratepayers and the local authorities. A significant amount of work has already been undertaken and preliminary Heads of Bill have been drafted in conjunction with the Valuation Office and the Attorney General which I hope to bring to Government for approval shortly.

Public Procurement

181. **Deputy Maureen O'Sullivan** asked the Minister for Public Expenditure and Reform if his attention has been drawn to the amount of printing work that is leaving the State, leading to the closure of printing firms here; if his further attention has been drawn to the VAT position and loss of revenue to the State due to the fulfilling of printing requirements outside the State; and if he will make a statement on the matter. [29767/11]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes): The National Procurement Service (NPS) is a Business Unit of the Office of Public Works with responsibility for achievement of efficiencies and value for money in the procurement of all goods and services for the Irish public service. Since its establishment in 2009, the NPS has made continuous efforts to ensure that Irish print companies are able to take full advantage of the public procurement opportunities that arise and are available to them. The NPS facilitated a seminar for the Print & Packaging Forum in September 2009, which covered all the issues relating to competing for public procurement contracts, such as the Public Procurement regulations, accessing the market opportunities, the tendering process, and general guidance on how companies should approach the preparation of tenders. Further seminars

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were delivered to ISME and to Chambers of Commerce in 2010 and 2011. The NPS has also produced a leaflet “Top Tendering Tips for Public Sector Contracts” which is freely available, and has delivered workshops in 2011 on public procurement opportunities in association with Enterprise Ireland and Intertrade Ireland.

In addition, the NPS has put in place a Print Panel for small print requirements (below the new threshold for advertising on eTenders of €25,000). All print companies who are interested in public sector work can and should apply to be placed on the print panel. The response had not been as great as was hoped. Of the 700 or so companies that are involved in print, only around 55 are included in the panel, which is available currently to all public sector buyers on *www.procurement.ie*, together with instructions on how it can be used for low-value tenders. The opportunities for small print requirements should be enhanced by the fact that the NPS has ceased the use of aggregated contracts for a number of print services including bookwork and printed stationery. One significant development in the area of facilitating the SME sector was the publication by the Department of Finance in August 2010 of Circular 10/10. These guidelines to public contracting authorities aim to ensure that tendering processes are carried out in a manner that facilitates participation by SMEs, while ensuring that all procurement is carried out in a manner that is legal, transparent, and secures optimal value for money for the taxpayer. It addresses the concerns that SMEs have regarding access to public procurement opportunities, and highlights practices that are to be avoided, where they can unjustifiably hinder small businesses in competing for public contracts. The new arrangements include:

- greater open advertising of opportunities (threshold now €25,000);
- a reduced requirement for paperwork (such as accounts) at the early stages of tendering;
- an instruction that suppliers are not to be charged for access to tender opportunities;
- an assurance that all criteria used would be appropriate and proportionate; and
- an instruction that turnover and insurance levels would be set at proportionate levels.

All of these actions are consistent with the EU-commissioned research carried out by GHK on Evaluation of SMEs’ Access to Public Procurement Markets in the EU (September 2010), DG Enterprise and Industry, which notes that SMEs in Ireland secured greater access to public procurement than in other countries.

In addition to the work being done by the NPS and the Department of Finance, Enterprise Ireland is running strategic workshops to assist companies, such as Management Development workshops, which have been run specifically for the print industry, and Strategic & Change Management programmes. Enterprise Ireland also offers assistance with exports, management development, lean manufacturing, research and development, and overseas offices programmes.

There should be no loss of VAT Revenue to the State where printing requirements of Irish businesses are sent outside the State. The purchaser is liable for VAT on goods acquired from other States within the EU.

Local Authority Charges

182. **Deputy Michael Healy-Rae** asked the Minister for Public Expenditure and Reform his view on whether there should be an amendment to the Evaluation Act 2001 to allow an employer to appeal a rates evaluation due to a change in economic circumstances; his further

view on whether the fact that commercial rates have gone up 45% since 2000 is placing an unbearable burden on small businesses in particular. [30077/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The Valuation Act 2001 provides for the valuation of all commercial and industrial property and the Commissioner of Valuation is independent in the performance of his functions under the Act and the making of valuations for rating is his sole prerogative. Under the 2001 Act, the basis of valuation for all commercial property is net annual value, i.e. the rental value of the property.

To ensure equity and uniformity, valuation revisions which are set for modified or new properties are determined by references to the values of comparable properties on the same valuation list.

Under section 28(4) of the Act, a Revision Officer of the Commissioner may carry out a revision of valuation in relation to a particular property only if a material change of circumstances has occurred such as a new building, a change in value due to structural alterations of an existing building, total or partial demolition of a building or a sub-division or amalgamation of relevant property. The definition does not allow for a revision of valuation where the change in value is due to economic factors, differential movements in property values or other external factors such as roads or other infrastructural development in the vicinity of a property.

Revaluation is the mechanism whereby economic changes that take place in the property market are reflected in the valuation lists and in individual ratepayers' rates liabilities. The purpose of revaluation is to bring more equity, fairness and transparency to the local authority rating system. Ideally, occupiers of properties of similar value in the same rating area should have a similar rates liability and following revaluation, there will be a much closer relationship between rental value and commercial rates liability and this relationship will thereafter be maintained by means of recurring revaluations provided for in the Act.

My Department is reviewing various provisions of the Valuation Act 2001, including the appeal procedures, with a view to modernising and streamlining the valuation process in the interests of both the ratepayers and the local authorities. In conjunction with the Valuation Office and the Attorney General, preliminary Heads of Bill have been drafted which I hope to bring to Government shortly for approval.

As the Deputy is aware, the levying of commercial rates is a matter for local authorities and the amount of rates to be collected is a matter for each local authority to decide. Commercial rates provide the means by which local authorities can fund the services essential to communities, and therefore business, across the full range of local activities including roads, water and waste services, fire and emergency, libraries and a range of community, amenity and social activities.

The Government is acutely aware of the pressures on small and medium-sized businesses and the challenging economic environment in which many property and business owners are operating at the moment. In this context, the Government is focused on reducing the costs of doing business to support competitiveness and employment in the economy and to protect the interests of communities. Local authorities have responded positively to requests to exercise restraint in setting commercial rates. Annual rates on valuation have been reduced by an average of 0.6% in 2010 and by a similar level in 2011. My colleague, the Minister for the Environment, Community and Local Government will continue to keep all matters relating to rates under regular consideration.

Heritage Sites

183. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform the

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total number of heritage sites or buildings identified and accessible from a tourism or scientific point of view; the extent of interest generated through the marketing of such locations; and if he will make a statement on the matter. [30137/11]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes): The Heritage Services of the OPW are responsible for the conservation, maintenance and management of approximately 780 sites that are in State ownership or guardianship. Of these some 69 sites throughout the country are presented to the public by way of a dedicated guide Service. Some of which are fee paying. In 2010 a total of 3.33 million people visited these sites.

Many of the other sites within our care such as, the Phoenix Park, St. Stephen's Green, etc, are not presented by such a guide service but have many thousands of visitors each year.

All of our sites could be considered tourist related and many offer a valuable scientific and educational role and remit. Requests for access to all sites are facilitated where possible for educational, scientific or media purposes.

The marketing of sites is carried by the OPW Visitor Services section who also maintain the "Heritage Ireland" website and together with local Site Managers market these sites and the many events that take place each year.

Vocational Education Committees

184. **Deputy Jonathan O'Brien** asked the Minister for Public Expenditure and Reform the input he has had into the process of vocational education committee amalgamation; if VEC amalgamations and the costs associated with some of the new arrangements have any part in the comprehensive spending review; the analysis that has been done by him of proposed changes to the VEC structures; and if he will make a statement on the matter. [29452/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The rationalisation and amalgamation of VECs and the precise mechanics of how that will be implemented is primarily a matter for the Minister for Education and Skills. I support the whole concept of VEC rationalization. I am keen that this approach should both produce significant savings and improve services. The VEC rationalization process has fed into the overall Comprehensive Review of Expenditure in the Education Sector which is currently the subject of detailed discussions between my Department and the Department of Education and Skills. I see the VEC rationalization process as one element in the overall effort to improve services in the education area and, with particular regard to those seeking to move from unemployment back into the labour force, in the area of further education and training.

Freedom of Information

185. **Deputy Aodhán Ó Ríordáin** asked the Minister for Public Expenditure and Reform when he plans to legislate for the restoration of the Freedom of Information Act; and when the same remit will be extended to other public bodies as laid out in the Programme for Government. [29485/11]

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 in the New Year.

Departmental Staff

186. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform the salary grade and remuneration awarded to the recently appointed programme director of the new reform and delivery office within his Department; if the salary has been agreed by the top-level appointments committee; and if a special severance gratuity payment and added years have been agreed by him as part of the pension arrangement. [29526/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The Programme Director of the new Reform and Delivery Unit is at Assistant Secretary level. The salary scale for this post is €127,796 to €146,191 per annum. This is a TLAC appointment and the salary norms for the grade are set by the Department of Public Expenditure and Reform. Special severance gratuity payments and added years do not apply to the post.

Pension Provisions

187. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform the saving to the State if the special severance gratuity payment and added years as agreed by the top-level appointments committee for all existing secretaries general, county managers, CEOs of non-commercial semi-states and office holders, including heads of vocational education committees, were withdrawn. [29543/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The special retirement terms provided to Top-level Appointments Committee (TLAC) appointees apply to Secretaries General. The Deputy will be aware that the terms are being reviewed at present. They do not apply to Chief Executive Officers of non-commercial State agencies whose departure terms are subject to a letter dated 26 May 1998 to all Departments. That letter delegated sanction to Departments to operate those terms within specific guidelines. However, the delegated sanction was withdrawn in 2010.

As regards Secretaries General, based on a current pensionable salary of €253,635, one added year would provide about €3,100 in extra pension per annum, and about €9,500 in lump sum. A maximum of 10 added years is possible. The severance cost would be €126,817. As stated above, these terms are being reviewed.

The superannuation terms of County Managers are provided for in Section 78 of the Local Government (Superannuation) (Consolidation) Scheme 1998, as amended by Section 23 of the Local Government (Superannuation) (Consolidation) (Amendment) Scheme 2007. These schemes are the responsibility of the Minister for the Environment, Community and Local Government.

The savings in respect of Chief Executive Officers of non-commercial State agencies would depend on the level of salary of each individual concerned. In general terms, where the CEO was subject to standard superannuation terms, the saving from not applying added years would be the product of pensionable salary multiplied by the number of added years divided by 80. The particular circumstances of the individual CEO's pension scheme may differ from this. A maximum of 5 added years is provided for in the letter of 26 May 1998.

As regards Vocational Educational Committees, this would be a matter for my colleague, the Minister for Education and Skills.

Officeholders are not given added years.

Appointments to State Boards

188. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform

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the number of persons who hold more than one State agency board position across the aegis of all Departments; their total remuneration; the number of board memberships said persons hold and their names in tabular form; and if such information is collated. [29545/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): In response to the Deputy's question my Department only records details of appointments made to State agencies that come under the remit of my Department. Details in respect of these bodies are contained in the following table.

State agencies

Name of Body	Current Members	Remuneration details in respect of board members and board chairpersons
An Post National Lottery Company	Mr Donal Connell (Chairperson)* Mr Dermot Griffin Mr Micheál Ó Muircheartaigh Ms Caroline Murphy *Mr James Hyland Ms Barbara Patton Mr Oliver Wilkinson	*No remuneration is paid to Donal Connell or James Hyland as they are on the board of An Post €12,600 per annum for remaining directors

Pension Provisions

189. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform, further to Parliamentary Question No. 284 of 4 October 2011, if the figure supplied includes retired Oireachtas Members; and if not, if he will supply the number of retired Oireachtas Members in receipt of annual pensions within the pension bands requested in the original question. [29546/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): It has not been possible to collate the data as requested in the time available. I will however supply the data to the Deputy as soon as possible.

Appointments to State Boards

190. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform the saving to the State if all State agency board members' annual payments were rescinded and instead board membership was awarded without remuneration. [29547/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): In response to the Deputy's question, the only State Agency under the remit of my Department is An Post National Lottery. Savings of approximately €63,000 could be made if State agency board members annual payments were rescinded in respect of the board of that Body.

Civil Service Staff

191. **Deputy Robert Dowds** asked the Minister for Public Expenditure and Reform the source of the Civil Service conciliation and arbitration scheme that partially or entirely restricts promotion from professional to administrative grades, or conversely states that certain promotions are to be limited to certain groups. [29625/11]

192. **Deputy Robert Dowds** asked the Minister for Public Expenditure and Reform if the conciliation and arbitration scheme has a role in respect of internal Civil Service promotions; and if so, the nature of that role. [29626/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I propose to take Questions Nos. 191 and 192 together.

The purpose of the Civil Service Conciliation and Arbitration scheme is to provide means acceptable both to the State and to its employees for dealing with claims and proposals relating to the conditions of service of civil servants and to secure the fullest co-operation between the State, as employer, and civil servants, as employees, for the better discharge of public business.

The scheme also sets out the conditions governing the operation of the General Council, the Departmental Councils, facilitation, arbitration and the procedure for dealing with claims.

The Conciliation and Arbitration (C&A) Scheme for the Civil Service includes provision for discussions relating to the principles governing civil service promotions.

Section 23(f) of the C&A Scheme for the Civil Service provides that principles governing promotion in respect of the general service grades and in professional, scientific and technical grades which are common to two or more Departments may be discussed at General Council.

Section 42(e) of the C&A Scheme for the Civil Service provides that principles governing promotion in respect of departmental grades may be discussed at Departmental Council.

Section 58(1)(a) of the Public Service Management (Recruitment and Appointments) Act, 2004 provides that the Minister for Finance (now the Minister for Public Expenditure and Reform) is responsible for all matters relating to recruitment in the civil service. This includes matters relating to eligibility criteria, staff numbers, grading, pay and all other working conditions of civil servants.

Where appropriate, schemes of promotion agreed under General Council reflect the eligibility criteria as set by the Minister under Section 58 (1).

Public Service Appointments

193. **Deputy Robert Dowds** asked the Minister for Public Expenditure and Reform his interpretation of section 58 of the Public Service Management (Recruitment and Appointments) Act 2004. [29627/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): Recruitment to the Civil Service and to certain parts of the wider public service is governed by the Public Service Management (Recruitment and Appointments) Act 2004. The Act established the Commission for Public Service Appointments (CPSA) and the Public Appointments Service (PAS). The CPSA sets the standards to apply to the recruitment of persons for positions in the Civil Service and certain other public service bodies. The PAS acts as the centralised recruitment, assessment and selection body for the Civil Service and provides a similar service, when requested, to the local authorities and Health Service Executive, the Garda Síochána, HIQA and certain other public service bodies.

Section 58(1)(a) of the Act provides that the Minister for Finance (now the Minister for Public Expenditure and Reform) is responsible for all matters relating to recruitment in the civil service. This includes matters relating to eligibility criteria, staff numbers, grading, pay and all other working conditions of civil servants.

Section 58(1)(b) of the Act provides that in the context of recruitment to the wider public service various Ministers are responsible for these matters within their sectors of responsibility.

Pension Provisions

194. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform the saving to the Exchequer if all existing public service pension payments to former employees

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of State agencies under the aegis of his Department were capped at €35,000 per year. [29785/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The only State Agency under the aegis of my Department is An Post National Lottery. Pension payments in respect of former employees of An Post National Lottery are dealt with by the Department of Communications and Natural Resources.

Ministerial Staff

195. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform if he will provide the pay of all special advisers to Ministers for whom he approved exceptions (details supplied). [29808/11]

196. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform the name, pay and qualifications of all 14 special advisers to Ministers for whom he approved salary cap exceptions; and to which Minister each of the 14 special advisers has been appointed. [29902/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I propose to take questions 195 and 196 together.

The table below sets out the information as requested by the Deputy.

List of Special Advisers above min of PO standard — Oct 2011

Department	Minister/Minister of State	Name of Adviser	Sanctioned Pay Rate
Communications, Energy and Natural Resources	Minister Rabbitte	Simon Nugent	€97,200
	<i>Mr Nugent graduated with a BA Mod (Political Science) from Dublin University in 1988. His professional career included 3 years in Brussels working as a European Policy Analyst. Subsequently he worked as Director Policy and then Chief Executive of the Chambers of Commerce of Ireland. Prior to his appointment as Special Adviser to the Minister for Communications Energy and Natural Resources he worked as CEO of the Irish Travel Agents Association. Mr Nugent is a former member of the National Economic and Social Council. He was a Director of Skillnets Ltd for 3 years.</i>		
	Minister Rabbitte	Finbar O'Malley	€83,337
	<i>Mr O'Malley is a barrister and worked previously as advisory counsel in the Office of the Attorney General, as a special adviser in the Office of the Tánaiste and as a legal and policy adviser in the Labour Party.</i>		
Arts, Heritage and Gaeltacht Affairs	Minister Deenihan	Sean Mac Cartaigh	€83,337
	<i>Mr. Mac Cartaigh has significant and wide ranging experience both in Ireland and abroad in the areas of Arts and Culture gathered over a number of years and brings this wealth of experience to his role as Ministerial advisor. Prior to assuming the role of Ministerial Advisor Mr. Mac Cartaigh was Director of Public Affairs in the Arts Council.</i>		

Department	Minister/Minister of State	Name of Adviser	Sanctioned Pay Rate
Education and Skills	Minister Ruairí Quinn	John Walsh	€92,672
	<i>Academic Qualifications B.A. 1968, H.Dip 1969, M.Ed 1998 He was Education Editor with the Irish Independent as well as Irish correspondent for a range of international education publications. He also spent a period working as education correspondent with The Irish Times. He is a former consultant to the OECD where he was involved in preparing four publications relating to teacher professional development, student motivation, adult education, and new forms of school management.</i>		
	Minister Ruairí Quinn	Deirdre Grant	€86,604
	<i>Academic Qualifications B.A. Honours Communication Studies 1995. M Phil HIV/Aids and Society 2005. Ms. Grant formerly worked in media relations and is the Director of Communications at the Department.</i>		
Jobs, Enterprise and Innovation	Minister Bruton	Ciaran Conlon	€127,000
	<i>Mr. Conlon's qualifications: BA (Economics) NUI Maynooth, MA (Economics) UCD</i>		
Environment, Community and Local Government	Minister Hogan	Sean McKeown	€92,672
	<i>Mr McKeown was serving as Chief Executive Officer of the Kilkenny County Enterprise Board. He has served as CEO of the Board since 2003 and in that time he has built up an extensive understanding and know-how in the areas of business, community and local government matters.</i>		
Finance	Minister Noonan	Mary Kenny	€83,337
	<i>Ms Kenny has over 20 years service in the Houses of the Oireachtas, She has acted to Minister Noonan in the Department of Health from 1994 to 1997. She has also acted as Special Adviser to him during his period as Fine Gael Party Leader.</i>		
Public Expenditure and Reform	Minister Howlin	Anne Byrne	€83,337
	<i>Diploma on Social Science, Maynooth. Member of the Medical Council 1984-1993, Programme Manager Department of Health 1993-1994, Programme Manager Department of the Environment 1995-1997, Adviser to Leas Cheann Comhairle 2007-2011</i>		
	Minister Howlin	Rónán O'Brien	€114,000
	<i>Education BA (history and politics) — University College Dublin Diploma in Legal Studies — Dublin Institute of Technology Professional and Political Experience 1997-2002: Political advisor / chef de cabinet to Ruairí Quinn TD, leader of the Labour Party 2003-2011: Communications and Marketing Director, Chartered Accountants in Ireland</i>		
Health	Minister Reilly	Mark Costigan	€92,672
	<i>Mr Costigan has considerable relevant experience for the job. Mr Costigan was for five years the Deputy Government Press Secretary and prior to that he had a distinguished career as a journalist, including holding the position of Political Editor for Today FM.</i>		
Social Protection	Minister Burton	Ed Brophy	€127,796
	<i>Mr Brophy qualified as a solicitor in 2000 and has extensive professional experience in legal and regulatory affairs. He worked in Endesa Ireland as the Legal and Procurement Director. Previously he was a Senior Associate in Arthur Cox Solicitors. He also has a Masters in Economic Policy.</i>		

[Deputy Brendan Howlin.]

Department	Minister/Minister of State	Name of Adviser	Sanctioned Pay Rate
Transport, Tourism and Sport	Minister Varadkar	Brian Murphy	€105,837
	<i>Mr. Murphy was Director of Commercial Affairs with the Irish Pharmaceutical Healthcare Association and is A Fellow of the Institute of Chartered Accountants in Ireland.</i>		
Agriculture, Fisheries and Food	Minister Coveney	Fergal Leamy (Has Vacated the Position)	€130,000
	<i>Academic Qualifications First class honours in Business and Law, UCD 1999 Professional Experience 1999-2002 Senior Business Analyst, McKinsey and Company, 2002-2005 Head of Commercial Development, Whitbread-David Lloyd Leisure, 2005-2007 Engagement Manager, McKinsey and Company, 2007-2011 Development Director Greencore, CEO Greencore USA, Greencore Integration Lead.</i>		

Public Procurement

197. **Deputy Simon Harris** asked the Minister for Public Expenditure and Reform if he will consider awarding additional credits to Irish companies that tender for publicly funded contracts in both the State and semi-state sectors, in recognition of a number of factors including the number of locally employed persons, a company's skill at providing similar projects in the past and a company's ability to provide tax clearance and ePace certificates; and if he will make a statement on the matter. [29945/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The award of public contracts is governed by EU Treaty principles and Directives on public procurement. The aim is to promote an open, competitive and non-discriminatory public procurement regime which delivers best value for money. It would be a breach of the rules for a public body to favour or discriminate against particular candidates on grounds of nationality and there are legal remedies which may be used against any public body infringing these rules.

Nevertheless, there is evidence to indicate that more than 90% of public contracts here are won by Irish suppliers. The open market regime also offers opportunities for Irish companies to win business abroad and reliable EU studies indicate that many Irish businesses are successful in this regard.

Public Service Payroll System

198. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform the initial cost of setting up the Civil Service intranet payroll system CorePay; and the annual cost for running the system, excluding personnel costs. [29986/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): There is no single central payroll system in the Civil Service. Rather, the common payroll software, CorePay, is used by a large number of Departments/Offices to pay civil and other public service staff (such as teachers, Gardaí, etc.) and pensioners. These include the largest payrolls in the country.

The master contract for this software was put in place by the Department of Finance, following an open procurement exercise. I understand that the initial development costs for Civil Service specific modifications were €117,580 (including VAT).

Annual running costs for CorePay comprise support and maintenance charges and occasional software development costs for non-statutory changes. As each Department/Office is individu-

ally responsible for its own payroll, this Department does not have visibility of the full annual costs for CorePay across the Civil Service.

This Department does not operate the payroll software. Instead it avails of payroll services from the Department of Finance on a shared basis. Accordingly, this Department does not pay annual running costs for its payroll. This Department does pay the annual support and maintenance charges for customisations to the software that it funded which are common across the Civil Service. In 2010, these charges amounted to 35,757 euro (including VAT).

The implementation of a single Payroll system for the Civil Service is being considered in the context of implementing a Payroll Shared Service. The further adoption of Shared Services is set out in the Programme for Government as one of the Public Sector Reform initiatives and is consequently included in the Public Service Reform implementation plan being developed. Within this overall approach to Shared Services proposals for moving to Payroll Shared Services, including moving to a single Payroll system for the Civil Service, are currently being developed and it is planned to bring a decision to Government on this matter shortly.

The amount paid to Core by the Office of Public Works from 2000 to date was 597,351.04 euros inc. VAT. This includes Oracle licensing, payslips on line, reporting modules, system modifications and disaster recovery. We estimate the set up cost in 2001/2 (inc. initial software licences, Microsoft windows, consultancy, hardware etc.) to be in the region of 77,000 euros inc.

Estimated annual running cost is 30,000 Euros inc. VAT.

Public Sector Recruitment

199. **Deputy Stephen Donnelly** asked the Minister for Public Expenditure and Reform the number of derogations from the moratorium on public sector recruitment that have been granted; the circumstances in which these were granted; the number of derogations that have been given specifically in cases of maternity leave; the agencies or working areas in which these were granted; if any cost benefit research has been conducted on the moratorium; if he has an estimate of the saving to the public sector pay bill, including maternity leave cover, due to the moratorium; and if, as part of the ongoing review of the effectiveness of the moratorium, he will consider excluding maternity leave cover from same. [30167/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): Data relating to moratorium derogations is currently being updated and will be communicated to the Deputy as soon as it is to hand.

As I explained recently in response to the Deputy's other questions, exceptions from the moratorium can be considered in a number of special circumstances relating to the post in question and the nature of the duties involved. However, the reason why a post has become vacant in the first place (whether, for example through retirement, staff movement, or staff leave such as maternity leave) is not a factor in such decision.

The moratorium was introduced in March 2009. By the end 2011 the public service is on target to be almost 19,000 smaller and cost €1.5bn less than 2008 levels. Additional details are set out on my Department's website.

Wage-Setting Mechanisms

200. **Deputy Michael Healy-Rae** asked the Minister for Jobs, Enterprise and Innovation the position regarding legislation (details supplied); and if he will make a statement on the matter. [29569/11]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): On 26 July 2011 the Government agreed a package of radical reforms to the Joint Labour Committee and Registered Employment Agreement wage settling mechanisms. The reform proposals deal with recommendations made and issues raised in the Independent Report on the JLC/REA systems (Duffy/Walsh report) as well as the outcome of the recent High Court ruling in the Grace Fried Chicken constitutional challenge.

The proposed measures will provide for the retention of the JLC and REA systems, subject to the reforms that are required to place them on a more secure legal and constitutional footing. They will also reinstate a robust system of protection for workers in these sectors in the aftermath of the High Court ruling. Heads of a Bill to give effect to the reform proposals have been prepared by the Department of Jobs, Enterprise and Innovation, agreed by Government, and communicated to the Attorney General, who has agreed to give the highest priority to drafting this legislation. It is my intention to have a Bill ready to introduce to the Oireachtas at the earliest possible opportunity this term.

Employment Rights

201. **Deputy Robert Dowds** asked the Minister for Jobs, Enterprise and Innovation his views on questions raised in the Universal Periodic Review over the right to collective bargaining here; and if he will make a statement on the matter. [29577/11]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The Working Group on the Universal Periodic Review (UPR), established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its twelfth session from 3 to 14 October 2011. The review of Ireland was held at the 7th meeting on 6 October 2011. Ireland's delegation was headed by the Minister for Justice and Equality.

In the course of the Working Group's discussion any UN Member State can pose questions, comments and/or make recommendations to the States under review. Norway submitted a question asking whether Ireland is prepared to enact legislation to underpin the right of workers to collective bargaining through their trade unions in line with Ireland's international commitments. Norway subsequently made a recommendation to this effect.

There is a commitment in the Programme for Government to ensure that Irish law on employees' rights to engage in collective bargaining is consistent with recent judgements of the European Court of Human Rights. This process will require consultation with stakeholders, including employer and worker representatives, and a review of the experience of the operation of the existing legislative framework as put in place under the Industrial Relations Acts of 2001 and 2004 and the consequences of the litigation that has arisen in the course of the operation of these Acts.

Ireland's response setting out the consideration given to the Norwegian recommendation will be delivered in the context of our comprehensive report to be provided before the 19th session of the Human Rights Council in March 2012.

202. **Deputy Joan Collins** asked the Minister for Jobs, Enterprise and Innovation if all staff employed by the Houses of the Oireachtas are covered by the Working Time Act and all relevant health and safety regulations; and if he will make a statement on the matter. [29738/11]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): In relation to health and safety, the position is that every worker, in every sector of the economy, is protected by

the Safety, Health and Welfare at Work Act 2005 and extant statutory instruments relevant to health and safety in the workplace.

The Organisation of Working Time Act 1995 contains specific definitions of employee and employer to whom the Act applies and describes the various circumstances in which the Act is not applicable.

It is the responsibility of all employers, including the Houses of the Oireachtas, to consider the extent to which all employment and health and safety legislation is applicable and to ensure compliance with all related obligations.

National Standards Authority

203. **Deputy Patrick O'Donovan** asked the Minister for Jobs, Enterprise and Innovation if, in view of remarks (details supplied) made recently at the Coroner's Court in relation to a window blind contributing to the death of a child, regulations are expected to decrease the likelihood of a similar tragedy; and if he will make a statement on the matter. [29898/11]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The latest European standard EN13120, which has been adopted by the National Standards Authority of Ireland (NSAI), specifies strict obligations on manufacturers of looped mechanism window blinds. These obligations include the provision of a warning notice in a conspicuous position of the risks inherent from cords, chains, tape and similar items.

In addition, the standard requires manufacturers to provide within the product package a device for keeping cords, chains, tape or similar items out of reach of children, or to provide an appropriate safety device (with instructions for its proper installation and use) or to include in the product design a mechanism that shall achieve the same result.

Where the design requires a looped operating mechanism, the manufacturer shall provide the means to limit the risk, either by incorporating this into the product design, or by supplying an appropriate safety device with the product.

Work commenced in 2010 to revise the European standard EN 13120 in order to strengthen requirements in relation to risks of strangulation by young children and Ireland has taken an active role in the working group responsible for this revision. Publication of the revised European standard is expected in 2012.

In addition, and given the specific national concerns in this area, the NSAI proposes that a national standard, more comprehensive than the European standard, will be published late in 2011 on providing guidance for manufacturers and installers as well as consumers on safe window blind products.

This standard will include other important guidance such as information on installation, including safety aspects, as well as training requirements for installers, manufacturers and sales representatives. To this end a committee has been established by the NSAI comprised of representatives of the manufacturing and installation sectors as well as the National Consumer Agency. A draft standard was made available on August 10th last for public consultation. In light of the coroner's report referred to by the Deputy a decision was taken by the NSAI to extend the public consultation until September 30th. The intention is for a revised national Standard to be published before the end of the year.

In light of the above I have no plans to introduce legislation at this time to make it illegal for manufacturers to include looped cords in window blinds. If a ban was proposed, Ireland would have to obtain the approval of the European Commission and other Member States.

Consumer Protection

204. **Deputy Jerry Buttimer** asked the Minister for Jobs, Enterprise and Innovation the reason retail outlets are not required to display on receipts the service charge payable when mobile phone credit is purchased in certain outlets. [29942/11]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): While it is the normal practice of retail outlets to provide a receipt, there is no requirement on them to do so under current consumer legislation. There is no direct regulation accordingly of the content of retail receipts, or any requirement to display service or other charges on such receipts.

The report of the Sales Law Review Group that has been published today includes a recommendation that the Minister for Jobs, Enterprise and Innovation should be empowered to make regulations requiring the issue of a receipt in consumer transactions. In considering this recommendation, I will take full account of the issue raised by the Deputy's question.

Employment Appeals Tribunal

205. **Deputy Brendan Ryan** asked the Minister for Jobs, Enterprise and Innovation the position regarding an employment appeals tribunal case in respect of a person (details supplied) in County Dublin; and if he will make a statement on the matter. [29501/11]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The EAT hearing in question was held on the 29 October 2010. The determination was notified on 21 December 2010. The claim in this redundancy case was allowed in the claimants favour. The payment of the redundancy is now a matter for the employer and/or the Redundancy Section in the Department of Social Protection.

Wage-Setting Mechanisms

206. **Deputy Michael Healy-Rae** asked the Minister for Jobs, Enterprise and Innovation if, in view of the proposed re-establishment of joint labour committees, he will confirm that new legislation will not contain any proposals to change workers' pay and conditions in a downward trend; and if he will make a statement on the matter. [29570/11]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): On 26 July 2011 the Government agreed a package of radical reforms to the Joint Labour Committee and Registered Employment Agreement wage settling mechanisms. The reform proposals deal with recommendations made and issues raised in the Independent Report on the JLC/REA systems (Duffy/Walsh report) as well as the outcome of the recent High Court ruling in the Grace Fried Chicken constitutional challenge.

The proposed measures will provide for the retention of the JLC and REA systems, subject to the reforms that are required to place them on a more secure legal and constitutional footing. They will also reinstate a robust system of protection for workers in these sectors in the aftermath of the High Court ruling.

The report of the Independent Review does not recommend, nor have I proposed, downward adjustments in pay and conditions for the sectors covered by JLCs / REAs.

Heads of a Bill to give effect to the reform proposals have been prepared by the Department of Jobs, Enterprise and Innovation, agreed by Government, and communicated to the Attorney General, who has agreed to give the highest priority to drafting this legislation. It is my intention is to have a Bill ready to introduce to the Oireachtas at the earliest possible opportunity this term.

Departmental Funding

207. **Deputy John Lyons** asked the Minister for Jobs, Enterprise and Innovation if he will detail the interaction between him and an organisation (details supplied), including any funding or supports offered to it; and if he will make a statement on the matter. [29602/11]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): I have not met with the organisation or person referred to although I have agreed to meet representatives of Inner City Enterprise ('ICE') in November, 2011.

On 12 July, 2011 the Minister for Small Business John Perry TD met representatives, including Ms. Evanne Kilmurray, of Inner City Enterprise ('ICE'), in relation to re-establishment of funding for enterprise creation and self-employment in Inner City Dublin, particularly among the Long-term Unemployed, the marginalised and disadvantaged, as well as new residents, in that area. ICE indicated that, while seeking support to act as a funding organisation under the Social Finance Fund or under any Microfinance fund to be established, they were also seeking funds through other sources.

Minister Perry discussed relevant sources of support at local level and recommended engagement with the relevant local stakeholder. The Minister made no commitment to ICE of support or funding by the Department or its agencies.

Work Permits

208. **Deputy Finian McGrath** asked the Minister for Jobs, Enterprise and Innovation his views on correspondence regarding a work permit in respect of a person (details supplied). [29633/11]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): My Department processes applications in respect of the different types of employment permits and all applications are processed in line with the Employment Permits Act 2006.

I wish to advise the Deputy that this particular application was refused on the 6 October 2011 on the grounds that the application does not appear to meet the criteria of the Spousal/Dependant Permit Scheme. Spousal/Dependant Permits can only be considered where the Spouse/Parent of the proposed employee holds one of the following: — a Valid Green Card Permit, — a valid Work Permit of 12 months or more duration issued prior to the 1st June 2009, — a valid Intra-company Transfer Permit of 12 months or more duration issued prior to the 1st June 2009, — a Work Visa/Work Authorisation, or — a Hosting Agreement. I understand that an appeal in respect of this decision was received in the Employment Permits Section on 4 October 2011 and will be dealt with in sequence.

Finally, issues in relation to applications for Naturalisation are a matter for my colleague, the Minister for Justice and Equality, and are not one in which I have any role.

Croke Park Agreement

209. **Deputy Simon Harris** asked the Minister for Jobs, Enterprise and Innovation the position regarding the Croke Park agreement; if he has received implementation plans for this agreement from his Department and each State agency under his remit; the status of these implementation plans; the discussion he has had with the EU and IMF regarding the agreement; and if he will make a statement on the matter. [29688/11]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): Under the Public Service Agreement 2010-2014, my Department, its Offices and the twelve Agencies that come

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within my Department's remit developed implementation plans in October 2010. The first update on implementation was developed and submitted to the Department of Finance (now the Department of Public Expenditure and Reform) in January 2011. A further report on implementation of the actions identified in these plans was submitted to the Implementation Body Secretariat, Department of Public Expenditure and Reform in May 2011. This formed part of the first annual review of the Agreement undertaken by the Implementation Body.

Reporting on progress in the period April to September 2011 is now due and reports for my Departments, its Offices and Agencies are now being submitted to the Department of Public Expenditure and Reform. No discussions have taken place with the EU and IMF regarding the Public Service Agreement 2010-2014 on the implementation plans for my Department, its Offices or the Agencies under the aegis of my Department.

In general, I am satisfied that good progress is evident in bringing to conclusion the aspects identified in the various implementation plans.

Innovation Task Force

210. **Deputy Eoghan Murphy** asked the Minister for Jobs; Enterprise and Innovation his position regarding recommendation 9.5 of the report of the innovation task force on introducing an entrepreneurial tax credit. [29723/11]

211. **Deputy Eoghan Murphy** asked the Minister for Jobs; Enterprise and Innovation his position regarding recommendation 9.6 of the report of the innovation task force on introducing founder share options which are eligible only for CGT treatment. [29724/11]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): I propose to take Questions Nos. 210 and 211 together.

As specified in the report of the Innovation Task Force, the Minister for Finance is the lead actor for follow up on these recommendations, as with all recommendations regarding tax.

My Department works closely with the Department of Finance, the Revenue Commissioners, Forfás, IDA, Enterprise Ireland and industry representative organisations in developing tax policy proposals to support enterprise, promote the creation of jobs and to encourage and support innovation. The following principles underpin the elaboration of tax proposals brought forward from the perspective of my Department and its agencies: — Entrepreneurs should have the incentive to set-up new businesses; — Early stage risky yet high potential start-up companies should be able to attract sufficient risk capital; — The tax system should encourage job creation by companies; and — Individuals should have a financial incentive to enter and stay within the workforce. As usual, my Department engages annually in discussions in the Tax Strategy Group on the optimal tax package for the following year's budget, and this is being undertaken for the 2012 Budget.

212. **Deputy Eoghan Murphy** asked the Minister for Jobs, Enterprise and Innovation his position regarding key recommendation 9.8 of the report of the innovation task force on launching a marketing campaign to promote Ireland as a start-up hub for innovation and export-oriented companies. [29725/11]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): Recommendation 9.8 of the report of the Innovation task Force proposed the launch of a marketing campaign, initially on a pilot basis, to promote Ireland as an excellent location for starting innovative export-oriented companies.

I will shortly be making an announcement about an initiative to attract overseas entrepreneurs to come to Ireland to set up a new company here or develop an innovative idea or service.

I believe that the contribution of foreign entrepreneurs to the Irish economic recovery effort is a resource with considerable potential. Entrepreneurs, not currently living in Ireland, can be encouraged to bring their ideas and entrepreneurial drive to Ireland, and establish an enterprise here. The entrepreneurs may be of the Irish diaspora who are returning to Ireland, non-Irish who have been resident here and subsequently returned home, or indeed people with no previous connection to Ireland. In time, these companies have the potential to develop to become a source of wealth and job creation for this economy.

This initiative will be one more step in orienting Ireland as a start-up hub for innovation and export-oriented companies.

Pension Provisions

213. **Deputy Mary Lou McDonald** asked the Minister for Jobs, Enterprise and Innovation the saving to the Exchequer if all existing public service pension payments to former employees of State agencies under the aegis of his Department were capped at €35,000 per year. [29783/11]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The capping of existing public service pensions which are already in payment would involve changes in the terms and conditions of employment of former public servants, which is a policy matter for the Minister for Public Expenditure and Reform.

Social Welfare Benefits

214. **Deputy Nicky McFadden** asked the Minister for Social Protection her views on the restriction to just one annual examination for persons on the PRSI scheme under the dental treatment benefit scheme. [29525/11]

Minister for Social Protection (Deputy Joan Burton): The Dental Benefit scheme is paid from the Social Insurance Fund (SIF). Due to current economic conditions, the SIF remains under pressure and has required substantial subvention from the Exchequer. As part of a range of cost-saving measures intended to ease this pressure, the range of treatments available under the scheme was reduced in Budget 2010.

The free annual 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 consideration of changes to the scheme will have to reflect the economic realities of available funding and competing priorities.

Community Employment Schemes

215. **Deputy Charlie McConalogue** asked the Minister for Social Protection her plans to increase the number of years of participation on community employment schemes that applies to persons under the age of 55 years; and if she will make a statement on the matter. [29652/11]

Minister for Social Protection (Deputy Joan Burton): In general, the maximum participation limit for community employment is one year with the opportunity to extend for a further year if this is considered the most suitable and cost effective measure to assist the client in gaining employment. A person may be eligible for different periods of engagement and extensions on CE due to their age or if they are in receipt of a qualifying disability-related payment from my

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Department or have previously been engaged on a scheme. Currently, 23,300 work placements are available on CE nationally.

The overall limits on duration spent on CE are strictly enforced to maximise the number of places available for potential clients and to ensure progression. I have no plans to extend the duration on CE.

Social Welfare Benefits

216. **Deputy Simon Harris** asked the Minister for Social Protection her views on the possibility of reinstating the scale and polish treatments formerly available to PRSI contributors under the dental treatment benefit scheme; and if she will make a statement on the matter.

[29672/11]

Minister for Social Protection (Deputy Joan Burton): The dental benefit scheme is paid from the Social Insurance Fund (SIF). Due to the current economic conditions, the SIF remains under substantial pressure and as part of a range of cost-saving measures intended 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. Future consideration of any changes to the scheme, including the re-instatement of the free scale and polish, will have to reflect the economic realities of available funding and competing priorities.

217. **Deputy Niall Collins** asked the Minister for Social Protection when a redundancy claim will be paid in respect of a person (details supplied) in County Tipperary; and if she will make a statement on the matter. [29732/11]

Minister for Social Protection (Deputy Joan Burton): There is no claim for a statutory redundancy lump sum payment registered for the person in question in redundancy section. This may be due to the fact that the application was not registered as a result of incompleteness or because financial information from the person's former employer was not presented with the form RP50.

Community Employment Schemes

218. **Deputy Timmy Dooley** asked the Minister for Social Protection if she will clarify the situation in relation to the instruction given by SIPTU in recent months to the operators of community employment schemes that trainees on community schemes should not perform jobs for which they are qualified; if her attention has been drawn to this fact; if she has given approval or accepted the SIPTU ruling; if FÁS/SOLAS management has advised that it has accepted the SIPTU ruling; the reason an unemployed electrician cannot do a one-hour electrical repair job for the community employment scheme on which they are working; the reason a trainee on a community employment scheme should be denied the opportunity to keep in touch with their qualifications by dictate from SIPTU; and if she will make a statement on the matter. [29747/11]

Minister for Social Protection (Deputy Joan Burton): I have been informed by FÁS that the Community Employment National Monitoring Committee, which is made up of representatives of the Social Partners and FÁS staff, meets at regular intervals to ensure that Community Employment projects do not lead to the displacement or replacement of workers/employees. As part of the overall approval process, Community Employment projects obtain approval from

the relevant Union as part of the application process. SIPTU recently issued a questionnaire to applying projects. This questionnaire was not agreed by FÁS or the National Monitoring Committee. FÁS met with SIPTU and proposed an alternative document to assist in the process. This document will be circulated shortly to CE sponsors for use in completing their application so as to satisfy FÁS and the Social Partners that none of the positions being applied for will result in the displacement or replacement of any workers/employees.

Jobs Initiative

219. **Deputy Maureen O'Sullivan** asked the Minister for Social Protection if she has been able to support under the jobs initiative scheme a project (details supplied) which is working closely with many networks and local employment services to assist the long term unemployed to establish their own businesses. [29763/11]

Minister for Social Protection (Deputy Joan Burton): The Deputy will be aware that my Department now operates a number of programmes and interventions to support unemployed people in getting back to work. The organisation mentioned may qualify for support under a number of initiatives operated by my Department. The Jobs Initiative currently supports around 1,400 people in work but has not been open for recruitment for some years. Some 23,300 places have been allocated to community employment nationally and more information about how an organisation could benefit under this scheme is available from FÁS.

The national internship programme, JobBridge, is currently being rolled out and operates across the private, public and voluntary sectors under which eligible employers within the sectors may offer suitable internships. Tús, the community work placement initiative, has begun to roll-out nationally and this is being delivered by the Dublin Employment Pact in the North and South Inner City areas of Dublin. JobBridge and Tús, when fully operational will provide 5,000 internships and work placement opportunities each. Further information on all of these programmes and schemes is available on my Department's website, *www.welfare.ie*.

Question No. 220 withdrawn.

Redundancy Payments

221. **Deputy Pearse Doherty** asked the Minister for Social Protection the amount paid out in 100% redundancy payments over the past year; the amount recouped by the Exchequer in terms of rebate; and if she will make a statement on the matter. [29796/11]

Minister for Social Protection (Deputy Joan Burton): In 2010, the total amount paid from the Social Insurance Fund, under the Redundancy Payments Act 1967, was €469.9 million. Of this amount, €373.2 million was paid out in rebates to employers in respect of redundancy payments made by them to their employees. €96.7 million was the amount paid in lump sums to employees whose employers failed to make such payments.

Departmental Schemes

222. **Deputy Alex White** asked the Minister for Social Protection in view of the important work done in the sector, if she will give assurances on the future funding of the return to education programme; and if she will make a statement on the matter. [29972/11]

Minister for Social Protection (Deputy Joan Burton): Part 3 of the Social Welfare and Pension Act 2010 provides for the transfer of the employment services and community services programmes of FÁS to the Department of Social Protection and for the integration of FÁS staff managing these programmes into the Department. That process of integration is currently

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under way. The training component of the community employment programme includes the return to education programme.

As with all programmes and schemes, the future funding and operation of the community employment programme will be considered in the context of the Comprehensive Expenditure Review and the Government's deliberations in respect of Budget 2012. It is not possible to give assurances that in relation to particular programmes.

Social Welfare Benefits

223. **Deputy Michael Healy-Rae** asked the Minister for Social Protection if she will give an assurance that carer's allowance will not be cut further in the upcoming budget. [30079/11]

Minister for Social Protection (Deputy Joan Burton): The Estimate for my Department in 2011 provides for expenditure of over €762 million on carer's allowance (including half rate carer's allowance), carer's benefit, domiciliary care allowance and respite care grant schemes. Recipients of carer's allowance may also be entitled to the household benefits package and free travel.

Sustainable public finances are a prerequisite for maintaining an adequate system of social protection as well as achieving future economic stability and growth. The appropriate level of overall expenditure by my Department in the years ahead will be considered in the context of Budget 2012 and subsequent Budgets.

Redundancy Payments

224. **Deputy Jonathan O'Brien** asked the Minister for Social Protection when an application for redundancy in respect of a person (details supplied) in County Cavan will be dealt with; the waiting time for the payment to issue; and if she will make a statement on the matter. [29453/11]

Minister for Social Protection (Deputy Joan Burton): There is no claim for a statutory redundancy lump sum payment registered for the person in question in redundancy section. This may be due to the fact that the application was not registered as a result of incompleteness or because financial information from the person's former employer was not presented with the form (RP50).

Social Welfare Benefits

225. **Deputy Jonathan O'Brien** asked the Minister for Social Protection the number of persons that used the text message service to request back to education allowance forms; if all requests were dealt with and forms issued; the number of persons that did not receive forms despite requesting the form in this way; the facility in place for those persons who used the service but did not receive a form and who subsequently missed the deadline; and if she will make a statement on the matter. [29454/11]

Minister for Social Protection (Deputy Joan Burton): As there is no facility to request by text message the application form for back to education allowance, I assume that the Deputy is referring to the back to school clothing and footwear allowance.

The Department received some 18,000 text requests for the application form for the back to school clothing and footwear allowance this year and a form was issued in each case.

A sympathetic approach is being adopted in relation to genuine late claims i.e. claims from customers that have an entitlement prior to 30th September 2011. The Department is not aware

of any cases where customers did not receive the form in response to a form request and where this caused them to miss the deadline, but if there are any such cases the claims will be accepted and decided.

I can assure the Deputy that all valid claims will be paid.

226. **Deputy Gerald Nash** asked the Minister for Social Protection if there are ever any extenuating circumstances whereby a back to work allowance can be extended; and if she will make a statement on the matter. [29481/11]

Minister for Social Protection (Deputy Joan Burton): The Department of Social Protection operates a range of employment support measures designed to encourage and support social welfare recipients of working age to reduce their dependency on welfare payments. These include the back to work enterprise allowance (BTWEA). This scheme is designed to provide a monetary incentive for people who are long term dependant on social welfare payments to develop a business.

The BTWEA allows eligible people to develop a business while retaining a reducing proportion of their qualifying social welfare payment. The period for which the allowance is payable is 2 years, the first year at 100% of existing social welfare entitlement and 75% in the second year. There are no circumstances where payment of the BTWEA is extended for more than two years. However, people who previously participated in the back to work enterprise allowance may apply a second time after a period of at least 5 years has elapsed.

It should also be noted that people who are self-employed for up to three days in a week may claim a jobseeker's payment in respect of the remainder of the week, subject to satisfying a means test and being available for full-time work.

The BTWEA in conjunction with other employment support schemes, will continue to be monitored on an ongoing basis to ensure that it continues to meet its objectives.

Redundancy Payments

227. **Deputy Dara Calleary** asked the Minister for Social Protection the position regarding a redundancy application in respect of a person (details supplied) in County Mayo; if all relevant information is in her possession; if not, the information that is outstanding; the amount outstanding; and when payment will be awarded. [29492/11]

Minister for Social Protection (Deputy Joan Burton): I wish to advise the Deputy that the redundancy payments section of my Department received a lump sum claim in respect of the individual concerned from a liquidator in December 2010. This claim was processed and a payment was issued. The claim in question was calculated in respect of a period of employment from 2005 to 2010. An element of this employment period was excluded as redundancy payments section uncovered a previous claim for the employee which was submitted by his former employer in 2004. This rebate claim covered the period of employment from 1997 to 2004. The applicant signed the rebate claim submitted by his former employer.

Additional information has been supplied in respect of the previous employment period and this is being examined to establish if this further information supports a supplementary payment.

Social Welfare Benefits

228. **Deputy Jack Wall** asked the Minister for Social Protection the position regarding an

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application for rent subsidy in respect of a person (details supplied); and if she will make a statement on the matter. [29495/11]

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 person concerned has been awarded rent supplement of €637.35 per month from 16 August 2011. This is her full entitlement based on her personal circumstances.

Social Welfare Appeals

229. **Deputy Pat Breen** asked the Minister for Social Protection, further to Parliamentary Question No. 344 of 14 September 2011, the position regarding an application in respect of persons (details supplied) in County Clare; and if an oral hearing will be facilitated in relation to same. [29528/11]

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 30 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 and the appeal was assigned to an Appeals Officer on 14 September 2011 who will decide whether the case can be decided on a summary basis or whether to list it for oral hearing.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Social Welfare Fraud

230. **Deputy Patrick O'Donovan** asked the Minister for Social Protection, further to Parliamentary Question No. 105 of 6 October 2011, the number of times in 2008, 2009, 2010 and to date in 2011 she has invoked section 8 of the Data Protection Act 1988 as a means to combat social welfare fraud. [29535/11]

Minister for Social Protection (Deputy Joan Burton): As I have previously advised the Deputy, my Department has, in the last number of years, been engaged in extensive data matching exercises with a number of other Government Departments and public bodies for control purposes, in line with data protection requirements.

The Department has an extensive legal structure to support the sharing of data for the purpose of controlling the entitlement and payment of benefits. The legislative provisions which allow for the specific sharing of data are contained in section 261 of the Social Welfare Consolidation Act, 2005.

In view of this comprehensive social welfare legislation, the Department does not specifically invoke section 8 of the Data Protection Act, 1988, as a means to combat fraud. However, all of the exchanges of data with other agencies are in compliance with both the Department's legislation and with Section 8 of the

Community Employment Schemes

231. **Deputy Simon Harris** asked the Minister for Social Protection the number of community

work places that have been allocated under the Tús scheme to a specific geographic area (details supplied); the number of these places that currently remain unfilled; and if she will make a statement on the matter. [29536/11]

Minister for Social Protection (Deputy Joan Burton): Tús is a community work placement initiative which will provide up to 5,000 short-term, quality work opportunities for those who are unemployed for more than a year. This initiative is being delivered through the network of local development companies and Údarás na Gaeltachta in Gaeltacht areas. Each company has been allocated a specific number of placements to fill based on the level of underlying unemployment in the area covered by each company's operations. In county Wicklow, 100 placements have been allocated to Wicklow Partnership Company Limited and 40 to Bray Area Partnership Limited. Both companies are in the process of profiling and recruiting participants referred by this Department and are on course to fill all identified work placements offered by sponsor organisations. To date, 22 participants are in placement with Wicklow Partnership Company and 7 are in placement with Bray Area Partnership. It is expected that the remaining placements will be filled over the coming weeks as profiling of person referred by my Department and Garda Vetting procedures are completed by each company.

232. **Deputy Brendan Griffin** asked the Minister for Social Protection if a person (details supplied) in County Kerry will be eligible to apply for a community employment scheme; and if she will make a statement on the matter. [29541/11]

Minister for Social Protection (Deputy Joan Burton): The criteria for participating on community employment are based on individual circumstances related to age, length of time unemployed or absent from the labour market and in receipt of qualifying social welfare payments. Under the current community employment eligibility guidelines the person referred to by the Deputy is not eligible to apply for a CE positions as he has not been in receipt of the relevant payment for the required period. The current arrangements require a person in receipt of illness benefit, to be in receipt of same for a minimum of six months.

Social Welfare Appeals

233. **Deputy Finian McGrath** asked the Minister for Social Protection the position regarding domiciliary care allowance in respect of a person (details supplied) in County Cork. [29548/11]

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 13th August 2011. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by the Social Welfare Services on the grounds of appeal be sought. When received, the appeal in question will be referred to an Appeals Officer for consideration.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Community Employment Schemes

234. **Deputy Aodhán Ó Ríordáin** asked the Minister for Social Protection the community employment schemes available; and if she will make a statement on the matter. [29552/11]

Minister for Social Protection (Deputy Joan Burton): Community employment is an active labour market programme designed to provide opportunities for people who are unemployed to engage in useful work and training on a fixed term basis with a view to progression to the

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labour market in the short term. Some 1,100 organisations in the community, voluntary and not-for-profit sectors provide work and training placements for participants nationwide.

The criteria for participating on community employment are based on individual circumstances related to age, length of time unemployed or absent from the labour market and in receipt of qualifying social welfare payments. The programme also focuses on those with more limited access to jobs and training opportunities. This latter client group will include lone parents, persons with disabilities, stabilised substance abusers, ex-prisoners, travellers, long-term unemployed persons.

The number of places available was increased to 23,300 in 2010 and remains at this level of 2011. Places are allocated regionally to reflect the underlying level of unemployment. In delivering these places, FÁS will continue to operate with sponsor organisations in a flexible manner in order to maximise progression to the labour market, while at the same time facilitating support for the delivery of community services.

Social Welfare Benefits

235. **Deputy Dan Neville** asked the Minister for Social Protection the position regarding rent allowance from the Health Service Executive in respect of a person (details supplied) in County Limerick; and if she will make a statement on the matter. [29565/11]

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 person concerned was refused rent supplement for a number of reasons including that the rent payable was in excess of the maximum amount in respect of which a supplement is payable for his family size. In addition, the person in question did not provide the Department's representative with all of the information requested in order to process his claim.

236. **Deputy Dara Calleary** asked the Minister for Social Protection the number of landlords on a county basis in receipt of rent supplement; the amount being paid on a county basis; if each landlord is registered with the Private Residential Tenancies Board; if she ensures that each property is registered before approving payment; and if she will make a statement on the matter. [29573/11]

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.

Since 2005 rent supplement expenditure has increased from €369 million to €516 million in 2010. The number of persons claiming the allowance increased from almost 60,200 persons in 2005 to some 95,700 as at October 2011, a 59% increase.

Under the Residential Tenancies Act 2004, landlords are legally obliged to register tenancies with the Private Residential Tenancies Board (PRTB). However, not all tenancies are required to be registered with the PRTB as the relevant legislation provides for certain exceptions.

Where registration is required, the landlord has up to one month after the commencement of the tenancy to register it with the PRTB at the standard fee and longer to register at a higher fee. It is therefore not practical for the Department to insist that a tenancy be registered

before rent supplement can be paid to the tenant as the establishment of the tenancy will be dependent on rent supplement being awarded.

The Department works closely with the Private Residential Tenancies Board (PRTB) to help ensure that rent supplement tenancies comply with the statutory system of tenancy regulation and safeguards. The Department advises the PRTB of all new rent supplemented tenancies to assist them in implementing tenancy regulations and co-operates in any initiatives taken by the PRTB to ensure compliance with the provisions of the Residential Tenancies Act.

The number of landlords and expenditure on rent supplement are not available on a county basis. However, the table provides details on the number of rent supplement tenancies in payment at end 2010.

Rent Supplement Recipients

County	Recipients
Carlow	1,484
Cavan	1,029
Clare	1,937
Cork	10,988
Donegal	3,194
Dublin	33,818
Galway	4,829
Kerry	2,339
Kildare	4,409
Kilkenny	1,577
Laois	1,151
Leitrim	530
Limerick	3,896
Longford	715
Louth	2,563
Mayo	3,012
Meath	2,552
Monaghan	598
Offaly	1,273
Roscommon	1,276
Sligo	787
Tipperary	2,680
Waterford	2,332
Westmeath	1,623
Wexford	4,055
Wicklow	2,613

Community Employment Schemes

237. **Deputy Brendan Griffin** asked the Minister for Social Protection if there is scope to extend community employment schemes (details supplied); and if she will make a statement on the matter. [29581/11]

Minister for Social Protection (Deputy Joan Burton): As Minister for Social Protection I do not have a role in the administration of individual cases in regard to the operation of the

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community employment (CE) programme. The administration of individual cases under CE is 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.

In general, the maximum participation limits for community employment is one year with the opportunity to extend for a further year if this is considered the most suitable and cost effective measure to assist the client in gaining employment. A person may be eligible for different periods of engagement and extensions on CE due to their age or if they are in receipt of a qualifying disability-related payment from my Department or have previously been engaged on a scheme. Extensions of a CE placement have to be requested a minimum of eight weeks before the proposed finish date by the CE Project Supervisor. Once an extension application is received by the local FÁS office, a determination is made as to whether the placement is the most suitable and cost effective measure to assist the client in gaining employment. Clients who are deemed job-ready by the Supervisor are not extended in order to free up the place for another client. If no request for an extension is requested then the person must leave the scheme and re-qualify under the published eligibility rules for any further participation on the CE scheme.

The overall limits on duration spent on CE are strictly enforced to maximise the number of places available for potential clients and to ensure progression. A person may check their eligibility for extensions of the time spent on community employment by contacting their local FÁS office.

Social Welfare Appeals

238. **Deputy Brendan Griffin** asked the Minister for Social Protection when an oral hearing will take place in respect of a person (details supplied) in County Kerry; and if she will make a statement on the matter.. [29615/11]

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.

Social Welfare Benefits

239. **Deputy Jack Wall** asked the Minister for Social Protection the reason a person (details supplied) in County Kildare has had their rent supplement reduced; and if she will make a statement on the matter. [29632/11]

Minister for Social Protection (Deputy Joan Burton): The community welfare service (CWS), and the community welfare officers providing it, formally transferred to the Department of Social Protection (DSP) from 1 October 2011. The service and the staff are now part of the DSP. Due to a change in circumstances for the person concerned, in that her job seekers benefit payment had finished, the person's rent supplement entitlement has been recalculated. Arrears are now due in respect of this recalculation for the months of July to September. Payment in respect of these arrears will be issued to the person concerned shortly.

Employment Support Services

240. **Deputy Simon Harris** asked the Minister for Social Protection about the funding provided nationally to support local employment services each year; the breakdown of the funding by region; and if she will make a statement on the matter. [29676/11]

Minister for Social Protection (Deputy Joan Burton): The Local Employment Service provides a range of services to unemployed people focusing on the provision of practical support, advice, guidance and information relating to employment, training and return to work and welfare rights options. The service is community-based and operated by Local Development Companies in 25 designated disadvantaged areas with funding provided by FÁS. The service is free, voluntary and confidential and tailored to meet local circumstances and the needs of the person. Expenditure by FÁS on the local employment services programmes for the years 2009, 2010 and 2011 is set out in the following table. FÁS has advised that expenditure for the whole of 2011 is expected to be broadly similar to 2010.

Local Employment Services Programme Actual Expenditure by Region € (m)

Region	2011 (to end Sept)	2010	2009
Dublin	6.682	9.466	9.535
North East	1.087	1.555	1.587
South East	1.551	2.211	2.083
South West	1.432	2.041	1.966
Mid West	1.045	1.406	1.333
West	1.102	1.391	1.543
Midlands	0.634	0.894	0.916
Central	0.012	0.014	0.007
Total	13.546	18.978	18.970

Croke Park Agreement

241. **Deputy Simon Harris** asked the Minister for Social Protection the position regarding the Croke Park agreement; if he has received implementation plans for the agreement from her Department and each State agency under her remit; the status of these implementation plans; the discussion she has had with the EU and IMF regarding the agreement; and if she will make a statement on the matter. [29690/11]

Minister for Social Protection (Deputy Joan Burton): An action plan was prepared by my Department in accordance with the requirements of the Public Service (Croke Park) Agreement 2010-2014. Action Plans were also prepared by the agencies under the aegis of my Department, namely the Citizens Information Board and the Pensions Board.

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My Department's Action Plan and those of the agencies under the aegis of my Department were prepared having regard to the economic and budgetary environment. Full implementation of the Action Plans requires major organisational change, involving changes in structures, business processes, administrative, operating and governance systems, practices and procedures, supported by significant human resource and ICT changes.

My Department is striving to provide an effective service to its customers in the most efficient manner that can reasonably be achieved and is fully committed to delivering on the Action Plans in order to secure service improvements and efficiencies. In accordance with paragraph 1.16 of the Public Service Agreement, a review of the implementation of the Agreement was undertaken in my Department. The progress and savings reports on the implementation of the Action Plan for the period to end March 2011 were submitted to the Department of Public Expenditure and Reform on 3rd May 2011. Similarly, the progress and savings reports of the agencies under the aegis of my Department were also submitted at that time. A second review of the implementation of the Agreement is currently being undertaken in my Department on the progress achieved over the 6-month period, April 2011 to September 2011, as requested by the Implementation Body.

Following these reviews, I can confirm that all targets to the end of September 2011 have been met and that all actions are currently on schedule for delivery in accordance with the specified timeframes. I wish to advise the Deputy that I have had no discussions with the EU and IMF regarding the Public Service Agreement.

Social Welfare Benefits

242. **Deputy John McGuinness** asked the Minister for Social Protection if an application for financial assistance towards travel costs to attend hospital will be granted in the case of a person (details supplied) in County Wexford. [29701/11]

Minister for Social Protection (Deputy Joan Burton): The community welfare service (CWS), and the community welfare officers providing it, formally transferred 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 allowance scheme (SWA) 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 based on the particular circumstances of the case. Eligible people would normally be in receipt of a social welfare or HSE payment. The Department's representative administering SWA has refused an exceptional needs payment in this case and has advised the person concerned of his right to appeal the decision to the relevant appeals office.

243. **Deputy Bernard J. Durkan** asked the Minister for Social Protection, further to Parliamentary Question No. 97 of 28 September 2011, the current or expected position in respect of an application for back-to-education allowance in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [29713/11]

Minister for Social Protection (Deputy Joan Burton): The person concerned has applied for the back to education allowance (BTEA) in respect of a BTEC Higher National Diploma which is classified as a third level course in accordance with BTEA guidelines. As the person concerned has not been in receipt of a qualifying payment for 234 days he does not satisfy the conditions for receipt of BTEA (third level option).

Employment Support Services

244. **Deputy Simon Harris** asked the Minister for Social Protection how community employment places in an area (details supplied) have been divided up between community organisations; the rationale for the allocation of these places; her views on whether there should be a greater spread of CE posts across community and voluntary organisations; and if she will make a statement on the matter. [29717/11]

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.

FÁS is required to operate within the operational budget set for each programme and the funding allocated for 2011 will allow for the provision of some 23,300 places nationally. If places become available, FÁS uses the following criteria to allocate these places:

- number of people on the live register in the area;
- extent to which the primary objective of the additional positions will increase the employability of unemployed persons;
- whether the service offered by the CE provider is for a disadvantaged group;
- whether the local community views the programme of value, as measured by community support;
- whether the sponsor has got a record of providing a training plan for each person on the programme; and
- whether the sponsor has a record of progressing participants into employment.

Social Welfare Benefits

245. **Deputy David Stanton** asked the Minister for Social Protection, further to Parliamentary Question No. 239 of 27 September 2011, the reasons a supplementary welfare allowance mortgage interest supplement payment awarded to a person (details supplied) in County Cork from 12 September 2011 has been stopped; and if she will make a statement on the matter. [29721/11]

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 mortgage interest supplement claim of the person concerned was suspended while his entitlement was being reviewed. The review has since been completed and arrears have now issued to the person concerned.

Social Welfare Appeals

246. **Deputy John Lyons** asked the Minister for Social Protection the position regarding an appeal against the decision to refuse an application for a clothing allowance in respect of a person (details supplied) in Dublin 9; and if she will expedite a decision on same. [29728/11]

Minister for Social Protection (Deputy Joan Burton): The community welfare service (CWS), and the community welfare officers providing it, formally transferred 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 allowance scheme (SWA) 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 based on the particular circumstances of the case. Eligible people would normally be in receipt of a social welfare or HSE payment.

The Department's representative administering SWA has refused an exceptional needs payment in this case and has advised the person concerned of his right to appeal the decision to the relevant appeals office. To date there is no record of an appeal in this case.

Pension Provisions

247. **Deputy Mary Lou McDonald** asked the Minister for Social Protection what the saving to the Exchequer would be if all existing public service pension payments to former employees of State agencies under the aegis of her Department were capped at €35,000 per year. [29786/11]

Minister for Social Protection (Deputy Joan Burton): The savings to the Exchequer arising from the capping at €35,000 per annum of those pension payments which are funded by my Department and made to former employees of the Citizen's Information Board would be €20,044 in 2011. The pensions of staff who retire from the two other agencies of my Department (the Pensions Board and the Office of the Pensions Ombudsman) are not funded through the Vote of my Department and, accordingly, the information requested is not available in my Department.

Social Welfare Benefits

248. **Deputy Pat Breen** asked the Minister for Social Protection when an application will be processed in respect of a person (details supplied) in County Clare; and if she will make a statement on the matter. [29792/11]

Minister for Social Protection (Deputy Joan Burton): The person concerned should contact Bishop Square Local Office regarding his Jobseeker's application. However, individuals who commence a JobBridge internship can expect to receive their additional top-up payment of €50 per week approximately 3 weeks after commencing the internship.

249. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the reason for refusal of payment in respect of an application for carer's allowance in the case of a person (details supplied) in County Meath; if this parliamentary question will be taken as lodgement of an appeal; and if she will make a statement on the matter. [29811/11]

Minister for Social Protection (Deputy Joan Burton): The person concerned was refused carer's allowance on grounds that he has not established that he is providing full-time care and attention as laid down in the carer's allowance guidelines. The Department is satisfied that the care recipient has a requirement for full-time care. He was notified of this decision, the reason for it and of his right of review or appeal within 21 days to the social welfare appeals office. If further details are provided by the person in question regarding the extent of the care being provided by him, the decision will be reviewed by a deciding officer.

Social Welfare Appeals

250. **Deputy Bernard J. Durkan** asked the Minister for Social Protection, further to Parliamentary Question No. 127 of 4 October 2011, when an appeal will be heard in respect of an application for carer's allowance in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [29886/11]

Minister for Social Protection (Deputy Joan Burton): Further to my response to Parliamentary Question Ref. No. 127 on 05 October 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.

251. **Deputy Paul J. Connaughton** asked the Minister for Social Protection when an appeal for carer's allowance will be finalised in respect of a person (details supplied) in County Mayo; and if she will make a statement on the matter. [29889/11]

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 June 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, in due course, be assigned 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

252. **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. [29892/11]

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 person concerned was requested to provide further information to process his application for a mortgage interest supplement. When this information is received a decision will be made on his application.

Social Welfare Appeals

253. **Deputy Pat Deering** asked the Minister for Social Protection when a decision on an application for carer's allowance will issue in respect of a person (details supplied) in County Carlow; and if she will expedite a response. [29893/11]

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. She was notified of this decision, the reason for it and of her right of review or appeal. Additional medical evidence has been received and will be reviewed by a medical assessor in due course. She will be notified directly of the outcome of the review once it is completed.

Social Welfare Benefits

254. **Deputy Jack Wall** asked the Minister for Social Protection when a person (details supplied) in County Kildare will receive their arrears of carer's allowance; and if she will make a statement on the matter. [29899/11]

Minister for Social Protection (Deputy Joan Burton): The person concerned has been awarded carer's allowance. Arrears of allowance due from the date of his application for carer's allowance, less any other payment made to him for the intervening period, will issue shortly.

255. **Deputy Terence Flanagan** asked the Minister for Social Protection the position regarding entitlements in respect of a person (details supplied) in Dublin 17; and if she will make a statement on the matter. [29921/11]

Minister for Social Protection (Deputy Joan Burton): The community welfare service (CWS), and the community welfare officers providing it, formally transferred to the Department of Social Protection (DSP) from 1 October 2011. The service and the staff are now part of the DSP. Apart from a number of excluded categories, anyone in the State who satisfies a habitual residency condition and a means test, who 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).

Departmental records show that there are currently no social welfare claims pending for the person concerned. Should the person concerned wish to be considered for assistance from the Department he may make an application for jobseeker's allowance in his designated social welfare local office in Greendale Road, Kilbarrack, Dublin 5. Additionally he may wish to make an application for assistance under the SWA scheme. Applications for SWA can be made to the Department's designated representatives in the local health centre in Foxfield Crescent, Kilbarrack, Dublin 5. Full details in relation to the assistance available can be obtained on the Department's website on www.welfare.ie.

Departmental Expenditure

256. **Deputy Damien English** asked the Minister for Social Protection the total departmental expenditure as a percentage of GDP for each of the years 2006 to 2009, inclusive; her estimate for same for 2011; and if she will make a statement on the matter. [29927/11]

Minister for Social Protection (Deputy Joan Burton): Social protection statistics are reported at EU level based on the ESSPROS methodology. That has much wider coverage than Department of Social Protection (DSP) expenditure, as it includes health expenditure, public service pensions and other significant expenditures. On that basis, Irish social protection expenditure was 18.3% of GDP in 2006, compared to an EU 27 average of 26.7%. By 2008, Irish expenditure had increased to 22.1% of GDP, while the EU average had fallen back to 26.4%.

The most recent year in respect of which EU-wide comparative data are available is 2008. Given the significant increase in social welfare expenditure and the decrease in GDP since 2008, Irish social protection spending, based on the ESSPROS methodology, is likely to have moved much closer to the EU average by 2011.

DSP expenditure as a percentage of GDP for the years 2006-2010 and an estimate for 2011 of same are in the following tabular statement. This shows that expenditure by my Department has risen from less than 8% of GDP in 2006 to over 13% of GDP in 2010 and is expected to be at a broadly similar level in 2011.

Year	DSP Expenditure as a Percentage of GDP
2006	7.7%
2007	8.2%
2008	9.9%
2009	12.9%
2010	13.5%
2011 (estimated)	13.3%

School Meals Programme

257. **Deputy Gerry Adams** asked the Minister for Social Protection the total cost of the school meals programme operated by her; and the cost of same for each of the past five years. [29929/11]

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 Scheme through which funding is provided directly to participating schools and local and voluntary community groups who run their own school meals projects. The allocation for the programme for 2011 is €35m. Expenditure on the School Meals Programme for each of the past five years is set out in the following tabular statement.

School Meals Programme Expenditure 2006 to 2010

Year	Urban School Meals Scheme	School Meals Local Projects Scheme	Total
2006	€1.16m	€12.5m	€13.6m
2007	€1.16m	€27.04m	€28.2m
2008	€1.1m	€31.28m	€32.38m
2009	€1.2m	€33.64m	€34.84m
2010	€0.79m	€34.17m	€34.96m

Community Welfare Service

258. **Deputy Barry Cowen** asked the Minister for Social Protection if she will confirm the legal status of any circulars issued from her to the community welfare service; and if she will make a statement on the matter. [29933/11]

Minister for Social Protection (Deputy Joan Burton): The community welfare service (CWS), and the community welfare officers providing it, formally transferred to the Department of Social Protection (DSP) from 1 October 2011. The service and the staff are now part of the Department of Social Protection.

The purpose of Circulars issued by my Department is to provide information, guidance, clarification and interpretations to staff on all aspects of the supplementary welfare allowance scheme. All decisions in relation to the supplementary welfare allowance scheme will continue to be based on the legislative provisions as set down in the various Social Welfare Acts and are supported by statutory regulations.

Social Welfare Code

259. **Deputy Michelle Mulherin** asked the Minister for Social Protection if endometriosis is recognised as a disability; and the extent to which it is recognised for the purpose of assessing a person's entitlement to a disability payment. [29935/11]

Minister for Social Protection (Deputy Joan Burton): Endometriosis (WHO ICD-10 code N80.9) is a gynaecological medical condition. It is recognised by the Department of Social Protection as a medical condition which may result in some form of disability. Medical suitability for a disability payment is determined by medical assessment of its severity and expected duration.

Social Welfare Benefits

260. **Deputy Jack Wall** asked the Minister for Social Protection the position regarding an application for rent allowance in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [29950/11]

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 person concerned has made an application for rent supplement and has been requested to provide further information in order to process her claim. A decision will be made on her application when the information has been provided.

Live Register

261. **Deputy Eamonn Maloney** asked the Minister for Social Protection the number of persons on the live register at the end of September 2011 who are categorised as teachers; if teachers, when registering, provide information as to their teaching qualifications (that is, primary or post-primary); if this is available as a breakdown of the numbers on the register and the comparable figures regarding the live register for year ending September 2010. [29957/11]

Minister for Social Protection (Deputy Joan Burton): The information requested by the Deputy is set out in the tabular statement. The breakdown of teaching professionals between primary and post-primary teachers and information regarding their teaching qualifications is not available.

Teaching Professionals End September

Live Register	2010 Numbers	% of Live Register	2011 Numbers	% of Live Register
Jobseeker's Allowance	4,019	.91%	4,185	.96%
Jobseeker's Benefit	3,735	.84%	3,364	.77%
Credits Only	1,749	.40%	2,165	.49%
Total	9,503	2.15%	9,714	2.22%

Question No. 262 withdrawn.

Community Employment Schemes

263. **Deputy Martin Heydon** asked the Minister for Social Protection if a person (details

supplied) in County Kildare may take part in a community employment scheme for a position that has come up in their local area for which they are qualified and experienced; and if she will make a statement on the matter. [29970/11]

Minister for Social Protection (Deputy Joan Burton): The criteria for participating on community employment are based on individual circumstances related to age, length of time unemployed or absent from the labour market and in receipt of qualifying social welfare payments. The person referred to by the Deputy can establish their eligibility with FÁS at the Newbridge Employment Services Office, Main Street, Newbridge (045 431372). It is a matter for the Board and supervisors of the sponsor group with the support of the local FÁS Development Officer to determine the suitability of a person for a vacant CE position once they have satisfied the eligibility conditions.

Social Welfare Benefits

264. **Deputy Jim Daly** asked the Minister for Social Protection the amount of rent allowance that has been paid out by the State for each of the years from 2000 to 2010 in tabular form; and if she will make a statement on the matter. [29971/11]

Minister for Social Protection (Deputy Joan Burton): The rent supplement expenditure for the years 2000 to 2010 is set out in the tabular statement below.

Rent Supplement Recipient Numbers & Expenditure: 2000 to 2010

Year	Recipients	Cost €000
2000	42,683	150,590
2001	45,028	179,438
2002	54,213	252,203
2003	59,976	331,471
2004	57,874	353,762
2005	60,176	368,705
2006	59,861	388,339
2007	59,726	391,466
2008	74,038	440,548
2009	93,030	510,751
2010	97,260	516,861

265. **Deputy John Lyons** asked the Minister for Social Protection if she will confirm that she has received medical documentation from a person (details supplied) in Dublin 9 with regard to their application for an invalidity pension. [29985/11]

Minister for Social Protection (Deputy Joan Burton): Invalidity pension is a payment for people who are permanently incapable of work because of illness or incapacity and who satisfy the contribution conditions.

An invalidity pension application form was received for the person concerned. All medical documentation relating to the application was referred to a medical assessor. The opinion of the medical assessor is that the person concerned is not eligible for invalidity pension as she does not satisfy the medical criteria. The application for invalidity pension was disallowed. She was notified of this decision on 14 October 2011.

Social Welfare Code

266. **Deputy Robert Troy** asked the Minister for Social Protection if she will review the criteria for the approval of mortgage interest supplement in order to include relief for those who have been disallowed mortgage interest relief because the rate of interest they pay is higher than current limits allow. [29996/11]

Minister for Social Protection (Deputy Joan Burton): The purpose of the mortgage interest supplement scheme is to provide short term support to eligible people who are unable to meet their mortgage interest repayments in respect of a house which is their sole place of residence. The supplement assists with the interest portion of the mortgage repayments only.

At the end of December 2010 there were 17,974 people in receipt of mortgage interest supplement, an increase of 337% over the 2007 figure. There are currently over 18,500 households benefiting from the scheme for which €77.2m has been allocated for 2011.

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 rules governing mortgage interest supplement, it is a condition of entitlement that the amount of the mortgage interest payable by the claimant does not exceed what the Department's representative considers reasonable to meet his or her residential needs.

However, legislative provisions are already in place that allows a Department's representative to award a mortgage interest supplement to a claimant on a discretionary basis for a maximum period of 12 months where the amount of mortgage interest exceeds what the Department's representative considers reasonable to meet his or her residential and other needs. When making a decision in relation to payment of mortgage interest supplement on a discretionary basis, a number of factors have to be considered, including: — Whether there is an indication that the claimant will be in a position to re-assume responsibility for repayments in the near future; — Where the claimant's interest repayment liability combined with projected reduction in interest rates indicate that the interest repayments on the loan may be reduced in the near future and may come into line with local rent or mortgage interest limits; — In accordance with the statutory Code of Conduct on Mortgage Arrears the claimant has re-negotiated and reached an agreement with the lender for a re-scheduling of the mortgage repayments and capitalisation of any arrears which have accrued.

267. **Deputy Simon Harris** asked the Minister for Social Protection if she will recognise the societal contribution made by carers by reclassifying the carer's allowance to ensure carers remain eligible for PRSI contribution stamps while exercising their role as carers; and if she will make a statement on the matter. [30002/11]

Minister for Social Protection (Deputy Joan Burton): The Government is acutely aware and appreciative of the societal contribution made by carers and recognises this in social welfare provision. The estimated expenditure for carers in 2011, including carer's allowance, carer's benefit and respite care grant is approximately €658 million compared to just under €100 million in 2000. This does not include the cost of the household benefits package or free travel which carers also receive.

Since the introduction of the carer's allowance in 1990 payments to carers have been increased and expanded greatly. Even with the reductions announced in the last two budgets for carers under 66, the weekly rate of payment for the carers allowance is still almost 33% higher this year than in 2005 and almost double what it was in 2000.

Recipients of carer's allowance are also eligible for household benefits, free travel and the respite care grant of €1,700.

The means test for carer's allowance has been significantly eased over the years, and is now one of the most generous means tests in the social welfare system, most notably with regard to spouse's earnings. Since April 2008, the income disregard has been €332.50 per week for a single person and €665 per week for a couple. This means that a couple with two children can earn in the region of €35,400 and qualify for the maximum rate of carer's allowance as well as the associated free travel and household benefits. A couple with an income in the region of €59,300 can still qualify for a minimum payment, as well as the associated free travel, household benefits package. These levels ensure that those on average industrial earnings continue to qualify for a full carer's allowance.

The carer's allowance is an income support provided for those who are unable to take up full-time paid employment due to their caring responsibilities. It is not possible simply to reclassify it as earned income, subject to PRSI contributions. Persons in receipt of carer's allowance, carer's benefit and the respite care grant may, however, engage in employment, self employment, training or education outside the home for up to 15 hours per week and still be considered to be providing full-time care and attention for the purposes of the schemes. This means that where a carer remains in employment he or she will continue to pay the appropriate social insurance contribution. Also, any person, including carers, may pay voluntary contributions once they satisfy certain qualifying conditions.

People who qualify for payments such as carer's allowance or carer's benefit may, subject to conditions, qualify for credited contributions for the period they are receiving the payment.

Credited contributions form an integral part of the social insurance system. They are underwritten by the Social Insurance Fund and are designed to protect the social insurance entitlement record of insured workers who — for reasons relating to incapacity, ill-health, unemployment, early retirement, professional training or the provisions of care (i.e. for children, the disabled or the elderly) — are not in a position to make PRSI payments.

In addition, the social welfare pension rights of those who take time out of the workforce for caring duties are protected by the homemaker's scheme which was introduced in 1994. The scheme allows up to 20 years spent caring for children or incapacitated adults to be disregarded when a person's social insurance record is being averaged for pension purposes.

The homemaker's scheme will not of itself qualify a person for a pension. The standard qualifying conditions, which require a person to enter insurance 10 years before pension age, pay a minimum of 260 contributions at the correct rate (rising to 520 from April 2012), and achieve a yearly average of at least 10 contributions on their record from the time they enter insurance until they reach pension age, must also be satisfied.

Social Welfare Benefits

268. **Deputy Tony McLoughlin** asked the Minister for Social Protection the number of children between the ages of two and four years in respect of whom the back to school clothing and footwear allowance is paid; the cost of this scheme to the Exchequer in the school year 2010-11; and the number of two year old children who attend primary school, or if this allowance is paid in respect of two year olds who attend pre-school facilities. [30014/11]

Minister for Social Protection (Deputy Joan Burton): The Back to School Clothing and Footwear Allowance (BSCFA) scheme provides a one-off payment to eligible families to assist with the extra costs when their children start school each autumn. The allowance is not intended to meet the full cost of school clothing and footwear but only to provide assistance towards

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these costs. Expenditure on the scheme in 2010 was €77.4m with some 162,500 payments made in respect of approximately 325,000 children.

The number of children aged 2 to 4 years of age (inclusive) that benefited in 2010 was 63,200. The number of such children for the 2011 scheme will be available when all claims are processed. Statistics are not available regarding the number of these that were attending school or preschool.

The BSCFA scheme was introduced in 1990. This scheme superseded the arrangements which had been in place since 1977 whereby child clothing and footwear payments were made under the exceptional needs provisions of the Supplementary Welfare Allowance (SWA) scheme. The SWA clothing and footwear scheme had in turn replaced a previous Public Assistance Footwear scheme that had been introduced in 1944.

These previous schemes had been targeted at both school and pre-school children from the age of two years up. When the BSCFA scheme was introduced, the provision to pay the allowance to children from the age of two years up was retained.

At the end of this year's BSCFA scheme a review will be undertaken of all aspects of the operation of the scheme, including eligibility criteria.

269. **Deputy Pat Breen** asked the Minister for Social Protection the reason a person (details supplied) in County Clare has been refused payment; and if she will make a statement on the matter. [30055/11]

Minister for Social Protection (Deputy Joan Burton): The community welfare service (CWS), and the community welfare officers providing it, formally transferred to the Department of Social Protection (DSP) from 1 October 2011. The service and the staff are now part of the DSP.

The Department's representative administering the supplementary welfare allowance scheme has refused the person concerned a mortgage interest supplement payment as it is considered that he has sufficient income to meet his mortgage interest costs.

270. **Deputy Michael Healy-Rae** asked the Minister for Social Protection if any case has ever been referred to her whereby a person has purposely disengaged from his or her place of work in order to have the State pay their mortgage; if she will clarify the provisions made for paying such mortgages if a person is deemed to qualify; if she will clarify the criteria to qualify, and the number of persons availing of same; and if she will make a statement on the matter. [30071/11]

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.

At the end of December 2010 there were 17,974 people in receipt of mortgage interest supplement, an increase of 337% over the 2007 figure. There are currently over 18,500 households benefiting from the scheme for which €77.2m has been allocated for 2011.

Under the mortgage interest supplement means-test, where a Department's representative is aware that an applicant has deprived himself or herself of an income in order to qualify for supplementary welfare allowance, the weekly value of all income forgone is assessed in full.

The Department is unaware of any instances where applicants have deprived themselves of an income in order to qualify for mortgage interest supplement.

Social Welfare Appeals

271. **Deputy John O'Mahony** asked the Minister for Social Protection when a person (details supplied) in County Mayo will receive a reply in respect of their carer's allowance appeal; and if she will make a statement on the matter. [30133/11]

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 02 June 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 23 September 2011 and the appeal will, in due course, be assigned 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

272. **Deputy Jack Wall** asked the Minister for Social Protection when a person (details supplied) in County Kildare will receive a decision on their application for mortgage interest relief; and if she will make a statement on the matter. [30147/11]

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 entitlement to mortgage interest supplement of the person concerned is currently under review. A decision will be made on her entitlement shortly.

Departmental Schemes

273. **Deputy Stephen Donnelly** asked the Minister for Social Protection the targets or benchmarks agreed at the outset of the JobBridge scheme in order to assess its ultimate success; if there have been any interim reports against these targets; the measures being taken to ensure that participating firms are not using the scheme to replace paid workers; and the procedures that will be followed at the conclusion of the scheme for evaluating its success. [30170/11]

Minister for Social Protection (Deputy Joan Burton): JobBridge, the national internship scheme, was launched on 29 June 2011 and came into operation on 1 July 2011. It will provide up to 5,000 unemployed people at any one time with an internship opportunity of 6 or 9 months in an organisation in the private, public or community and voluntary sectors.

It is our hope that as many as possible eligible unemployed people on the Live Register participate in JobBridge over the course of the scheme's lifetime.

As the scheme has been running for only 3 months and the minimum internship term is 6 months, no review of the impact of JobBridge has yet taken place. A full evaluation of the scheme will be undertaken. As part of this review it is envisaged that progression rates of participants into employment will be a key performance indicator.

The JobBridge scheme contains a number of measures to minimise displacement including the following:

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- all Host Organisations must declare in their application that they are not displacing an employee and that they have no vacancy in the specific area;
- the JobBridge team check all applications against recent vacancies advertised on the FÁS Jobs Ireland website;
- if the JobBridge team suspects that displacement may be an issue, they can liaise with regional FÁS management to find out more information on the company.

In order for all applications from host organisations to be approved they must also meet a number of criteria so as to ensure that the potential internships are of sufficient quality.

These include the following:

- That the internship does not allow the intern to work unsupervised;
- That the intern accrues significant experience throughout the entire internship.

In order for an internship to commence a Standard Internship Agreement must be signed by both the intern and the host organisation. This Agreement clearly stipulates the terms of the internship and states the specific learning outcomes the intern will receive over the course of their internship.

To ensure compliance with the scheme, my Department and the JobBridge team are monitoring internships to ensure that both host organisations and interns are abiding by the spirit and the rules of the scheme.

This involves the monitoring of monthly compliance reports which the host organisation uses to verify that the internship is proceeding as set out in the Standard Internship Agreement. In addition, contact with the host organisations and interns including random site visits will begin shortly as part of this process.

The scheme also has a ‘whistle blowing’ feature, where any individual who suspects that an internship may be in breach of the scheme’s criteria, including in cases of suspected displacement or poor quality, may contact the National Call Centre. All such claims will be investigated. Where it is proven that displacement has occurred in a Host Organisation their internship opportunities will be removed and they will not be allowed to participate in JobBridge.

Appointments to State Boards

274. **Deputy Mary Lou McDonald** asked the Minister for Social Protection the saving to the State if all State agency board members’ annual payments were rescinded and instead board membership was awarded without remuneration. [30260/11]

Minister for Social Protection (Deputy Joan Burton): The three statutory bodies operating under the aegis of the Department are the Social Welfare Tribunal, the Citizens Information Board and the Pensions Board. In addition, the Office of the Pensions Ombudsman comes under the remit of the Department but it does not have a board.

The members of the Social Welfare Tribunal are not in receipt of an annual remuneration. The Tribunal meets if required to deal with social welfare entitlement issues arising in the context of an industrial disputes. The chairperson is paid a set fee of €488.11 per day sitting and €73.44 for attending meetings. Members are paid a set fee of €136.71 per day sitting and €68.36 for attending meetings.

The Pensions Board is a regulatory body operating under the aegis of the Department and the statutory role of the board is to monitor and supervise the operation of the Pensions Act 1990 (as amended). The operations of the Pensions Board, including payment of fees to the board members, are largely financed by annual fees payable to it by occupational pension schemes and by providers of Personal Retirement Savings Accounts and trust Retirement Annuity Contracts.

The fees paid to members of the Pensions Board in 2010 were €119,700. There would be no saving to the State in the event of these fees being withdrawn as the fees to the board members are funded by the Pensions Industry.

With regard to the Citizens Information Board the maximum amount of fees payable in respect of board members is currently €86,783 per annum. This is in line with the fees payable to members of boards of category 4 non-commercial public service bodies, as outlined in the Financial Emergency Measures in the Public Interest (No. 2) Act 2009.

Additional information in relation to the boards of the Social Welfare Tribunal, the Citizens Information Board and the Pensions Board is available on the Department's website www.welfare.ie/EN/AboutUs/Pages/stateagencies.aspx

The Pensions Ombudsman is charged with investigating and deciding complaints and disputes concerning occupational pension schemes, trust-based retirement annuity contracts and personal retirement savings accounts (PRSAs). The Office of the Ombudsman does not have a board and therefore no fees in relation to board members occur.

Wildlife Protection

275. **Deputy Robert Troy** asked the Minister for Arts, Heritage and the Gaeltacht the position regarding the reintroduction of a licence in respect of an organisation (details supplied) in County Meath; and if he will make a statement on the matter. [29791/11]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): The Wildlife (Amendment) Act 2010 prohibited activities that formerly were carried out under licence by the organisation concerned. It is not, therefore, possible to issue a licence as referred to in the Deputy's Question.

Fógairt Reachtaíochta

276. **D'fhiafraigh Peadar Tóibín** den Aire Ealaíon, Oidhreachta agus Gaeltachta cén uair a bhfuil sé i gceist aige Bille nua maidir le hÚdarás na Gaeilge a thabhairt os comhair na Dála; an bhfuil sé i gceist próiseas comhairliúcháin a thosú sna ceantair Ghaeltachta ar fad; agus idir an dá linn an bhfuil sé sásta Príomh-Fheidhmeannach nua a cheapadh. [30174/11]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): Ar 31 Bealtaine 2011, thóg an Rialtas na cinntí seo a leanas maidir le struchtúr agus feidhmeanna Údarás na Gaeltachta:

— go mairfidh an *status quo* maidir le feidhmeanna reatha Údarás na Gaeltachta go ginearálta, a chuid feidhmeanna fiontraíochta san áireamh, faoi réir:

(a) foráil reachtúil a dhéanamh chun cumhacht a thabhairt don Aire Ealaíon, Oidhreachta agus Gaeltachta treoir a thabhairt don Údarás a chuid acmhainní teoranta a infheistiú in earnálacha fiontraíochta ar leith; agus

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(b) meicníocht a fhorbairt chun go mbeidh Údarás na Gaeltachta in ann comhoibriú le háisíneachtaí fiontraíochta eile, ach go háirithe i gcás tograí suntasacha Gaeltachta a bhfuil poitéinseal ard acu.

- go mbeidh an fhreagracht maidir le forfheidhmiú na Straitéise 20 Bliain don Ghaeilge laistigh den Ghaeltacht ar Údarás na Gaeltachta; agus
- go ndéanfar foráil faoin mBille Gaeltachta atá beartaithe chun bord an Údaráis a laghdú go suntasach agus chun deireadh a chur leis an riachtanas do thoghcháin do bhord an Údaráis.

Tá na Cinn don Bhille Gaeltachta a thabharfaidh feidhm do na cinní seo, de réir mar is cuí, dréachtaithe ag mo Roinn agus táthar ag súil na dréacht-Chinn a chur faoi bhráid an Rialtais go luath. Tá an Bille Gaeltachta le foilsíú in 2012, de réir chláir reachtaíochta an Rialtais.

Tá próiseas comhairliúcháin cuimsitheach curtha i gcrích ag mo Roinn le blianta beaga anuas i ndáil le hullmhú na Straitéise 20 Bliain don Ghaeilge. Ar ndóigh, beifear ag dul i gcomhairle le pobal na Gaeltachta, agus leis an bpobal i gcoitinne, ag amanna cuí de réir mar a bheidh bearta éagsúla na Straitéise á gcur i bhfeidhm.

Tá céimeanna sa treis ag mo Roinn chun cead na Roinne Caiteachais Poiblí agus Athchóirithe a fháil chun príomhfheidhmeannach buan a cheapadh ar Údarás na Gaeltachta.

Heritage Sites

277. **Deputy Gerry Adams** asked the Minister for Arts, Heritage and the Gaeltacht if a decision has been made on an application (details supplied) under section 14 of the 1930 Act; and when a decision will issue. [29491/11]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): The application referred to by the Deputy is being examined in my Department and a decision will be made as quickly as possible.

Wildlife Protection

278. **Deputy Dominic Hannigan** asked the Minister for Arts, Heritage and the Gaeltacht if a decision has been made on the inclusion of the curlew under the open seasons order for hunting in November 2011; the number of meetings that have taken place on this issue; if he has had held meetings with other Departments regarding the impact of their policies on the habitat of the curlew; if he has contacted other countries regarding their preservation policies in respect of the curlew; his plans to carry out an analysis of the number of curlews that will overwinter here; his preparation for a long-term strategy to rebuild the curlew population here; and if he will make a statement on the matter. [29567/11]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): The curlew is red-listed as a globally threatened species by the International Union for Conservation of Nature since 2007. A recent survey published by BirdWatch Ireland indicated that, based on the results of a survey to find breeding curlews in counties Donegal and Mayo, the current number of breeding pairs in the State may have fallen to less than 200. However, there is a large influx of curlews into Ireland every winter and the winter numbers have not shown a parallel decline. Overwintering curlews are routinely monitored at many wetland sites through the Irish Wetland Bird Survey.

The cause of the decline in breeding is not clear. It is possible that the loss of habitat in upland areas, where afforestation, commercial peat-cutting and wind farm developments have taken place, is a factor in the decline of the species. It is also likely that the spread of forestry has boosted the number of foxes and grey crows, both very efficient predators of nests.

Under the Open Seasons Order the hunting of curlew is allowed in the month of November only. My Department is reviewing its inclusion on the shooting list in view of the steep decline in breeding curlews. My Department is also engaging in a process of consultations with relevant parties, and will consult the authorities in neighbouring countries, with a view to ascertaining the causes of the decline and putting appropriate measures in place.

Arts Funding

279. **Deputy Michael Creed** asked the Minister for Arts, Heritage and the Gaeltacht the level of funding the Arts Council has received for the past five years; the funding allocated to Aosdána either by him or by the Arts Council for the past five years; the purpose of this Aosdána funding; if he will publish a list of members of Aosdána and the public funding that it receives from him or the Arts Council; and if he will make a statement on the matter. [29610/11]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): The Arts Council established Aosdána in 1981 to honour those artists whose work has made an outstanding contribution to the arts in Ireland and to encourage and assist members in devoting their energies fully to their art. Membership of the organisation, which is by peer nomination and election, is limited to 250 living artists, who have produced a distinguished body of work. Members of the organisation must also have been born in Ireland or have been resident here for five years. Members of Aosdána are eligible to receive from the Arts Council a ‘Cnuas’—a means-tested annuity for a term of five years — to assist them in concentrating their time and energies in the full-time pursuit of their art.

Details of the current membership of Aosdána and a schedule of those members in receipt of the Cnuas are available on the Arts Council website at www.artscouncil.ie. The table shows my Department’s grant-in-aid to the Arts Council along with funding provided by the Arts Council to Aosdána over the five year period from 2006-2010. My Department does not award funding directly to Aosdána.

Year	Arts Council funding by my Department	Total amount paid to Aosdána*	Number of Aosdána members	Number receiving Cnuas	Annual amount of Cnuas
2006	€82,310,000	€1,547,749	220	122	€12,180
2007	€83,000,000	€1,490,912	220	130	€12,180
2008	€82,102,000	€1,684,401	232	133	€14,180
2009	€73,350,000	€2,088,649	239	144	€17,180
2010	€68,649,000	€2,579,412	245	152	€17,180

*Comprises the Cnuas (the stipend paid to Aosdána members in need of financial support), pension contributions and administration costs.

Croke Park Agreement

280. **Deputy Simon Harris** asked the Minister for Arts, Heritage and the Gaeltacht the position regarding the Croke Park Agreement; if he has received implementation plans for this agreement from his Department and each State agency under his remit; the status of these implementation plans; the discussion he has had with the EU and IMF regarding the agreement; and if he will make a statement on the matter. [29679/11]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): As the Deputy will be aware, under the Public Service Agreement 2010-2014, detailed Implementation Plans have been developed across each sector of the public service to underpin the change and reform process envisaged by the Agreement. The Implementation Plans were first developed in October 2010 and subsequently revised in January 2011.

I should say that since the establishment of my Department on 2nd June 2011, my Department has prepared a new Public Service Agreement Implementation Plan, which it is in the process of forwarding to the Department of Public Expenditure and Reform. This Implementation Plan reflects the actions and commitments made by the former Department of Tourism, Culture and Sport, the Department of the Environment, Heritage and Local Government, and the Department of Community, Equality and Gaeltacht Affairs in their Implementation Plans in respect of the functions that transferred to my Department, as well as progress to date in implementing these. It also reflects new commitments and actions supportive of the change and reform process.

In relation to the bodies funded from my Department's Vote Group, the Deputy will be aware that these bodies were required to prepare their first detailed reports on the progress being made in implementing their Implementation Plans last May and this formed part of the first annual review of the Agreement undertaken by the Implementation Body. The second phase of progress reporting on the Agreement is underway at present and 6 monthly reports for these bodies and agencies are being compiled with a view to submitting updated progress reports to the Implementation Body during October. These sectoral reports will be examined by the Body and published on its website *www.implementationbody.gov.ie*.

The Deputy will appreciate that my colleagues, the Minister for Finance and the Minister for Public Expenditure and Reform, report directly to the EU and IMF on relevant matters regarding the Public Service Agreement.

Irish Language

281. **Deputy Nicky McFadden** asked the Minister for Arts, Heritage and the Gaeltacht if he will commit to the future funding of Cumann na bhFiann Irish language youth service; and if he will make a statement on the matter. [29733/11]

Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley): As the Deputy will be aware, 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 (NSMC).

Foras na Gaeilge currently provides core funding to 19 Irish language organisations, including Cumann na bhFiann. Following an external review completed on behalf of Foras na Gaeilge, the NSMC 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.

At its meeting on 12 October 2011, the NSMC noted the progress made to date by Foras na Gaeilge with regard to the preparation of a portfolio of draft schemes for the new competitive funding model which has the objective of achieving significant benefits in relation to value for money and the effective delivery of Foras na Gaeilge's statutory obligations.

Having considered this progress, the NSMC requested that Foras na Gaeilge undertake a number of steps in the review process as follows:

- enter into a twelve week consultation period about the portfolio of draft schemes, particularly with the core-funded bodies;
- ensure that relevant statutory bodies are given the opportunity to consider the impact of the draft schemes on their areas of operation;
- amend the portfolio of draft schemes as necessary and appropriate, having regard to the extended consultation process;
- prepare a detailed business case, if necessary with independent assistance, in support of the portfolio of draft schemes;
- prepare a revised project plan, in conjunction with the Sponsor Departments, that will have due regard to the completion of the review process as a matter of urgency; and
- provide a further progress report at the next NSMC sectoral meeting in language format in February 2012.

It should also be noted that, pending the introduction of the schemes, it has been agreed by the NSMC that interim core funding will continue to be provided to the 19 Irish language organisations to 30 June 2012.

Marine Archaeological Heritage

282. **Deputy John Lyons** asked the Minister for Arts, Heritage and the Gaeltacht his proposals to excavate the remains of a vessel (details supplied); when this excavation is to occur, if it is to be wholly funded from the Exchequer; if so, the amount that it will cost; and if he will make a statement on the matter. [29735/11]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): The presence of the shipwreck referred to by the Deputy was notified to my Department in 2010 by a local dive team. Following preliminary investigation, my Department concluded that the surviving structure and the finds retrieved from the site pointed to the likelihood of the wreck being of Spanish origin dating from the sixteenth century. This also coincided with existing records of at least two Spanish Armada wrecks having foundered in the area.

Because the wreck is in shallow water, close to shore and vulnerable to interference, following consultation with the National Museum, I approved funding of €60,000 to allow my Department to retrieve any recoverable artefacts and to examine and record the wreck structure in detail. Excavation commenced in August of this year and over a three week period, with the assistance of the Geological Survey of Ireland which provided a dive platform, approximately half the interior of the site was excavated. Finds included pottery, weaponry and personal effects that reinforce the initial conclusion that the wreck is from the Spanish Armada period. The National Museum of Ireland is conserving these artefacts, which I expect will be put on display either in the National Museum itself or in a designated local facility.

Subject to availability of funding, I hope that the excavation can be completed in 2012 and that the wreck site can be stabilised to provide access to interested divers under licence from my Department.

Pension Provisions

283. **Deputy Mary Lou McDonald** asked the Minister for Arts, Heritage and the Gaeltacht the saving to the Exchequer if all existing public service pension payments to former employees of State agencies under the aegis of his Department were capped at €35,000 per year. [29774/11]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): I am advised that the saving to the Exchequer if all existing public service pension payments to former employees of State Agencies under the aegis of my Department were capped at €35,000 per year would be in the order of €792,000 per annum.

Arts Funding

284. **Deputy Sandra McLellan** asked the Minister for Arts, Heritage and the Gaeltacht how the shortfall of €1 million on the Dublin Contemporary exhibition can be justified in this current economic climate; if the Comptroller and Auditor General has examined the funding arrangements and contracts; and the programmes that will be curtailed to fund the shortfall. [29875/11]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): As the Deputy is aware, Dublin Contemporary 2011 (DC2011) is the largest contemporary visual art event of its kind and scale ever held in Ireland. The DC2011 project showcases excellence in Irish and international contemporary art, affording Ireland with a position as a core essential viewing platform in the arts calendar alongside the major contemporary art platforms internationally. DC2011 previewed on 5 September and is due to run until 31 October 2011. The project has been delivered on time and within budget, utilising accepted good industry practice in operational and financial management. Once final costs, revenues and incomes are determined and audited, the full Exchequer contribution to the programming costs will be finalised.

National Monuments

285. **Deputy John Deasy** asked the Minister for Arts, Heritage and the Gaeltacht if financial assistance is available for the erection of memorials commemorating persons who died in the first and second world wars; and if he will make a statement on the matter. [29959/11]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): There is no general scheme of financial support for the erection of memorials. In the context of the decade of centenaries, and in consultation with other Departments and agencies, I will consider an appropriate reflection of World War I in the commemorative programme.

An Teanga Gaeilge

286. **D'fhiafraigh Éamon Ó Cuív** den Aire Ealaíon, Oidhreachta agus Gaeltachta an dtacaíonn sé le moltaíó Fhoras na Gaeilge atá sa tSamhail Nua Mhaoinithe, moltaí a dhéanann neamhaird iomlán ar an saineolas, seantaithe agus bonneagar atá forbartha ag na heagraíochtaí Gaeilge le níos mó na 100 bliain anuas; agus an ndéanfaidh sé ráiteas ina thaobh. [30045/11]

287. **D'fhiafraigh Éamon Ó Cuív** den Aire Ealaíon, Oidhreachta agus Gaeltachta an bhfuil sé ar an eolas faoin dréachtmholadh sa tSamhail Nua Mhaoinithe a d'fhoilsigh Foras na Gaeilge ar a shuíomh gréasáin ar an 3 Deireadh Fómhair a chuireann iachall ar na heagraíochtaí a n-éiríonn leo scéimeanna a bhaint amach i Samhail Nua Mhaoinithe Fhoras na Gaeilge scaoileadh lena bhfoirne reatha, iomarcaíocht a íoc leo agus iad a athfhostú, má éiríonn leo sna hagallaimh,

ar théarmaí agus ar choinníollacha níos lú fabhar ná mar atá acu faoi láthair; agus an ndéanfaidh sé ráiteas ina thaobh. [30046/11]

288. **D'fhiafraigh Éamon Ó Cuív** den Aire Ealaíon, Oidhreachta agus Gaeltachta an bhfuil sé ar an eolas nach luaitear comórtas Ghlór na nGael, féile idirnáisiúnta Sheachtain na Gaeilge, clubanna náisiúnta Chumann na bhFiann, craobhacha agus coistí Chonradh na Gaeilge agus Comhluadar agus a lán eile a bhaineann le bonneagar phobal na Gaeilge sa tSamhail Nua Mhaoinithe atá curtha le chéile ag Foras na Gaeilge; agus an dtacaíonn sé le Foras na Gaeilge ag déanamh neamhaird iomlán ar an obair seo agus eile; agus an ndéanfaidh sé ráiteas ina thaobh. [30047/11]

Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley): Tógfaidh mé Ceisteanna Uimhreacha 286, 287 agus 288 le chéile.

Ag cruinniú den Chomhairle Aireachta Thuaidh Theas ar 12 Deireadh Fómhair, nótáladh an dul chun cinn atá déanta ag Foras na Gaeilge go dtí seo i ndáil le punann dréacht-scéimeanna a ullmhú don tsamhail mhaoinithe iomaíoch nua, a bhfuil sé mar sprioc aici tairbhí suntasacha luach ar airgead a bhaint amach agus dualgais reachtúla Fhoras na Gaeilge a chomhlíonadh go héifeachtach.

Iarradh ar Fhoras na Gaeilge roinnt céimeanna a thógáil chun an próiseas athbhreithnithe a thabhairt chun cinn, eadhon:

- tréimhse bhreise chomhairliúcháin 12 seachtain a chur ar fáil i ndáil le punann na ndrucht-scéimeanna, go háirithe leis na heagraíochtaí bunmhaoinithe;
- a chinntiú go dtabharfar deis do chomhlachtaí reachtúla bainteacha an tionchar a bheidh ag na dréacht-scéimeanna ar a réimsí feidhmiúcháin a bhreithniú;
- an punann dréacht-scéimeanna a leasú de réir mar is gá agus mar is cuí, ag féachaint don phróiseas comhairliúcháin leathnaithe;
- cás gnó mionsonraithe a ullmhú, le cúnamh neamhspleách más gá, chun tacú le punann na ndrucht-scéimeanna;
- plean tionscadail athbhreithnithe a ullmhú, i gcomhar leis na Ranna Urraíochta, a thabharfaidh aird mar is cuí ar chur i gcrích an phróisis athbhreithnithe mar bheart práinne; agus
- tuarascáil eile ar an dul chun cinn a sholáthar don chéad chruinniú eile den Chomhairle Aireachta Thuaidh Theas i mí Feabhra seo chugainn.

I bhfianaise na gcinntí sin, tuigfidh an Teachta nach mbeadh sé cuí domsa a bheith ag tabhairt mo bhreithiúnais maidir leis an samhail mhaoinithe nua i láthair na huaire.

Heritage Sites

289. **Deputy Bernard J. Durkan** asked the Minister for Arts, Heritage and the Gaeltacht the extent to which heritage buildings and sites throughout the country have been identified and protected and are accessible for tourism and educational purposes; if there are specific restrictions in respect of any particular sites; and if he will make a statement on the matter. [30135/11]

290. **Deputy Bernard J. Durkan** asked the Minister for Arts, Heritage and the Gaeltacht the extent, if any, to which he has in mind a programme to promote this country's heritage sites

[Deputy Bernard J. Durkan.]

and buildings internationally with a view to achieving economic benefit therefrom; and if he will make a statement on the matter. [30136/11]

296. **Deputy Bernard J. Durkan** asked the Minister for Arts, Heritage and the Gaeltacht the extent to which he has identified or located endangered heritage sites throughout the country; and if he will make a statement on the matter. [30143/11]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): I propose to take Questions Nos. 289, 290 and 296 together.

Under the provisions of Part IV (Architectural Heritage) of the Planning and Development Act 2000, each planning authority is required to include in its development plan a Record of Protected Structures. The making of an addition to, or deletion from, a Record of Protected Structures is a reserved function of the planning authorities. Section 53 of this Act also enables me, as Minister, to make recommendations to a planning authority concerning the inclusion of specific structures in the Record of Protected Structures and a planning authority must have regard to any such recommendations.

On the basis of information submitted by the planning authorities to my Department, there were 38,475 properties on the Record of Protected Structures of 88 planning authorities in 2010. Under the provisions of these Acts, inclusion in the Record of Protected Structures places a duty of care on the owners and occupiers of protected structures and also gives planning authorities powers to deal with development proposals affecting them and to seek to safeguard their future.

There are 2,908 monuments recorded in the Register of Historic Monuments and there are approximately 120,000 further monuments recorded in the Record of Monuments and Places and these are protected under the National Monuments Acts. Both the Record and the Register are maintained by my Department. 757 national monument sites are in the ownership or guardianship of the Minister for Arts, Heritage and the Gaeltacht. The number of individual monuments on these sites would be greater, since some contain more than one monument. The day-to-day operation of national monuments in State care is a matter for the Office of Public Works but, in general, monument sites owned by the Minister are publicly accessible, with 69 having visitor services provided by the Office of Public Works.

Sites designated by my Department for their natural heritage interest include 423 Special Areas of Conservation (SACs), 150 Special Protection Areas (SPAs), 155 Natural Heritage Areas (NHAs), 7 Refuges for Fauna, 78 Nature Reserves and 6 National Parks. Detailed information on these sites, including information on the nature conservation associated with each, is available on a county basis on the National Parks and Wildlife Service website at www.npws.ie.

Access to and use of protected structures and heritage sites are related in many cases to the nature of ownership and the decisions of the owners and occupiers as regards use.

In terms of heritage sites which may be endangered, it should be noted that the various designations set out above have been put in place to assist in the protection of these sites from potential threats, the extent of which may vary widely depending on a wide range of factors.

The Department of Transport, Tourism and Sport, and the relevant agencies under its remit, have responsibility for the promotion of Ireland generally as an attractive visitor location. Heritage sites, including national parks and national monuments, feature strongly in much of this promotion. In addition, my Department through, for example, the provision of important heritage inventories, the funding for the conservation and presentation of the built heritage,

and through support for the Heritage Council, assists in promoting greater appreciation and understanding of Ireland's heritage as a valuable amenity for residents and visitors alike.

Arts Policy

291. **Deputy Bernard J. Durkan** asked the Minister for Arts, Heritage and the Gaeltacht the degree to which he expects to be in a position to support the arts directly or through bodies under his aegis in the future; and if he will make a statement on the matter. [30138/11]

293. **Deputy Bernard J. Durkan** asked the Minister for Arts, Heritage and the Gaeltacht the extent to which he hopes to retain or provide incentives to encourage the arts at local, regional and national level; and if he will make a statement on the matter. [30140/11]

298. **Deputy Bernard J. Durkan** asked the Minister for Arts, Heritage and the Gaeltacht the extent to which he has received submissions for financial support directly or through the Arts Council for theatrical productions throughout the country; and if he will make a statement on the matter. [30145/11]

299. **Deputy Bernard J. Durkan** asked the Minister for Arts, Heritage and the Gaeltacht the steps he has taken or proposes to take to maximise and promote the arts as a means of generating economic and social benefits; and if he will make a statement on the matter. [30146/11]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): I propose to take Questions Nos. 291, 293, 298 and 299 together.

The Government's policy on the arts is to promote and strengthen the arts in all its forms, to increase access to and participation in the arts, and to make the arts an integral and valued part of our national life. I am continuing to work towards this goal with my Department and the agencies within its remit and I remain committed to securing the best possible level of funding for the arts sector.

As the Deputy will be aware, primary responsibility for the promotion of the arts at all levels throughout the country is devolved to the Arts Council. The Council is funded by my Department and is statutorily independent in its day to day operations, including funding decisions. The allocation to the Arts Council for 2011 is €65.127m. With regard to funding submissions for theatrical productions, the Deputy will appreciate that any such submissions would be for independent assessment and decision by the Arts Council. Any such potential applicants approaching my Department would be directed to the Arts Council as a matter of course.

The State appreciates and values the contribution the arts sector makes to the internationally renowned artistic reputation of this country. Within the current economic constraints, that investment in the arts, culture and creative sectors is more important than ever, having regard to the employment intensity of the sector. In the context of the 2012 Estimates, I will, of course, be endeavouring to maximise continuing Government support for the arts.

Question No. 292 answered with Question No. 55.

Question No. 293 answered with Question No. 291.

Question No. 294 answered with Question No. 61.

295. **Deputy Bernard J. Durkan** asked the Minister for Arts, Heritage and the Gaeltacht the degree to which he has promoted the national identity through arts and heritage on a monthly basis over the past year; and if he will make a statement on the matter. [30142/11]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): One of this Government's top priorities from its first day in office has been the promotion of the national identity abroad through arts, culture and heritage. This year in particular, Culture Ireland is spearheading *Imagine Ireland*, a special initiative to promote Irish arts in America, comprising some 1,200 Irish artists in more than 500 events across more than 40 US States.

Culture Ireland promotes our identity by mounting showcases and promotional missions at key international festivals and arts markets through the year and by operating a quarterly funding scheme for Irish arts events and projects abroad. It manages strategic initiatives in response to Government priorities, adding value to Presidential and Government Visits and St Patrick's Day initiatives and coordinating with other State Agencies on cross-promotion of arts events abroad. It also partners with resource organisations such as the Irish Film Institute and Ireland Literature Exchange to deliver targeted global promotion for each art form.

Since my appointment as Minister, in addition to *Imagine Ireland*, Culture Ireland's key showcases and promotions have included: in March, Irish music at South by Southwest Festival, Austin, Texas; in May, Irish dance at the Dublin Dance Festival and Irish film at the Cannes Festival; in August, the Venice Architecture Biennale and Irish theatre, dance, music and literature at the Edinburgh Festivals; and this month, Irish theatre at the Dublin Theatre Festival, Irish literature at Frankfurt Book Fair and Irish traditional music at Womex World Music Expo in Copenhagen.

Question No. 296 answered with Question No. 289.

Heritage Sites

297. **Deputy Bernard J. Durkan** asked the Minister for Arts, Heritage and the Gaeltacht the extent, if any, to which he has monitored an increase in the number of visitors at the most prominent heritage sites throughout the country; and if he will make a statement on the matter. [30144/11]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): There are indications that visitor numbers to National Parks did increase over the busy summer season this year in comparison with the same period last year. No final figures in this regard have been compiled by my Department. It should be noted that the management of the State's built heritage properties is a matter for the Office of Public Works.

Questions Nos. 298 and 299 answered with Question No. 291.

Book of Kells

300. **Deputy Sandra McLellan** asked the Minister for Arts, Heritage and the Gaeltacht his views on the possible relocation of the Book of Kells from Trinity College, Dublin, to Kells, County Meath; the contacts he has had with Trinity College regarding this proposition; and if he will make a statement on the matter. [29904/11]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): I have no statutory function in this matter and no contacts have been made by me in that regard.

Question No. 301 answered with Question No. 58.

Meitheal Forbartha na Gaeltachta

302. **D'fhiafraigh Peadar Tóibín** den Aire Ealaíon, Oidhreacht agus Gaeltachta an bhfuil sé i gceist aige, i gcomhairle an Roinn Comhshaoil, Pobail agus Rialtais Áitiúil, fiosrúchán a

dhéanamh agus tuairisc iomlán a thabhairt maidir leis na deacrachtaí atá ag an gcomhlacht MFG [30175/11]

Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley): Mar a thuigeann an Teachta, eascraíonn na deacrachtaí atá luaite aige as iniúchadh a rinneadh ar MFG ag Pobal, comhlacht a thagann faoi chúram na Roinne Comhshaoil, Pobail agus Rialtais Áitiúil. Tuigtear dom go bhfuil an Roinn sin agus Pobal ag scrúdú meicníochtaí a chinnteodh go leanfaí ag seachadadh na seirbhísí a bhíodh á soláthar ag MFG sa Ghaeltacht. Ní gá dom a rá go bhfuil súil agam go mbeifear in ann teacht ar réiteach den chineál sin chomh luath agus is féidir.

Questions No. 303 and 304 answered with Question No. 48.

Raidió na Gaeltachta

305. **D'fhiafraigh Peadar Tóibín** den Aire Ealaíon, Oidhreacht agus Gaeltachta cén todhchaí atá i ndán do sheirbhísí Raidió na Gaeltachta i gContae Mhaigh Eo [30178/11]

Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley): Is craoltóir neamhspleách seirbhíse poiblí RTÉ, a bhfuil a sainchúraimí agus a chuid dualgas leagtha síos san Acht Craolacháin 2009, agus níl aon fheidhm reachtúil agamsa mar Aire i ndáil le cúrsaí oibríochtúla RTÉ Raidió na Gaeltachta.

Acht na dTeangacha Oifigiúla

306. **D'fhiafraigh Peadar Tóibín** den Aire Ealaíon, Oidhreacht agus Gaeltachta cén dul chun chinn atá déanta aige ar mholtaí an Choimisinéara Teanga a chur i bhfeidhm [30179/11]

Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley): Glacaim leis go bhfuil an Teachta ag tagairt do na moltaí a rinne an Coimisinéir Teanga i dtuairisc a d'fhoilsigh sé níos luaithe i mbliana i ndáil leis an athbhreithniú atá beartaithe ar Acht na dTeangacha Oifigiúla 2003. Tá ullmhúcháin sa treis ag mo Roinn faoi láthair chun tús a chur leis an athbhreithniú ar an Acht i gcomhréir leis an ngealltanas atá sonraithe i gClár an Rialtais. Beidh próiseas comhairlúcháin le páirtithe leasmhara mar chuid den athbhreithniú agus, sa chomhthéacs seo, is cinnte go dtógfáir san áireamh na moltaí maidir leis an Acht Teanga atá foilsithe ag an gCoimisinéir Teanga. Tá súil agam fógra a dhéanamh go han-luath maidir le tús a chur leis an athbhreithniú ar Acht na dTeangacha Oifigiúla.

Scéim Labhairt na Gaeilge

307. **D'fhiafraigh Peadar Tóibín** den Aire Ealaíon, Oidhreacht agus Gaeltachta cén dul chun chinn atá déanta aige ar scéim nua a chur i bhfeidhm in ionad scéim labhairt na Gaeilge [30180/11]

Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley): Faoi mar a thug mé le fios i bhfreagraí ar Cheisteanna faoin ábhar céanna ar 22 Meitheamh agus ar 21 Iúil 2011, tá sé i gceist ag mo Roinnse córas nua tacaíochta a thionscnamh in áit Scéim Labhairt na Gaeilge. Faoi scéim nua atá beartaithe, ba mhaith le mo Roinn tacaíocht níos éifeachtaí a thabhairt do ghlúnta tuismitheoirí Gaeltachta chun cabhrú leo a gcuid páistí a thógáil trí mheán na Gaeilge. Ar ndóigh, bheadh an scéim úr fite fuaite go dlúth le haidhmeanna na Straitéise 20 Bliain don Ghaeilge 2010-2030. Tá oifigigh ó mo Roinn i dteagmháil leis an Roinn Cainteachais Phoiblí agus Athchóirithe i leith na scéime úire agus tá

[Deputy Dinny McGinley.]

súil agam go mbeifear in ann gníomhú ar an ábhar seo chomh luath is a bheidh na cainteanna sin thart.

Deontais Ealaíona

308. **D'fhiafraigh Peadar Tóibín** den Aire Ealaíon, Oidhreachta agus Gaeltachta cén todhchaí atá i ndán d'Ealaíon na Gaeltachta; agus an bhfuil maoiniú deimhnithe le haghaidh na bliana seo [30181/11]

Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley): Is fochuideachta de chuid Údarás na Gaeltachta é Ealaín (na Gaeltachta) Teo. a chuireann forbairt na n-ealaíon comhaimseartha agus traidisiúnta chun cinn i gceantair Ghaeltachta. Is é Údarás na Gaeltachta agus an Chomhairle Ealaíon a dhéanann an fochuideachta a chómhaoiniú. Tuigim ó Údarás na Gaeltachta go bhfuil maoiniú iomlán de €820,000 curtha ar fáil d'Ealaín (na Gaeltachta) Teo. don bhliain 2011 ar bhunús 50/50 ón Údarás agus ón gComhairle Ealaíon. Beidh maoiniú na fochuideachta in 2012 ag brath ar an gciste iomlán a bheidh ar fáil don Údarás agus ar na socrúithe cómhaoinithe a aontófar leis an gComhairle Ealaíon.

Forbairt Pobail

309. **D'fhiafraigh Peadar Tóibín** den Aire Ealaíon, Oidhreachta agus Gaeltachta cén todhchaí atá i ndán do na comharchumainn Ghaeltachta; agus an bhfuil maoiniú deimhnithe le haghaidh na bliana seo [30182/11]

Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley): Tuigim ó Údarás na Gaeltachta go bhfuil ciste de €1.86m ar fáil i mbliana chun deontais reachtála a íoc le tuairim is 30 comharchumann agus eagraíocht pobail atá ag feidhmiú sa Ghaeltacht. Beidh cinntí maidir le maoiniú na n-eagraíochtaí seo in 2012 ag brath ar an soláthar airgid a bheidh ar fáil don Údarás agus ar na tosaíochtaí straitéiseacha a mbeidh an soláthar sin dírithe orthu. Ní miste a lua fosta go n-aithnítear sa *Straitéis 20 Bliain don Ghaeilge 2010-2030* an tábhacht a bhaineann le rannpháirtíocht agus comhoibriú an phobail maidir le forbairt na pleanála teanga sa Ghaeltacht. Sa chomhthéacs seo, is léir go bhféadfadh ról dearfach a bheith ag na comharchumainn agus ag na heagraíochtaí pobail ag tacú le bearta ábhartha na Straitéise sa réimse pleanála teanga, ach iad a bheith ullmhaithe chuige sin.

An Cruinniú Aireachta Thuaidh-Theas

310. **D'fhiafraigh Peadar Tóibín** den Aire Ealaíon, Oidhreachta agus Gaeltachta an bhfuil tuairisc aige ar an gCruinniú Aireachta Thuaidh/Theas [30184/11]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): D'fhreastail mé féin agus an tAire Stáit, Donnchadh Mac Fhionnlaoich T.D., ar dhá chruinniú den Chomhairle Aireachta Thuaidh Theas in Ard Mhacha ar 12 Deireadh Fómhair 2011. Is éard a bhí i gceist ná an ceathrú cruinniú rannach déag d'Uiscebhealaí Éireann agus an tríú cruinniú rannach déag d'Fhoras Teanga na Comhairle Aireachta Thuaidh Theas. Bhí an tAire Cultúir, Ealaíon agus Fóillíochta, Carál Ní Chuilín MLA, agus Aire Sóisearach in Oifig an Chéad-Aire agus an LeasChéad-Aire, Jonathan Bell MLA, i láthair ag an gcruinniú thar ceann Fheidhmeannas Thuaisceart Éireann. Foilsíonn an Chomhairle Aireachta Thuaidh Theas comhráitis i ndiaidh na gcruinnithe seo ar a suíomh gréasáin. Is féidir na comhráitis ábhartha a fháil ag: <http://www.northsouthministerialcouncil.org/index/publications/joint-communications/sectoral-jc.htm>.

Maoiniú Acadamh na hOllscolaíochta Gaeilge

311. **D'fhiafraigh Peadar Tóibín** den Aire Ealaíon, Oidhreachta agus Gaeltachta cén todhchaí atá i ndán d'Acadamh na hOllscolaíochta Gaeilge; agus an bhfuil maoiniú deimhnithe le haghaidh na mblianta romhainn [30185/11]

Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley): I dtosach báire, ba mhaith liom a rá go luíonn an phríomhfhreagracht maidir le maoiniú Acadamh na hOllscolaíochta Gaeilge ar Ollscoil na hÉireann Gaillimh, i gcomhar leis an Údarás um Ard-Oideachas agus an Roinn Oideachais agus Scileanna. É sin ráite, tagann aidhmeanna, straitéis, gníomhaíochtaí agus cur chuige Acadamh na hOllscolaíochta Gaeilge go dlúth le sainchuspóirí mo Roinne sa Ghaeltacht. Sa chomhthéacs sin, bhí mo Roinn sásta ról tánaisteach a imirt chomh fada is a bhain sé le maoiniú na n-ionad Gaeltachta atá ag an Acadamh. Aithníonn mo Roinn an ról a d'fhéadfadh a bheith ag Acadamh na hOllscolaíochta Gaeilge i gcur i bhfeidhm na *Straitéise 20 Bliain don Ghaeilge 2010-2030* sa Ghaeltacht agus taobh amuigh den Ghaeltacht.

Mar is eol don Teachta, tá iniúchadh á dhéanamh, faoi stiúir na Roinne Caiteachais Phoiblí agus Athchóirithe, ar chaiteachas an Stáit faoin Athbhreithniú Cuimsitheach Caiteachais. Is sa chomhthéacs sin agus i gcomhthéacs an phróisis meastachán a dhéanfar cinntí sonracha maidir leis an mbealach is fearr le freastal a dhéanamh ar na héilimh éagsúla a bheidh ar mo Roinn, lena n-áirítear aon éileamh ón Acadamh don tréimhse atá romhainn.

Question No. 312 answered with Question No. 48.

Appointments to State Boards

313. **Deputy Mary Lou McDonald** asked the Minister for Arts, Heritage and the Gaeltacht the saving to the State if all State agency board members' annual payments were rescinded and instead board membership was awarded without remuneration. [30252/11]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): While the Deputy's Question is hypothetical, I can say that I am advised that the total annual cost of fees — where such are accepted — to board members of State agencies funded from my Department's Vote Group is estimated to be of the order of €838,000.

Broadcasting Services

314. **Deputy Kevin Humphreys** asked the Minister for Communications, Energy and Natural Resources his views on making it mandatory for subtitles to be available on news and current affairs television programs broadcast by television channels licensed by the Broadcasting Commission of Ireland for those who are deaf, in view of the fact that these were not available during a recent presidential debate of popular interest; and if he will make a statement on the matter. [29500/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The Broadcasting Authority of Ireland (BAI) has statutory responsibility for this matter. Under Section 43 (1)(c)(i) of the Broadcasting Act 2009, the Authority must prepare and, from time to time, revise rules with respect to the specific steps each broadcaster is required to take to promote the understanding and enjoyment by those who are deaf or have a hearing impairment of programmes transmitted on any broadcast service provided by the broadcaster. Information on such issues is obtainable from the Broadcasting Authority of Ireland and from their website *www.bai.ie*.

Telecommunications Services

315. **Deputy Dominic Hannigan** asked the Minister for Communications, Energy and Natural Resources the new rules governing electronic communication between politicians and members of the public; the means by which it is acceptable to ask members of the public to subscribe to communication from their public representative; if email address that were used for communication purposes before the new rules were enacted are still allowed to be used; and if he will make a statement on the matter. [29522/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The rules to which the Deputy refers are the European Communities (Electronic Communications Networks and Services) Privacy and Electronic Communications Regulations 2011, which I signed into law on 1 July 2011. These Regulations transpose the requirements of EU Directive 2002/58/EC concerning the processing of personal data and the protection of privacy in the electronic communications sector (ePrivacy Directive) as amended by the EU Directive 2009/136/EC (Citizens' Rights Directive).

Regulation 13 of the new Regulations seeks to protect individuals from receiving unsolicited communications for the purposes of direct marketing. This Regulation covers the making of unsolicited phone calls and the sending of unsolicited fax messages, email and SMS (text messages) for direct marketing purposes and gives individuals the right to prevent organisations from using electronic measures to contact them in order to sell a product or service. The requirement of this Regulation extends to all forms of marketing carried out by means of publicly available electronic communications services, including political canvassing.

Responsibility for enforcement of these Regulations falls to the Office of the Data Protection Commissioner and in this regard I would refer the Deputy to that Office for clarification on the means by which it is acceptable to ask members of the public to subscribe to communications from political representatives. The Deputy may be aware that in order to clarify the position in relation to the requirements of the Regulations I arranged for the Data Protection Commissioner to give a presentation to members of the Oireachtas. This presentation took place on 21 September 2011.

I understand that it would be acceptable to use an email address used for communication purposes before the new rules were enacted if the owner of the email address had consented to such use. Such communication would, of course, remain subject to the new rules as provided for in the Regulations.

Energy Prices

316. **Deputy Dominic Hannigan** asked the Minister for Communications, Energy and Natural Resources the stage at which negotiations for the price of the renewable energy feed-in tariff are at; the organisations that have made submissions to his Department on the pricing structure; when he expects an announcement to be made on the revised price; the number of energy projects currently being paid under the renewable energy feed-in tariff; the amount that each project is receiving; and if he will make a statement on the matter. [29555/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): There are two separate State Aid clearance processes under way with the European Commission in respect of the extension of the REFIT Scheme for the renewable energy technologies of onshore wind, landfill gas and hydro technologies and a new REFIT Scheme covering biomass technology categories.

I am advised that Commission decisions should be forthcoming in the coming weeks. On receipt of the Commission's decisions I will be seeking the Governments early approval to proceed to open the Schemes to applications.

My Department has maintained ongoing dialogue with the renewable energy sections in relation to the REFIT proposals and received correspondence from a number of organisations in that context.

The total Public Service Obligation for the 2011/2012 period is €92.12 million of which €35.78 million relates to 110 REFIT projects.

Broadcasting Services

317. **Deputy Noel Harrington** asked the Minister for Communications, Energy and Natural Resources if persons who are technically unable to view any Irish stations, receive an exemption from paying their television licence, in view of the fact that it is not used for that purpose; and if he will make a statement on the matter. [29580/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The legislation which takes effect in relation to the requirement to hold a television licence is provided for in Section 140 of the Broadcasting Act 2009 which defines a television set as “any electronic apparatus capable of receiving and exhibiting television broadcasting services broadcast for general reception (whether or not its use for that purpose is dependent on the use of anything else in conjunction with it) and any software or assembly comprising such apparatus and other apparatus”.

In effect, if you own a television set in Ireland, you must have a current television licence for that set. That said, if specific persons are unable to view Irish television stations, there may be a problem with the reception of the signal in these circumstances. Accordingly, this is a technical issue which the parties affected may seek to address with RTÉ Networks Limited who are charged with addressing these signal reception issues and I, as Minister have no function in this area.

Croke Park Agreement

318. **Deputy Simon Harris** asked the Minister for Communications, Energy and Natural Resources the position regarding the Croke Park agreement; if he has received implementation plans for this agreement from his Department and each State agency under his remit; the status of these implementation plans; the discussion he has had with the EU and IMF regarding the agreement; and if he will make a statement on the matter. [29681/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): Under the Public Service Agreement 2010-2014, detailed action plans have been developed by each State agency under the remit of my Department to underpin the change and reform process envisaged by the Agreement. The Action Plans were first developed in October 2010 and subsequently revised in January 2011.

Each agency was required to prepare their first detailed report on the progress being made in implementing their Action Plans last May and this formed part of the first annual review of the Agreement undertaken by the Implementation Body.

The second phase of progress reporting on the Agreement is underway at present. Sectors are due to submit updated progress reports to the Implementation Body during October. These reports will be examined by the Body and published on its website (www.implementationbody.gov.ie).

Pension Provisions

319. **Deputy Mary Lou McDonald** asked the Minister for Communications, Energy and Natural Resources the saving to the Exchequer if all existing public service pension payments to former employees of State agencies under the aegis of his Department were capped at €35,000 per year. [29776/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): I wish to advise the Deputy that the day to day running of the State agencies under my aegis is a matter for them and you should contact them directly with regard to the information sought.

Broadcasting Services

320. **Deputy Martin Ferris** asked the Minister for Communications, Energy and Natural Resources the procedures in place for members of the public to make complaints regarding television licence inspectors. [29962/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): An Post acts on behalf of my Department as agent for the collection of the Television Licence fee under Section 145 of the Broadcasting Act 2009. In accordance with An Post's procedures, if a member of the public wishes to make a complaint in relation to an An Post TV Licence Inspector, the member of the public is advised, in the first instance, to contact their local An Post TV Licence Records Office. A list of contact details for local TV Licence Records Offices is available on *www.anpost.ie*. All such complaints received in any of these offices are forwarded for the attention of the An Post Field Sales Manager. I am assured by An Post that the Field Sales Manager is obliged to follow up on all complaints, either by way of a phone call or in writing, depending on how the complaint is received. All complaints will be investigated with the TV Licence Inspector in question and appropriate action taken where necessary. An Post has also confirmed that, depending on the nature of the complaint, the matter may be escalated to the An Post Manager of TV Licence Services, where appropriate.

Energy Prices

321. **Deputy Brendan Ryan** asked the Minister for Communications, Energy and Natural Resources the position regarding Ireland's application for REFIT 2 and REFIT 3; when they are likely to be implemented; and if he will make a statement on the matter. [30017/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): There are separate State Aid clearance processes under way with the European Commission in respect of the extension of the REFIT Scheme for the renewable energy technologies of onshore wind, landfill gas and hydro technologies and a new REFIT Scheme covering biomass technology categories.

The Commission is currently completing assessments of the applications and I am advised that decisions should be forthcoming in the coming weeks.

On receipt of the Commission's decisions I will be seeking the Government's approval to proceed to open the Schemes to applications.

Departmental Expenditure

322. **Deputy Mary Lou McDonald** asked the Minister for Communications, Energy and Natural Resources the saving to the State if all State agency board members' annual payments were rescinded and instead board membership was awarded without remuneration. [30253/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): I can inform the Deputy that there are 18 State bodies under the aegis of my Department. Of these, 15 bodies have Boards that are currently being paid fees determined by the Minister for Public Expenditure and Reform, one Board receives no fees and two bodies do not have a Board. The following table details the position regarding the payment of board fees to Chairpersons

and Directors of both the commercial and non-commercial bodies under the aegis, if all positions were filled. However, at any given time, not all positions on all boards will be filled.

Body	Number of Positions	Board Fees Applicable	Total Fees Applicable to Board based on number of positions
Broadcasting Authority of Ireland	9	Chair: €8,978 Director: €5,985	€56,858
RTÉ	12	Chair: €31,500 Director: €15,750	€204,750
TG4	12	Chair: €21,600 Director: €12,600	€160,200
An Post	15	Chair: €31,500 Director: €15,750	€252,000
Digital Hub Development Agency ¹	14	Chair: €11,970 Director: €7,695	€112,005
Bord Gáis Éireann	9	Chair: €31,500 Director: €15,750	€157,500
Bord na Móna	12	Chair: €21,600 Director: €12,600	€160,200
EirGrid	10	Chair: €21,600 Director: €12,600	€135,000
ESB	12	Chair: €31,500 Director: €15,750	€204,750
Irish National Petroleum Corporation ²	5	Chair: €20,520 Director: €11,970	€56,430
National Oil Reserves Agency ²	6	Chair: €8,978 Director: €5,985	€26,933
Sustainable Energy Authority Of Ireland ²	12	Chair: €11,970 Director: €7,695	€88,920
Inland Fisheries Ireland ³	9	0	0
Loughs Agency ⁴	12	Chair: €11,970 Vice Chair: €9,830 Director: €7,695	€49,375
Ordnance Survey Ireland	10	Chair: €11,970 Director: €7,695	€81,225
Total			€1,746,146
The Mining Board	3	Fees apply to Chair only who is not in receipt of an annual fee, the following fees only apply whenever the Board sits: Fees per day for public and private sittings: €582.97 Fee per full day for any necessary attendance (other than sittings) in discharge of the Board's business: €200.93	

1. A strategic review of the DHDA is currently being undertaken by my Department. It is envisaged that the Review Process should be completed later this year. It will, inter alia, set out recommendations for the future of the Digital Hub and on the funding model. Following the review I will be in a better position to look at existing Board vacancies (which have remained unfilled since 2009) in the context of the DHDA at that time.

2. Public Servant serving as board member and is therefore not paid additional remuneration for such duties without the prior sanction of Dept of Public Expenditure and Reform. None of the public servants currently serving on the relevant boards are in receipt of a director's fee. There are 2 public servants on the board of NORA.

3. The Board members of Inland Fisheries Ireland are not currently in receipt of fees with effect from 1st July 2010.

4. The Board of the Loughs Agency comprises 12 members and the Irish Exchequer pay half of the cost of their fees. Each member receives a stipend of €7,695 (£5,235) per annum, the vice chair receives €9,830 (£6,690) and the Chair €11,970 (£8,140).

Departmental Funding

323. **Deputy Jim Daly** asked the Minister for the Environment, Community and Local Government if his attention has been drawn to the negative effects that the freeze on Leader funding in November 2010 is having on the development and expansion of small food producers across the west Cork area; if he is considering any alternative scheme to assist persons who are considering developing a food-related project; and if he will make a statement on the matter. [29931/11]

350. **Deputy Jim Daly** asked the Minister for the Environment, Community and Local Government the current status in relation to funding to local development partnerships after the freeze on Leader funding in November 2010; if his attention has been drawn to the effects of this lack of funding, particularly in relation to the growth and expansion of the small food producers market in the west Cork area; and if he will make a statement on the matter. [29930/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 323 and 350 together.

The Rural Development Programme 2007-2013 (RDP) is divided into 4 Axes. Axis 1 deals with competitiveness of the agricultural sector, Axis 2 aims to improve the countryside and environment and the objectives of Axis 3 are to support the diversification of the rural economy and improve the quality of life in rural areas. Axis 4 or the LEADER Axis provides support for the use of a “bottom up” approach to development which ensures that local people are involved in the decision making thereby facilitating sustainable development in a more inclusive way. In Ireland the LEADER approach is used to implement Axis 3 measures.

A significant number of projects funded under the previous LEADER+ programme (2000-2006) and under the Diversification and Business Creation measures of the current RDP involve support for enterprise initiatives that add value to agrifood products. Basic Agricultural products are listed in Annex 1 to the EC Treaty and are commonly called Annex 1 products. Under the main Rural Development Regulation 1698/2005 support/grant aid for adding value to Annex 1 products is facilitated under Axis 1 of the programme. At the start of this year Ireland was notified by the European Commission that support/grant aid for adding value to agrifood products is not eligible under Axis 3 but rather under Axis 1 as detailed in the regulation. As a result of this, grant aid under Axis 3 of the RDP for this type of activity is currently suspended.

A significant part of enterprise activity in rural areas focuses on food and food-related businesses and the continued provision of support for these businesses is critical as we look to ways to generate employment in rural Ireland. I am aware that the West Cork area has a particularly strong history of food related business and that the suspension of the support under Axis 3 has impacted on the area. My Department is aware of the seriousness of this issue and is continuing to work with the Department of Agriculture, Food and the Marine to seek a solution as soon as possible.

I am not in a position to make any decisions regarding additional funds for the types of project referred to at this time. Any such decision will be made in the context of the overall budgetary situation in due course.

Proposed Legislation

324. **Deputy Seán Kenny** asked the Minister for the Environment, Community and Local Government his views on anti-social graffiti; the feasibility of the setting up of a licensing

system for the purchase of spray paint in order to reduce the availability of it in order to reduce anti-social graffiti; and if he will make a statement on the matter. [29490/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I am aware of the major blight on communities caused by graffiti. To this end and in order to support efforts to tackle the issue, I have made available funding of €1 million to local authorities under the anti-litter and anti graffiti grant scheme for 2011.

It is a matter for the relevant local authorities to apply for funding for suitable projects under the scheme. To be eligible, projects must heighten awareness and educate the public on the damaging effects that graffiti cause in a community.

I have no plans to introduce a licensing system for the purchase of spray paint to limit availability of the product.

Local Authority Funding

325. **Deputy Joan Collins** asked the Minister for the Environment, Community and Local Government if his attention has been drawn to the fact that when Sligo County Council sought and received sanction from him for a term loan of €15 million in 2010 it stated in its application that the purpose to which the loan was to be applied was “to fund balances on our capital account that remain unfunded — Water Investment Projects awaiting Special Development Levies, Asset purchases completed in advance of Gateway funding and project balances, along with our Revenue Account Deficit”; if his further attention has been drawn to the fact that the loan was not in fact applied to the revenue account deficit of €7.5 million and the deficit was carried forward into the following year; his views on whether he was misled by Sligo County Council and if he finds such behaviour acceptable, in view of the fact that the council had a total closing overall deficit balance of €9,981,616 on 31 December 2010; and if he will make a statement on the matter. [29537/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): It is a matter for each local authority, including Sligo County Council, to manage its own day-to-day finances in a prudent and sustainable manner. All local authorities are required under legislation to adopt a balanced budget. I am aware of the total closing overall deficit balance of Sligo County Council for the year ended 31 December 2010. I am also aware of the sanction provided on 19 July 2010 to Sligo County Council for a term loan of €15m.

My Department will meet shortly with the County Manager and the Head of Finance in Sligo County Council to discuss the application of the €15m loan funding and to further explore the financial position of the Council including the need to ensure that appropriate arrangements are in place to reduce the deficit over time.

326. **Deputy Joan Collins** asked the Minister for the Environment, Community and Local Government the funding he allocated for the regeneration of Cranmore estate, Sligo, between 2004 and 2011; the amount spent in each year on the regeneration programme; and if he will make a statement on the matter. [29540/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose): Since 2006, my Department has recouped some €14.8 million to Sligo Borough Council in respect of the regeneration project for Sligo, which includes the Cranmore estate. Recoupments in 2006 and 2007 amounted to €1.376 million and €4.061 million respectively and these amounts were funded out of the Council’s overall remedial works allocations for those years.

[Deputy Willie Penrose.]

Details of the allocations made to Sligo Borough Council under my Department's national regeneration programme over the period 2008 to date, together with details of the amounts recouped, are set out in the following table:

Year	Allocations €000's	Amounts Recouped €000's
2008	€7,500	€5,158
2009	€4,500	€3,282
2010	€3,500	€0,488
2011 to date	€2,000	€0,459

Private Rented Accommodation

327. **Deputy Dara Calleary** asked the Minister for the Environment, Community and Local Government if it is a prerequisite for each landlord to have up-to-date registration with the Private Residential Tenancies Board; and whose responsibility it is to enforce this registration. [29574/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose): The Residential Tenancies Act 2004 provides that every landlord of a dwelling to which the Act applies shall apply to the Private Residential Tenancies Board (PRTB) to register the tenancy of the dwelling.

It is a matter for the PRTB to enforce tenancies' registration requirements in accordance with the provisions of the Act, specifically sections 144 and 145 which provide for the issuing of notices to landlords and/or occupiers of the dwellings in question and the prosecution of offenders for non-compliance with the registration requirement. Under section 9 of the Act, a person guilty of an offence is liable on summary conviction to a fine or imprisonment for a term not exceeding 6 months or both.

328. **Deputy Robert Dowds** asked the Minister for the Environment, Community and Local Government the course of action available to a private landlord under the circumstance in which the landlord has served a legal eviction notice on a tenant and the tenant refuses to leave when the notice has expired; and if he will make a statement on the matter. [29576/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose): The Residential Tenancies Act 2004 regulates the tenant-landlord relationship in the private rented residential sector. The Act sets out the obligations of tenants and landlords in the sector and the Private Residential Tenancies Board (PRTB) is the independent statutory body charged with the administration of the Act and the enforcement of those obligations, as necessary.

The PRTB offers a dispute resolution service in relation to the majority of landlord and tenant disputes in the sector and parties to a dispute can apply for dispute resolution via either adjudication or mediation. Section 78(1)(j) of the Act provides that a landlord of a dwelling, who has registered the tenancy under Part 7 of the Act, may refer a complaint for resolution to the PRTB where there is an alleged failure by the tenant to offer up vacant possession of the dwelling on foot of receipt by him or her of a notice of termination validly served by the landlord.

Further information on the PRTB's dispute resolution services, including a downloadable dispute resolution application form, is available on its website at *www.prtb.ie*. The fee for dispute resolution is €25.00.

Harbours and Piers

329. **Deputy Brendan Griffin** asked the Minister for the Environment, Community and Local Government the position regarding a project (details supplied) in County Kerry; and if he will make a statement on the matter. [29585/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose): To the extent that my Department is involved with the project concerned, the necessary foreshore leases and licences were executed in December 2010.

Building Regulations

330. **Deputy Thomas P. Broughan** asked the Minister for the Environment, Community and Local Government his plans to ensure the safety of residents of Priory Hall estate in Donaghmede, Dublin 13, in view of the fact that the management company has informed residents that it cannot get insurance for the complex and that a company (details supplied) has refused to provide cover; and if he will make a statement on the matter. [29588/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Following an application by Dublin City Council, a High Court Order was granted on 14 October 2011 for the evacuation of the development at Priory Hall on the grounds that the development is unsafe. I understand that at a further hearing on 17 October 2011 the developer has committed to carrying out a schedule of necessary remedial works in the coming weeks. Dublin City Council has also made arrangements for the temporary accommodation of the affected residents. I am satisfied that Dublin City Council is dealing proactively with this matter in line with the standard arrangements in place for the discharge of its statutory functions.

Waste Management

331. **Deputy Dara Calleary** asked the Minister for the Environment, Community and Local Government his plans for the restructuring of the waste sector here. [29618/11]

332. **Deputy Dara Calleary** asked the Minister for the Environment, Community and Local Government his plans to introduce franchise bidding to the waste sector here; if his attention has been drawn to the implications such an approach will have on employment, on consumer choice and on costs to businesses and the consumers; and if he will make a statement on the matter. [29619/11]

340. **Deputy Eric Byrne** asked the Minister for the Environment, Community and Local Government his views on whether, with the application of the €50 per tonne landfill levy being demanded from customers in the private domestic market irrespective of the number of bins left for collection, a charge per weight would be more appropriate for those who are dedicated to recycling; and if he will make a statement on the matter. [29734/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 331, 332 and 340 together.

The Programme for Government contains a commitment to introduce competitive tendering for household waste collection, under which service providers will bid to provide waste collection services in a given area, for a given period of time and to a guaranteed level of service. A

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public consultation on the issues involved, designed to inform the policy development process, has recently concluded. The responses received are being examined and I intend to bring policy proposals to Government before the end of the year. Issues such as costs to households and businesses, consumer choice and employment impacts will be among the issues for consideration in this context.

The landfill levy is chargeable on waste presented for disposal at landfill facilities. The increase in the levy to €50 per tonne, which I recently introduced, is intended to send a strong price signal to the producers, collectors and managers of waste, to alter behaviour and to encourage a shift away from landfill to more sustainable management of waste. Further increases in the levy are also planned, to €65 per tonne in 2012 and €75 per tonne in 2013. I hope to see significantly improved levels of prevention, recovery, recycling and reuse of waste as a consequence of these increases.

As the waste collection market is currently structured, the pricing schemes used by private waste collectors are a matter for determination as between the service providers and consumers of the service, subject, of course, to a service provider's collection permit and other legal responsibilities being complied with. The relative merits of different pricing schemes, including schemes which include a pay-by-weight component, will also be among the issues considered during the Government's deliberations on the future approach to regulating household waste collection markets.

Social and Affordable Housing

333. **Deputy Dara Murphy** asked the Minister for the Environment, Community and Local Government how costs may be recovered with regard to a social housing scheme (details supplied) in County Cork, as the local authority has decided not to proceed with the scheme; and if he will make a statement on the matter. [29649/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose): In March 2009, Cork City Council submitted an outline proposal to my Department to purchase a number of houses in a private residential development being progressed by the person referred to. My Department subsequently raised concerns with the City Council in relation to a number of issues including the design of the houses, the location of the site and the existing high concentration of social housing in the immediate area.

My Department understands the Council's proposal to acquire the properties was not progressed and that the development is currently unfinished and in a derelict state. The resolution of any outstanding issues in relation to the Council's dealings with the developer are entirely a matter for the two parties concerned. My Department has advised the Council to explore all opportunities to bring the matter to a satisfactory close as soon as possible.

Local Authority Housing

334. **Deputy Simon Harris** asked the Minister for the Environment, Community and Local Government the number of persons in local authority housing in rent or mortgage arrears for 2005, 2006, 2007, 2008, 2009, 2010 and to date in 2011; and if he will make a statement on the matter. [29659/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose): I refer to the reply to Question No. 366 of 27 September 2011. My Department has since 2008 collected data on rent arrears, calculated by the total monetary

amounts and not by individual persons or households, owing to local authorities and those data were set out in the above-mentioned reply.

My Department has recently commenced the collation of data from local authorities on the number of loans in arrears broken down by the length of time in arrears. The data to mid-2011 indicate that 6,197 such loans are in arrears of more than 90 days which represents 26.8% of the total number of loans.

The use of 90 days as a comparative metric in considering the level of arrears is consistent with the approach adopted by the Central Bank in compiling information in respect of private lenders' loans. The Central Bank's data show that 16.17% of mortgages in the private sector are now either in arrears for more than 90 days or have been restructured. It is to be expected that the rate of arrears among local authority mortgage holders would be higher than the rate of arrears generally given local authorities' position as lenders of last resort.

Public Sector Staff

335. **Deputy Simon Harris** asked the Minister for the Environment, Community and Local Government his views on a derogation from the public service moratorium for a position (details supplied), in view of the fact that the failure to recruit for this position would necessitate the winding up of the organisation as it will have no staff; and if he will make a statement on the matter. [29660/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The moratorium on recruitment and promotion in the public service was introduced in March 2009 following a Government decision to implement savings measures across the wider public service. The emergency measure was introduced as a response to the financial crisis facing the State.

The terms of the moratorium are quite explicit and provide that 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. When vacancies arise public bodies must reallocate or reorganise work or staff accordingly. Any exceptions to this principle, which will arise in very limited circumstances only, require prior sanction.

My Department received a delegated sanction from the Department of Finance in August 2009 for implementation of this general moratorium on the filling of public sector posts across all local authorities. This is on condition that the overall staffing levels in the sector are reduced in line with the Employment Control Framework.

Under section 159 of the Local Government Act 2001, each County and City Manager is responsible for staffing and organisational arrangements necessary for carrying out the functions of the local authorities for which he or she is responsible. In this regard, it is a matter for County and City Managers, in the first instance, to ensure that the reduction in staff numbers is managed so that the appropriate service level is maintained.

My Department works very closely with local authorities to ensure that critical posts are filled while overall numbers are reduced. All staffing sanction requests are examined on a case by case basis having due regard to the continued delivery of key services and the need to further reduce overall staffing levels and expenditure in the local authority sector.

Local authorities have been early movers in terms of staff reductions with over 6,900 whole time equivalent staff leaving the sector since June 2008. The reduction of staff in local authorities is a net figure as given the nature of the front line services provided such as fire and emergency services, road and water services, beach supervision in summer months and other

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temporary seasonal services, some sanctions for exceptions to the moratorium need to be, and are, regularly approved. In this regard my Department has processed some 2,264 such requests since 2009.

In considering sanction requests public safety, maintaining key front-line services and economic issues are given precedence as is the requirement to avoid increases in overall staffing levels. Contract posts are favoured as they allow flexibility in this most challenging period for Ireland's economy. In the very exceptional situation that a post is to be filled permanently all redeployment options must be fully exhausted before recruitment can be countenanced.

In relation to the particular post referred to in Question No. 335, it was considered, in the particular circumstances, that the creation of an additional permanent post was not justified. The Department advised the relevant Council that it would be more appropriate if the post was filled internally via redeployment or through the re-organisation or reallocation of work to meet requirements.

Local Authority Housing

336. **Deputy Simon Harris** asked the Minister for the Environment, Community and Local Government the number of house repossessions from local authority borrowers in County Wicklow for each of the years 2005, 2006, 2007, 2008, 2009, 2010 and to date in 2011; and if he will make a statement on the matter. [29661/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose): Repossession remains extremely rare for local authority borrowers with only 128 repossessions across all local authority areas carried out in the period 2005-2010. During that period Wicklow County Council carried out only three repossessions. Two of these cases were voluntary surrenders in 2010. The other repossession took place in 2008. Clearly, where repossession does occur it is a last resort and my Department is aware that it generally involves those households in arrears who refuse to engage with the local authority lender.

Local Authority Expenditure

337. **Deputy John McGuinness** asked the Minister for the Environment, Community and Local Government the value of the debt owed to central Government by each local authority; and if he will make a statement on the matter. [29695/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): In 2011 local authorities have budgeted to spend some €7bn in total between current and capital programmes. The main sources of funding include current and capital income, grants and subsidies. In addition, limited debt finance is available to local authorities as necessary to finance their expenditure.

The information requested, which relates to debt owed to central government, is set out in the table and refers to loans advanced through the Local Loans Fund which is operated by the Office of Public Works under the aegis of the Minister for Finance. 2009 is the latest year for which audited information is available.

	€
Carlow	1,189,347
Cavan	1,794,297
Clare	755,711

	€
Cork	5,110,536
Donegal	1,052,156
Fingal	117,083
Dún Laoghaire-Rathdown	82,921
Galway	1,058,825
Kerry	1,349,253
Kildare	117,589
Kilkenny	298,151
Laois	61,955
Leitrim	861,526
Limerick	418,640
Longford	762,001
Louth	2,262,160
Mayo	2,238,364
Meath	62,521
North Tipperary	416,262
Offaly	88,154
Roscommon	1,740,833
Sligo	16,620
South Dublin	248,449
South Tipperary	748,764
Waterford	129,646
Westmeath	884,269
Wexford	1,079,290
Wicklow	2,376,012
Subtotal	27,321,337
<i>City Councils</i>	
Cork	847,552
Galway	213,162
Limerick	190,161
Waterford	65,743
Subtotal	1,316,618
<i>Town & Borough Councils</i>	
Clonmel	294,287
Drogheda	685,499
Kilkenny	222,029
Sligo	94,020
Wexford	47,996
Arklow	79,631
Athlone	130,974
Ballina	107,465
Bray	205,262
Carrick on Suir	24,718
Dundalk	1,000,143
Dungarvan	54,774
Enniscorthy	4,978

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	€
Kells	64,509
Letterkenny	12,470
Tipperary	115,689
Tullamore	15,061
Wicklow	101,033
Sub Total	3,260,538
Total	31,898,493

Election Management System

338. **Deputy Niall Collins** asked the Minister for the Environment, Community and Local Government when a person who has been denied a position as polling clerk for the forthcoming presidential election and referendum may appeal this decision of the local returning officer; and if he will make a statement on the matter. [29718/11]

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

The primary role of my Department in electoral matters is to provide an appropriate policy and legislative framework for a modern and efficient electoral system. Within that framework, local returning officers are responsible for all matters in connection with the actual conduct of elections and referenda, including the selection, appointment and training of polling station and count staff in accordance with the relevant provisions of electoral law.

To assist returning officers, my Department issues guidance to them in advance of each election and referendum. The guidance emphasises that the smooth conduct of polls is dependent on maintaining a cadre of sufficiently skilled and experienced people. Having regard to that overall objective, returning officers are advised to employ competent and efficient persons as polling staff and asked to give consideration, where possible, to employing suitable persons who are unemployed.

Water and Sewerage Schemes

339. **Deputy Jim Daly** asked the Minister for the Environment, Community and Local Government the position regarding the proposed upgrade of the Courtmacsherry sewage collection system, County Cork: if he will consider having a brief meeting with a small delegation so that they may impress their case upon him; and if he will make a statement on the matter. [29719/11]

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

The Water Services Investment Programme 2010-2012, a copy of which is available in the Oireachtas Library, provides for the development of a comprehensive range of new water services infrastructure in County Cork. The Courtmacsherry/Timoleague Sewerage Scheme is included among the contracts to start during the life of the programme.

My Department approved a revised Preliminary Report for Phase 1 of this scheme in December 2010. Approval of the Preliminary Report allows the Council to advance the project. The next step for the Council is to procure consultants to undertake the preparation of contract documents for the scheme. I understand that the Council has commenced that process.

As this scheme is currently being dealt with by the local authority, it might be more beneficial for the delegation to seek a meeting in the first instance with Cork County Council.

Question No. 340 answered with Question No. 331.

Local Government Appointments

341. **Deputy Patrick O'Donovan** asked the Minister for the Environment, Community and Local Government if he is satisfied that there is no conflict of interest in relation to the membership of organisations (details supplied); and if he will make a statement on the matter. [29737/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I am not aware of any conflict of interest in relation to the membership of the organisations in question.

The appointment of members to the Limerick Reorganisation Implementation Group was based, *inter alia*, on their specific working knowledge of local government in Limerick; experience in local government and organisational matters generally; expertise in business and development matters in Limerick and the broader region; and the desirability of providing continuity of approach in terms of membership of the Mid-West Task Force and the 2010 Limerick Local Government Committee.

Waste Management

342. **Deputy Alex White** asked the Minister for the Environment, Community and Local Government, in view of the irreparable damage caused to the long-term sustainability of a number of small businesses which have experienced a 93% market reduction since the plastic bag levy was introduced in 2002, if he is willing to consider negotiating a modest compensation scheme for those businesses who have lost a core revenue resource as a result; and if he will make a statement on the matter. [29739/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Prior to the introduction of the plastic bag levy, a two-month consultation period was provided to give interested parties an opportunity to make comments or observations in relation to the draft regulations. The Department examined the submissions that were made, to see if the draft regulations needed to be adjusted before they were finalised. On foot of the examination of the submissions received, several changes were made, such as the deferral of the introduction of the levy until 4 March 2002. Final regulations were introduced on 19 December 2001.

Having considered the implications of the levy for the suppliers of plastic bags, it was decided not to offer any form of compensation to those adversely affected by the levy. There has been no change in this position and therefore there is no compensation scheme available for those businesses affected by the levy.

The plastic bag levy was introduced primarily as an anti litter measure and has been an outstanding success since its introduction on 4 March 2002.

Plastic bag consumption had increased substantially in Ireland in the 1990s. One of the most significant side effects of this trend was the careless disposal of plastic bags by consumers after use — a significant proportion of which ended up as highly visible components of litter and also became highly persistent pollutants in urban, rural and coastal settings. This trend was also undermining Ireland's clean, green image on which the Irish tourism industry depends.

The fall in the consumption of plastic bags from 328 bags per capita prior to the introduction of the levy, to an estimated 18 bags per capita in 2010, demonstrates how successful the levy has been. The most recent survey data available for 2010 from the National Litter Pollution Monitoring System show that plastic bags now constitute approximately 0.25% of litter pol-

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lution nationally compared to approximately 5% of litter arising prior to the introduction of the levy.

Tax Code

343. **Deputy Timmy Dooley** asked the Minister for the Environment, Community and Local Government if he will clarify the exemptions on the second home tax and particularly the exemption on nearby second homes; if this exemption or waiver applies to urban and rural second homes; if there is any provision for an exemption based on the occupant's status, age, health etc.; and if he will make a statement on the matter. [29749/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The legislation providing for the charge on non-principal private residences is the Local Government (Charges) Act 2009. Section 2 of the Act provides for the exclusion of certain buildings from the charge as follows:

- a) certain heritage buildings approved under section 482 of the Taxes Consolidation Act 1997;
- b) newly constructed but unsold buildings that form part of the trading stock of a business;
- c) a building let by the Government, a housing authority and the Health Service Executive;
- d) a building occupied under a shared ownership lease within the meaning of section 2 of the Housing (Miscellaneous Provisions) Act 1992;
- e) a building let by a voluntary housing body;
- f) a building leased under the Rental Accommodation Scheme;
- g) a building leased to the Health Service Executive; and
- h) a building in respect of which commercial rates are paid.

Section 4 of the Act provides for exemptions from the charge as follows:

- a) a building which is occupied by an individual as his or her sole or main residence;
- b) a building partly occupied by a person as his or her sole or main residence and in respect of which that person is entitled to and is claiming relief under the provisions of the Rent-a-Room Scheme;
- c) residential property of discretionary trusts or corporate bodies that are accorded charitable status;
- d) an owner of residential property who is in the process of moving house on a liability date and for that reason owns two properties for a relatively short period;
- e) where a divorce or separation has been granted on or before a liability date in respect of a marriage and one party continues to reside in the family home as their sole or main residence but the other party, (a co-owner with the other spouse) does not;

f) where a person who owns a principal private residence vacates the dwelling in question because he or she is long term incapacitated as a result of physical or mental illness; and

g) where a 'granny flat' is occupied rent free by a relative of the owner of both the granny flat and the principal residence and the properties concerned are on the same property or within 2 kilometres of each other.

The 'granny flat' provision was provided to principally cater for situations in which accommodation might be provided for a parent by a son or daughter, and follows precedent from Revenue legislation dealing with the home carer tax credit. The exemption applies generally and there are no distinctions as to urban or rural residential property or in relation to the status, age or health of a relative.

Local Authority Charges

344. **Deputy Jerry Buttimer** asked the Minister for the Environment, Community and Local Government the number of court cases to recover unpaid commercial rates initiated by local authorities in each of the past three years; and if he will make a statement on the matter.

[29750/11]

345. **Deputy Jerry Buttimer** asked the Minister for the Environment, Community and Local Government the number of judgments awarded in favour of the local authorities and the amount secured by such judgments in court cases to recover unpaid commercial rates initiated by local authorities in each of the past three years; and if he will make a statement on the matter. [29751/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 344 and 345 together.

I have no function in relation to the matters raised in the Questions and the information requested is not available in my Department.

346. **Deputy Jerry Buttimer** asked the Minister for the Environment, Community and Local Government the criteria used by local authorities when determining which unpaid commercial rates are to be written off as bad debts; and if he will make a statement on the matter.

[29752/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The levying and collection of rates are matters for each individual local authority. As with all local charges, the invoicing and collection of due amounts is a matter for the local authority concerned to manage in the light of prevailing local circumstances and in accordance with normal accountancy procedures. In accordance with the Local Authority Accounting in Ireland Code of Practice and Accounting Regulations issued by my Department in December 2009 under section 107 of the Local Government Act 2001, local authorities are required to make provision for doubtful debts and to write off known uncollectible debts.

Pension Provisions

347. **Deputy Mary Lou McDonald** asked the Minister for the Environment, Community and Local Government the saving to the Exchequer if all existing public service pension payments to former employees of State agencies under the aegis of his Department were capped at €35,000 per year. [29779/11]

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

The capping of existing pensions of former employees of State agencies would involve changes to terms and conditions and is a policy matter for the Department of Public Expenditure and Reform.

Regeneration Projects

348. **Deputy Peadar Tóibín** asked the Minister for the Environment, Community and Local Government the cost of the original regeneration tenders for projects (details supplied).
[28877/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose): I refer to the reply to Question No. 334 of 11 October 2011, setting out the current position in relation to the national regeneration programme and the individual regeneration projects being progressed in Limerick City and in Dublin at St Michael's Estate, O'Devaney Gardens, Dominick Street and Dolphin House.

Dublin City Council previously intended carrying out the regeneration of St. Michael's Estate, O'Devaney Gardens, St. Teresa's Gardens and Dominick Street by way of a Public Private Partnership (PPP). Under these arrangements a significant mixed use development using local authority land assets would have been delivered at no net cost to the Exchequer. By their nature, PPP housing and mixed use projects required a lengthy and complex procurement process. By late 2008 the downturn in the housing market and wider economic conditions had made the original plans for the PPP projects at these locations unviable and, although preferred bidders had been selected for the redevelopment of St. Michael's Estate, O'Devaney Gardens and Dominick Street, these projects were suspended. The detailed information set out in the tender process is not available in my Department. The proposed PPP at St. Teresa's Gardens was still at a very early stage and, in light of the prevailing conditions, the PPP procurement process was also suspended at this location.

Given the pressing need for regeneration in the Dublin city flat complexes, the City Council, with support from my Department, established a multi-disciplinary Special Housing Taskforce to examine the alternative options for the redevelopment of these complexes and, in particular, for the fast tracking of the relocation of households from poor accommodation to better accommodation. Initially, the taskforce prioritised the projects at St. Michael's Estate, O'Devaney Gardens and Dominick Street and developed alternative masterplans that recognised the greater involvement of public sector finance. It is clear that the Exchequer would not be in a position to fully support the original, ambitious masterplans, involving as they did a range of private housing, commercial and office facilities, as well as social housing and community facilities. To date, my Department has provided support for the construction of phase 1 of St. Michael's Estate, for the relocation of households from O'Devaney Gardens to facilitate the demolitions that are now well advanced, and relocations and demolitions at Dominick Street. Planning permission was granted in summer 2011 for O'Devaney Gardens and is pending for Dominick Street, with a decision expected this month. The full costs of the projects will not be available until after the tender process is completed. My Department approved funding of €5.8 million for the first phase of St. Michael's Estate. This is currently under construction.

With regard to the redevelopment of the Charlemont Flat Complex, this remains the City Council's only PPP housing project. Planning permission for a mixed use development with residential units, offices, retail units, restaurants, community sports facilities and a cinema was granted earlier in 2011 and the Council continues to progress the procurement process. It is not possible to estimate the total cost of the project at this stage in the process. However, such

projects continue to be based on the leveraging of land assets to deliver mixed-use developments which include social housing at no net cost to the Exchequer.

Dublin City Council has also been progressing an area-wide improvement programme in Cherry Orchard based on the principles of a holistic approach to building sustainable communities. This approach has delivered social, economic and physical improvements to the area, and has involved a range of stakeholders including local community and business interests as well as the City Council. This improvement programme has been delivered by the City Council outside of the National Regeneration Programme.

Closed Circuit Television Systems

349. **Deputy Dara Calleary** asked the Minister for the Environment, Community and Local Government the number of CCTV projects that have been funded through the RAPID programme; the location of these projects; and the amount spent on each one. [29926/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Details of approvals for CCTV-related projects (37 in total) that have been funded through the RAPID programme, with co-funding from the Department of Justice and Equality, are listed in the table below.

Community-Based CCTV Scheme

CCTV No.	RAPID Area	Budget Department of Justice and Equality	Budget Department Environment, Community and Local Government	Total Award
CCTVR2Con05	Waterford City	€100,000.00	€100,000.00	€200,000.00
CCTVR2Con11	Cavan Town	€88,589.00	€88,589.00	€177,178.00
CCTVR2Con12	Dublin City (Liberties)	€99,415.00	€99,415.00	€198,830.00
CCTVR2Con14	New Ross, Wexford	€85,142.50	€85,142.50	€170,285.00
CCTVR2Con15	Cork City	€76,706.50	€76,706.50	€153,413.00
CCTVR2Con18	Dublin North West Inner City	€100,000.00	€100,000.00	€200,000.00
CCTVR2Con09	Kilkenny City	€54,664.50	€54,664.50	€109,329.00
CCTVR2S204	Longford Town	€87,096.50	€87,096.50	€174,193.00
CCTVR2S213	Drogheda, Louth	€84,330.50	€84,331.50	€168,661.00
CCTVR2S218	Dublin City — St Teresa's Gardens	€100,000.00	€100,000.00	€200,000.00
CCTVR2S219	Balcurris — Ballymun	€100,000.00	€100,000.00	€200,000.00
CCTVR2S220	Poppintree — Ballymun	€100,000.00	€100,000.00	€200,000.00
CCTVR2S221	Coultry — Ballymun	€100,000.00	€100,000.00	€200,000.00
CCTVR2S222	Sillogue — Ballymun	€100,000.00	€100,000.00	€200,000.00
CCTVR2S223	Shangan — Ballymun	€100,000.00	€100,000.00	€200,000.00
CCTVR2S229	Ennis, Clare	€99,893.00	€99,893.00	€199,786.00
CCTVR2S231	Dundalk, Louth	€96,558.00	€96,558.00	€193,116.00
CCTVR2S201	Tralee, Kerry	€72,234.00	€72,234.00	€144,468.00
CCTVR2Con03	Carrick-on-Suir, Tipperary	€100,000.00	€100,000.00	€200,000.00
CCTVR2Con01	Fettercairn, Tallaght, Dublin	€100,000.00	€100,000.00	€200,000.00
CCTVR2Con02	Killinarden, Tallaght, Dublin	€99,656.50	€99,656.50	€199,313.00
CCTVR2Con07	Clondalkin	€93,325.00	€93,325.00	€186,650.00
CCTVR2Con08	Jobstown, Tallaght	€100,000.00	€100,000.00	€200,000.00

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CCTV No.	RAPID Area	Budget Department of Justice and Equality	Budget Department Environment, Community and Local Government	Total Award
CCTVR2Con10	Clonmel, Tipperary	€90,825.00	€90,825.00	€181,650.00
CCTVR2S226	St. Munchins, Limerick City	€100,000.00	€100,000.00	€200,000.00
CCTV069	Athy, Kildare	€35,726.00	€35,726.00	€71,452.00
CCTV018	Corduff, Dublin	€77,374.00	€77,374.00	€154,748.00
CCTV073	Drogheda, Louth	€89,401.00	€89,401.00	€178,802.00
CCTV056	Ballinasloe, Galway	€71,789.00	€71,789.00	€143,578.00
CCTV002	Tuam, Galway	€95,583.00	€95,583.00	€191,166.00
CCTV023	Mallow, Cork	€65,822.00	€65,822.00	€131,644.00
CCTV059	Moyross, Limerick City	€100,000.00	€100,000.00	€200,000.00
CCTV055	Our Lady of Lourdes Community, Limerick City	€49,411.00	€49,411.00	€98,822.00
CCTV054	Cranmore, Sligo	€53,119.00	€53,119.00	€106,238.00
CCTV051	Northside, Sligo	€42,834.00	€42,834.00	€85,668.00
CCTV080	Tralee , Kerry	€50,000.00	€50,000.00	€100,000.00
CCTV079	Waterford City	€100,000.00	€100,000.00	€200,000.00
Total		€3,159,495.00	€3,159,496.00	€6,318,990.00

Question No. 350 answered with Question No. 323.

Private Rented Accommodation

351. **Deputy Barry Cowen** asked the Minister for the Environment, Community and Local Government if he will confirm that the Private Residential Tenancies Board has sufficient legal jurisdiction to deal with residential tenancy contracts, or if such contracts should be considered as civil matters; and if he will make a statement on the matter. [29934/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose): The Private Residential Tenancies Board (PRTB) was established under the Residential Tenancies Act 2004. The Act provides the main legislative framework for the private rented residential sector and for the operation of the PRTB. It sets out the obligations of tenants and landlords in the sector and the PRTB is charged with the enforcement of those obligations, as necessary, and the administration of the Act. The Act applies to all dwellings that are the subject of a tenancy, whether oral or in writing or implied, except for the exemptions outlined in section 3(2) of the Act. Matters arising within the exempted categories are dealt with, as necessary, by civil proceedings. All other matters fall to be dealt with by the PRTB.

Proposed Legislation

352. **Deputy Aodhán Ó Ríordáin** asked the Minister for the Environment, Community and Local Government when he intends to publish a climate change Bill; and his strategy to meet the EU 2020 targets. [29952/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): My immediate priority on climate change is to finalise a review of national policy in light of existing

and anticipated national greenhouse gas mitigation targets up to the period 2020. The review, which is almost finalised and will be made available as soon as possible on my Department's website, will provide the background for future policy development. I am satisfied that Ireland can and will meet its 2020 greenhouse gas emission reduction obligations under EU law. This will be achieved through progress on the domestic climate agenda, complemented as necessary by use of flexibilities provided in Decision 406/2009/EC of 23 April 2009.

Waste Management

353. **Deputy Joanna Tuffy** asked the Minister for the Environment, Community and Local Government the position regarding grants available to voluntary, community or co-operative groups for initiatives in relation to recycling, composting or reusing waste; and if he will make a statement on the matter. [29974/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): My Department provides funding through the Local Agenda 21 Environmental Partnership Fund to assist small scale, local, non-profit environmental projects aimed at increasing environmental awareness and developing sustainable communities. Community groups can apply for funding for a variety of environmental projects including those relating to recycling, composting or reusing waste. Application for funding is made to local authorities who match the funding provided by the Department. The funding programme has operated since 1997 and my Department is providing funding of €395,000 for the scheme in 2011. An invitation to community groups to submit proposals for the 2011 scheme is currently open; submissions are to be returned to the relevant local authority by 19 October.

Community groups in rural areas can also avail of support under the measures of the Rural Development Programme (RDP) 2007-2013 that are managed by my Department. The Programme has an objective of supporting integrated approaches to the protection of local heritage through a suite of related preservation actions, complemented by a range of initiatives designed to develop the sustainable economic contribution of our natural heritage. In this context, actions to support waste reduction can be supported, particularly those initiated through community effort. Anyone wishing to apply for this funding should contact their Local Development Company. The contact details for the Local Development Companies contracted to deliver the RDP in Ireland can be found on my Department's website at www.environ.ie.

A number of grants are also available to voluntary, community or cooperative groups for initiatives in relation to preventing, recycling, composting or reusing waste, through the National Waste Prevention Programme which is run by the Environmental Protection Agency.

Departmental Agencies

354. **Deputy Seán Kenny** asked the Minister for the Environment, Community and Local Government the names of persons who are the accounting officers to State agencies and State boards under his remit; and if he will make a statement on the matter. [29992/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The term Accounting Officer is defined under the Comptroller & Auditor General (Amendment) Act 1993 and the duties of an Accounting Officer are set out in Section 19 of that Act.

Accounting Officers can be appointed in two ways:

(i) Secretaries General of Government Departments and Heads of most Offices that have a Vote are appointed under Section 22 of the Exchequer and Audit Departments Act, 1866,

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which provides the legislative basis empowering the Minister for Finance to appoint an Accounting Officer in respect of any body for which a Vote is included in the Annual Appropriation Act.

(ii) Heads (CEO, Director, Chairman, etc.) of some Offices that have a Vote are appointed to the position of Accounting Officer on foot of primary legislation, i.e. the legislation which established the Office specifies to whom the role of Accounting Officer is assigned, for the Vote of that Office.

The legislation establishing some public bodies makes the CEO, Director, Chairman, etc. of the body accountable to the Committee of Public Accounts (PAC). This should not be confused with the position of an Accounting Officer. An Accounting Officer receives a Vote direct from the Exchequer and thus is required to produce an Appropriation Account. No agency under the aegis of my Department receives a Vote directly from the Exchequer.

Building Regulations

355. **Deputy Terence Flanagan** asked the Minister for the Environment, Community and Local Government when he will be seeking public consultation on the building regulations and especially on Technical Guidance Document B: Fire Safety; and if he will make a statement on the matter. [30019/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): My Department, in conjunction with the Building Regulations Advisory Body (BRAB), is commencing a review of Part B (Fire Safety) of the Building Regulations and the accompanying Technical Guidance Document B (2006). An initial public consultation process will take place to ensure all relevant matters are covered in the review and this process will commence shortly. There will be a further public consultation process at a later stage in the project when draft proposals have been developed.

Waste Management

356. **Deputy Tom Fleming** asked the Minister for the Environment, Community and Local Government his plans to restructure Ireland's waste market to restrict side by side competition; and his views on a document (details supplied). [30160/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Programme for Government contains a commitment to introduce competitive tendering for household waste collection, under which service providers will bid to provide waste collection services in a given area, for a given period of time and to a guaranteed level of service. A public consultation on the issues involved, designed to inform the policy development process, has recently concluded. The responses received, including a response from the party referred to in the Question, are being examined and I intend to bring policy proposals to Government before the end of the year.

Appointments to State Boards

357. **Deputy Mary Lou McDonald** asked the Minister for the Environment, Community and Local Government the saving to the State if all State agency board members' annual payments were rescinded and instead board membership was awarded without remuneration. [30256/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Based on the latest full year for which figures are available, 2010, fees totalling €428,605 were

payable to board members in State agencies under the aegis of my Department. On the basis that all fees were paid it should be possible to save the entire amount through the abolition of fees. Where public servants are appointed to Boards, no fees are payable. In this regard, public servants make up over half of the combined membership of the Boards of agencies under my Department's aegis. The boards of An Bord Pleanála and the Environmental Protection Agency are executive in nature and the members hold full-time salaried positions. As part of a rigorous appraisal of the State Agencies under the aegis of my Department, the overall number of agencies is being reduced from 21 to 12.

Departmental Bodies

358. **Deputy Aodhán Ó Ríordáin** asked the Minister for Justice and Equality the position regarding the possible merger of the National Disability Authority and the Equality Authority, which was recently recommended by a collection of rights bodies to his Department; and if he will make a statement on the matter. [29538/11]

Minister for Justice and Equality (Deputy Alan Shatter): Following consideration of the relative merits of mergers involving the two bodies named, along with the Irish Human Rights Commission and the Equality Tribunal, the Government recently decided that the Human Rights and Equality agendas would best be enhanced by merging the Equality Authority and the Irish Human Rights Commission. I anticipate that the new Human Rights and Equality Commission will be in place early next year.

Housing Market

359. **Deputy Thomas P. Broughan** asked the Minister for Justice and Equality if he intends to create a register of the sale prices of all houses and apartments sold here to ensure greater transparency in the housing and auctioneering sectors; and if he will make a statement on the matter. [29586/11]

Minister for Justice and Equality (Deputy Alan Shatter): The Programme for Government contains a commitment to improve the quality of information available on the Irish housing market by requiring that the selling price of all dwellings be recorded in a publicly available national housing price database. I intend to give effect to this commitment by assigning statutory responsibility for publishing details of residential property sales prices to the Property Services Regulatory Authority. The Dáil Committee Stage of the Property Services (Regulation) Bill 2009, which provides for establishment of the Authority, is scheduled for tomorrow. I have tabled Committee Stage amendments to the Bill which will expand the Authority's statutory functions to include the publication of residential property sales prices. This information will be supplied to the Authority on an ongoing basis by the Revenue Commissioners who are in receipt of it for stamp duty purposes.

Garda Vetting

360. **Deputy Tony McLoughlin** asked the Minister for Justice and Equality his plans to set up a single child vetting body in which a single card would be issued to cover all activities, including educational, sporting, youth club activities and community programmes involving children; and if this card would be valid for a fixed period, similar to a driving licence. [29710/11]

Minister for Justice and Equality (Deputy Alan Shatter): The Garda Central Vetting Unit (GCVU) provides employment vetting for a large number of organisations registered with the Garda for this purpose and which employ persons in a full-time, part-time, voluntary or training

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capacity to positions where they would have substantial, unsupervised access to children and/or vulnerable adults. On 27 July, I published the Scheme of a National Vetting Bureau Bill. The Bill will provide a statutory basis underpinning vetting procedures for persons to work with children and vulnerable adults. It will also provide that all vetting will be conducted by a single agency — The National Vetting Bureau. The Bureau will take over the work of the GCVU. The Bill will be published in accordance with the Government's Legislative programme.

Child Protection

361. **Deputy Alan Farrell** asked the Minister for Justice and Equality the guidelines or proposed guidelines he has to deal with social media bullying of children and teenagers; and if he will make a statement on the matter. [30010/11]

Minister for Justice and Equality (Deputy Alan Shatter): The term cyberbullying refers to bullying carried out using the internet, mobile phones or other technological devices. Cyberbullying is a complex issue which transcends the home or school environment. Cyberbullying generally takes a psychological rather than physical form but is often part of a wider pattern of “traditional” bullying.

Specifically in relation to social networking websites, the first thing anyone should do if they have issues with content on a Social Networking Site is to report the matter to the website. A person can use the website reporting tools to do this and should also contact the service provider through its Customer Care or Report Abuse facility. In February 2009, the Safer Social Networking Principles for the EU were adopted on a voluntary basis by the major social networking website operators in the EU, in an initiative led by the EU Commission. The Safer Social Networking Principles for the EU were developed to provide good practice recommendations for social networking providers to enhance the safety of children and young people using these services. The Principles provide that social networking services should, *inter alia*, provide a mechanism for reporting inappropriate content, respond to notifications of illegal or inappropriate content or conduct and should review their systems for examining and responding to such reports. The EU Commission has indicated that it will monitor the implementation of the Principles on an ongoing basis.

I should also inform the Deputy of the Safer Internet Ireland project, which is coordinated by the Office for Internet Safety (OIS) in my Department. This project, which is funded by the EU's Safer Internet Programme, comprises a consortium of industry, education, child welfare and government partners that acts as a Safer Internet Centre to provide Safer Internet awareness, hotline and helpline functions and activities for the Republic of Ireland. The main aim of the project is to develop national initiatives promoting the safer use of electronic media and enhance protection of the vulnerable, particularly children and young people, against the downside of the internet. The Office for Internet Safety has published a number of relevant information guides which have been widely disseminated, including “A Parents Guide to Social Networking Sites” and “A Guide to Cyberbullying”.

As part of the Safer Internet Ireland project, the National Centre for Technology in Education (NCTE), an Agency of the Department of Education and Skills, manages the Webwise initiative (www.webwise.ie) which is the Irish Internet Safety Awareness Centre. Webwise provides parents, teachers and children with educational resources, advice and information about potential dangers on the internet and empowers users to minimise or avoid these risks. The NCTE also operates the www.watchyourspace.ie website which provides advice for young people on how to manage their online activities to avoid problems. The ISPCC's Childline service receives funding from the Safer Internet Ireland project to support it in responding to

contact from young people who may have encountered difficulties in their use of the internet and other technologies, including issues such as cyberbullying. Another element of the Safer Internet Ireland project involves funding to the National Parents Council (Primary) which operates a national confidential helpline for parents providing information and support to parents if their children encounter issues on the internet, particularly cyberbullying.

Rights of Way

362. **Deputy Michael Healy-Rae** asked the Minister for Justice and Equality the position regarding amendments to the rules regarding rights of way; when same will be before Dáil Éireann again; and the timeframe for same. [30073/11]

Minister for Justice and Equality (Deputy Alan Shatter): The position is that Parts 12 and 13 of the recently-enacted Civil Law (Miscellaneous Provisions) Act 2011, which contain amendments to the Land and Conveyancing Law Reform Act 2009 and the Registration of Title Act 1964 respectively, amend the law relating to the acquisition of easements, including rights of way, by prescription. The amendments permit the Property Registration Authority (PRA) to register such an easement without a court order where there is no disagreement between the parties concerning entitlement to the easement concerned. The period during which easements acquired, or in the process of being acquired, before 1 December 2009 (the date the 2009 Act came into force) may be registered has also been extended from 3 years to 12 years. Land Registration Rules to implement the new PRA scheme are being finalised at present.

Road Traffic Offences

363. **Deputy Kevin Humphreys** asked the Minister for Justice and Equality the number of on-the-spot fines or prosecutions on an annual basis since 2007 that were taken for failure to use proper lighting on a bicycle as outlined under the Road Traffic (Lighting of Vehicles) Regulations 1963; and if he will make a statement on the matter. [29465/11]

Minister for Justice and Equality (Deputy Alan Shatter): Following the submission in 2004 of a report and recommendations by an expert group on crime statistics, it was decided that the compilation and publication of crime statistics should be taken over by the Central Statistics Office, as the national statistical agency, from An Garda Síochána. The Garda Síochána Act 2005 consequently makes provision for this and the CSO has established a dedicated unit for this purpose. Following the setting up of the necessary technical systems and auditing of the data from which the statistics are compiled, the CSO is now compiling, publishing and responding to queries regarding recorded crime statistics.

I have requested the CSO to provide statistics directly to the Deputy.

I am informed by the Garda authorities that there is currently no provision in law for the issue of fixed charge notices in respect of offences by pedal cyclists, including failure to use proper lighting on a bicycle. Road traffic law is the responsibility of my colleague the Minister for Transport, Tourism and Sport.

364. **Deputy Kevin Humphreys** asked the Minister for Justice and Equality the number of prosecutions that were taken at the District Courts on an annual basis since 2007 against cyclists for road traffic offences; if he will provide a breakdown of the offences; the number of cyclists who were prosecuted for cycling on a footpath; and if he will make a statement on the matter. [29466/11]

Minister for Justice and Equality (Deputy Alan Shatter): Following the submission in 2004 of a report and recommendations by an expert group on crime statistics, it was decided that the compilation and publication of crime statistics should be taken over by the Central Statistics Office, as the national statistical agency, from An Garda Síochána. The Garda Síochána Act 2005 consequently makes provision for this and the CSO has established a dedicated unit for this purpose. Following the setting up of the necessary technical systems and auditing of the data from which the statistics are compiled, the CSO is now compiling, publishing and responding to queries regarding recorded crime statistics.

I have requested the CSO to provide statistics directly to the Deputy.

Citizenship Applications

365. **Deputy Joe Costello** asked the Minister for Justice and Equality how a refugee who has been granted residency here but whose home documents are lost or destroyed in their home country can apply for naturalisation; and if he will make a statement on the matter. [29487/11]

Minister for Justice and Equality (Deputy Alan Shatter): With reference to the further information provided by the Deputy, I am advised by the Citizenship Division of the Irish Naturalisation and Immigration Service (INIS) that an application for a certificate of naturalisation was received from the person concerned in September 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. Persons lodging an application for a certificate of naturalisation are required to provide evidence of their identity. In rare circumstances where an applicant cannot obtain their birth certificate or other supporting documents for reasons genuinely beyond their control, alternative means of validating the identity of the person are put in place. This is individually assessed in each case.

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.

Road Traffic Offences

366. **Deputy Thomas Pringle** asked the Minister for Justice and Equality if he will ensure that the new speed cameras being operated on behalf of the Garda and its own speed camera vans are not located in certain areas only to generate revenue; and if he will make a statement on the matter. [29499/11]

Minister for Justice and Equality (Deputy Alan Shatter): In November, 2009 a contract was concluded for the provision of an outsourced safety camera network to An Garda Síochána. The objective of the network is to reduce the number of speed related collisions and so save lives, as excessive or inappropriate speeding is a major factor in road traffic collisions and fatalities.

I am informed by the Garda authorities that, in preparation for the roll out of the network, An Garda Síochána, in conjunction with the National Roads Authority, carried out an extensive analysis of the collision history of the road network, as a result of which sections of road were identified where a significant proportion of collisions where speed was deemed the primary contributory factor occurred. Based on this analysis, a list of speed enforcement zones has been developed, with the aim of providing information to motorists in order to raise awareness of

the danger of speeding in these zones. An Garda Síochána utilises this information to direct speed enforcement activity in a proportionate and targeted manner. Information on the location of these speed enforcement zones is publicly available on the Garda website www.garda.ie.

Surveys are conducted on an ongoing basis to ensure that the safety cameras continue to be deployed on roads which are identified as being subject to inappropriate speed and where fatal and injury collisions occur.

It is also the objective of the safety cameras directly operated by An Garda Síochána to reduce the number of speed-related collisions and so save lives.

367. **Deputy Noel Grealish** asked the Minister for Justice and Equality if his attention has been drawn to the fact that the operators of speed detection vans in at least two locations (details supplied) in County Galway are issuing fixed charge notices to motorists containing the incorrect address with regard to the location at which the speeding offence occurred; the number of motorists who have had their fines returned and penalty points removed as a direct result of these errors; and if he will make a statement on the matter. [29523/11]

Minister for Justice and Equality (Deputy Alan Shatter): I have requested a report from the Garda authorities in relation to the matter referred to by the Deputy. I will contact the Deputy again when the report is to hand.

Liquor Licensing Laws

368. **Deputy Michael Creed** asked the Minister for Justice and Equality the legislative or other initiatives he plans with regard to regulation of the sale of alcohol through off-licences; if he is satisfied with the Responsible Retailers of Alcohol in Ireland voluntary code and compliance with same; his views regarding the code as it relates to specialist off-licences and mixed traders; his further views regarding enforcement of section 9 of the miscellaneous provisions Bill; and if he will make a statement on the matter. [29530/11]

Minister for Justice and Equality (Deputy Alan Shatter): The Chairperson of Responsible Retailing of Alcohol in Ireland (RRAI), Mr Padraic White, 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. The Code does not apply to specialist off-licences.

Arrangements are currently being made to publish that Report on my Department's website. I intend to seek the views of interested bodies on its conclusions and, more generally, on the effectiveness of 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 in section 9 of the Intoxicating Liquor Act 2008.

Certification of Documents

369. **Deputy Jim Daly** asked the Minister for Justice and Equality the reason he will not certify copies of original documents held by his Department. [29542/11]

Minister for Justice and Equality (Deputy Alan Shatter): Documentation submitted to my Department to attest to an individual's identity and nationality is retained on file until the relevant case has had a definitive outcome. My Department will supply a photo-copy of such documentation on request. However, my Department cannot certify such documentation as being authentic as it cannot be certain of its provenance.

Prison Accommodation

370. **Deputy Clare Daly** asked the Minister for Justice and Equality the number of prisoners who currently have to slop out; the number of same who must do so while sharing cells; and his view on whether this constitutes a violation of prisoner human rights. [29550/11]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Irish Prison Service that there were 830 prisoners in custody on 12 October 2011 who did not have access to 24-hour in-cell sanitation. Of that number, 555 prisoners were in multiple-occupancy cells.

Unfortunately, this issue cannot be resolved overnight. However, I can assure the Deputy that the Government is committed to the elimination of slopping out in all prisons and places of detention. The Programme for Government includes the objective to provide in-cell sanitation to all prisons, and in so far as resources permit, to upgrade prison facilities where possible.

I share the view of the Thornton Hall Review Group that decisive action is required on a number of fronts in order to address the problem of overcrowding and poor physical conditions particularly in Mountjoy and Cork Prisons. As the Deputy will know, the Government has decided in principle to proceed with the construction of new prison facilities at Thornton Hall and also at Kilworth, County Cork, albeit on a much 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.

I am informed by the Irish Prison Service that 72% of prisoner accommodation has in-cell sanitation at present. This will rise to in excess of 80% when the extension currently under construction in the Midlands Prison is opened in 2012.

A refurbishment project is also nearing completion in the basement of the C-wing at Mountjoy Prison which will result in an additional 36 cells with in-cell sanitation coming on stream by October, 2011. In addition, work has commenced on a project to provide in-cell sanitation in the remaining 74 cells on the same wing which is expected to be completed by the end of the October. Depending on the findings of a post project appraisal, the Irish Prison Service will consider installing in-cell sanitation facilities in the remaining cells of Mountjoy and indeed to other facilities that do not have in-cell sanitation.

The Irish Prison Service also has toilet patrols in operation until late evening in Mountjoy, Cork and Limerick Prisons with staff rostered to provide this function after final lock in the evenings. Prisoners requesting to use toilet facilities after these times are accommodated where possible. The possibility of extending toilet patrols is being further examined by the Irish Prison Service.

Youth Projects

371. **Deputy Gerry Adams** asked the Minister for Justice and Equality the amount of funding that a youth project (details supplied) in Drogheda, County Louth, receives in funding from the Garda diversion fund; the amount of funding same has received in each of the past five years; the number of community employment staff employed with the project; the number who will be employed from next year on; and how reductions in funding will affect the level of service delivered by this project. [29572/11]

Minister for Justice and Equality (Deputy Alan Shatter): The project in question is one of a hundred Garda Youth Diversion Projects nationwide. The projects are community-based, multi-agency crime prevention initiatives which seek to divert young people who have been involved in criminal and/or anti-social behaviour or who are at serious risk of such behaviour.

The projects, which are funded by the Irish Youth Justice Service and delivered in collaboration with An Garda Síochána and local community / youth organisations, have a clear role in intervening to challenge bad behaviour and to promote good behaviour. They do so by providing suitable activities to facilitate personal development and promote civic responsibility and improve long-term employability prospects.

The following table sets out the funding provided by IYJS to the project in question over the past five years.

Year	Funding
2011	€105,234
2010	€108,746
2009	€113,230
2008	€102,020
2007	€77,787

Since 2008, IYJS has provided funding to the local youth organisation to directly employ two youth justice workers on this project. The Deputy will be aware that expenditure programmes are being examined in the context of the comprehensive Review of Expenditure currently being undertaken across all Government Departments and Agencies. Accordingly, it would be premature to comment at this stage in relation to the impacts for 2012 until the final position is known.

Property Services Regulation

372. **Deputy Thomas P. Broughan** asked the Minister for Justice and Equality the plans he has to reform the auctioneering industry; and if he will make a statement on the matter. [29587/11]

Minister for Justice and Equality (Deputy Alan Shatter): The position is that the Property Services (Regulation) Bill 2009, which is currently awaiting Dail Committee Stage, provides for establishment of the Property Services Regulatory Authority to control and supervise providers of property services, including auctioneers, and to improve standards in the provision of those services.

The proposed statutory powers of the new Authority include:

- issuing and renewing licenses for property services providers;
- specifying and enforcing qualification requirements, including levels of education, training and experience, and other requirements such as minimum levels of professional indemnity insurance, for the issue and renewal of licences;
- specifying and enforcing ethical standards to be observed in the provision of property services;
- publishing codes of practice, or approving codes drawn up by other bodies, for the purpose of setting standards for the provision of property services;
- investigating complaints against licensees and imposing a range of sanctions in cases of improper conduct.

The Bill has already been passed by the Seanad and Dáil Committee Stage is scheduled for tomorrow.

Garda Vetting

373. **Deputy John Lyons** asked the Minister for Justice and Equality the length of time for which garda vetting applies; if it can be transferred from one job to another within the lifetime of the vetting; and if he will make a statement on the matter. [29603/11]

Minister for Justice and Equality (Deputy Alan Shatter): Garda vetting certificates are issued to specified registered organisations in respect of a particular post or employment in response to a written request and with the permission of the person who is the subject of that request. Decisions on the suitability for the recruitment/engagement of the person concerned rest at all times with the recruiting organisation.

The Garda Vetting certificate is non-transferable. It is important to emphasise that it is a disclosure to the requesting, registered organisation of the position at the time when it is issued. Furthermore, non-transferability protects against the risk of fraud or forgery of such certificates and is a guarantee of the integrity of the vetting system.

Illegal Immigrants

374. **Deputy Finian McGrath** asked the Minister for Justice and Equality the approximate number of illegal immigrants here; and the most common way of accessing this State. [29628/11]

Minister for Justice and Equality (Deputy Alan Shatter): By definition, it is not possible to estimate accurately the number and source of illegal immigrants in any jurisdiction. Ireland is no different in this regard as by its very nature illegal immigration is clandestine and covert. Any estimate of the number involved would be conjecture.

In keeping with practice elsewhere, illegal immigrants are likely to have entered the State by legal means in the first instance by the usual routes of airports, ferry ports, or through the land border with Northern Ireland.

Road Traffic Offences

375. **Deputy Sandra McLellan** asked the Minister for Justice and Equality the number of prosecution cases for speeding that have been brought in front of Mallow District Court, Kanturk District Court, Macroom District Court and Fermoy District court, County Cork, on the basis of evidence obtained by mobile speed detection vans from 1 January 2011 to 1 October 2011, inclusive; and the number of these cases in each of Mallow District Court, Kanturk District Court, Macroom District Court and Fermoy District Court that have been dismissed or struck out. [29630/11]

Minister for Justice and Equality (Deputy Alan Shatter): Under the provisions of the Courts Service Act 1998, the management and administration of the courts, including responsibility for maintaining and publishing court statistics, is a function of the Courts Service. However, in order to be of assistance to the Deputy, I have had inquiries made and, while the Courts Service has informed me that it is not possible to provide statistics solely relating to those speeding offences detected by mobile speed detection vans, it has provided information as follows.

Table 1 below sets out details of the number of camera speeding offences from 1 January, 2011 to 1 October, 2011, which includes detections by mobile speed detection vans and other detections, such as those by gardaí using hand held devices.

Table 2 below sets out details of speeding offences based on non-camera evidence from 1 January, 2011 to 1 October, 2011.

Table 1

Orders	Fermoy	Mallow	Macroom*	Total**
Dismiss	11	14	3	28
Dismiss on probation			5	5
Fine	25	10	5	40
Strike out	21	8		29
Poor box	2	1		3
Withdrawn			4	4
Total	59	33	17	109

Table 2

Orders	Fermoy	Mallow	Macroom*	Total**
Dismiss	1	1	1	3
Dismiss on probation			16	16
Disqualified			2	2
Fine	27	14	30	71
Strike out	6	3		9
Poor box	2	1	3	6
Taken into consideration			1	1
Withdrawn		1	12	13
Total	36	20	65	121

*Macroom District Court was closed for refurbishment from 10 November, 2010 to 3 May, 2011 and court business transferred to Bandon District Court for that period.

**Kanturk District Court area was amalgamated with Mallow District Court area on 1 September, 2010 and all court business was dealt with at Mallow District Court.

Human Rights Issues

376. **Deputy Clare Daly** asked the Minister for Justice and Equality if, with regard to the statement in the stakeholder summary report prepared by the Office of the High Commissioner for Human Rights that, contrary to section 6 of the Guardianship of Infants Act 1964 which confers joint guardianship to the mother and the father of a child, fathers are generally discriminated against, notably following separation or divorce, and the stakeholder recommendation that whenever consent is deemed necessary it should be sought from both legal guardians, there are any developments in this area; and if there are any plans to address this discrimination. [29642/11]

Minister for Justice and Equality (Deputy Alan Shatter): In the Stakeholder Summary Report, reference is made to a submission by Equality for Fathers Ireland (EFI) which stated that, contrary to section 6 of the Guardianship of Infants Act 1964 conferring joint guardianship to the mother and the father of a child, fathers were generally discriminated against, notably following separation or divorce. EFI recommended that wherever consent was deemed necessary, it should be sought from both legal guardians.

As the Deputy knows, section 6 of the Guardianship of Infants Act 1964 as amended confers guardianship of the child of married parents on both parents jointly. Separation or divorce of the parents does not affect the status of either parent as a guardian of their child or children. In cases where both parents maintain an ongoing interest and involvement in their children's

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lives, they should jointly make important decisions concerning the children's health, education and upbringing. However, given the many different family dynamics resulting from marriage break-up, it may not always be practical for both parents to consent to each and every decision made about the child's upbringing

Present law is comprehensive. Under section 11 of the Guardianship of Infants Act 1964 as amended, a guardian of a child may apply to the court for direction on any question affecting the welfare of the child. As with all orders under the Act, the court is required to regard the welfare of the child as the first and paramount consideration. Section 11D of the Act, inserted by the Children Act 1997, provides that the court must also have regard to whether the child's best interests would be served by maintaining personal relations and direct contact with both his father and mother on a regular basis. It is also important to recall that in all proceedings under the Act, where appropriate and practicable the court must take into account the child's wishes in the matter, having regard to the age and understanding of the child. In practical terms, the older the child, the greater the importance the court attaches to the wishes expressed by the child.

I do not foresee any departure from these important principles in the law. However, I would at this stage indicate that, in line with commitments in the Programme for Government, the operation of family law is under active review in my Department. The commitments in the Programme for Government are to reform and modernise certain aspects of family law, and to promote mediation as a means of resolving disputes. Already, in that context, the Legal Aid Board will shortly take on responsibility for the Family Mediation Service following provisions I made for that in the Civil Law (Miscellaneous Provisions) Act 2011. My Department is also finalising proposals for a Mediation and Conciliation Bill which will promote a more structured approach to mediation in the legal system.

Legal Aid Service

377. **Deputy Simon Harris** asked the Minister for Justice and Equality the number of persons in County Wicklow receiving legal aid; the waiting list in County Wicklow to receive legal aid; the budget allocated to legal aid; and if he will make a statement on the matter. [29656/11]

Minister for Justice and Equality (Deputy Alan Shatter): I wish to inform the Deputy that an independent body, the Legal Aid Board, is responsible for the number of persons receiving civil legal aid and for matters dealing with the administration of civil legal aid, including waiting lists. However, in order to be helpful to the Deputy, enquires were made with the Board.

I am informed that it is difficult, at a particular point in time, to give an exact figure in respect of the number of persons in County Wicklow, or any other county, receiving civil legal aid provided by the Board. However, in the 12 months to 1 October 2011, I am informed that approximately 361 new applicants were offered an appointment with a solicitor in Wicklow Law Centre and a further 135 applicants were referred to private solicitors on the Board's panels for the purpose of obtaining a legally aided service.

In 2010 legal services were provided by Wicklow Law Centre in 460 cases while 145 cases were referred to private solicitors. As of 1 October 2011 there were 156 applicants at the Law Centre awaiting a first appointment. The current waiting time is approximately five months.

I wish to further inform the Deputy that the Board's grant-in-aid for 2011 is €24.125 m. The grant-in-aid represents close to 91% of the Board's income.

378. **Deputy Simon Harris** asked the Minister for Justice and Equality if he will outline the purpose of legal aid; the services provided for under legal aid; and if he will make a statement on the matter. [29657/11]

Minister for Justice and Equality (Deputy Alan Shatter): I wish to inform the Deputy that the provision of legal aid within this State is split into two separate categories, namely civil legal aid and criminal legal aid.

Civil Legal Aid

The Legal Aid Board is the statutory body charged with providing legal aid in civil law cases. The Board was placed on a statutory footing by the Civil Legal Aid Act, 1995 and is completely independent in its functions. The Act makes provision for the grant by the State of legal aid and advice to persons of insufficient means in civil law cases. The principal function of the Board is set out in the Civil Legal Aid Act 1995 and can be summarised, insofar as the civil legal aid aspect is concerned, as being to provide, within the Board's resources and subject to the other provisions of the Act, legal aid and advice in civil cases to persons who satisfy the requirements of the Act. Applicants for civil legal aid must meet financial eligibility requirements determined by a merits test that is set out in the legislation.

The Civil Legal Aid Act 1995 defines legal aid as “representation by a solicitor of the Board, or a solicitor or barrister engaged by the Board under section 11, in any civil proceedings to which this section applies and includes all such assistance as is usually given by a solicitor and, where appropriate, barrister in contemplation of, ancillary to or in connection with, such proceedings, whether for the purposes of arriving at or giving effect to any settlement in the proceedings or otherwise”.

The Act also defines legal advice as “any oral or written advice given by a solicitor of the Board or by a solicitor or barrister engaged by the Board for that purpose”.

The Deputy might wish to note that a civil matter is included within the scope of legal aid unless it is specifically excluded. The matters that are specifically excluded are as follows:

- Defamation
- Disputes concerning rights and interests in or over land;
- Matters within the jurisdiction of the Small Claims procedure;
- Licensing;
- Conveyancing;
- Election petitions;
- Certain matters where the application for legal services is made in a ‘representative’ capacity.

Services are provided in the main through a network of law centres spread across the country. In addition services are provided in certain matters through the retention of private solicitors on a fee per case basis.

Criminal Legal Aid

The right to criminal legal aid in Ireland does not stem from a statute but is a constitutional right. The Criminal Justice (Legal Aid) Act 1962 is the primary piece of legislation governing the award of legal aid and is a means of vindicating that right.

The Act provides that free legal aid may be granted, in certain circumstances, for the defence of persons of insufficient means in criminal proceedings. Legal aid is granted in all courts including the District, Circuit and higher Courts. Under the Act, the grant of legal aid entitles

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the applicant to the services of a solicitor and, in certain circumstances, up to two counsel, in the preparation and conduct of their defence or appeal. It also includes, where appropriate, access to expert witnesses and reports as part of an accused person's defence.

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.

When a defendant is granted free legal aid the court in question will assign a solicitor from the list of those registered as willing to act under the scheme for sittings of the court in that area. In making the assignment the court must, however, take into consideration the representations, if any, of the accused concerned. In practice this usually results in the assignment of the solicitor of one's own choice.

Security Industry

379. **Deputy Simon Harris** asked the Minister for Justice and Equality if he will outline the legal requirement for bouncers and security staff registered to work at licensed premises; the registration process entailed; if these staff may work while their applications are being processed; and if he will make a statement on the matter. [29658/11]

Minister for Justice and Equality (Deputy Alan Shatter): The Private Security Authority is the regulatory body with responsibility for the regulation of the security industry in Ireland. The Authority is an independent body under the aegis of my Department and so I have no involvement in the day to day operations of the Authority.

The Authority has however advised me that all individuals providing a security service as either a door supervisor (licensed premises) or security guard (static) must hold a licence issued by the Authority and must display an identity badge while providing these services. There are currently over 27,300 licensed individuals in the country.

In addition, I am informed that a small number of applicants are permitted to work pending receipt of their licence. These individuals are considered to meet all the requirements of licensing and have been granted permission to work at the request of their employer, pending validation of their applications.

There are currently less than 200 such cases and in all cases, an applicant can only work for the employer on file.

Croke Park Agreement

380. **Deputy Simon Harris** asked the Minister for Justice and Equality the position regarding the Croke Park agreement; if he has received implementation plans for this agreement from his Department and each State agency under his remit; the status of these implementation plans; the discussion he has had with the EU and IMF regarding the agreement; and if he will make a statement on the matter. [29689/11]

Minister for Justice and Equality (Deputy Alan Shatter): Under the *Public Service Agreement 2010-2014*, detailed action plans have been developed across the Justice Sector to underpin the

change and reform process envisaged by the Agreement. The Action Plans were first developed in October 2010 and subsequently revised in January 2011.

The Department and the Agencies under its remit were required to prepare their first detailed report on the progress being made in implementing their Action Plans last May and this formed part of the first annual review of the Agreement undertaken by the Implementation Body. These progress reports have been published on the websites of the bodies concerned.

The second phase of progress reporting on the Agreement is underway at present and updated progress reports from the Justice Sector are due to be submitted for examination to the Implementation Body by end October. As before, the individual reports will be published on the websites of the bodies concerned.

My Department has no responsibility for discussions with the EU/IMF in regard to the Agreement.

Legal Aid Service

381. **Deputy John McGuinness** asked the Minister for Justice and Equality if he has assessed the number of applicants seeking services in each of the free legal aid centres; if the number of staff in each centre is sufficient to deal with the demand; if he has identified centres within the service which require further support; if he will explain the reason a person (detail supplied) could not get a legal representative for a court appearance through the centre at Portlaoise, County Laois; and if he will make a statement on the matter. [29693/11]

Minister for Justice and Equality (Deputy Alan Shatter): I wish to inform the Deputy that under the Civil Legal Act 1995, as passed by the Oireachtas, the Legal Aid Board is independent in the operation of its functions. I have no responsibility for the matters which the Deputy has raised. However, as a courtesy to the Deputy I have obtained from the Board the information sought and am providing it to the Deputy.

At the outset, I wish to clarify for the Deputy that the Legal Aid Board provides ‘legal aid’ and not ‘free legal aid’. The vast majority of persons receiving services from the Board pay a small financial contribution. I also wish to clarify that the Board provides services through, *inter alia*, law centres. There is also an organisation known as FLAC (Free Legal Advice Centres) which is a non-governmental organisation and is not connected to the Board in any way.

I am informed by the Board that there has been a very significant increase in demand for general civil legal aid services in the last number of years and particularly since the economic downturn. In 2007 approximately 10,164 applications for legal services were made. This figure had increased to 17,175 in 2010. The number applying for services in the first six months of this year was almost the same as sought legal services in the whole of 2007. This has given rise to increased waiting times in most geographic areas for matters that are not prioritised. The waiting times in the Legal Aid Board’s law centres as of 1 October 2011 and the numbers waiting for a first appointment in each law centre are set out in the table below:

Maximum Waiting Times and Numbers Waiting as at 01/10/2011

Law Centre	Max. waiting time	Number waiting
Blanchardstown	3	67
Brunswick Street	6	214
Clondalkin	8	229
Finglas	5	104

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Law Centre	Max. waiting time	Number waiting
Gardiner Street	6	207
Medical Negligence Unit	3	21
Tallaght	11	202
Cork, Popes Quay	4	241
Cork, South Mall	6	259
Cavan	7	108
Clare	3	170
Donegal	3	108
Galway	4	145
Kerry	3	95
Kildare	8	210
Kilkenny	5	273
Laois	7	256
Limerick	2	87
Longford	5	103
Louth	0	0
Mayo	6	133
Meath	4	138
Monaghan	3	87
Offaly	4	91
Sligo	5	138
Tipperary	10	205
Waterford	5	131
Westmeath	5	149
Wexford	5	255
Wicklow	5	156
Total	—	4,582

The Board monitors waiting times closely and tries to take steps to address particular issues. However it is not always possible to address specific spikes in waiting times. Prioritised matters continue to get an immediate or near immediate service. Prioritised cases include those involving domestic violence, children at risk of going into care, child abduction and critical dates that are close to expiry. Cases are not prioritised simply because there is a court date pending.

I can also inform the Deputy that the Board, by taking a range of measures, is keeping all of its services under review with a view to ensuring that its resources are used as efficiently and as effectively as possible. This includes greater use of the private practitioner scheme, an ‘advice only’ service where applicants are likely to have to wait in excess of four months for a substantive appointment, the integration of the delivery of all services, the introduction of a pilot integrated mediation service involving the Board and the Family Mediation Service, the creation of specialist units for medical negligence and child-care services, the development of a new legal case management system, the use of a very limited exemption from the recruitment moratorium in relation to a small number of temporary front-line service delivery positions and the utilisation of (i) a work placement scheme in co-ordination with FÁS, (ii) a small number of solicitors who have sought experience on a voluntary basis and (iii) the new National Internship Scheme.

Finally, I wish to inform the Deputy that as the Legal Aid Board is a statutory, independent body, any decision to grant or refuse legal aid is a matter for the Board. Furthermore, the solicitor/client relationship is protected by privilege in accordance with the terms of section 32 of the Civil Legal Aid Act 1995 and therefore the Board does not provide information to third parties regarding a person who may or may not be a client of the Board. I can however advise the Deputy that a person who is refused legal aid may appeal this decision to an Appeal Committee which is made up of non-executive members of the Board.

Interdepartmental Committees

382. **Deputy John O'Mahony** asked the Minister for Justice and Equality if he will extend the current mandate of the interdepartmental committee to establish the facts of State involvement with the Magdalen laundries to the Bethany Home; and if he will make a statement on the matter. [29727/11]

Minister for Justice and Equality (Deputy Alan Shatter): I can inform the Deputy that the inter-departmental committee is charged with establishing the facts of the State's involvement, clarifying any State interaction with the Magdalen Laundries, and with producing a narrative detailing such interaction. There are presently no plans to extend its brief beyond those institutions.

Immigration Service

383. **Deputy Eoghan Murphy** asked the Minister for Justice and Equality his proposals and recommendations with regard to reforming the business permission scheme to an enterprise and investment visa. [29753/11]

Minister for Justice and Equality (Deputy Alan Shatter): As I informed the Deputy in my reply to Parliamentary Question No 131 on 6 October 2011, I am currently considering recommendations for a new immigration scheme for entrepreneurship and investment.

Liquor Licensing Laws

384. **Deputy Jim Daly** asked the Minister for Justice and Equality the position regarding a miscellaneous provisions Bill (details supplied); and if he will make a statement on the matter. [29754/11]

Minister for Justice and Equality (Deputy Alan Shatter): Section 17 of the recently-enacted Civil Law (Miscellaneous Provisions) Act 2011 provides statutory support for Codes of Practice dealing with standards for the display, sale, supply, advertising promotion or marketing of intoxicating liquor. Such Codes may be drawn up by the Minister for Justice and Equality following appropriate consultation or, if a draft Code has been drawn up by some other body, be approved of and published by the Minister.

While breach of such a Code by a licensee will not be an offence under licensing law, failure to comply with a Code's provisions will constitute a ground on which an objection to renewal of the licence in question may be lodged. These provisions form part of the Government's strategy to promote compliance with licensing law and to combat alcohol-related harm.

My Department is currently consulting with representative bodies in the licensed trade on the drawing up of future Codes under section 17 and the matters to be covered in them.

Electoral Legislation

385. **Deputy Maureen O'Sullivan** asked the Minister for Justice and Equality if he is satisfied

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that the electoral law in relation to election material which states that it is an offence to print posters, leaflets and so on without an imprint is being enforced; if there have been any prosecutions in relation to this; if any candidate has not received a refund of election expenses for failing to have the imprint; and if he will make a statement on the matter. [29766/11]

Minister for Justice and Equality (Deputy Alan Shatter): I have sought a report from An Garda Síochána in relation to matters within the question that may fall within their remit. The Deputy will appreciate that the legislation for the registration of electors and the conduct of elections is a matter for my colleague the Minister for the Environment, Community and Local Government.

Pension Provisions

386. **Deputy Mary Lou McDonald** asked the Minister for Justice and Equality the saving to the Exchequer if all existing public service pension payments to former employees of State agencies under the aegis of his Department were capped at €35,000 per year. [29784/11]

Minister for Justice and Equality (Deputy Alan Shatter): The estimated savings that would be generated if pensions paid to retired members of An Garda Síochána were capped at €35,000 amounts to €7.6 million per annum. The estimated savings from other pension payments made by my Department, subject to a cap of €35,000, would be €200,000. These estimates take no account of the reduction in income tax and other statutory deductions that would arise.

Citizenship Applications

387. **Deputy Seán Conlan** asked the Minister for Justice and Equality the position regarding an application for naturalisation in respect of a person (details supplied) in County Monaghan; and if he will make a statement on the matter. [29810/11]

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 July, 2009.

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 e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Proposed Legislation

388. **Deputy Peadar Tóibín** asked the Minister for Justice and Equality the progress that has been made in reforming upward-only rent review clauses. [28875/11]

Minister for Justice and Equality (Deputy Alan Shatter): As the Deputy will be aware, the Programme for Government indicates that legislation will be introduced to end upward only rent reviews for existing business leases. In order to progress that commitment outline proposals were forwarded to the Attorney General for examination and development.

I am giving further consideration to those proposals in the light of the most recent advices of the Attorney General.

Garda Stations

389. **Deputy Tom Fleming** asked the Minister for Justice and Equality if he will refrain from closing any rural Garda station; and if he will make a statement on the matter. [29878/11]

397. **Deputy Niall Collins** asked the Minister for Justice and Equality if he will confirm and give a commitment that no Garda stations in County Limerick will be closed; and if he will make a statement on the matter. [30053/11]

Minister for Justice and Equality (Deputy Alan Shatter): I propose to take Questions Nos. 389 and 397 together.

I wish to make it clear at this juncture that no decisions have been made in relation to the closure of Garda stations. The Commissioner is currently carrying out a review of the entire Garda organisation in the context of ensuring that the Force will be in a position to match the deployment of resources to its policing commitments as effectively as possible.

Clearly, an examination of the opening hours and in some cases the viability of Garda stations will form part of this review. The Commissioner may have to consider in appropriate cases whether a better policing service could be delivered to a local community by having Gardaí out on patrol instead of in a station. I look forward to receiving the Commissioner's proposals, which will be aimed at maximising the efficiency of the Garda Síochána, and prioritising the resources available to operational front-line policing services.

Visa Applications

390. **Deputy Michelle Mulherin** asked the Minister for Justice and Equality the reasons for the refusal of a visa application in respect of a person (details supplied); and the next step they should take. [29937/11]

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 August 2011. It was refused by the Visa Officer on the 4 October 2011 for the following reasons:

- The finances shown were deemed to be insufficient;
- The Visa Officer had concerns about the authenticity of documents provided by the applicant, specifically the marriage certificate;
- The Visa Officer had concerns that the granting of the visa sought may result in a cost in respect of public funds and public resources;
- The applicant had not provided evidence of a relationship being in existence prior to the visa application/marriage.

As is the case with all refused visa applications, the refusal decision and the reasons for that decision were sent by way of letter to the applicant. In addition, and in common with all visa applications refused in Dublin, the refusal decision and the reasons for that decision were

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posted promptly on-line (in a format confidential to the applicant). It is open to the person concerned to submit an appeal within two months of the date of refusal, in this case before the 4 December 2011. Guidelines on the visa appeals process are available on the website of the Irish Naturalisation and Immigration Service, *www.inis.gov.ie*.

I should remind the Deputy that queries in relation to the status of individual Immigration cases may also be made direct to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Citizenship Applications

391. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current or expected position in relation to an application for naturalisation in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [29961/11]

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 February, 2010.

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 e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Anti-Social Behaviour

392. **Deputy Seán Kenny** asked the Minister for Justice and Equality the position regarding anti-social behaviour at a location (details supplied) in Dublin 13; if this location will receive additional Garda patrols; and if he will make a statement on the matter. [29987/11]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda authorities that the area referred to is within Coolock Garda District. Local Garda management is aware of difficulties being experienced by local residents through persons gathering at the location referred to. One incident relating to public disorder was reported to date in 2011. This matter was responded to promptly and dealt with by Gardaí from Coolock Garda Station.

I am further informed that the area is the subject of regular patrols by uniform and plain clothes personnel, including the Community Policing Unit, Mountain Bike Unit and local Detective and Drug Unit personnel, supplemented as required by the Divisional Crime Task Force and Traffic Corps personnel.

Local Garda management closely monitors and keeps under review patrols and other operational strategies in place, in conjunction with crime trends and policing needs of the communities in the area, to ensure optimum use is made of Garda resources and the best possible Garda service is provided to the public.

Current policing plans in the area are designed to address issues of crime and public order offences. Community policing is a central feature and core value of policing policy, and current policing strategies are predicated on the prevention of crime, public order offences and anti-social behaviour.

Garda Transport

393. **Deputy Seán Kenny** asked the Minister for Justice and Equality the amount spent on fuel and maintenance for aircraft in the Garda air support unit for the years 2007, 2008, 2009, 2010 and to date in 2011; and if he will make a statement on the matter. [29988/11]

Minister for Justice and Equality (Deputy Alan Shatter): The Garda Air Support Unit currently consists of one fixed wing Britten Norman Defender aircraft and two EC135 helicopters.

I am advised by the Garda authorities that the cost of maintenance for the fixed wing aircraft and the cost of fuel for the Garda Air Support Unit as a whole is borne by the Air Corps. The cost of maintaining both EC135 helicopters is borne by the Garda Vote.

I am informed by the Garda authorities that the cost of maintenance for both EC135 helicopters for the years requested, including support by the hour, purchase of equipment, replacement parts and hire of equipment is as outlined below.

Year	€
2007	1,064,601
2008	1,348,373
2009	1,669,558
2010	1,951,123
2011 (January-September)	1,226,148

Garda Deployment

394. **Deputy Seán Kenny** asked the Minister for Justice and Equality the number of gardaí by rank in the Garda water unit; the number of boats in the unit; and if he will make a statement on the matter. [29989/11]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda authorities that there are currently three Sergeants and thirteen Gardaí allocated to the Garda Water Unit. The unit has two patrol boats, four rigid inflatable boats (RIBs) and six inflatable boats at its disposal.

Garda Vetting

395. **Deputy Patrick O'Donovan** asked the Minister for Justice and Equality the position regarding an application for Garda clearance in respect of a person (details supplied) in County Limerick; and if he will expedite the application. [29995/11]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda authorities that responses to two vetting applications in respect of the person to whom the Deputy refers were issued to the registered organisations involved on 6 October 2011 and 12 October

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2011 respectively. There are no other outstanding vetting applications on hand with the Vetting Unit in respect of the person concerned.

Charities Regulatory Authority

396. **Deputy Tony McLoughlin** asked the Minister for Justice and Equality if the charities regulation authority has been established under the Charities Act 2009 and if it is operational; if it is operational, the criteria for reporting; and if a member of the public can report on administrative mishandling which is causing funds to be used for a purpose other than that for which they were donated. [30051/11]

Minister for Justice and Equality (Deputy Alan Shatter): The Charities Act 2009 provides for an integrated system of mandatory registration and proportionate regulation and supervision of the charities sector in Ireland. The various sections of the Charities Act are subject to implementation through commencement orders. A number of sections of the Act have already been commenced. Those sections providing for mandatory registration and reporting have not yet been commenced.

The Deputy may also be aware that responsibility for the Charities Act transferred to my Department in May 2011. Full implementation of the Act on a statutory basis, which would require the establishment of a new regulatory authority, would of course have new cost implications for the Exchequer. This is a matter which I am considering in the context of the review of expenditure currently being undertaken in my Department and, indeed, in all Government Departments and Agencies.

Irish charities may take a number of legal forms. For example, some charities are companies limited by guarantee while other charities are trusts. They are, therefore, governed by the relevant legislative or other provisions governing such entities. Incorporated charities, for example, are subject to the provisions of company law and are generally required to provide information to the Companies Registration Office under the Companies Acts, which can be accessed by the public. Such charities would also be subject to scrutiny by the Office of the Director of Corporate Enforcement. Charities that take the form of a trust are subject to the provisions of trust law. And, of course, any business entity is subject to general criminal and fraud legislation.

Question No. 397 answered with Question No. 389.

Court Proceedings

398. **Deputy Michael Healy-Rae** asked the Minister for Justice and Equality his views on correspondence (details supplied) regarding allegations of corruption; and if he will make a statement on the matter. [30062/11]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda authorities that the matters referred to relate to civil proceedings which are before the courts. The Deputy will appreciate that it would therefore be inappropriate for me to comment further.

Garda Deployment

399. **Deputy Seán Kyne** asked the Minister for Justice and Equality, further to Parliamentary Question No. 385 of 11 October 2011, if he will confirm the locations across Galway city and county of the 48 members of the Garda traffic corps. [30127/11]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda authorities that while the strength of the Garda Traffic Corps in Galway was 48 at the end of August, it was 41 on 30 September 2011. The Deputy will appreciate that Garda strengths fluctuate due to transfers, promotions retirements etc. The stations to which these 41 Gardaí are assigned are set out in the table hereunder.

Garda Stations	No.
Tuam Garda Station	11
Loughrea Garda Station	9
Galway Garda Station	11
Oranmore Garda Station	9
Clifden Garda Station	1
Total	41

Garda Operations

400. **Deputy Jonathan O'Brien** asked the Minister for Justice and Equality the amount it is costing the Exchequer to supply the security measures currently in place for the facilitation of the Smithfield horse fair, Dublin, in terms of Garda officials; and if he will make a statement on the matter. [30148/11]

Minister for Justice and Equality (Deputy Alan Shatter): The event referred to by the Deputy takes place on the first Sunday of every month, with the events in March and September attracting the largest amount of patrons, including overseas visitors.

The Garda authorities advise me that establishing the exact cost associated with policing the event would take a disproportionate amount of Garda time and resources. They estimate that the approximate cost for policing the Smithfield Fair each month is €4,000 except for the months of March and September where, due to an increase in patrons attending, the approximate cost for policing the Smithfield Fair is estimated at €7,500.

I am further advised that local Garda management are satisfied there are sufficient Gardaí deployed on the first Sunday each month to police the event.

Legal Aid Board

401. **Deputy Tom Fleming** asked the Minister for Justice and Equality if he will review a decision of the Legal Aid Board to refuse a legal aid certificate to a person (details supplied) in County Kerry. [30161/11]

Minister for Justice and Equality (Deputy Alan Shatter): I wish to inform the Deputy that any decision to grant or refuse a legal aid certificate is a matter for the Legal Aid Board which is a statutory, independent body that provides legal aid and advice to persons of limited means. Furthermore, the solicitor/client relationship is protected by privilege in accordance with the terms of section 32 of the Civil Legal Aid Act 1995 and therefore the Board does not provide information to third parties regarding a person who may or may not be a client of the Board.

However, I can advise the Deputy that any person who is refused a legal aid certificate may appeal this decision to an Appeal Committee which is made up of non-executive members of the Board.

Appointments to State Boards

402. **Deputy Mary Lou McDonald** asked the Minister for Justice and Equality the saving to the State if all State agency board members' annual payments were rescinded and instead board membership was awarded without remuneration. [30259/11]

Minister for Justice and Equality (Deputy Alan Shatter): I wish to inform the Deputy that for the purposes of answering her question I am listing the Boards under the aegis of my Department which have responsibility for discharging the normal functions of a Board charged with the oversight and governance of statutory agencies. These are as follows: the Courts Service Board, the Private Security Authority, the Equality Authority, the Property Registration Authority, the Legal Aid Board and the National Disability Authority.

A gross total of €570,713 would accrue in savings if Board members' fees were rescinded and Board membership was not remunerated.

The proportion of fees allocated to Chairpersons of the relevant Boards is €65,408 with the remaining amount of €505,305 paid to ordinary members. The figures are provided for a period of a full year and on the basis that the relevant Board has full membership and is not carrying any vacancies.

The Deputy might further wish to note that, as the figures provided above are gross figures, all Board members would be further liable to normal tax deductions in respect of their fees and that the savings to the State would be much less than the gross figures.

Defence Forces Training

403. **Deputy Michael McCarthy** asked the Minister for Defence if he will provide a breakdown of the various courses, visits and competitions attended by members of the Defence Forces which led to costs of €1.3 million that occurred in 2010, including the name, location and date of each occasion in tabular form; and if he will make a statement on the matter. [29611/11]

404. **Deputy Michael McCarthy** asked the Minister for Defence the number of Defence Forces personnel currently attending third level courses which are being fully or partly paid by his Department; if he will provide a breakdown of the courses being attended by personnel, including the name and duration of course, the name of the institution and the annual cost incurred by his Department by course; and if he will make a statement on the matter. [29614/11]

Minister for Defence (Deputy Alan Shatter): I propose to take Questions Nos. 403 and 404 together.

Training and Education are vital activities in all Military organisations. Training enables Defence Forces personnel to achieve their required standard of operational effectiveness. Over the past decade the Defence Forces have undertaken more challenging roles, in particular on overseas service and have also introduced new highly technical equipment. External Education both at Universities and Institutes at home and abroad, fulfils Defence Forces requirements by providing education and expertise, which cannot be delivered within the organisation and which ensures that Defence Force personnel attain the required level of academic and professional qualifications.

Training and Education is under constant review within the Defence Forces. This is to ensure that the Defence Forces provide an effective highly trained force capable of fulfilling all roles assigned by Government, while also utilising the most efficient and economic use of resources.

It was not possible to provide the detailed information sought by the Deputy in the time available. My Department is currently seeking to compile the relevant data and I will provide the information directly to the Deputy once it comes to hand.

Army Equitation School

405. **Deputy Michael McCarthy** asked the Minister for Defence the number of new horses that have been purchased or leased by his Department for the Army Equitation School since 2006; the cost of each individual purchase or lease and the number of horses which are now property of the school in tabular form; and if he will make a statement on the matter. [29621/11]

Minister for Defence (Deputy Alan Shatter): The Army Equitation School has in place a Horse Purchase Board consisting of the Officer Commanding the Equitation School, his Deputy, an official from the Department of Defence and a retired Officer Commanding the Equitation School. The School arranges for the Horse Purchase Board to inspect and assess horses that are presented by breeders and producers with a view to either purchase or lease. Details of all purchases and leases of new horses since 2006 are set out in a tabular statement. The total number of horses currently owned or leased is 39.

Year	No. of horses purchased	Cost of each new purchase	No. of horses leased	Cost per annum of each new lease	Duration of Lease Payments
2006	4	€70,000 €125,000 €18,000 €32,500	2	€40,000 €10,000	1 yr 1 yr
2007	3	€55,020 €67,500 €24,000	NIL	—	—
2008	4	€19,000 €67,500 €45,000 €24,000	3	€10,000 €17,000 €6,000	Still ongoing 2 yrs 2 yrs
2009	2	€30,000 €71,958	NIL	—	—
2010	5	€25,000 €12,000 €14,000 €65,000	1	Nil (Free Lease)	Still ongoing
2011 to date	1	€100,000	1	€29,000	Still ongoing

406. **Deputy Michael McCarthy** asked the Minister for Defence if he will provide a breakdown of travel costs incurred by members of the Army Equitation School on an annual basis since 2006 while travelling to national and international horse shows; the specific costs incurred on each trip, including accommodation, food, and other subsistence, in tabular form; and if he will make a statement on the matter. [29623/11]

Minister for Defence (Deputy Alan Shatter): The mission of the Army Equitation School, as assigned to it on its establishment in 1926, is to promote the Irish horse abroad through the participation in international competition. The school has discharged this task with considerable distinction down through the years by competing in national and international events in show-jumping and three day eventing. Details of the travel and other costs incurred by members of

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the Army Equitation School on an annual basis since 2006, whilst travelling to national and international competitions, are set out in the tabular statement below. For each year, the total cost is broken down in the manner in which the data is recorded by my Department.

	2006	2007	2008	2009	2010	Jan to Sep 2011
Motor Travel	€13,829.98	€15,483.09	€10,694.92	€1,539.76	Nil	Nil
Public Transport	Nil	€324.82	€107.32	€83.90	€765.40	Nil
Taxi	€228.00	€349.71	€552.51	€139.21	€150.59	€78.03
Home Subsistence	€20,769.48	€31,625.37	€18,986.78	€15,387.01	€17,780.52	€11,227.39
Foreign Subsistence	€97,956.38	€133,710.35	€170,732.22	€86,639.25	€104,411.39	€61,917.54
Incidentals*	€34,616.22	€25,387.46	€70,882.26	€26,871.11	€26,415.58	€11,850.32
Total	€167,400.06	€206,880.80	€271,956.01	€130,660.24	€149,523.48	€85,073.28

*Please note that incidentals could include for example vouched costs for accommodation and food.

Croke Park Agreement

407. **Deputy Simon Harris** asked the Minister for Defence the position regarding the Croke Park agreement; if he has received implementation plans for this agreement from his Department and each State agency under his remit; the status of these implementation plans; the discussion he has had with the EU and IMF regarding the agreement; and if he will make a statement on the matter. [29682/11]

Minister for Defence (Deputy Alan Shatter): Under the *Public Service Agreement 2010-2014*, detailed action plans have been developed by the Department of Defence and the Defence Forces to underpin the change and reform process envisaged by the Agreement. The Action Plans were first developed in October 2010 and subsequently revised in January 2011. Public service bodies in each sector were required to prepare their first detailed report on the progress being made in implementing their Action Plans last May and the reports provided by the Department and the Defence Forces formed part of the first annual review of the Agreement undertaken by the Implementation Body.

The second phase of progress reporting on the Agreement is underway at present and my Department is currently preparing progress reports for submission to the Implementation Body during October. These reports will be examined by the Implementation Body and published on its website (www.implementationbody.gov.ie). It is expected that all Action Plans will need to be revisited later in the year when decisions have been taken by Government on the Comprehensive Review of Expenditure.

The Government has indicated that the Public Service Agreement represents a key enabler to meeting its fiscal targets under its obligations under the EU/IMF Joint Programme of Assistance. The quarterly returns made to date by the Government under the Programme on public service numbers and the paybill have indicated that the number of public servants is falling and we are on track to meet the existing target of 302,000 public service posts by end 2011. Similarly, the Exchequer pay bill return for the first six months is in line with the 2011 pay bill targets.

The Government has indicated that it wishes to honour the commitments given in the Public Service Agreement. However, this will only be possible if the Agreement is implemented in full.

Pension Provisions

408. **Deputy Mary Lou McDonald** asked the Minister for Defence the saving to the Exchequer if all existing public service pension payments to former employees of State agencies under the aegis of his Department were capped at €35,000 per year. [29777/11]

Minister for Defence (Deputy Alan Shatter): The only non-commercial State bodies in this context under my Department's aegis are the Army Pensions Board and Civil Defence Board. The payment of public service pensions to any former civil service employees who worked with those bodies would be a matter for the Department of Public Expenditure and Reform. Any savings from capping such pensions on the basis referred to would therefore be included in the figures already provided by the Minister for Public Expenditure and Reform in his reply to the Deputy in Question No. 297 on the 4 October 2011. While the Permanent Defence Force is not a State agency in the usual meaning of the term, the savings if military pensions were capped at €35,000 a year are estimated at some €6.0 million annually. This reflects the impact of the Public Service Pension Reduction under the provisions introduced by the Financial Emergency Measures in the Public Interest Act 2010 from 1 January 2011. It should be borne in mind that the Exchequer would only receive a proportion of those savings in net terms, as income tax and other statutory deductions such as the universal social charge would be foregone if such a measure were implemented.

Army Barracks

409. **Deputy John Halligan** asked the Minister for Defence if his attention has been drawn to the adverse effect the uncertainty regarding the potential closure of army barracks across the country is having on the soldiers who will be directly affected; if he will confirm the position in relation to these rumoured closures; and if he will make a statement on the matter. [29954/11]

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 for 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 monies received from the sales of such properties have been reinvested in equipment and infrastructure for the Defence Forces.

The priority must be to ensure that all decisions about resource allocation 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.

I regret that, prior to this matter being considered by Government in the context of the overall review of expenditure, uncertainty has arisen as to the future of barracks and that this is a cause of concern to members of the Defence Forces and family members. This unfortunately is a consequence of the appalling financial legacy inherited by the Government and my obligation as Minister is to fully engage in the review that is being undertaken to ensure that this State fully meets its obligations under the EU/ECB/IMF agreement concluded by the previous Government in November 2010 and to comply with our obligation to substantially reduce public expenditure.

Defence Forces Personnel

410. **Deputy Seán Kenny** asked the Minister for Defence the number of female recruits currently in the Defence Forces at each rank above the rank of Commandant; and if he will make a statement on the matter. [29994/11]

Minister for Defence (Deputy Alan Shatter): As at 30 September 2011, the latest date for which figures are available, there were 145 female officers serving in the Permanent Defence Force. There is one female officer above the rank of Commandant who holds the rank of Lieutenant Colonel. There are 23 female officers at the rank of Commandant, 67 at the rank of Captain and 54 at the rank of Lieutenant. There are 421 females (including Cadets) enlisted in the Permanent Defence Force. There are 3 Company Sergeants, 1 Company Quarter Master Sergeant, 38 Sergeants, 145 Corporals, 230 Privates and 4 Cadets. The total number of females serving in the Permanent Defence Force on 30th September 2011 was 566. The Government is committed to a policy of equal opportunity for men and women throughout the Defence Forces and to the full participation by women in all aspects of Defence Forces activities. Unlike many other national armed forces, the Defence Forces have no restrictions as regards the assignment of men or women to the full range of operational and administrative duties. All promotions and career courses are open to both genders on merit.

In 2007, the Department received the report of a TNS/MRBI study it had commissioned, titled “Retention and Recruitment of Women in the Defence Forces”. This research was commissioned with a view to identifying areas where action could be taken to maximise the number of women applicants to the Defence Forces, hence increasing the number joining. The question of retention was also studied.

The results of the research were, on balance, positive. Three-quarters of serving females agreed that the Defence Forces are a good place to work. In addition there was a very high level of satisfaction (70% — 80%) expressed as regards the issues of job security, pay and benefits and the variety of work on offer.

The recommendations of the report have been implemented and the challenges identified therein continue to be addressed.

The Defence Forces prides itself on providing a gender neutral working environment. Policies on equality are being constantly communicated to all ranks. The military authorities are alert and vigilant to this issue and are committed to addressing this matter in a continuing and proactive manner.

Appointments to State Boards

411. **Deputy Mary Lou McDonald** asked the Minister for Defence the saving to the State if all State agency board members’ annual payments were rescinded and instead board membership was awarded without remuneration. [30254/11]

Minister for Defence (Deputy Alan Shatter): The boards under the aegis of my Department are the Civil Defence Board, the Board of Coiste an Asgard and the Army Pensions Board. Legislation is currently being drafted to dissolve the Civil Defence Board and transfer the functions of the Board back into the Department of Defence.

In the context of settling the Estimates for the Department of Defence for 2010, the Government decided that the national sail training scheme operated by Coiste an Asgard would be discontinued as recommended in the Report of the Special Group on Public Service Numbers and Expenditure. As a result, no funding was provided in 2010 or 2011. No appointments have been made since that decision was taken and the Board will be dissolved shortly.

There is no remuneration attached to membership of the Civil Defence Board or the Board of Coiste an Asgard.

The Army Pensions Board has three members, a chairperson, a civilian doctor, and an officer of the Army Medical Corps. The chairperson and the civilian doctor are entitled to annual fees of €7,618 and €5,079 respectively.

412. **Deputy Mary Lou McDonald** asked the Minister for Defence the number of persons who hold more than one State agency board position across the aegis of all Departments; their total remuneration; the number of board memberships said persons hold and their names in tabular form; and if such information is collated. [30263/11]

Minister for Defence (Deputy Alan Shatter): The boards under the aegis of my Department are the Civil Defence Board, the Army Pensions Board and the Board of Coiste an Asgard. Members of these boards who hold positions on other State boards are set out in tabular form below.

Name	No of Memberships Held	Board under aegis of Department of Defence	Other State Board
Mr. Tom Harrington	2	Army Pensions Board	Consumer Foods Board (An Bord Bia)
Mr. Noel Ryan	2	Coiste an Asgard	Ordnance Survey Ireland

In his capacity as chairperson of the Army Pension Board, Mr Tom Harrington is entitled to annual fees of €7,619.

There is no remuneration attached to membership of the Civil Defence Board or the Board of Coiste an Asgard.

Departmental Funding

413. **Deputy Tom Hayes** asked the Minister for Agriculture, Food and the Marine if funding will be provided to the Tipperary Association for the Prevention of Cruelty to Animals (details supplied). [29597/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application for ex-gratia funding has been received from the organisation in question. Provision of ex-gratia assistance this year is subject to the availability of funds and the application will be considered in this context and having regard to competing claims for financial assistance submitted by other animal welfare bodies.

Proposed Legislation

414. **Deputy Patrick O'Donovan** asked the Minister for Agriculture, Food and the Marine his plans to amend the Control of Horses Act to ensure the proper control of horses on the open road; and if he will make a statement on the matter. [29888/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The Control of Horses Act, 1996 was enacted to address problems caused by wandering horses in urban and rural areas and it contains a comprehensive range of measures aimed at controlling horses. Local authorities have extensive powers under the Act. Section 46 of the Act provides for a local authority to make by-laws for the control and welfare of horses in the whole or part of its functional area. By-laws made under this section may specify the manner in which a horse

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is to be kept under control by a person having charge or control of it in a public place, including on the open road or other place so as to prevent injury or nuisance to persons or damage to property.

Calafóirt agus Céanna

415. **D'fhiafraigh Peadar Tóibín** den Aire Talmhaíochta, Bia agus Mara an bhfuil straitéis ag aige chun oibriú leis na páirtithe leasmhara chun togra Chalafort Ros a Mhíl, Contae na Gailimhe, a chur chun cinn. [30183/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Ceann de shé Lárionad Cuain Iascaigh a bhfuil mo Roinn freagrach astu is ea Lárionad Cuain Iascaigh Ros an Mhíl. Tuigim go maith an méid uathúil agus luachmhar a chaithfidh Lárionad Cuain Iascaigh Ros an Mhíl a chur le tionscal na hiascaireachta agus leis an timpeallacht eacnamaíoch níos leithne.

D'ainneoin an timpeallacht eacnamaíoch reatha ina bhfuilimid ag feidhmiú, lean mo Roinn de mhaoiniú a chur ar fáil le haghaidh oibreacha cothabhála, forbartha, agus uasghrádaithe ag Lárionad Cuain Iascaigh Ros an Mhíl mar chuid de Chlár Forbartha mo Roinne sa bhliain reatha um Lárionaid Chuain Iascaigh agus um Bonneagar Cósta.

Fáiltíonn mo Roinn roimh dhearcaí agus tuairimí na bpáirtithe leasmhara go léir ag Lárionad Cuain Iascaigh Ros an Mhíl agus go deimhin d'éascaigh sí Fóram d'Úsáideoirí Cuanta ag Lárionad Cuain Iascaigh Ros an Mhíl ar an gCéadaoin 12 Deireadh Fómhair 2011. Is deis uathúil é an Fóram d'Úsáideoirí Cuanta do na páirtithe leasmhara éagsúla chun a ndearcaí a chur in iúl agus chomh maith chun faisnéis ábhartha cothrom le dáta maidir leis an gcuan a chloisteáil iad féin.

Grant Payments

416. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine if disadvantaged area payment will be awarded in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [29476/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the 2011 Disadvantaged Areas Scheme was received from the person named on 6 May 2011, processing of which has recently been completed, thereby allowing payment to issue on 18 October 2011.

Departmental Agencies

417. **Deputy Dominic Hannigan** asked the Minister for Agriculture, Food and the Marine, further to Parliamentary Question No. 143 of 6 October 2011, the number of meetings that have been held about the transfer of control over aquaculture in the Foyle to the Loughs Agency; the number of persons involved in his Department programme to transfer control; the length of time these persons have been involved; the other agencies and other Departments involved; the role of each of the other agencies and Departments in the process of transferring management control to the Loughs Agency; if a draft agreement has been written to grant the Loughs Agency control over aquaculture in the Foyle; if not, the timescale for such an agreement and the current timetable for the transfer of power; and if he will make a statement on the matter. [29518/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): My Department has participated with other stakeholders in at least eight meetings to discuss the issues involved in the proposal to devolve aquaculture licensing to the Loughs Agency.

A range of Departmental and Agency staff are involved in addressing the scientific, technical and policy elements. It would not be possible to provide a breakdown of the portion of each official's time that is being given to this matter.

The key Departments and Agencies involved, in addition to my own, are the Department of Communications, Energy and Natural Resources, the Marine Institute, Bord Iascaigh Mhara, and in view of the very important jurisdictional issues, the Department of Foreign Affairs and Trade.

My Department continues to make every effort to expedite the conclusion of a draft agreement, but it would not be appropriate to put a definitive deadline on these considerations at this time.

Departmental Staff

418. **Deputy Pat Deering** asked the Minister for Agriculture, Food and the Marine the number of veterinary surgeons employed in each district veterinary office; the cost of same; and the details of their job specification. [29520/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): There are 138 veterinarians currently employed by my Department throughout the regional office network and the numbers of veterinarians at each location is outlined in the table below.

In addition there are a further 16 whole-time veterinary inspectors (WTVIs) employed by the Department on a fee-per-test basis whose sole function is to carry out TB and Brucellosis testing.

Veterinary staff of the Department maintain the high standards of veterinary public health, animal health and animal welfare vital for Irish Agriculture. They play a vital role in the safeguarding of public health, the prevention and control of animal diseases, in the supervision of animal welfare standards and the certification of animals and animal products for export.

The 2010 salary cost of both veterinary staff working in the regional offices and WTVIs was €16,815,460. The salary cost from 1 January 2011 to 13 October 2011 was €12,912,032.

Regional office location	Number of veterinarians
Castlebar	7
Cavan Town	13
Clonakilty	6
Cork City	9
Drumshanbo	10
Enniscorthy	11
Galway City	7
Limerick City	12
Naas	11
Navan	8
Raphoe	5
Roscommon Town	4
Tipperary Town	11
Tralee	5

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Regional office location	Number of veterinarians
Tullamore	10
Waterford City	9
Total	138

Milk Quota

419. **Deputy Michael Creed** asked the Minister for Agriculture, Food and the Marine if he will clarify the operation of the milk quota trading scheme with regard to specific provision therein for smaller producers; the volume of milk expected to be traded in the current round; and if he will make a statement on the matter. [29529/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The Milk Quota Trading Scheme is run twice annually in respect of each Co-op collection area, and is comprised of a priority pool and a market exchange. A maximum of thirty per cent of the quota offered for sale is sold into the priority pool at a maximum price. This pool of quota is allotted to eligible applicants under one of four priority categories. The remainder is traded through an exchange at prices determined by sellers and buyers themselves.

Quota from the Priority Pool is allotted to the four priority categories in the following order of preference:

- Successors
- Producers with “lost lease” entitlements
- New and recent entrants to dairying under 35 years of age
- Category 1 producers, and new and recent entrants to dairying over 35 years of age.

Category 1 producers are those with a permanent quota of less than 350, 000 litres, and while they may from time to time access quota as Successor or Lost Lease applicants, the majority qualify under category 4 above.

The quota remaining in the priority pool after the applicants in the Successor and Lost Lease categories have been catered for is divided between categories 3 and 4 in a ratio of 3:2. In the event that a priority category request for quota is not satisfied from the Priority Pool, the balance of the bid is placed on the Exchange.

As the processing of applications in the current scheme is at an early stage, I am not in a position to comment on the volumes of milk expected to be traded. I intend to announce the results of the scheme in late November. I can, however, confirm that the number of applications received from buyers has increased by approximately 50% since the last scheme while the number of applications received from sellers has decreased marginally.

Grant Payments

420. **Deputy Marcella Corcoran Kennedy** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Offaly will receive payment under the agri-environment options scheme; and if he will make a statement on the matter. [29557/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named was approved for participation in the Agri-Environment Options Scheme with effect from the 1 September 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, while the application of the person named was also randomly selected for an on farm inspection. During these checks a discrepancy was discovered in respect of one parcel listed on the application of the person named. Officials in my Department have been in contact with the person named and the parcel in question is being re-digitised following which the application will be processed for payment.

421. **Deputy Heather Humphreys** asked the Minister for Agriculture, Food and the Marine if his attention has been drawn to the delays involved in the digitisation of maps for farmers who are awaiting their disadvantaged area payments; his plans to alleviate this problem; and if he will make a statement on the matter. [29562/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I again wish to state categorically that there are no delays in payments to farmers under either the Single Farm Payment Scheme or the Disadvantaged Areas Scheme. In the case of the SFP, the earliest payment date under the governing EU rules is 1 December, while in respect of DAS there is no regulatory payment date — however, it is generally recognised and indeed acknowledged in the Farmers' Charter, that a payment target of late September of the year in question is the most realistic.

I can assure the Deputy, and the wider farming community, that my Department is committed to allocating such resources as is necessary to ensure that the essential digitisation of applicants' maps onto the Department's Land Parcel Identification System (LPIS) and the processing of payments are proceeding as quickly as possible. However, I must emphasise that any failings or shortcomings in LPIS would leave the Department open to the very real risk of significant fines. I am not prepared to take such a risk, nor will I compromise the value of direct payments to Irish farmers .

In the case of the Single Farm Payment, it should be remembered that, while the earliest payment date provided for under EU rules is 1 December, I am acutely aware of the significance to the wider rural economy of the Single Payment. Therefore earlier this year, I successfully sought the approval of the Commissioner to have advance payments made as and from 17 October. This is the earliest possible legal date for making payments, being the start of the new EU financial year.

Following this agreement to my request for an advance payment of the SFP, I set a very demanding schedule of payments for the Disadvantaged Areas Scheme and the Single Payment Scheme, with payment of DAS scheduled for 22 September, the 50% advance of the SFP scheduled for 17 October and the 50% balance of the SFP scheduled for 1 December. I am pleased to say that the DAS payments commenced on target, as did the advance payments for the SFP. In all cases, my Department will continue to make multiple payment runs, under both schemes, on a weekly basis, to pay farmers as their applications become fully processed and cleared.

I fully appreciate the value and importance of these schemes to Irish farmers and remain committed to ensuring that the maximum numbers are paid at the earliest possible date, mindful, of course, of the over-riding necessity to ensure compliance with the governing EU require-

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ments. I note that Ireland continues to be among the very first countries throughout the EU to be in a position to make such payments and perhaps sight should not be lost of this fact.

422. **Deputy Michael Creed** asked the Minister for Agriculture, Food and the Marine the reason for the delay in awarding a disadvantaged area payment in respect of a person (details supplied) in County Cork; and if he will make a statement on the matter. [29564/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): An application under the 2011 Single Payment/Disadvantaged Areas Scheme was received from the person named on 13 May 2011. On processing of this application, an over-claim was identified on one of the land parcels listed. The person named has been written to in this regard and, on receipt of a satisfactory reply, the application will be further processed, with a view to payments under both Schemes issuing as soon as possible thereafter.

423. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the position regarding a disadvantaged area scheme payment in respect of a person (details supplied); and if he will make a statement on the matter. [29590/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the 2011 Disadvantaged Areas Scheme was received from the person named on 11 May 2011, processing of which has recently been completed, thereby allowing payment to issue on 18 October 2011.

424. **Deputy Pat Breen** asked the Minister for Agriculture, Food and the Marine when a disadvantaged area payment will be awarded in respect of a person (details supplied) in County Clare; and if he will make a statement on the matter. [29612/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the 2011 Disadvantaged Areas Scheme was received from the person named on 11 May 2011, processing of which has recently been completed, thereby allowing payment to issue on 7 October 2011.

425. **Deputy Pat Breen** asked the Minister for Agriculture, Food and the Marine when a disadvantaged area aid payment will issue in respect of a person (details supplied) in County Clare; and if he will make a statement on the matter. [29616/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the 2011 Single Payment Scheme/Disadvantaged Areas Scheme was received from the person named on 11 May 2011. Payments under the 2011 Single Payment Scheme and Disadvantaged Areas Scheme have commenced nationally on 17 October 2011 and 21 September 2011 respectively.

The processing of the application of the person named has recently been completed and payments under both Schemes will issue shortly.

426. **Deputy Paul J. Connaughton** asked the Minister for Agriculture, Food and the Marine when an area-based payment will be awarded in respect of a person (details supplied) in County Galway; if his attention has been drawn to the difficulties caused by the delay in such payments; and if he will make a statement on the matter. [29617/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the 2011 Disadvantaged Areas Scheme was received from the person named on 29 April

2011, processing of which has recently been completed, thereby allowing payment to issue on 18 October 2011.

427. **Deputy John O'Mahony** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) will receive their single farm payment for 2010 and 2011; and if he will make a statement on the matter. [29622/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named submitted 2010 and 2011 applications for both the Single Payment Scheme and Disadvantaged Areas Scheme on 17 May 2010 and 11 May 2011 respectively. The person named also incurred a penalty under the REPS 3 Scheme. The applicant appealed this penalty. However, the original penalty was upheld. My Department has deducted the amount due arising from the penalty from a number of payments due to the applicant including a REPS payment of 30 December 2010, a 2010 Disadvantaged Areas Scheme payment on 26 January 2011, a 2010 Single Payment Scheme payment on 27 January 2011 and a 2011 Disadvantaged Areas Scheme payment on 21 September 2011. The penalty has now been deducted in full. All outstanding monies due under the 2010 Single Payment Scheme were paid to the person named, after the deduction of the aforementioned penalty, on 16 December 2010 and 11 October 2011 respectively.

All outstanding monies due under the 2011 Disadvantaged Areas Scheme were paid to the applicants on 21 September 2011. The 50% advance payment of the 2011 Single Payment Scheme was issued to the person named on 17 October 2011.

Croke Park Agreement

428. **Deputy Simon Harris** asked the Minister for Agriculture, Food and the Marine the position regarding the Croke Park agreement; if he has received implementation plans for this agreement from his Department and each State agency under his remit; the status of these implementation plans; the discussion he has had with the EU and IMF regarding the agreement; and if he will make a statement on the matter. [29678/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): My Department submitted its revised 'Action Plan' under the Public Service (Croke Park) Agreement in January. In 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, which has been engaged in a fundamental process of re-organisation, major 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 €14million (including non-pay savings of over €4.7 million) in the year ending March 2011, the reporting period for the Agreement. Both the Action Plan and the progress report are published in full on my Department's website (under 2011 Publications). They give comprehensive details of both the pay and non-pay savings to be achieved over the period of the Agreement to 2014.

The Department's progress report and the progress reports of the State agencies under my remit formed part of the first annual review of the Agreement undertaken by the Implementation Body, details of which can be found on the Implementation Body website (www.implementationbody.gov.ie).

My Department will shortly report on the six months to the end of September and that will also be made available on the Department's website.

The Government has indicated that the Public Service Agreement represents a key enabler to meeting its fiscal targets under its obligations under the EU/IMF Joint Programme of Assist-

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ance. The quarterly returns made to date by the Government under the Programme on public service numbers and the paybill have indicated that the numbers of public servants are falling and we are on track to meet the existing target of 302,000 public service posts by end 2011. Similarly, the Exchequer pay bill return for the first six months is in line with the 2011 pay bill targets.

The Government has indicated that it wishes to honour the commitments given in the Public Service Agreement. However, this will only be possible if the Agreement is implemented in full.

Departmental Expenditure

429. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine his views on a matter (details supplied) regarding budget 2012; and if he will make a statement on the matter. [29764/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The funding available to the Department in the 2012 Budget will be determined by the Government in the context of the prevailing economic and budgetary situation while having regard to the outcome of the Comprehensive Expenditure Review which is under way and the discussions on the 2012 Estimates process.

The National Recovery Plan 2011-2014 requires the Department to reduce total expenditure from €1.647 billion in 2011 to €1.286 billion in 2012. The reduced level of funding provided for will inevitably mean substantial cuts in expenditure in 2012 and subsequent years, and will impact on the schemes and services delivered by the Department.

Arising from the budgetary constraints as set out in the National Recovery Plan and the ongoing difficulties in the national finances, the Government requested all Departments to undertake a Comprehensive Expenditure Review for the purposes of ensuring the best use of resources and also that Government's public service reform objectives of achieving new goals with lower levels of resources will be realised.

My Department has carried out a comprehensive review of all areas of activities and expenditure and has submitted a report to the Minister for Public Expenditure and Reform which provides for cost reductions and a comprehensive set of options to meet the funding constraints. The review will be considered as part of the Government's overall pre-budget deliberations and the 2012 Estimates process.

I am acutely 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 all scheme payments and to the elimination of all unnecessary delays. Payments under the Disadvantaged Areas Scheme and the Agri-environment Options Scheme commenced in recent weeks and will continue as queries are resolved. I can also confirm that very substantial payments will issue between now and year end under the Single Payment Scheme and the Rural Environment Protection Scheme. Grants payments in respect of on-farm investments are dependent on the completion of the project concerned and submission of a valid, documented claim. I am also committed to ensuring that all such claims are processed and paid without delay.

Funding for these schemes in 2012 will be decided in Budget 2012 against the background I have outlined. My objectives are to ensure that funding is directed to priority schemes and services in accordance with Government policy and that the most cost-effective and efficient service is delivered by my Department. In this context, I will be aiming to maintain support for the most vulnerable farm families while attempting to focus the remaining available

resources in favour of investment opportunities in the Food Harvest 2020 strategy and the Government's Programme for Recovery.

Environmental Policy

430. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Fisheries and the Marine if he will review the agri-environment options scheme (details supplied); and if he will make a statement on the matter. [29765/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Under the EU Regulations governing the Agri Environment Options Scheme and other area-based payment schemes, a comprehensive administrative check, including cross-checks with the Land Parcel Identification System, must be completed before any payment can issue. Payment issues in all cases as soon as an application successfully passes these checks and to date, a total of 3437 farmers have received 75% of their 2010 entitlement. I expect that the remaining 25% of the 2010 entitlement will issue to these farmers by the end of October. I expect that outstanding cases will be paid or notified of any queries by the end of this month.

There are no delays in payments to farmers under the Disadvantaged Areas Scheme. While is no regulatory payment date, it is generally recognised and indeed acknowledged in the Farmers' Charter, that a payment target of late September of the year in question is the most realistic. In this regard, the Deputy will be aware that payments commenced, on target, on 22 September, with payments issuing to those farmers whose applications had been confirmed eligible for payment at that time. While I am pleased to note that payments worth in excess of €173 million have issued to date, representing almost 80% of applicants, I remain confident that the full budget for the Scheme will have been exhausted by year-end. I can confirm that my Department has, in the interim, continued to pay individuals, as their cases become clear, with payment runs taking place twice a week. This is normal practise and will continue on an ongoing basis, as necessary. In this regard, Suggestions have been made that the necessity to re-digitise farmers' maps is leading to unnecessary and inordinate delays, resulting in payments being made later than would otherwise be the case. While I can assure the Deputy, and the wider farming community, that I am committed to allocating such resources as is necessary to ensure that the essential digitisation of applicants' maps onto the Department's Land Parcel Identification System (LPIS), I must emphasise that any failings or shortcomings in LPIS would leave the Department open to the very real risk of significant fines. I am not prepared to take such a risk, nor will I compromise the value of direct payments to Irish farmers. Furthermore, sight should not be lost of the fact that the changes which have been recorded onto LPIS in very significant numbers, both throughout last year and again this year, are necessitated by the need to have all ineligible areas mapped; simply put, the position on the ground in any given farm must be accurately reflected on LPIS. To this end, therefore, these changes are, in the majority of cases, changes which were long since over-due.

As ever, the working relationship between my Department and the farming community greatly assists in the processing of these Schemes. Where in-house checks reveal anomalies in applicants' applications, the necessary correspondence issues immediately. By replying to all such correspondence as quickly as possible farmers ensure the rapid resolution of issues, thereby allowing their payments to be made.

I fully appreciate the value and importance of these schemes to Irish farmers and remain committed to ensuring that the maximum numbers are paid at the earliest possible date, mindful, of course, of the over-riding necessity to ensure compliance with the governing EU requirements.

Pension Provisions

431. **Deputy Mary Lou McDonald** asked the Minister for Agriculture, Fisheries and the Marine the saving to the Exchequer if all existing public service pension payments to former employees of State agencies under the aegis of his Department were capped at €35,000 per year. [29773/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): This information is not available in my Department and in the time available it would not be possible to obtain such information from the Semi-State Bodies under the aegis of my Department.

Grant Payments

432. **Deputy Pat Breen** asked the Minister for Agriculture, Fisheries and the Marine when headage payment will issue to a person (details supplied) in County Clare; and if he will make a statement on the matter. [29798/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the 2011 Single Payment/Disadvantaged Areas Scheme was received from the person named on 10 May 2011. On processing of this application, an over-claim was identified on one of the land parcels listed. The person named has been written to in this regard and, on receipt of a satisfactory reply, the application will be further processed, with a view to payments under both Schemes issuing as soon as possible thereafter.

Farm Retirement Scheme

433. **Deputy Brendan Griffin** asked the Minister for Agriculture, Fisheries and the Marine his plans to introduce an early retirement scheme for farmers; and if he will make a statement on the matter. [29801/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Following the suspension of the Early Retirement Scheme on 14 October, 2008 due to budgetary constraints it became apparent that there was a number of farmers who had their preparations to apply for the Scheme completed or close to completion at that point. The Scheme was re-opened temporarily on 23 September 2009 with limited additional funding with a view to accepting as many as possible of the applications that fell into this category. I have no plans to re-open this Scheme or introduce another Scheme at this time.

Grant Payments

434. **Deputy Paul J. Connaughton** asked the Minister for Agriculture, Fisheries and the Marine when the single farm payment will issue in respect of a person (details supplied) in County Galway; and if he will make a statement on the matter. [29890/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the 2011 Single Payment Scheme/Disadvantaged Areas Scheme was received from the person named on 13 May 2011, processing of which has recently been completed, thereby allowing Disadvantaged Area payment to issue on 17 October 2011. Advance payment under the Single Payment Scheme was issued to the applicant on 17 October 2011.

435. **Deputy Michael Creed** asked the Minister for Agriculture, Fisheries and the Marine the reason for the delay in payment of the outstanding balance of a 2010 REP scheme 4 application to a person (details supplied) in County Cork; if he will also arrange for the prompt payment

of 2011 REP scheme 4 and disadvantaged area payments to this person; and if he will make a statement on the matter. [29896/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named commenced REPS 4 in June 2008 and received full payments for the first two years of their contract.

In addition, 75% of the third year payment issued on 7 April 2011 for the amount of €6724.28. Following a cross-check between the SPS application for 2010 and the REPS agri-environmental plan an area discrepancy of 0.98 ha. was discovered which resulted in the imposition of a penalty. My Department is currently making arrangements to process the outstanding 25% payments to farmers in these instances where penalties have been imposed. I expect that these outstanding payments will commence in October.

Arrangements are also well advanced to issue payments in respect of 2011 and I expect that these payments will commence in November.

436. **Deputy Pat Breen** asked the Minister for Agriculture, Fisheries and the Marine when the disadvantaged area payment will issue to a person (details supplied) in County Clare; and if he will make a statement on the matter. [29924/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the 2011 Disadvantaged Areas Scheme was received from the person named on 11 April 2011. Processing of the application of the person named has recently been completed thereby allowing payment to issue shortly.

Animal Welfare

437. **Deputy Paschal Donohoe** asked the Minister for Agriculture, Fisheries and the Marine if there is legislation in place on the health and safety of carriage horses; and if he will make a statement on the matter. [29943/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The main statutes governing the health and safety of all animals, including carriage horses, in this country is the Protection of Animals Act 1911 and the Protection of Animals (Amendment) Act, 1965. This legislation is enforced by the Garda Síochána, who may on receipt of a complaint investigate and bring a prosecution against any person alleged to have committed an offence under these Acts.

Grant Payments

438. **Deputy Seán Conlan** asked the Minister for Agriculture, Fisheries and the Marine the position regarding an application for the farm improvement grant scheme in respect of a person (details supplied) in County Monaghan; and if he will make a statement on the matter. [29968/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person concerned is an applicant for grant-aid under the Farm Improvement Scheme. A query has arisen in respect of the application of the person named and I am arranging to have the case reviewed within my Department. I will be in touch with the Deputy again as soon as possible.

439. **Deputy Tom Hayes** asked the Minister for Agriculture, Fisheries and the Marine when a single farm and disadvantaged area payment will issue in respect of a person (details supplied) in County Tipperary. [29976/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the Single Payment Scheme/Disadvantaged Area Scheme was received from the person named on the 18 April 2011. This application was selected for and was the subject of a Ground Eligibility Inspection.

The inspection process is completed and the application has now been fully processed. Payment under the Disadvantaged Areas Scheme will issue within a week.

Under EU regulations governing the Single Payment Scheme advance payments cannot commence until 16 October. The 50% advance due to the applicant will issue shortly, with the balancing payment due in December.

Regional Boards

440. **Deputy Terence Flanagan** asked the Minister for Agriculture, Fisheries and the Marine the number of vacant positions within regional boards as a result of persons on leave of absence; his plans to fill the vacancies; when the persons are due back; and if he will make a statement on the matter. [30020/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): This Department does not have any regional boards.

Departmental Expenditure

441. **Deputy Terence Flanagan** asked the Minister for Agriculture, Fisheries and the Marine the amount spent by him on legal fees for the years 2006, 2007, 2008, 2009, 2010 and 2011; and if he will make a statement on the matter. [30021/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The amount paid by my Department in legal fees for the years in question is listed in the following table. It should be noted that some of the figures include costs.

Year	Total Amount paid (€)
2006	3,120,996
2007	3,784,900
2008	3,298,268
2009	1,563,466
2010	3,729,575
2011 (30 September 2011)	989,208

Animal Diseases

442. **Deputy Brendan Smith** asked the Minister for Agriculture, Fisheries and the Marine the timescale for the implementation of a national bovine viral diarrhoea eradication programme; and if he will make a statement on the matter. [30058/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An industry led BVD eradication programme is currently being developed by a BVD Implementation Group (BVDIG), the work of which is being facilitated by Animal Health Ireland (AHI). The Implementation Group comprises representatives of a number of industry stakeholders as well as my Department, with technical advice being provided by AHI. A voluntary programme is foreseen for 2012, with an intention that the programme will become compulsory in 2013.

The details of the programme have not yet been fully finalised, however the basis of the scheme is early sampling of young calves by the farmers themselves through the capture of a tissue sample using a 'tissue tag', submission of samples to a designated laboratory and the management of data arising through ICBF databases.

The recent unexpected development, where it was not possible to approve a tissue tag as an official identity tag for this forthcoming spring calving season was most disappointing for all stakeholders. However I am heartened by the resolve of the BVDIG to overcome this undoubted setback and their stated commitment to have a programme available for those that wish to participate in the voluntary programme in 2012. We must wait further announcements from the BVDIG.

Appointments to State Boards

443. **Deputy Mary Lou McDonald** asked the Minister for Agriculture, Fisheries and Food the saving to the State if all State agency board members' annual payments were rescinded and instead board membership was awarded without remuneration. [30251/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): There are currently 12 State Bodies/Agencies that fall under the aegis of this Department and these boards have a combined total of 199 board members. The total combined annual payments for all the board members is €1.17 million per annum.

444. **Deputy Mary Lou McDonald** asked the Minister for Agriculture, Fisheries and the Marine the number of persons who hold more than one State agency board position across the aegis of all Departments; their total remuneration; the number of board memberships said persons hold and their names in tabular form; and if such information is collated. [30262/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): There are currently 12 State Bodies/Agencies that fall under the aegis of this Department.

The following table lists all persons who hold more than one State Board position in respect of the State Bodies/ Agencies under the aegis of this Department.

Board Members Names	Name of State Body/Agency	Remuneration
Dr Noel Cawley	Teagasc (Chair)	€20,520
	Bord Bia	€11,970
Lorcan O'Cinnéide		€32,490
	Aquaculture Licensing Appeals Board (ALAB)	€5,985
	Marine Institute	€7,695
		€13,680

Children in Care

445. **Deputy Robert Dowds** asked the Minister for Children and Youth Affairs if she will provide an up-to-date report on the Health Service Executive residential youth centre in Dublin 22; and if she will provide assurances that it is being run in a way which ensures the safety of the children in the facility and that of local residents. [29579/11]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): I have requested a report on this matter from the HSE and I will be in further contact with Deputy Dowds on receipt of this report.

Departmental Expenditure

446. **Deputy Charlie McConalogue** asked the Minister for Children and Youth Affairs the amount of funding provided to an agency (details supplied) in 2010; the purpose for which the funding was provided; and if she will make a statement on the matter. [29566/11]

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.

Croke Park Agreement

447. **Deputy Simon Harris** asked the Minister for Children and Youth Affairs the position regarding the Croke Park Agreement; if he has received implementation plans for this agreement from her Department and each State agency under her remit; the status of these implementation plans; the discussion she has had with the EU and IMF regarding the agreement; and if she will make a statement on the matter. [29680/11]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): My Department is currently compiling a report for the Department of Public Expenditure and Reform regarding the substantial reforms associated with the establishment of and transition to the new Department of Children and Youth Affairs and taking account of the relevant actions across existing Departmental and State Agency plans which now fall under the remit of the Minister for Children and Youth Affairs.

Of course, as my Department was established on 1st June, 2011, it is currently preparing an Action Plan as required under the Croke Park Agreement and is integrating existing plans from the Agencies under my Department's remit. I have not had discussions with the EU and the IMF regarding the Agreement.

Pension Provisions

448. **Deputy Mary Lou McDonald** asked the Minister for Children and Youth Affairs the saving to the Exchequer if all existing public service pension payments to former employees of State agencies under the aegis of her Department were capped at €35,000 per year. [29775/11]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): As all of the retired public servants from agencies under the aegis of my Department are in receipt of retirement pensions under €35,000 per annum, there would be no benefit to the Exchequer by capping these pensions at the rate suggested by the Deputy.

Youth Services

449. **Deputy Ciara Conway** asked the Minister for Children and Youth Affairs the position regarding funding for youth cafés, in view of the fact that this is a good model for engaging with young persons; if funding will be sustained at current levels; when a decision on same will be made; her plans for youth cafés; and if she will make a statement on the matter. [29876/11]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): I agree that youth cafés offer a good model for positive engagement with young people. This is perhaps not surprising as it is a model which was initiated and led by young people themselves. The success of the model is evidence of the huge benefits which can flow from the encouragement of active participation by young people in decision making which my Department sees as one its continuing policy priorities.

As you will be aware as a result of the national youth café funding scheme 2010, jointly operated by my own Department and Pobal, a total of 64 youth café projects received funding to either open a brand new youth café site or to upgrade and improve facilities in existing sites. I am pleased to announce that as a result of that scheme a total of 16 brand new cafés are gradually coming on steam this year and in 2012. I have had the pleasure myself of officially opening some brand new youth cafés in recent months and it is extraordinary to see the real and meaningful difference that such facilities can bring to local communities. In many cases youth cafés are either partly or totally operated by young people themselves which itself helps encourage independence, personal responsibility and indeed entrepreneurial skills in terms of fund-raising and innovative ideas for revenue generation so that the cafés remain financially sustainable for the future. In these difficult economic times I would regard long term financial sustainability as the most important issue in terms of the continued success of the youth café model.

Following the completion of the payments to local projects by Pobal as a result of funds provided by my Department which has been ongoing throughout this year, my Department is currently examining the possibilities of providing funding for a small amount of additional projects who have applied for funding. Due to the current tough fiscal situation however, I regret that I am not in a position at this stage to give any specific new commitments in terms of additional funding being provided in 2012. Given the significant investment to date I believe it may also be timely to evaluate the results of the model generally. My Department will examine cost effective ways to study the impact of youth cafés facilities on local communities, specifically in areas where no such facilities existed previously.

Child Protection

450. **Deputy Ciara Conway** asked the Minister for Children and Youth Affairs if a working group has been set up for the development of the child protection agency; the persons on this working group; if any non-governmental organisation that works with women and children who are victims of domestic violence has been included in the group, in view of the fact that such experience would be invaluable; if a group has been set up; if not, when same will happen; how the members will be chosen; and if she will make a statement on the matter. [29877/11]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): I established the Task Force on the Child and Family Support Agency in September, in response to the Programme for Government commitment to “fundamentally reform the delivery of child protection services by removing child welfare and protection from the HSE and creating a dedicated Child Welfare and Protection Agency, reforming the model of service delivery and improving accountability to the Dáil”.

The Task Force will advise my Department in regard to the necessary transition programme to establish a Child and Family Support Agency, and will base its work on best practice in child welfare, family support and public administration; consistent with the Government’s public sector reform agenda.

In relation to the Agency it has been asked to:

- Propose a vision and the principles to guide operations;
- Advise on the appropriate service responsibilities, and the delivery of same;
- Review existing financial, staffing and corporate resources; and propose a methodology for resource allocation;

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- Propose an organisational design and operating child welfare and protection service model;
- Prepare a detailed implementation plan;
- Identify the main priorities and core relationships required;
- Oversee the implementation and monitor progress, pending establishment of the Agency.

The Task Force members are listed below for the Deputy's information.

- Chair: Ms Maureen Lynott, Management Consultant, and former Chair, Children First National Guidelines
- Mr Jim Breslin, Secretary General, Department of Children and Youth Affairs
- Prof Pat Dolan, UNESCO Chair and Director, Child and Family Research Centre, NUI Galway
- Ms Norah Gibbons, Director of Advocacy, Barnardos
- Mr Gordon Jeyes, National Director, Child & Family Services, HSE
- Ms Sylva Langford, former Director General of the Office of the Minister for Children and Youth Affairs
- Dr Kevin McCoy, former Chief Inspector, Northern Ireland Social Services Inspectorate
- Mr Pat McLoughlin, Chief Executive, Irish Payment Services Organisation Limited
- Ms Ellen O'Malley-Dunlop, Chief Executive, Dublin Rape Crisis Centre
- Mr Liam Woods, National Director, Finance, HSE.

Medical Cards

451. **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. [29584/11]

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.

Proposed Legislation

452. **Deputy John Lyons** asked the Minister for Health his plans to introduce a human tissue Bill; and if he will make a statement on the matter. [29891/11]

Minister for Health (Deputy James Reilly): I intend to bring legislative proposals for a Human Tissue Bill to Government early next year. These will include provisions that no hospital post-mortem may be carried out and no organ retained without consent and provisions to put in place a more comprehensive system for consent to anatomical examination to reflect

current practices in this area. The legislative proposals will also include provisions relating to a consent framework for the donors of tissue and organs, whether living or deceased.

Home Care Services

453. **Deputy Simon Harris** asked the Minister for Health the rationale behind the rationing of incontinence pads for carers and their dependents, including the introduction of a requirement that carers measure the output for each pad; and if he will make a statement on the matter. [30001/11]

Minister for Health (Deputy James Reilly): As this is a service matter it has been referred to the HSE for direct reply.

Mental Health Services

454. **Deputy Brendan Griffin** asked the Minister for Health his views in relation to a matter (details supplied); and if he will make a statement on the matter. [30282/11]

463. **Deputy Michael Healy-Rae** asked the Minister for Health if he will lobby for capital funding to build the replacement facilities required to allow St. Finan's Hospital, County Kerry, to close by 2014; and if he will make a statement on the matter. [29596/11]

Minister of State at the Department of Health (Deputy Kathleen Lynch): I propose to take Questions Nos. 454 and 463 together.

The Programme for Government provided for a Comprehensive Expenditure Review which is now well under way. This exercise includes a review of the planned health care capital programme, the outcome of which will determine the health care capital allocations for 2012 and future years.

The Deputy may wish to note that Government policy on mental health incorporates the recommendations of *A Vision for Change*. This Government is therefore committed to the closure of the old psychiatric institutions and the transfer of patients to more appropriate community based accommodation.

Health Services

455. **Deputy Jack Wall** asked the Minister for Health the position regarding orthodontic treatment in respect of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [29456/11]

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.

Nursing Home Services

456. **Deputy John McGuinness** asked the Minister for Health if he will immediately discuss with Health Service Executive management plans for the closure of a nursing home (details supplied) in County Dublin; if he will appreciate that news of the closure has come as a great shock to the local community and many families; the plans that are in place to look after existing patients; and if he will make a statement on the matter. [29468/11]

462. **Deputy Robert Dowds** asked the Minister for Health if he will provide an up to date report on plans for a nursing home (details supplied) in County Dublin; when a replacement facility will be completed; the plans of the Health Service Executive for the current site in view

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of the fact that it is a good location for a nursing home or senior citizen's facility due to its easy access from Tallaght. [29578/11]

Minister of State at the Department of Health (Deputy Kathleen Lynch): I propose to take Questions Nos. 456 and 462 together.

The nursing home in question was established in 1959. It was originally a Tuberculosis clinic opened in 1935. There are 80 residents currently 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 & drainage services at the Unit and found substantial issues and deficits in these areas. It is estimated that it would cost almost €3m to carry out the essential works to address these issues. However these works would not ensure compliance with National Quality Standards. The HSE decided to close the home 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 capacity of the new CNU is less than that at the home referred to by the Deputies the proposal also envisages that 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.

I would like to reassure the Deputies that the residents will remain our primary concern. I am satisfied that the HSE is acting to provide the most appropriate care possible for them and the Executive will continue to work closely with them and their families to assist them through this difficult time. Selection of alternative placements 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 the home 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. I understand that the indicative timescale for the transfer is between 3 and 6 months.

Medicinal Products

457. **Deputy Robert Dowds** asked the Minister for Health the reason the cost of the drug Dona, commonly used by those suffering from arthritis in Ireland, is over six times more expensive than the drug Xicil, which is identical and used widely by those suffering from arthritis in other countries including Spain; and if there is scope for savings to his Department by substituting Xicil for Dona. [29480/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): The medicinal product Xicil, which contains the active ingredient glucosamine, is not authorised for the Irish market. However, there are over twenty medicinal products containing glucosamine which are authorised for the Irish market.

Pharmaceutical companies can apply to the HSE for products to be reimbursed under the GMS Scheme and other community drugs schemes. In order for a medicinal product to be considered for reimbursement it must meet specified criteria. The medicinal product must be authorised for the Irish market by the Irish Medicines Board or the European Commission.

The product must be such that it is ordinarily supplied to the public only on foot of a medical prescription. In addition, the product should not be advertised or promoted to the public.

Eight products containing glucosamine are available for reimbursement under the GMS and other community drugs schemes, including the brand Dona. The reimbursement price of Dona Sachets 1500mg has been reduced from €32.19 in February 2008 to €11.52 as a result of a range of measures taken by my Department and the HSE to lower the costs of medicines for both taxpayers and patients.

Health Services

458. **Deputy Nicky McFadden** asked the Minister for Health his views on the scaling back of medical card holder entitlements to emergency dental procedures. [29525/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): Unfortunately due to the current position of the public finances, it has been necessary to reduce the services available under the Dental Treatment Services Scheme (DTSS). However the Health Service Executive (HSE) has measures in place to ensure that patients with special needs, high risk patients and those who have greater clinical needs receive priority for treatment. In addition, a free oral examination every calendar year and free emergency dental treatment with a focus on the relief of pain and sepsis are available to all eligible patients.

Medical Cards

459. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health, further to Parliamentary Question No. 615 of 4 October 2011 and the supplementary reply in which he stated that the Health Service Executive replied to the question on the presumption of other income by outlining the assessment criteria, if he will clarify the assessment criteria cited by the HSE in that reply. [29527/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): The Health Service Executive has confirmed to me that medical card applications for persons aged 16 to 25 years are assessed according to the Medical Card/GP Visit Card National Assessment Guidelines 2009 on the basis of the provisions of the Health Services (No. 3) Regulations, 1983 (S.I. No. 381 of 1983).

As stated in my reply on 4 October last, in accordance with these Guidelines, persons aged 16 to 25 years who are eligible for Medical Cards or GP Visit Cards are:

- Persons who are dependant on holders of a Medical Card or GP Visit Card;
- Financially independent persons whose means are within the income guidelines; and
- Cases of undue hardship where it would be unduly burdensome to provide general practitioner or medical and surgical services.

Applicants aged 16 to 25 are deemed to be financially independent if they are in receipt of income equivalent to or greater than the current rate of Supplementary Welfare Allowance. Financial independence may be achieved through student loans, education grants, employment, self-employment, part-time employment, savings or social welfare payments.

Persons aged 16 to 25 who are ineligible for Medical Cards or GP Visit Cards are:

- Persons who are financial dependents of persons who are not holders of a Medical Card or a GP Visit Card; and,

[Deputy Róisín Shortall.]

- Financially independent persons whose income does not fall within the Medical Card/GP Visit Card guidelines.

Hospital Services

460. **Deputy Gerry Adams** asked the Minister for Health the position regarding a surgery appointment in respect of a person (details supplied) in County Louth; and if he will make a statement on the matter. [29532/11]

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

461. **Deputy Finian McGrath** asked the Minister for Health if he will review an medical card application in respect of a person (detail supplied) in Dublin 5. [29568/11]

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. 462 answered with Question No. 456.

Question No. 463 answered with Question No. 454.

Hospital Services

464. **Deputy Charles Flanagan** asked the Minister for Health when a person (details supplied) in County Roscommon will receive an appointment at Our Lady's Children's Hospital, Crumlin, Dublin, for an operation or procedure, in view of the fact that the appointment was cancelled twice in July; and if he will make a statement on the matter. [29599/11]

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.

465. **Deputy Seán Ó Fearghaíl** asked the Minister for Health if he will request the Health Service Executive to expedite surgical intervention in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [29644/11]

Minister for Health (Deputy James Reilly): As this is a service matter, it has been referred to the Health Service Executive for direct reply.

466. **Deputy Ciarán Lynch** asked the Minister for Health when a person (details supplied) in County Cork who has been attending the ophthalmology department at Cork University Hospital since May 2011 will be provided with the necessary surgical procedures to deal with the matter; and if he will make a statement on the matter. [29651/11]

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.

Palliative Care

467. **Deputy Simon Harris** asked the Minister for Health the policy on palliative care for children and young persons; and if he will make a statement on the matter. [29664/11]

Minister of State at the Department of Health (Deputy Kathleen Lynch): 'Palliative care for children with life-limiting conditions — A National Policy' was adopted as Government policy on 15 December 2009. This Policy aims to ensure that all children with life-limiting conditions will have the choice and opportunity to be cared for at home. Implementation of Phase 1 of the policy recommended the appointment of 1 Paediatric Palliative Care Consultant, and 8 Outreach Nurses nationally (2 per HSE region).

At present, the Consultant post and 2 of the Outreach Nursing posts have been filled. The Department will continue to liaise closely with the Health Service Executive to fill the outstanding nursing posts as quickly as possible.

Health Policy

468. **Deputy Simon Harris** asked the Minister for Health the recommendations of the 2005 task force on obesity which have been implemented to date; the plans to implement the remainder of the recommendations; and if he will make a statement on the matter. [29665/11]

469. **Deputy Simon Harris** asked the Minister for Health the estimated cost to the State of obesity and related illnesses each year; and if he will make a statement on the matter. [29666/11]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 468 and 469 together.

[Deputy James Reilly.]

The National Task Force on Obesity completed its work in 2005. They estimated the direct health care costs of obesity for 2002 at some €70 million and the cost of deaths from obesity at up to €4bn per annum. An Inter-Sectoral Group on Obesity, comprising relevant Government Departments and key stake-holders, was established early in 2009 to oversee and monitor implementation of the Task Force recommendations. Its report, published in April 2009, detailed the progress made on each of the 93 recommendations. It showed that significant progress was made in the case of 32% of the recommendations, partial implementation occurred on 31%, action progressed on a further 28%, leaving 9% where little progress was reported.

Since 2009 work on initiatives to tackle obesity is continuing and progress has been made in a number of key areas, including the development of national physical activity guidelines and treatment algorithms for health care professionals. Earlier this year I established a Special Action Group on Obesity to identify and progress a number of issues to address the problem of obesity. The Group is concentrating on a range of measures such as calorie posting in restaurants, the introducing of a sugar tax on sugar-sweetened drinks, the restriction of marketing of high salt, fat and sugary food and drink to children, healthy eating guidelines, the detection and treatment of obesity and the promotion of physical activity. The Group will liaise with other Government Departments and organisations as required.

Addiction Services

470. **Deputy Simon Harris** asked the Minister for Health the addiction services currently funded by the State; the models of treatment under which care is provided; if studies have been conducted into the efficacy of the different models of addiction care provided; and if he will make a statement on the matter. [29667/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): The information requested by the Deputy is being collated by the HSE. I will arrange to have it forwarded to the Deputy shortly.

471. **Deputy Simon Harris** asked the Minister for Health the funding provided for addiction services nationally and within the Dublin/Leinster region for each of the years 2005, 2006, 2007, 2008, 2009, 2010 and to date in 2011; and if he will make a statement on the matter. [29668/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): The information requested by the Deputy is being collated by the HSE. I will arrange to have it forwarded to the Deputy shortly.

472. **Deputy Simon Harris** asked the Minister for Health the addiction services available to residents in County Wicklow; and if he will make a statement on the matter. [29669/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): The information requested by the Deputy is being collated by the HSE. I will arrange to have it forwarded to the Deputy shortly.

Health Services

473. **Deputy Simon Harris** asked the Minister for Health the cost to the State of oral health care for each of the years 2005, 2006, 2007, 2008, 2009, 2010 and to date in 2011; and if he will make a statement on the matter. [29670/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): Oral health services span Primary, Secondary and Tertiary Care Services including Acute Hospitals.

The Public Dental Service (PDS) provides emergency, routine and preventive oral health services to children under 16 and people of all ages with special needs. Oral health care is provided to medical card holders by dental practitioners contracted by the HSE under the Dental Treatment Services Scheme (DTSS). Orthodontic services, also delivered by salaried dental staff of the HSE, are provided to eligible patients based on the level of clinical need. Oral surgery and maxillofacial surgery is delivered either by secondary or tertiary services.

The following information is available in relation to costs of oral health care:

Year	Public Dental Service Expenditure (approximate)	DTSS Expenditure (approximate)
2005	n/a	€54 m
2006	n/a	€55 m
2007	n/a	€58 m
2008	€65.5m	€63 m
2009	€64.8m	€88 m
2010	€59.5m	€79 m
2011	€60m (allocated budget)	€37m (to end of August)

The base budget for orthodontics is currently €16m approximately. This includes some oral surgery and restorative treatment costs.

The HSE is not in a position to provide the level of detail requested in respect of the cost of Public Dental Services in 2005-2007 or in respect of oral and maxillofacial surgery which in most cases forms part of the budget for the setting in which it is provided and cannot be disaggregated.

The HSE has provided revenue funding of between €6m and €7.5m approximately to the Dublin Dental School and Hospital (DDSH) for the years in question in respect of a Service Level Agreement. The DDSH has other sources of funding including payment from the HSE for individual items of treatment. The HSE provides approximately €2m to Cork University Dental School and Hospital each year also.

The HSE is currently implementing the recommendations of the Strategic Review of the Management and Delivery of Dental Services which includes the development of a National Oral Health Office. It is intended that a new structure for the collation of financial information will be implemented in 2012.

474. **Deputy Simon Harris** asked the Minister for Health if a cost-benefit analysis comparing the cost of preventative dental health care measures compared to the provision of emergency dental care was carried out in advance of budget 2010; and if he will make a statement on the matter. [29671/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): A cost benefit analysis comparing the cost of preventative dental health care and emergency dental care was not carried out in advance of budget 2010.

Unfortunately it was deemed necessary to reduce the services available under the Dental Treatment Services Scheme (DTSS) at that time due to the difficult position of the public finances.

Croke Park Agreement

475. **Deputy Simon Harris** asked the Minister for Health the position regarding the Croke Park agreement; if he has received implementation plans for this agreement from his Department and each State agency under his remit; the status of these implementation plans; the discussion he has had with the EU and IMF regarding the agreement; and if he will make a statement on the matter. [29687/11]

Minister for Health (Deputy James Reilly): Under the *Public Service Agreement 2010-2014*, detailed action plans have been developed by my Department, the Health Service Executive and the other statutory agencies under the aegis of my Department. The Action Plans were developed in 2010 and are subject to revision from time to time in the light of changing priorities and circumstances.

Each organisation was required by May 2011 to prepare its first detailed report on the progress being made in implementing its Action Plan and these reports formed part of the first annual review of the Agreement undertaken by the Implementation Body. The second phase of progress reporting on the Agreement is underway at present, with updated progress reports due to be submitted to the Implementation Body during October. Sectoral reports will be examined by the Body and published on its website (www.implementationbody.gov.ie). It is expected that Action Plans will need to be revisited later in the year when decisions have been taken by Government following the Comprehensive Review of Expenditure.

The Public Service Agreement represents a key enabler to the Government meeting its fiscal targets under its obligations under the EU/IMF Joint Programme of Assistance. The Government wishes to honour the commitments given in the Public Service Agreement. However, this will only be possible if the Agreement is implemented in full. The successful implementation of the agreement in the health sector will be dependent on constructive engagement between the parties to achieve significant and meaningful reform in the organisation of services and in work practices.

Health Service Staff

476. **Deputy John McGuinness** asked the Minister for Health the number of agency staff qualified in the areas of speech therapy, physiotherapy and occupational therapy who are employed by the Health Service Executive in Carlow and Kilkenny and whose contracts have ended in the past three months; if there is a waiting list for each of these services in Carlow and Kilkenny; and his plans for dealing with the delivery of these services with a reduced number of qualified staff. [29694/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Medical Cards

477. **Deputy John McGuinness** asked the Minister for Health if a medical card will be issued immediately in respect of a person (details supplied) in County Kilkenny. [29698/11]

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.

478. **Deputy John McGuinness** asked the Minister for Health if he will confirm the time frame involved in processing a medical card application in respect of a person (details supplied) in County Kilkenny; and if he will expedite the matter. [29699/11]

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.

479. **Deputy John McGuinness** asked the Minister for Health if a medical card will be issued to a person (details supplied) in County Kilkenny. [29703/11]

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 Waiting Lists

480. **Deputy Brendan Griffin** asked the Minister for Health if an appointment will be brought forward for a person (details supplied) in County Kerry; and if he will make a statement on the matter. [29704/11]

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.

Home Help Services

481. **Deputy Mattie McGrath** asked the Minister for Health if his attention has been drawn to the fact that the Health Service Executive has informed a client that it cannot provide or increase their home help hours until hours are freed up by another client and that this position is unlikely to change by the end of the year; if he finds it acceptable that elderly persons in need of home help should have to wait until another client is deceased in order that they can get home help; his view on whether this is an acceptable policy in the provision of community care; and if he will make a statement on the matter. [29715/11]

Minister of State at the Department of Health (Deputy Kathleen Lynch): Government policy is to support older people to live at home and in their communities for as long as possible. This is realised through a range of community based supports provided by the Health Service Executive (HSE), including home help, home care packages, meals-on-wheels, and day / respite care.

There has been no reduction in the overall funding to the Executive for the home help service for 2011, compared to last year. As per the HSE Service Plan agreed for the current year, the Executive is committed to providing nearly 12 million home help hours nationally, to around 54,000 clients. It is a matter for the Executive, which has operational responsibility to provide the service nationally, to manage the service at local or individual level. Applicants are prioritised by the Executive, which targets services at clients with a high level of dependency, in accordance with their assessed needs and available resources.

[Deputy Kathleen Lynch.]

It is not necessarily the case that an existing recipient has to die before a service is made available to an approved applicant. Factors such as changing personal, family, or care circumstances are taken into account in respect of prioritising those waiting to receive home help.

I am not familiar with the particular case raised by the Deputy, but if he wishes to forward the relevant details to me I will follow up the matter with the HSE.

Hospital Services

482. **Deputy Joanna Tuffy** asked the Minister for Health, further to Parliamentary Question No. 443 of 12 July 2011, when a reply will issue; and if he will make a statement on the matter. [29716/11]

Minister for Health (Deputy James Reilly): My Department has made enquiries with the Health Service Executive in relation to this matter and I understand that a reply issued to the Deputy on 17 October.

483. **Deputy Charlie McConalogue** asked the Minister for Health when the special delivery unit will be in operation; and if he will make a statement on the matter. [29722/11]

496. **Deputy Billy Kelleher** asked the Minister for Health if, in view of his commitment in an interview on *www.irishhealth.com* that he personally, or someone on his behalf, will contact hospitals to ask the reason individual patients have been waiting in emergency departments for over 12 or 24 hours, he has in fact contacted any hospitals to inquire about individual patients; the hospitals he has contacted; if he will put in place a system whereby patients or their families can contact his office directly in order that he can inquire about delays that relate to them; and if he will make a statement on the matter. [29901/11]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 483 and 496 together.

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 working closely with key teams in the HSE and the NTPF. The SDU will also be working with hospitals to conduct a performance diagnostic analysis of the unscheduled care system in the acute hospital sector over the coming months.

My view is that we need to embed performance management in the system to sustain shorter waiting times. As the Deputy knows, this Government has an ambitious programme of reform which includes institutional reforms and economic incentives which will make health care providers truly accountable for delivering patient centred care. I can assure the Deputy that I have the commitment and determination to deliver this agenda.

I am very impressed with the work already begun by the Special Delivery Unit. Our problems did not arise overnight and they will take time to resolve but they are being tackled in a systematic and relentless fashion through the SDU. I do not minimise the scale of the task before us but I am very confident that the Special Delivery Unit will provide a real performance management function for the Irish hospital system and will drive down waiting times.

Medical Cards

484. **Deputy Denis Naughten** asked the Minister for Health the reason a person (details

supplied) in County Roscommon is deemed as not financially independent to apply for a medical card in their own right even though they are in receipt of the maximum supplementary welfare allowance for their age; if this means that every person in the country under 25 years will have to be means tested for a medical card on their parents' income if they live at home; and if he will make a statement on the matter. [29736/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): I have requested the Health Service Executive to furnish a full report on this case. I will revert to the Deputy as soon as the information is to hand.

Health Services

485. **Deputy Timmy Dooley** asked the Minister for Health, further to Parliamentary Question No. 519 of 19 July 2011 and in view of his response in July that this information in respect of 2010 would be published on the Health Service Executive website shortly, and noting that this has not yet happened, if he will now arrange for same to be furnished; and the reason information is slow to be made available this year. [29746/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): The HSE has informed me that the information requested by the Deputy is in the process of being finalised. I understand that there is a huge volume of work involved in producing the figures. On completion, the amounts paid to all contractors (doctors, pharmacists, dentists and optometrists) will be made publicly available.

486. **Deputy Pearse Doherty** asked the Minister for Health if he will provide an explanation for the delay in providing an operation in respect of a person (details supplied) in Dublin 20; when the patient concerned will receive the required treatment; and if he will make a statement on the matter. [29755/11]

Minister for Health (Deputy James Reilly): As this is a service matter, it has been referred to the Health Service Executive for direct reply.

487. **Deputy Olivia Mitchell** asked the Minister for Health if his attention has been drawn to the difficulties that Camphill Communities has in operating at 2005 costings and the reduced availability of workers; if he will arrange for the Health Service Executive to undertake the negotiation of a new long-term funding strategy to reflect the new conditions; and if he will make a statement on the matter. [29761/11]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As the Deputy's question relates to service matters, I have arranged for this question to be transferred to the Health Service Executive for direct reply.

Freedom of Information

488. **Deputy Catherine Murphy** asked the Minister for Health if he will confirm the reason no response, reply or acknowledgement has ever been issued in response to a letter sent to the office of the chief executive officer of the Health Service Executive (details supplied); the current policy within the HSE with regard to the acknowledgement and processing of and response to freedom of information requests generally; if there is anything in the general HSE policy or a specific policy pertaining to the office of the CEO of the HSE which would preclude the issuing of responses to freedom of information requests; if so, the reason that is the case; the details of that policy; if the office of the CEO of the HSE is required to process and act upon the receipt of a freedom of information request; if so, the time frame within which such

[Deputy Catherine Murphy.]

a request must be processed and responded to; if not, the reason this is the case; and if he will make a statement on the matter. [29762/11]

Minister for Health (Deputy James Reilly): Under the Freedom of Information legislation the Health Service Executive is a completely separate body from the Department of Health. Statutory responsibility for compliance with the provisions of the Freedom of Information Acts rests entirely with the Health Service Executive.

Provisions within the Freedom of Information legislation allow for an appeals process should any prescribed body fail to meet its requirements under the Acts.

I have been advised that this particular request, which was resubmitted to the relevant local office of the HSE on the 5 of October, has been acknowledged as received by that office and the request is being processed.

Health Service Investigations

489. **Deputy Emmet Stagg** asked the Minister for Health, further to Parliamentary Question No 598 of 3 May 2011, if the independent investigation has been completed; and when will the recommendations be published. [29768/11]

Minister for Health (Deputy James Reilly): As the investigation concerned was commissioned by the HSE under its Trust in Care policy, and concerns an individual case, the Deputy's question has been referred to the HSE for attention and direct reply.

Health Services

490. **Deputy Emmet Stagg** asked the Minister for Health when a person (details supplied) in County Kildare will be assessed by an occupational therapist. [29769/11]

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 Accommodation

491. **Deputy Emmet Stagg** asked the Minister for Health the number of beds currently available at Maynooth Community Hospital, Leinster Street, Maynooth, County Kildare; if beds have been closed recently; and if so, when will these bed spaces be reopening. [29770/11]

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

492. **Deputy Mary Lou McDonald** asked the Minister for Health the saving to the Exchequer if all existing public service pension payments to former employees of State agencies under the aegis of his Department were capped at €35,000 per year. [29782/11]

Minister for Health (Deputy James Reilly): The application of such a cap on Exchequer funded pension payments of my Department's directly funded agencies would result in an annual saving of €32,209.

493. **Deputy Mary Lou McDonald** asked the Minister for Health the savings to the Exchequer if all existing Health Service Executive public service pension payments were capped at €35,000 per year. [29789/11]

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.

Health Service Investigations

494. **Deputy Billy Kelleher** asked the Minister for Health if he will provide an update on the status of an independent report, which was due in September 2011, into the practise of symphysiotomy; when he expects the report to be published; if his attention has been drawn to the anxiety the delay in publishing the report is causing to victims of the procedure; the steps he will take to address the situation; and if he will make a statement on the matter. [29894/11]

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 as I am very conscious of the feelings of the women that underwent this procedure.

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.

Hospital Accommodation

495. **Deputy Billy Kelleher** asked the Minister for Health if he will confirm that on 4 October 2011 there were 49 patients on trolleys at Our Lady of Lourdes Hospital, County Louth, and that this is the highest figure ever recorded for that hospital; if he will confirm if the full capacity protocol was activated; and if he will make a statement on the matter. [29900/11]

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. 483.

Medical Cards

497. **Deputy Regina Doherty** asked the Minister for Health the differences in services offered and medicines covered by medical cards in different counties. [29916/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): Drugs and medicines on the list of reimbursable items under the General Medical Services (GMS) scheme are available to all valid medical card holders regardless of location. This list is available to view on the Health Service Executive (HSE) website. Those contracted to provide services to medical card holders i.e. doctors, pharmacists, dentists and optometrists are bound by the terms and conditions of their contracts and provide the same services to clients nationally.

Mental Health Services

498. **Deputy Simon Harris** asked the Minister for Health his strategy to address the issue of youth suicide, particularly for young males under the age of 35 years; his plans to address mental illnesses suffered by young men; and if he will make a statement on the matter. [29917/11]

510. **Deputy Alan Farrell** asked the Minister for Health the various mental health resources available to children and teenagers; the current programmes in place to raise awareness and encourage good mental health among children and teenagers; his plans to increase availability of mental health resources and raise awareness for children and teenagers; and if he will make a statement on the matter. [30012/11]

Minister of State at the Department of Health (Deputy Kathleen Lynch): I propose to take Questions Nos. 498 and 510 together.

A Vision for Change identified mental health services for children and young people as a priority area for development. The HSE has therefore placed a particular emphasis on developing child and adolescent mental health teams, improving in-patient access and addressing waiting times for assessment, and progress has been made in recent years. There are now 61 multi-disciplinary Child and Adolescent Mental Health teams nationally and further teams will be developed in line with the recommendations of *A Vision for Change*.

In terms of child and adolescent mental health infrastructure, two new purpose built units opened earlier this year at Bessborough, Cork and Merlin Park, Galway, increasing the total bed capacity to 36 beds, with a further increase to 52 beds expected before the end of 2011. It is proposed to provide further beds in the Dublin region and, in this regard, work is due to commence on the second phase of the Child and Adolescent Unit at St. Vincent's Hospital, Fairview which will increase capacity from 6 to 12 beds, and on the development of an 8 bedded facility at St Loman's, Palmerstown. In addition, work on the Linn Dara Child and Adolescent Mental Health Day Facility in Cherry Orchard, Dublin is close to completion.

Specific initiatives aimed at addressing young people's mental health include the *Jigsaw* Programme, which was designed by Headstrong and its panel of youth advisors, and is an evidence-based integrated model designed to strengthen a community's capacity to support young people's mental health. It works on a partnership model, pulling together and aligning all existing resources and expertise in any given community. *Jigsaw* is up and running in Counties Galway, Roscommon, Kerry, Meath and Ballymun in Dublin. An additional €1m Innovation Funding was allocated to Headstrong in 2011 to support the expansion of *Jigsaw* to Donegal, Offaly, Clondalkin, Tallaght, North Fingal and Dublin 15.

Further initiatives aimed at addressing young people's mental health include:

- The HSE National Office for Suicide Prevention public education campaign, centred around www.yourmentalhealth.ie. In addition www.letsomeoneknow.ie is a website specifically targeted at a younger audience.
- Reaching Out (awareness) safeTALK (alertness) and ASIST (intervention) are three training programmes which are available across the country through the HSE Resource Officers for Suicide Prevention and are accessed by volunteers, staff from statutory / non-statutory agencies and community groups.
- The National Youth Council of Ireland is training youth workers to deliver the *MindOut* programme to early school leavers across the country. An evaluation of this mental health promotion programme has demonstrated its efficacy in improving knowledge, attitudes and behaviours.
- *Shine* is in receipt of funding to deliver *Taking Control* workshops across the country to those who have become unemployed and are facing financial or personal challenges. The practical workshop focuses on ways to build resilience, enhance coping skills and build self-esteem.

- The National Traveller Suicide Awareness Project is being funded by the HSE. This community development project to address the issue of suicide among young Traveller men will devise and deliver culturally appropriate suicide and mental health awareness programmes for a population which is traditionally hard to reach.
- The Dodder Valley Partnership/Suicide Action West Tallaght project focuses on unemployed men/men in financial distress who are expressing suicidal ideation.
- The National Office for Suicide Prevention in the HSE is also working with an all-island Men's Health Forum on a project specifically addressing Men's Health which includes Mental Health issues.

The Government is committed to improving access to community based mental health services and proposes to ringfence €35m annually from within the health budget to develop community based teams and services.

Vaccination Programme

499. **Deputy Michelle Mulherin** asked the Minister for Health the complaints of side effects he has received from recipients of the swine flu vaccine since 2009; and the nature of the complaints. [29938/11]

500. **Deputy Michelle Mulherin** asked the Minister for Health if any of the swine flu vaccines or winter flu vaccines have been withdrawn from use. [29940/11]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 499 and 500 together.

Throughout the H1N1 influenza pandemic of 2009/10, the Irish Medicines Board published regular updates on national monitoring experience with the vaccines used on its website. Since then, the IMB has received information on reports of suspected cases of Narcolepsy in some patients who received one of the vaccines, Pandemrix, in Ireland and is working in consultation with other national organisations including the Health Service Executive and the Health Protection Surveillance Centre in relation to this matter.

The IMB is also contributing to the evaluation of this issue at EU level through its participation at the European Medicines Agency and its scientific committees. An update on the outcome of the EU evaluation was published by the European Medicines Agency in July 2011 and is available on the EMA website. The EMA has advised that balance of risks/benefits still favour this vaccine being provided in a pandemic (which we are currently not in). Also, that it should only be used in persons under 20 years of age if the recommended annual seasonal trivalent influenza strain (which protects against three influenza strains) is not available and that immunisation against H1N1 is still needed. For instance, in people at risk of complications of infection. GP's have been advised to return any remaining stocks to the HSE for disposal. Any stock in Ireland is now out of date.

The seasonal influenza vaccine changes annually in accordance with the particular strain of influenza identified in that year and the vaccine is, therefore, only licensed and effective for that particular year. There have been no withdrawals or recalls of the current seasonal flu vaccine as it does not arise.

Health Service Expenditure

501. **Deputy Patrick O'Donovan** asked the Minister for Health if he will provide details of the *pro rata* expenditure by the Health Service Executive in each of the old health board

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regions for the years 2007 to date in 2011; and if he will provide details of the total expenditure by the HSE in each of these regions for the same period. [29948/11]

Minister for Health (Deputy James Reilly): Information pertaining to former Health Board structures is not available as the Health Service Executive is now configured from an operational basis into four distinct Regions. Each Region deals primarily with acute and community services. Whilst these regions generally follow old Health Board geographical areas, corporate functions such as Human Resources and Finance, and other national services are now administered centrally, and therefore comparison with the previous Health Board expenditure patterns is not appropriate.

The information regarding expenditure broken down by the new regional structure is set out in the following table.

	8 Months Aug-11 €000	Full Year 2010 €000	Full Year 2009 €000	Full Year 2008 €000	Full Year 2007 €000
Dublin / Mid Leinster Region	1,859,220	2,923,309	2,193,348	3,112,264	2,995,424
Dublin / North East Region	1,321,774	2,051,431	3,019,918	2,293,118	2,199,116
South Region	1,302,126	2,026,880	2,256,355	2,139,492	2,033,978
West Region	1,370,150	2,116,267	2,328,706	2,319,760	2,557,658
Total Regional Expenditure*	5,853,270	9,117,886	9,798,327	9,864,635	9,786,176

* Includes expenditure on hospital and community services. Excludes national and centrally administered services.

502. **Deputy Patrick O'Donovan** asked the Minister for Health if the Health Service Executive employs taxis to convey medical and other files from the Mid-Western Regional Hospital in Limerick; if he will provide details on amounts spent by the HSE for that purpose in the years 2010 and to date in 2011; and if he will make a statement on the matter. [29949/11]

Minister for Health (Deputy James Reilly): As this is a service matter, it has been referred to the HSE for direct reply.

General Practitioner Fees

503. **Deputy John Halligan** asked the Minister for Health if his attention has been drawn to the fact that many persons have continuously expressed concern that in the midst of the current economic crisis, many doctors are still charging excessively for consultation fees, which is having a huge financial impact on families without either medical cards or general practitioner visit cards; his plans to encourage doctors to reduce their over-inflated consultation fees; and if he will make a statement on the matter. [29955/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): Consultation fees charged by general practitioners to private patients are a matter of private contract between the clinicians and the patients. While I have no role in relation to such fees, I would expect clinicians to have regard to the overall economic situation in setting their fees.

The Medical Council's Guide to Professional Conduct and Ethics for Registered Medical Practitioners states that the fees charged should be appropriate to the service provided and that patients should be informed of the likely costs before the consultation and treatment. The Health (Provision of General Practitioner Services) Bill 2011 was published on 30th September 2011. The Bill provides for the elimination of restrictions on GPs wishing to treat public patients

under the General Medical Services (GMS) Scheme. This legislation will encourage young GPs to remain in Ireland and to establish their practices here. It will also encourage competition among GPs at a time when many fee paying patients have less money at their disposal.

I would also like to point out that the Programme for Government provides for significant strengthening of primary care services to deliver universal primary care with the removal of cost as a barrier to access for patients. This commitment will be achieved on a phased basis to allow for the recruitment of additional doctors, nurses and other primary care professionals.

Access to primary care without fees will be extended in the first year to claimants of free drugs under the Long-Term Illness Scheme and in the second year to claimants of free drugs under the High-Tech Drugs Scheme. Access to subsidised primary care will be extended to all in the next phase and universal access to care without fees will occur in the final phase. I will oversee the implementation of this programme with the assistance of a project team of officials from my Department and the HSE.

Health Service Allowances

504. **Deputy John O'Mahony** asked the Minister for Health when a person (details supplied) in County Mayo will receive their superannuation payment; the reason for the delay in this payment; and if he will make a statement on the matter. [29979/11]

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.

Health Service Expenditure

505. **Deputy Mary Lou McDonald** asked the Minister for Health the cost to his Department of the printing, posting and administration of payslips for Health Service Executive staff. [29983/11]

Minister for Health (Deputy James Reilly): I have referred this matter to the Health Service Executive for direct reply.

Hospital Services

506. **Deputy Seán Kenny** asked the Minister for Health his plans to open a new burns unit at Beaumont Hospital, Dublin 9; and if he will make a statement on the matter. [29993/11]

Minister for Health (Deputy James Reilly): As this is a service matter, it has been referred to the Health Service Executive for direct reply.

Nursing Homes Support Scheme

507. **Deputy Simon Harris** asked the Minister for Health if he will address the imposition of additional charges on nursing home residents, on top of the agreed fees, for services supposed to be covered by the nursing homes support scheme; and if he will make a statement on the matter. [29998/11]

508. **Deputy Simon Harris** asked the Minister for Health if additional charges, above those agreed under the fair deal scheme, are to be imposed on residents of a nursing home (details supplied); and if he will make a statement on the matter. [29999/11]

Minister of State at the Department of Health (Deputy Kathleen Lynch): I propose to take Questions Nos. 507 and 508 together.

[Deputy Kathleen Lynch.]

The Nursing Homes Support Scheme provides financial support towards the cost of long-term residential care. The cost for long-term residential care in private nursing homes is agreed between the each individual nursing home and the National Treatment Purchase Fund (NTPF). The services which fall within the scope of long-term residential care and which are covered by this cost are:

- nursing and personal care appropriate to the level of care needs of the person,
- basic aids and appliances necessary to assist a person with the activities of daily living,
- bed and board, and
- laundry service.

The cost for each public nursing home has been determined using the definition of long-term residential care services underpinned by an agreed set of cost components which has been laid before the Houses of the Oireachtas. The cost components are consistent with the services outlined above but differ in format in order to mirror existing cost coding structures within the HSE. Incontinence wear, where required, is provided free of charge by the HSE to all Nursing Homes Support Scheme residents that possess a Medical Card. Under the scheme, all residents retain their eligibility for other schemes, such as the Medical Card Scheme or the Drugs Payment Scheme. Individuals can continue to receive goods and services in accordance with the terms of these other schemes regardless of whether they are in a private nursing home or elsewhere.

In determining the services covered by the Nursing Homes Support Scheme, it was considered very important that the care recipient and the taxpayer would be protected and would not end up paying for the same services twice. For this reason, medications and aids that are already prescribed for individuals under an existing scheme are not included in the services covered by the scheme, as this would involve effectively paying twice for the same items or service.

Individuals who avail of the Nursing Homes Support Scheme should not be charged any additional fee over and above the cost agreed with the NTPF, except where he or she chooses to obtain additional services over and above long-term residential care services, for example, hairdressing, social programmes or the delivery of daily newspapers. Under the Health Act 2007, statutory responsibility is given to the Chief Inspector of Social Services, part of the Health Information and Quality Authority (HIQA), for the independent inspection and registration of certain categories of designated centres. This includes residential care settings for older people. This responsibility is underpinned by a comprehensive quality framework comprising the Health Act 2007, the Health Act 2007 (Care and Welfare of Residents in Designated Centres for Older People) Regulations 2009, as amended, and the *National Quality Standards for Residential Care Settings for Older People in Ireland*.

Article 28 of the Regulations provides that the registered provider shall agree a contract with the resident within one month of admission and that the contract shall include details of the services to be provided and the fees to be charged. The Chief Inspector has the power to refuse to register, attach conditions to a registration or cancel the registration of a designated centre in the event of non-compliance with the regulations or the standards.

Finally, with regard to the particular nursing home referred to by the Deputy, this is a private nursing home and as such the Minister for Health has no role in determining the fees that it charges to residents. However, the nursing home can only charge fees for services not covered

by the Nursing Homes Support Scheme in accordance with the legislation as outlined above. If the Deputy is aware of any nursing home not complying with the Regulations I would encourage him to notify HIQA directly of these concerns.

Health Services

509. **Deputy Simon Harris** asked the Minister for Health if respite services for carers will be reinstated at a location (details supplied); and if he will make a statement on the matter. [30000/11]

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.

Question No. 510 answered with Question No. 498.

Hospital Services

511. **Deputy Billy Kelleher** asked the Minister for Health if there will be any changes to services at Connolly Hospital, Blanchardstown, Dublin, between now and the end of the year; if he will list the services affected; the details of any changes to staffing arrangements; the estimated cost of the change in these services; and if he will make a statement on the matter. [30023/11]

512. **Deputy Billy Kelleher** asked the Minister for Health the number of staff who will be affected by the reduction in agency staff and overtime hours at Connolly Hospital, Blanchardstown, Dublin 15; and if he will make a statement on the matter. [30024/11]

513. **Deputy Billy Kelleher** asked the Minister for Health the wards and services at Connolly Hospital, Blanchardstown, Dublin 15, that will be affected by the proposed reduction in agency staff and overtime hours; and if he will make a statement on the matter. [30025/11]

516. **Deputy Billy Kelleher** asked the Minister for Health the reason 12 surgical beds are to be closed at Connolly Hospital, Blanchardstown, Dublin 15; when these bed closures will take place; and if he will make a statement on the matter. [30028/11]

517. **Deputy Billy Kelleher** asked the Minister for Health the measures he will put in place to cover the closure of 12 surgical beds at Connolly Hospital, Blanchardstown, Dublin 15; and if he will make a statement on the matter. [30029/11]

518. **Deputy Billy Kelleher** asked the Minister for Health the expected reduction in the number of patients treated arising from the closure of 12 surgical beds at Connolly Hospital, Blanchardstown, Dublin 15; and if he will make a statement on the matter. [30030/11]

519. **Deputy Billy Kelleher** asked the Minister for Health the measures he will put in place to cover the closure of the surgical ward at Connolly Hospital, Blanchardstown, Dublin 15, from 24 October to 7 November; and if he will make a statement on the matter. [30031/11]

520. **Deputy Billy Kelleher** asked the Minister for Health the reason the surgical ward at Connolly Hospital, Blanchardstown, Dublin 15, is being closed from 24 October to 7 November; and if he will make a statement on the matter. [30032/11]

521. **Deputy Billy Kelleher** asked the Minister for Health how surgical procedures at Connolly Hospital, Blanchardstown, Dublin 15, will be impacted by the closure of the surgical

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ward from 24 October to 7 November 2011; and if he will make a statement on the matter. [30033/11]

522. **Deputy Billy Kelleher** asked the Minister for Health the reason the surgical ward at Connolly Hospital, Blanchardstown, Dublin 15, will be reduced from 24 beds to eight upon its reopening on 7 November 2011; and if he will make a statement on the matter. [30034/11]

523. **Deputy Billy Kelleher** asked the Minister for Health how surgical procedures at Connolly Hospital, Blanchardstown, Dublin 15, will be impacted by the reduction of beds in the surgical ward from 24 to eight from 7 November 2011; and if he will make a statement on the matter. [30035/11]

524. **Deputy Billy Kelleher** asked the Minister for Health the measures being put in place at Connolly Hospital, Blanchardstown, Dublin 15, to cover the reduction in beds in the surgical ward from 24 to eight from 7 November 2011; and if he will make a statement on the matter. [30036/11]

525. **Deputy Billy Kelleher** asked the Minister for Health the reason the surgical ward at Connolly Hospital, Blanchardstown, Dublin 15, will be closed for three weeks from 19 December in the run-up to Christmas; and if he will make a statement on the matter. [30037/11]

526. **Deputy Billy Kelleher** asked the Minister for Health how surgical procedures at Connolly Hospital, Blanchardstown, Dublin 15, will be impacted by the closure of the surgical ward for three weeks from 19 December 2011; and if he will make a statement on the matter. [30038/11]

527. **Deputy Billy Kelleher** asked the Minister for Health the measures put in place at Connolly Hospital, Blanchardstown, Dublin 15, to cover the closure of the surgical ward for three weeks from 19 December 2011; and if he will make a statement on the matter. [30039/11]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 511 to 513, inclusive, and 516 to 527, inclusive, together.

As these are service matters, they have been referred to the Health Service Executive for direct reply.

514. **Deputy Billy Kelleher** asked the Minister for Health the date on which he was informed there would be changes to the services provided by Connolly Hospital, Blanchardstown, Dublin 15; and if he will make a statement on the matter. [30026/11]

515. **Deputy Billy Kelleher** asked the Minister for Health when he was informed there would be changes made to the services provided by Connolly Hospital, Blanchardstown, Dublin 15; and if he will make a statement on the matter. [30027/11]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 514 and 515 together.

I am very conscious of the scale of the financial challenge faced by the HSE this year. All hospitals have to seek efficiencies, and I have emphasised to the HSE that budgetary compliance must be maintained, while delivering the service levels promised in the National Service Plan. Both activity and expenditure at Connolly Hospital are ahead of the levels approved in

the 2011 National Service Plan. With this in mind, a comprehensive review of services at the hospital has been undertaken by the HSE and hospital management.

On 18 August last the Department of Health was informed that the HSE had confirmed to my Department that measures were being planned to ensure that Connolly remains within budget by year end. In mid September the Department of Health was advised by the HSE that a number of options were being reviewed relating to procurement of all externally sourced services and goods, agency staffing and overtime levels, in-patient, day case and out-patient activity and improved / additional income collection measures to increase private income collection. On 23 September 2011, I was advised by the HSE that a cost containment plan was in place including the closure of 24 acute beds, seasonal closures of the OPD/Surgical Day Ward, additional reductions in agency and overtime per month from August 2011 and curtailment of activity while remaining within national targets.

On 3 October 2011 I met with Consultants and Senior Management Personnel when I opened the Endoscopy Unit at the Hospital. The specific details in relation to bed closures at Connolly were raised in the Dáil and the media on the 6 and 7 October 2011. On 10 October, the HSE confirmed to my Department the temporary closure of the surgical day ward for 2 weeks from 24 October 2011 and its reopening on 7 November 2011 with a reduction from 24 to 8 places. In addition a further temporary closure for 3 weeks is planned from 19 December. The phased closure of 12 in-patient surgical beds between then and the end of the year was also confirmed by the HSE.

Questions Nos. 516 to 527, inclusive, answered with Question No. 511.

528. **Deputy Billy Kelleher** asked the Minister for Health the reason he did not detail in his speech during his visit to Connolly Hospital, Blanchardstown, Dublin 15 on 3 October 2011 that the endoscopy department had been operational since May 2010; and if he will make a statement on the matter. [30042/11]

529. **Deputy Billy Kelleher** asked the Minister for Health the reason the press release issued to mark his visit to the endoscopy department in Connolly Hospital, Blanchardstown, Dublin 15 on 3 October 2011 did not refer to the fact that the unit had been operational since May 2010; and if he will make a statement on the matter. [30043/11]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 528 and 529 together.

While the endoscopy unit in Connolly Hospital has been operational since May 2010, I was invited by the hospital in a letter of the 14 of June to perform the official opening ceremony. The main purposes of my speech of 3 October was to congratulate all those involved with the development of the unit since its inception and to emphasise that the work being done within the unit in diagnosing and treating digestive conditions is helping to ensure the early detection of and prevention of colon cancer.

The press release referred to by the Deputy was released by the HSE and it also concentrated on the work being done by the Unit and the resulting benefits to patients.

Mental Health Services

530. **Deputy Michael Healy-Rae** asked the Minister for Health his views on correspondence regarding Kerry Mental Health Services; and if he will make a statement on the matter. [30061/11]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As this is a service matter the question has been referred to the HSE for direct reply.

Health Services

531. **Deputy Dara Calleary** asked the Minister for Health, further to Parliamentary Question No. 962 of 14 September 2011, when a response will issue from the Health Service Executive. [30063/11]

Minister for Health (Deputy James Reilly): I have contacted the HSE and a response to the Deputy's question will issue shortly.

Medical Cards

532. **Deputy Jack Wall** asked the Minister for Health the reason a person (details supplied) in County Kildare was granted a doctor-only medical card; and if he will make a statement on the matter. [30065/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Departmental Funding

533. **Deputy Olivia Mitchell** asked the Minister for Health if the allocated school-leaver funding for a person (details supplied) will be ring-fenced and available to them next year in view of the fact that no suitable place was available to them in the current year; and if he will make a statement on the matter. [30128/11]

Minister of State at the Department of Health (Deputy Kathleen Lynch): An allocation for funding for the individual referred to has been confirmed.

In relation to the person in question, the preferred facility in respect of meeting the specific needs is currently at capacity in terms of its available places. The individual referred to in this PQ will continue to remain a priority for day service placement until the matter is resolved. The Disability manager is in constant contact with the individual's parents.

Hospital Services

534. **Deputy John McGuinness** asked the Minister for Health the reason an operation was cancelled in respect of a person (details supplied). [30159/11]

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-

ment, he/she would be in the best position to take the matter up with the consultant and facility involved.

Health Services

535. **Deputy Tom Fleming** asked the Minister for Health the waiting time for audiology services in County Kerry; if the current temporary services will be upgraded to a five-day-week service; and if he will arrange that the clinic at Edward Street, Tralee, County Kerry, be re-located to a more accessible location. [30162/11]

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 Services

536. **Deputy Stephen Donnelly** asked the Minister for Health, with regard to the ongoing collaborative study on smaller hospitals, the person who is leading this study; if any other persons are involved; the oversight and review structure mechanism for this study; if any external consultants are being used for the collaborative study; the terms of reference for the collaborative study; the timeframe for the collaborative study; and the reason the downgrading of the emergency department of St. Columcille's Hospital was announced before the conclusion of the collaborative study. [30163/11]

537. **Deputy Stephen Donnelly** asked the Minister for Health, with regard to the ongoing collaborative study on smaller hospitals and any consultation ongoing as part of that process, or that will follow on from it, the person who is being or will be consulted as part of this consultation; the patient representative or public representative groups that are being or will be consulted; the elected public representatives that are being or will be consulted; the mechanism for persons or groups to feed into the consultation process; and the timeframe for the consultation process. [30164/11]

539. **Deputy Stephen Donnelly** asked the Minister for Health the steps being taken to increase capacity at the emergency department at St. Vincent's Hospital, Dublin, in view of the recent numbers of patients on trolleys in the department; the steps being taken to ensure that the department is capable of dealing with the additional volume which will arise from the changes to St. Columcille's emergency department; the number of additional acute beds being made available in St. Vincent's Hospital to deal with the additional patient volume which will arise from the changes to St. Columcille's emergency department; and when these beds will be operational. [30166/11]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 536, 537 and 539 together.

There is a joint HSE/Departmental group which is developing a framework for the future development of smaller hospitals with oversight from a steering group comprising of HSE and Departmental officials. No external consultants are being used for this process. Consultation covering all the key stakeholders including patients and public representatives, will be an integral part of the process and plans for the consultations required are currently under development and are expected to be completed shortly.

The three hospitals in the region (St. Michael's, St. Columcille's and St. Vincent's) are working together with the HSE to ensure that the appropriate level of service is provided in the best location to ensure clinical safety, quality and patient safety and to manage risk. No down-

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grading of the emergency department at St Columcille's hospital has been announced. Work has been ongoing for a number of months and transfer of services from one site to another will not occur until all patient safety issues and clinical issues are fully considered. Any future changes will take place within the context of the Clinical Programmes and the developing Framework for smaller hospitals.

Health Services

538. **Deputy Stephen Donnelly** asked the Minister for Health the targets in place for health care outcomes for County Wicklow; the targets in place for health care outcomes for the region being considered by the collaborative study that is currently assessing St. Columcille's Hospital, County Dublin; the person who is accountable for meeting these targets and the measures that will be taken if they are not met; the reason there is no integrated health care strategy, including geographical analysis and targets for health care outcomes, for County Wicklow or the region; and if any such plan is being developed. [30165/11]

Minister for Health (Deputy James Reilly): The detailed information requested by the Deputy in relation to service levels in County Wicklow 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.

Service delivery targets for the HSE are set out in the National Service Plan on a national basis and under some headings are broken down by the four HSE regions — Dublin North East (DNE), Dublin Mid-Leinster (DML), West and South. The targets for health care outcomes for Co. Wicklow would be a subset of the regional targets for the DML region.

Performance against these targets by region is reported in the monthly HSE Performance Report and Supplementary Report and are shown as rolled up regional figures. In the case of County Wicklow these would form part of the Dublin Mid-Leinster (DML) region and would be reported within DML's overall figures.

County Wicklow is covered by the two Local Health Offices (LHOs) — LHO Wicklow and LHO Kildare/West Wicklow. Overall Expenditure information for each LHO is shown on page 44 of the August Supplementary Performance Report. Staffing numbers (Whole-Time Equivalents or WTEs) and Absenteeism rates are shown on pages 54/56/58. St Columcille's Hospital is in the HSE region Dublin Mid-Leinster (DML). In the case of acute hospitals, performance against targets is shown on an individual hospital basis in the monthly Supplementary Report.

The HSE has just published the August Performance and Supplementary Reports on its web site. The Deputy might like to review this information while the more detailed information required by him is acquired from the HSE.

I have also sought further information from the HSE that may have been presented to the DMI Regional Health Forum. I will forward any relevant information received directly to the Deputy.

Question No. 539 answered with Question No. 536.

Appointments to State Boards

540. **Deputy Mary Lou McDonald** asked the Minister for Health the saving to the State if all State agency board members' annual payments were rescinded and instead board membership was awarded without remuneration. [30258/11]

Minister for Health (Deputy James Reilly): A total of €346,911 is currently payable annually in Exchequer-funded fees to board members of six of my Department's directly funded agencies.

Marine Salvage

541. **Deputy Kevin Humphreys** asked the Minister for Transport, Tourism and Sport the legal position regarding salvage from shipwrecks containing precious metals (details supplied) within Irish territorial waters; if the State has a claim on any materials raised from the seabed; his views on amending the law to ensure companies or persons searching for wrecks for commercial exploitation should report any discoveries to him; and if he will make a statement on the matter. [29607/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The law of salvage and of finds is triggered when a person salvages or finds a wreck. If a wreck, including cargo and apparel, is salvaged or found within the territorial sea limits (c. 12 nautical miles) it must be made known to the Receiver of Wreck for the district in which it is found, and, if the owner is not known, given into the possession of the Receiver of Wreck.

If a wreck is found outside the territorial sea, whether the wreck is in the EEZ — Exclusive Economic Zone (c.200 nautical miles) or beyond, Irish law is triggered only if or when a salvor or finder brings the wreck into the State. The wreck to which the Deputy refers is located some 160 kilometres off the coast and is therefore outside the territorial waters of the State. Therefore the State has no claim on the cargo of this vessel. However, if the cargo is brought from the vessel located outside the territorial waters of the State into the State it is subject to normal Customs rules.

The law of salvage and wreck is governed by the the International Convention on Salvage 1989 and this is implemented in Ireland by the Merchant Shipping (Salvage and Wreck) Act 1993. The law seeks to protect the interests of salvors, owners and the State. As well as the provisions of the 1993 Act, the National Monuments (Amendment) Act 1987 provides that an underwater Heritage Order may be made to designate any wreck or site of a wreck on account of its historical, archaeological, or artistic importance. This falls within the remit of the Department of Arts, Heritage and the Gaeltacht.

Salvage of wreck in the territorial waters is rewarded in line with criteria set out in the 1993 Act. Wreck includes precious metals whether cargo or vessel apparel. Salvaged wreck remains the property of the owner and must be returned to the owner after salvage. Companies as well as all other persons must report all wreck discovered in the territorial waters of the State. If, when the wreck is discovered, the ownership is known, the person who makes the discovery may agree with the owner terms for salvage. The contract between a salvor and owner is governed by contract law, separate from the provisions of the 1993 Act.

If a wreck is discovered within the territorial waters of the State and the owner of wreck is not known, the finder must deliver the find to the Receiver of Wreck for the district in which the wreck was found. If the Receiver cannot establish ownership, the wreck becomes the property of the State. The Director of the National Museum will decide if such wreck has historical, archaeological, or artistic importance and may retain the wreck or part of it on behalf of the State. In such instances, salvors are paid reward by the Director in accordance with the circumstances of the case. If the Director decides not to retain such wreck, the Receiver will sell the wreck and pay the proceeds to the State, after payment of salvage reward and expenses to the salvor or finder.

Renewable Energy

542. **Deputy Simon Harris** asked the Minister for Transport, Tourism and Sport his views on the 2011 report of the Sustainable Energy Authority of Ireland and the Irish Maritime Development Office on renewable energy opportunities; his plans to implement the recommendations of the report; and if he will make a statement on the matter. [29677/11]

562. **Deputy Simon Harris** asked the Minister for Transport, Tourism and Sport if he will make funding available in 2012 for port development along the east coast in order to facilitate the renewable energy opportunities outlined in the 2011 report of the Sustainable Energy Authority of Ireland and the Irish Maritime Development Office; and if he will make a statement on the matter. [29675/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): I propose to take Questions Nos. 542 and 562 together.

The report referred to by the Deputy provides a very useful overview of the port and shipping services currently available in Ireland to support the development of the offshore energy sector. However, it also highlights that the sector is at an early stage of development and faces considerable challenges.

I welcome the proactive approach already being taken in this area by a number of the Irish ports around the coast.

The State owned port companies are expected to fund themselves on a commercial basis. The policy going back to 2005 has been that infrastructure developments in the ports should be funded either through the companies own resources, or in conjunction with private sector partners. It is unlikely that this position will change for the foreseeable future, particularly in the current budgetary climate.

My Department is at the final stage of a review of national ports policy. This review will cover all aspects of current policy, including the issue of funding. I hope to publish a revised policy statement in the coming months.

Road Traffic Offences

543. **Deputy Kevin Humphreys** asked the Minister for Transport, Tourism and Sport if he will provide a list of the road traffic Acts that apply to cyclists; the specific road traffic offences that apply to cyclists; his views on whether there is sufficient legislation in place to regulate cyclist behaviour; and if he will make a statement on the matter. [29458/11]

544. **Deputy Kevin Humphreys** asked the Minister for Transport, Tourism and Sport the road traffic legislation and penalties that apply specifically to cyclists who cycle on footpaths, cycle through red lights, or cycle the wrong way on a one-way street; and if he will make a statement on the matter. [29459/11]

545. **Deputy Kevin Humphreys** asked the Minister for Transport, Tourism and Sport the penalties that apply to cyclists for failure to display proper lighting as documented in Statutory Instrument No. 189/1963, Road Traffic (Lighting of Vehicles) Regulations 1963; if his attention has been drawn to any prosecutions that have taken place to enforce this legislation since 2007; and if he will make a statement on the matter. [29460/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): I propose to take Questions Nos. 543 to 545, inclusive, together.

Regrettably, the use of our roads — whether by motorists, cyclists or pedestrians — can never be risk free and the safety of all vulnerable road users is a matter of concern for me.

All bicycles used on public roads in Ireland are required to comply with the Road Traffic (Lighting of Vehicles) Regulations, which was most recently amended by Statutory Instrument S.I 487/2009.

Where a person is guilty of an offence under these regulations, the penalties for such an offence are set out in the Road Traffic Act 2006. The penalty for a first offence is a fine not exceeding €1,000, for a second offence a fine not exceeding €2,000 and for a third or subsequent offence a fine not exceeding €2,000 and/or a term of imprisonment not exceeding 3 months

I will arrange to forward to the Deputy details of all road traffic regulations relating to cyclists. However, it should be noted that as a class of road user specified in legislation, cyclists are required to observe road traffic legislation in the same manner as other road users. The enforcement of road traffic regulations generally is a matter for An Garda Síochána and my Department has no information, nor does it maintain statistics, on the level of prosecutions brought to court.

Cycling Facilities

546. **Deputy Kevin Humphreys** asked the Minister for Transport, Tourism and Sport his plans to make it mandatory to sell bicycles with legally compliant lights, as outlined in the National Cycle Policy Framework 2009-2020; and if he will make a statement on the matter. [29461/11]

547. **Deputy Kevin Humphreys** asked the Minister for Transport, Tourism and Sport if he is conducting a review of road traffic legislation that affects cycling, as outlined in the National Cycle Policy Framework 2009-2020; and if he will make a statement on the matter. [29462/11]

Minister of State at the Department of Transport, Tourism and Sport (Deputy Alan Kelly): I propose to take Questions Nos. 546 and 547 together.

The National Cycle Policy is a broad framework aimed at providing a common, integrated basis for the long term development and implementation of cycling policies. Within that, my priority in 2011, in line with the Programme for Government, is to support investment in delivery. For example, investment in infrastructure designed to enhance cycling facilities and funding to deliver improved cycling infrastructure all over the country was boosted this year under the Jobs Initiative Smarter Travel funding programme.

Where legislative change is needed to support this it will be developed where appropriate.

On the other hand, all bicycles used on public roads in Ireland are already required to comply with the Road Traffic (Lighting of Vehicles) Regulations. I do not have immediate proposals to require that bikes can only be sold with legally compliant lights. We have, however, raised awareness of the need for appropriate lights and other aids to visibility. It is an area I will keep under review and will liaise with the Deputy on.

548. **Deputy Kevin Humphreys** asked the Minister for Transport, Tourism and Sport if he will amend road traffic regulations to allow Dublinbikes service vehicles to use bus lanes when reallocating bicycles around the city; and if he will make a statement on the matter. [29463/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): Bus lanes were introduced at the taxpayer's expense to provide on-street priority for public transport. It was, therefore, decided that, besides buses and emergency vehicles, the only road users permitted access

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should be taxis (as public service vehicles available for on-street hire) and bicyclists (as vulnerable road users). Over the years, my Department has received numerous requests to open bus lanes to various other categories of road users, including motorcycles, multi-occupancy cars, limousines, hackneys and animal ambulances. All such requests have been refused.

On foot of a recommendation from the Joint Committee on Environment, Transport, Culture and Gaeltacht, I have looked at the case for allowing vehicles servicing the Dublin City bike scheme to use bus lanes, and I think that *prima facie* they are in a rather different position from those categories of vehicle for which my Department has refused access to bus lanes. In examining the case for their inclusion, one consideration is the impact that allowing any additional category of vehicles to use bus lanes will inevitably have on the efficiency of these lanes for their original purpose. A second consideration is that allowing bike service vehicles to use these lanes would tie in with existing policy, given that bicyclists are among those already allowed to use bus lanes. For these reasons, I am giving this proposal serious consideration.

549. **Deputy Kevin Humphreys** asked the Minister for Transport, Tourism and Sport if there are minimum standards to which a bicycle lane must be maintained, such as quality and smoothness of pavement and markings; if not, his views on introducing a minimum standard; and if he will make a statement on the matter. [29464/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): Under the 1993 Roads Act (Part 2, Section 13), local authorities have an obligation to maintain public roads. The maintenance of cycle ways and cycle tracks falls within this remit.

The National Transport Authority (NTA) has completed work on a comprehensive design manual for the provision of cycle routes which provides a framework for the design and delivery of safe, cycle-friendly facilities to facilitate increased cycle usage and is available at www.cycle-manual.ie.

Public Transport

550. **Deputy Michael McCarthy** asked the Minister for Transport, Tourism and Sport when a report on the case of a person (details supplied) in County Cork will be made available by Bus Éireann; the reason for the delay; and if he will make a statement on the matter. [29519/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The issue raised is a matter for Bus Éireann. I have referred the Deputy's question to the company for direct reply. Please inform my private office if you do not receive a reply within ten working days.

Road Safety

551. **Deputy Gerry Adams** asked the Minister for Transport, Tourism and Sport if he will provide any available statistics on road accidents in County Meath, particularly in the vicinity of Donacarney, Bettystown, Laytown and Mornington, in each of the past five years, including any fatalities recorded. [29533/11]

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 accidents.

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

552. **Deputy Peter Mathews** asked the Minister for Transport, Tourism and Sport the efficiency cost of changes to a bus route (details supplied) in County Dublin; and if he will make a statement on the matter. [29554/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The issue raised is an operational matter for Dublin Bus in conjunction with the National Transport Authority.

I have referred the Deputy's question to Dublin Bus for direct reply. Please inform my private office if you do not receive a reply within ten working days.

Cycle Facilities

553. **Deputy Ciara Conway** asked the Minister for Transport, Tourism and Sport if he will provide an update on the city bicycle scheme; when the scheme might be extended to Waterford; his plans for the scheme in Waterford; and if he will make a statement on the matter. [29561/11]

Minister of State at the Department of Transport, Tourism and Sport (Deputy Alan Kelly): Recognising the success of the Dublinbikes scheme, the Programme for Government commits my Department to look to extend the scheme to other cities and integrate the scheme more effectively with public transport links.

The National Transport Authority has, at my request, had an initial analysis of the potential for similar bikes schemes in the regional cities carried out. My Department and the NTA are currently considering the findings of that analysis including how to address key issues identified such as the changed commercial environment to that pertaining when the Dublinbikes scheme was negotiated and different characteristics of scheme provision in smaller cities. I am committed to exploring a range of mechanisms to seek to secure public bike schemes in other cities and work is ongoing in that regard. However I will keep the Deputy informed of all ongoing developments relating to city bike schemes.

Tourism Industry

554. **Deputy Dominic Hannigan** asked the Minister for Transport, Tourism and Sport the number of tourist offices that Fáilte Ireland operates here; the location of same; the number of employees per site; the amount of turnover per site; the cost of each site per year including rent, utility bills and associated costs; and if he will make a statement on the matter. [29634/11]

555. **Deputy Dominic Hannigan** asked the Minister for Transport, Tourism and Sport if Fáilte Ireland has proposals to close down any tourist offices by the end of 2011 or during 2012; and if he will make a statement on the matter. [29635/11]

556. **Deputy Dominic Hannigan** asked the Minister for Transport, Tourism and Sport if he has had any meetings with or communication from Fáilte Ireland outlining its plans for the network of tourists offices here; if the current number of offices is feasible to maintain under the current economic conditions; and if he will make a statement on the matter. [29636/11]

557. **Deputy Dominic Hannigan** asked the Minister for Transport, Tourism and Sport if any study has been undertaken to ascertain the economic value to a town or historical site of a tourist office and the economic impact the withdrawal of a tourist office would have on a town or historical site; and if he will make a statement on the matter. [29637/11]

558. **Deputy Dominic Hannigan** asked the Minister for Transport, Tourism and Sport the criteria Fáilte Ireland uses when deciding the location of a tourist office; the criteria it uses when deciding if an open tourist office is viable; the criteria it uses when deciding to close a tourist office; and if he will make a statement on the matter. [29638/11]

559. **Deputy Dominic Hannigan** asked the Minister for Transport, Tourism and Sport if his attention has been drawn to plans to close down tourist offices; and if he will make a statement on the matter. [29639/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): I propose to take Questions Nos. 554 to 559, inclusive, together.

Fáilte Ireland operates an extensive network of Tourism Information Offices throughout the country. Each office has travel advisors to advise tourists when they are planning a holiday and to provide on the spot assistance and information to tourists when they arrive in a particular location. The management and staffing of the offices, their opening hours and their locations are administrative matters for Fáilte Ireland.

Fáilte Ireland has over recent years reconfigured service delivery, reshaped its services and prioritised the locations where Tourism Information Offices are provided in order to use its resources more efficiently. As part of this, Fáilte Ireland has been pursuing, where possible, the provision of tourism information offices by local communities and businesses. I have not discussed the operation of any specific Tourist Information Offices with Fáilte Ireland, although as part of the Comprehensive Review of Expenditure all options are being considered in terms of cost savings and future service provision. I have asked Fáilte Ireland to provide you with the detailed information you have requested. Please advise my private office if you do not receive a reply within ten working days.

Severe Weather Events

560. **Deputy Simon Harris** asked the Minister for Transport, Tourism and Sport the steps that have been taken to prepare for severe weather events which may affect roads and other transport networks over the winter season; and if he will make a statement on the matter. [29673/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The overall State response to severe weather events is led by the Department of the Environment, Community and Local Government. The Review of the Severe Weather Event of 2010 published by that Department sets out a series of recommended measures, including a number for my Department and its agencies. The recommendations in respect of my Department are all being progressed.

My Department co-ordinates with its agencies our operational and communications response to severe weather. As part of the overall review, my Department and its agencies are putting in place the necessary actions to improve on our existing resilience to such events in the future. These actions include increased investment in snow clearing equipment by the Dublin Airport Authority to reduce the time it takes to clear the runways/aprons, special equipment to reduce snow impact on railway points, salt procurement and amendments to priority routes on our roads network to facilitate further public transport access. Our *www.transport.ie* website will continue to be used as a communications access portal in the event of a future event as part of our contribution towards effective customer service.

In relation to our roads network, the National Roads Authority (NRA) is co-ordinating the supply of de-icing salt for use on our road network. The NRA will have available a total of

140,000 tonnes for use on the national roads network, including 40,000 tonnes reserve stock for use on priority 1 Routes. Additionally 60,000 tonnes of de-icing salt will be available for use on regional and local roads.

I recently availed of savings in my Department to increase this year's Winter Maintenance Grant from €10 million to €11.25 million to assist local authorities with the costs associated with winter weather conditions on their priority road network routes. I have also organised a special transport winter preparedness meeting which is due to take place in the coming days, involving all the key transport agencies of my Department, to update me on the plans of each operator.

Sports Funding

561. **Deputy Simon Harris** asked the Minister for Transport, Tourism and Sport how he envisages sports funding for local councils will be administered in the absence of local sports officers; and if he will make a statement on the matter. [29674/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The administration of funding by local councils is a matter for the councils and I have no role in that regard. The Irish Sports Council has responsibility for Local Sports Partnership funding and I have referred the question to them for direct reply in relation to that funding. I would ask the Deputy to contact my office if a reply has not been received within ten days.

Question No. 562 answered with Question No. 542.

Croke Park Agreement

563. **Deputy Simon Harris** asked the Minister for Transport, Tourism and Sport the position regarding the Croke Park agreement; if he has received implementation plans for this agreement from his Department and each State agency under his remit; the status of these implementation plans; the discussion he has had with the EU and IMF regarding the agreement; and if he will make a statement on the matter. [29692/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The Minister for Transport, Tourism and Sport has no role in relation to the implementation of the detailed actions plans under the Public Service Agreement 2010-2014 for other Government Departments. The second phase of progress reporting on the Agreement in respect of both my Department and the non-commercial semi-state agencies under my aegis is underway at present and will be submitted to the Department of Public Expenditure and Reform, who will then submit sectoral reports to the Implementation Body during October. The Implementation body will examine and publish the sectoral reports on its website (www.implementationbody.gov.ie). With respect to discussions with the EU and IMF in respect of the agreement, this would be a matter for the Department of Public Expenditure and Reform.

Safety at Sports Grounds

564. **Deputy John Lyons** asked the Minister for Transport, Tourism and Sport if he is satisfied with the safety standards within the adventure sports sector — specifically, outdoor adventure centres catering for water sports activities; if there are any statutory safety guidelines in place to which this sector must adhere; if providers are required to register with a statutory authority as providers of certain specified adventure sports and/or activities; and if he will introduce further regulation, such as a set of safety guidelines, to enhance the safety provision in this area. [29729/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The Adventure Activities Standards Authority Act, 2001 made provision for the establishment by the Minister for Marine and Natural Resources of an Adventure Activities Standards Authority. However, I am informed that this body was not subsequently put in place. I have now asked officials in my Department to examine the implications of the legislation and to consider what might now be the best approach to ensuring that safety standards are maintained in the adventure sports sector.

Local Authority Expenditure

565. **Deputy Pádraig Mac Lochlainn** asked the Minister for Transport, Tourism and Sport if he will confirm that town and county councils will have to pay for the salt they receive from the National Roads Authority; and if this cost will correspond with the costs accrued by the NRA in acquiring the salt. [29741/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The arrangements for the purchase and distribution of salt are a matter for the National Roads Authority (NRA). 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.

Road Network

566. **Deputy Dessie Ellis** asked the Minister for Transport, Tourism and Sport when he will make funding available to complete the constraints study for a new road at Kilkelly, County Mayo, and a motorway from Achroiny in County Sligo to Knock in County Mayo; and if he will make a statement on the matter. [29757/11]

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 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.

National Car Test

567. **Deputy Dessie Ellis** asked the Minister for Transport, Tourism and Sport if his attention has been drawn to the fact that the time allotted to testing cars at national car test centres in recent weeks has been reduced by the company from 35 minutes per car to less than 20 minutes per car; and if he will make a statement on the matter. [29758/11]

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 (RSA) has overall responsibility for the operation, oversight, development, quality assurance and delivery of vehicle testing arrangements. The testing function is currently carried out by Applus+ under a contractual arrangement with the RSA, who exercise a supervisory role to ensure that the service provided by Applus+ conforms to the conditions of that contract. The RSA continuously monitors Applus+ performance and has regular meetings with them to ensure compliance with contract requirements. To assist the RSA in carrying out this role, the Authority has appointed external contractors to monitor performance by Applus+, and who report regularly to the RSA.

I understand from the RSA that Applus+ has confirmed to them that booking slots have not been reduced to 20 minutes. The shortest slots are in large volume centres and have an average duration of 28 minutes. Activity at some NCT test centres declined during the current quarter due to a drop in demand allied to an increase in the number of owners failing to keep appointments (“no shows”). This situation arises every year and, as in previous years, Applus+ has increased the average number of appointments at 7 centres to minimise its impact. In these centres the time allocated per slot, for a test with an average duration of 20 minutes, has been reduced from 35 minutes to 32.5 minutes. Time slots at other centres are unaffected and those in the affected centres will revert to 35 minutes in January when demand increases and the number of “no shows” decreases.

Pension Provisions

568. **Deputy Mary Lou McDonald** asked the Minister for Transport, Tourism and Sport the saving to the Exchequer if all existing public service pension payments to former employees of State agencies under the aegis of his Department were capped at €35,000 per year. [29788/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): I have asked the State agencies under the aegis of my Department to provide the Deputy with the information requested. If you do not receive a reply within ten working days, please contact my private office.

Road Network

569. **Deputy Dominic Hannigan** asked the Minister for Transport, Tourism and Sport, further to Parliamentary Question No. 587 of 27 September 2011, if he will provide a copy of the traffic forecasts that were prepared for the National Roads Authority in respect of the M3 public private partnership scheme; and if he will make a statement on the matter. [29872/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): As outlined previously in my reply to Parliamentary Question No. 587 of 27 September 2011, the implementation of individual national road projects, including the M3 PPP scheme, is a matter for the National Roads Authority (NRA) under the Roads Acts 1993-2007. 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.

570. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport the current standard of the road surface in terms of noise reduction on the M4 from Leixlip to Kilcock in County Kildare; and if he will make a statement on the matter. [29925/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): As Minister for Transport, I have responsibility for overall policy and funding in relation to national roads. The construction, improvement and maintenance of individual national roads, is a matter for the National Roads Authority (NRA) under the Roads Acts 1993 to 2007 in conjunction with the local authorities concerned. Noting this 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.

Tourism Industry

571. **Deputy John Deasy** asked the Minister for Transport, Tourism and Sport the funding available from him for new tourism initiatives; and if he will make a statement on the matter. [29960/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): There is provision in 2011 for expenditure of almost €148 million on tourism services across a diverse range of activities such as marketing, tourism product development, registration and grading, business supports and tourism information offices. All of these monies are voted for use by the State tourism agencies, Fáilte Ireland, Tourism Ireland and the Shannon Free Airport Development Company. I have referred the Deputy's question to these agencies for direct reply concerning funding available for new tourism initiatives. Please advise my private office if you do not receive a reply within ten working days.

Harbours and Piers

572. **Deputy Tom Barry** asked the Minister for Transport, Tourism and Sport if he will confirm the funding available to complete repairs to Lower Aghada pier, County Cork; and if there is a timescale for the commencement of work. [29980/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): Under the 1946 Harbours Act, I have responsibility for Four Regional Harbours. As Aghada Pier is the responsibility of Cork County Council who are under the remit of the Department of the Environment, Community and Local Government I have no function in the provision of finance for this matter.