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Chuaigh an Ceann Comhairle i gceannas ar 2.30 p.m.

Paidir.

Prayer.

Ceisteanna — Questions

Priority Questions

Insurance Industry

1. **Deputy Billy Kelleher** asked the Minister for Health the measures he intends to take to deal with the drop off in the number of persons that have private health insurance; the measures he will take to ensure the increase in the community rating levy will not be passed on to private health insurance customers; and if he will make a statement on the matter. [1629/12]

Minister for Health (Deputy James Reilly): Ba mhaith liom fáilte a chur roimh gach éinne ar ais anseo inniu. I welcome everybody back after the Christmas break.

I am concerned that private health insurance is becoming harder to afford, especially for older people, as insurers increasingly tailor their insurance plans towards younger, healthier customers. I am strongly committed to protecting community rating, whereby older and sicker customers should pay the same amount for the same cover as younger and healthier people. To protect community rating, we need a system of risk equalisation which ensures that community rating can survive. We have an interim scheme in place since 2009. It is designed to

[Deputy James Reilly.]

compensate insurers which have older, less healthy customers and therefore higher claims costs, compared to insurers which have younger, less costly customers. The interim scheme is funded by a community rating levy in respect of every health insurance policy written. I extended the interim scheme for a further year in 2012 and will introduce a more detailed risk equalisation scheme under new legislation from next January.

To keep down the cost of health insurance for older people, I increased significantly the age-related income tax credit for insured persons aged 60 years and over, from 1 January 2012. The measures I took are designed to result in no overall increase of premiums in the market and to spread the risk more evenly between the healthy and the less healthy, the old and the young. I welcome the announcements by Aviva and the VHI that they do not envisage passing an increase on to customers' premiums on foot of revised rates of age-related tax credit and community rating levy for 2012.

In December 2011 I agreed with the three commercial health insurers to establish a health insurance consultative forum, to tackle issues of mutual concern. We agreed to work co-operatively in driving down costs related to health insurance and to identify savings that could be achieved by public and private hospitals. I indicated to the insurers that I would be happy to hear proposals from them which would result in lower costs for the health insurance sector. A new review of the VHI's claims costs will be carried out to establish what further savings can be made. The review is to be completed early this year and will contribute significantly to more effective cost control within the private health insurance market. I am determined that these and other measures will have a significant impact in containing the level of any future increases in health insurance premiums.

Deputy Billy Kelleher: I also wish everybody a happy new year and in respect of the Department of Health, a peaceful new year among the Ministers.

While I welcome the Minister's reply, it does not address the key issue, that the cost of health insurance is inflating rapidly and many families are no longer able to afford to have private cover. During a Dáil debate this time last year the Minister stated he fundamentally opposed an increase in the community rating levy and he was vehement in his criticism of an 11% increase. A few weeks ago we found out he had sanctioned a 40% increase. What is the difference between what he stated in January 2011 and the decision he made recently? What has changed with regard to the issues in the health insurance industry generally that it is now okay to increase the community rating levy by 40% when previously he fundamentally opposed an increase, stating it was an attack on the elderly and every person who was trying to take out private health insurance?

Deputy James Reilly: With regard to the comments made on people leaving the health insurance market, there is no doubt families trying to afford to take out insurance are feeling pressure. However, it must be stated the results of surveys which have shown that up to 700,000 people will leave the health insurance markets reflect the results of surveys undertaken in the past which showed similar figures but which never materialised. Sometimes the wording of surveys needs to be examined.

I was critical of the levy on insurance premiums because I did not see it as leading towards what was required — a proper risk equalisation scheme. For a period of years we have had the levy, with promises of things to come, but there has been no delivery. In the short nine months in which we have been in power we have put before the market a risk equalisation scheme. It has been passed by the Cabinet and legislation will enact it into law. People can see what risk equalisation will mean for the market which needs a year's advance notice to address any

changes required in premiums and insurance packages offered and we have provided for this. The key point is that this is the final year of the levy. The levy is about fairness to those individuals who when they were young and well supported those who were older. They now have the right to expect the same and we owe them that courtesy. That is what the levy is about.

Deputy Billy Kelleher: Nobody disputes the fact that there should be intergenerational solidarity and that we should support those more in need of private health insurance as they grow older and become more dependent on the health service. The key point, however, is that more people are giving up private health insurance. The Minister has a proposal with regard to implementation of a universal health insurance policy, but while he is pursuing this agenda, people are leaving the health insurance market. More than 60,000 left the market in 2011. I do not blame all the decisions made by the Minister for this. Many have done so because of the financial difficulties being faced by families. However, the decisions made by the Minister have encouraged some to give up private health insurance. The difficulty is that there is grave uncertainty. Nobody is sure how much private health insurance will cost this year or next year and there is the promise of a universal health insurance system at some stage down the road in nirvana time. Many, however, will be forced to give it up in the meantime and this will place huge pressure on public services which are already overwhelmed.

Deputy James Reilly: One of the prime reasons people have to give up private health insurance is that they have lost their jobs and I do not need to remind the Deputy as to the reasons for this. Thankfully, there are now fewer than 450,000 people unemployed; last month there was a drop in the number on the live register for the first time in a number of years. That is the main reason people cannot afford to take out health insurance. I reassure the House that the levy does not increase the cost of insurance in the marketplace, rather it is a transfer of funds from those who are younger and well to those who are older and unwell. The market has become segmented, by which I mean the insurers have sought to create products more attractive to younger people and less attractive to older people and to price them accordingly, the net effect being that it has become more expensive to insure older persons.

The purpose of the levy is to redress that issue.

If the market was truly stable and there was a fair distribution of people across the three companies, there would be no inter-company transfer. The moneys would transfer within the companies.

The clinical programmes in the public hospitals are showing real change and improvement in efficiency and they can do the same in the private hospitals. The VHI is engaged with the clinical programmes to achieve that objective. Equally, the forum which we set up is to ensure we address the costs of medical care, particularly in the private sector, to drive them down. There has been a belief that 9% medical inflation year on year is acceptable. I send a strong message from the House that it is not acceptable to the Government or to my Department.

National Service Plan 2012

2. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the status of the Health Service Executive draft service plan for 2012; if he has approved all or part of it; the process for assessment of its proposals and approval or rejection thereof; if the plan will be put before Dáil Éireann for debate; and if he will make a statement on the matter. [1360/12]

Deputy James Reilly: The HSE submitted its draft National Service Plan 2012 to me on 23 December last and it is currently under consideration in my Department. In line with the

[Deputy James Reilly.]

Health Act 2004, the plan sets out the type and volume of services to be delivered by the executive for the moneys allocated under its Vote.

The budget provision for 2012 represents a major challenge to the HSE and comes at a time of significant reform of the public health system. The HSE will be required to deliver, at a minimum, the levels of service set out in the plan as well as operating within the limits of its voted allocation of €13.317 billion. The bulk of the reductions the HSE is required to deliver in 2012 will impact on front-line services more directly than in previous years. This is partly because of the anticipated reduction in the numbers of staff at the end of the so-called grace period on 29 February. I intend to review the plan once the impact of the grace period exits is known. This is not an exit scheme; this is a period of grace under which people can leave the service under the current terms and conditions applying to their pensions and lump sum.

The plan will be implemented in the context of ongoing radical reform of the health service and the significant restructuring of the HSE which I recently announced. A rigorous examination of budget allocations is being undertaken across the care programme areas with the explicit aim of reducing the impact on services and identifying where efficiencies will be driven. This process has involved re-prioritising funding to protect areas of greatest need and meet programme for Government commitments.

While it will be impossible to avoid an impact on service delivery in 2012, the plan will commit the HSE to minimising this impact by fast-tracking new, innovative and more efficient ways of using the reducing resources. It will reflect the need to move to models of care across all care groups which treat patients at the lowest level of complexity and provide services at the least possible unit cost. It will also include a commitment to addressing staffing levels, skill mix and staff attendance patterns within the context of the public service agreement.

Once approved, the service plan will be laid before both Houses of the Oireachtas, after which it will be published. During 2012, the HSE will provide me with monthly performance reports on all aspects of the plan.

Deputy Caoimhghín Ó Caoláin: The Minister did not indicate when he intends to sign off on the plan. He indicated it would be laid before both Houses but he did not confirm, as my question sought, that it would come before the House for debate, and there is a stark difference. Does the Minister not accept that no matter what service plan he signs off on, the fact of the matter is that we will face significantly reduced services in the course of 2012, consequent on the cuts that the Government imposed in budget 2012? The situation that has to be faced by patients throughout the State is a very serious one. We have already seen the consequences of cuts imposed by the former Government over a series of years under its administration and we know the impact that has had on the lives of ordinary people. What we will face with cuts of some €850 million, signalled for the 12 month period under budget 2012, is an ever-deepening crisis.

The Minister's reconsideration of the service plan is interesting in itself given that the Secretary General of the Department of Health is also the chairperson of the interim board of the HSE, so it is hardly a case of the dog wagging the tail, or which way is it at present? Who is in control? Could it be that the Minister and his officials had little or no input into something that presented on the eve of Christmas Eve, just gone by?

An Leas-Cheann Comhairle: Thank you, Deputy.

Deputy Caoimhghín Ó Caoláin: This is a jointly worked out plan that is presented annually after substantial consultation between the Department of Health and the Health Service Executive, HSE, at the appropriate level.

An Leas-Cheann Comhairle: I am sorry, but I must call on the Minister to reply.

Deputy Caoimhghín Ó Caoláin: I will conclude with these two points. In the review of the service plan as presented to the Minister in Christmas week, will he ensure that a process of restoration of now-closed hospital beds across the acute hospital network will be a part of the plan in 2012? Will the Minister take appropriate steps to remove the recruitment embargo to ensure that we will not face an ever deepening crisis in the health service with the signalled departure of some 2,000 further HSE employees under the February pension arrangements?

Deputy James Reilly: In answer to the first question on when we sign off on this — it is next Friday — Friday the 13th.

Deputy Caoimhghín Ó Caoláin: That is auspicious.

Deputy James Reilly: There you go. Not being of a superstitious nature I do not see any problem with that date. That is what the law requires me to do and that is what will be done. The Deputy opposite has correctly highlighted the difficulties that will arise in maintaining services. That will be especially so if it is to be business as usual, but it will not be business as usual. In reply to a previous question I mentioned some of the initiatives taking place between clinical programmes and their implementation with the help of the special delivery unit, SDU. We have seen initiatives such as the orthopaedic initiative which has resulted in savings of €6 million across orthopaedic services by insisting that patients would be admitted on the day of the procedure not the night before. If patients are admitted on the day of the procedure we pay the hospital directly. In the acute medical assessment unit in Cork we have avoided the admission of patients and saved 11,000 bed days in a six month period. That could lead to a saving in that hospital alone of more than €10 million — I am told between €15 million and €17 million — in a full year. We will have precise figures on that. Not transposing excellence across the system has been the big failure of the HSE in the past. We intend to ensure the system is transposed through the efforts of the SDU and those working within the system who are buying in to these new ways of doing business in a major way because they see that it improves patient care, the number of patients that can be treated and it makes it easier for them to do their job.

An Leas-Cheann Comhairle: Thank you, Minister.

Deputy James Reilly: Nobody is more frustrated than a surgeon or physician trying to do a procedure who is not able to do the work planned for the day because of a lack of beds, personnel, nursing staff or an anaesthetist. That comes down to organisation and planning, which will be addressed.

The productive theatre initiative which applied in five theatres — that is only 2.5% of theatres — saved €2.5 million. If the initiative were transposed across the system it could save another €100 million. I agree with Deputy Ó Caoláin that if it is business as usual there will be a serious impact on services but if we change the way we operate and work the impact of the plan will be minimised.

An Leas-Cheann Comhairle: I am frustrated by the time limits. I must point that out to every Member of the House. Deputy Ó Caoláin should be brief with his supplementary question.

Deputy Caoimhghín Ó Caoláin: We accept the difficulties and that there will be real challenges in terms of delivering the level of service people need, but in terms of the service plan and given the 2,000 hospital beds that are already closed in the public hospital system and the signalled closure of 62 beds in Tallaght Hospital last week, 31 of which are in a single ward,

[Deputy Caoimhghín Ó Caoláin.]

does the Minister intend to include in the service plan a plan to restore those beds, not to go ahead with the closures in Tallaght but to restore some of the other public hospital beds in order to meet the crying need that is evident? What will the Minister do in response to the departure of a further 3,000 health care workers by the February deadline? What does he intend to do in terms of those who are entrusted with the delivery of key services on which each and every one of us depend for our health at some point in the course of our lives?

Deputy James Reilly: I share your frustration, a Leas-Cheann Comhairle at the lack of time. These are important issues and I am prepared to spend as much time as can be given to them.

For the information of the House, because of meetings which took place regarding the service plan between me and my fellow Ministers and the Minister, Deputy Howlin and his Department, through a re-understanding of how to deal with superannuation — and this is contingent on how many people leave the service — we have been able to reduce that €868 million down to €750 million meaning that the impact should be less. Nonetheless, it is a serious challenge. While beds are an important part of the infrastructure of the provision of care, what is really important is the level of service and the number of patients treated and this is where the focus will be. We will protect beds where this is possible but it is far better to use these beds more efficiently than to seek to open more beds.

I refer to what Deputy Ó Caoláin said earlier. I am the Minister for Health and my fellow Ministers and I are not in a position to redraft the plan. The HSE service plan comes from the HSE which is a legal entity, headed by its chief executive who has control of the Vote. He and he alone presents the plan to me. I have to interact with him through the chairman of the board and by whatever other means possible to get what I regard as a politically acceptable form of the plan to put before this House. It is baloney or nonsense — I am not saying those were the words used by the Deputy but others have used them — to say that I am writing letters to myself, but it is not baloney to say that I have to send the plan back to the Minister because that is what I must do under the law. That is how it operates.

Health Services

3. **Deputy Joan Collins** asked the Minister for Health if he will confirm that cuts in the health budget in 2012 will severely impact on frontline services and will result in longer waiting times for surgical procedures, the shortage of non consultant hospital doctors will mean longer waiting times on trolleys and longer queues in emergency departments and that the planned closure of community nursing units will impact heavily on older persons and their families and makes no economic sense whatever in view of the fact that the cost of caring for a person in such units is approximately €1,300 a week as opposed to €1,000 a day in an acute hospital [1599/12]

Deputy James Reilly: The gross current budget for the Health Vote group for 2012 is €13,644 million. An additional €79 million is to be raised through a number of measures to increase the level of income from private patients treated in public hospitals and to improve the collection rate of these charges. This reflects the Government's savings target of €183 million for the health sector in 2012. In addition, the comprehensive review of expenditure identified a range of unavoidable cost pressures and priority programmes for Government commitments. When account is taken of these and the Government's savings target, the overall target for the health sector is estimated in the review at approximately €540 million. Other unavoidable costs were not identified in the review which will also have to be addressed in the context of determining budgets for hospitals and local health offices. These include addressing an underlying deficit which it is carrying into 2012, as well as increments, the EU directive on agency workers and the VAT increase.

It is clear that 2012 will be a very challenging year for the health services. The combination of the savings measures, the absence of extra funding for unavoidable extra costs and service needs plus the further reductions in numbers employed will inevitably impact on services across all care programmes. The extent and nature of the impact on specific services will be set out in the HSE's national service plan for 2012 which was adopted by the board of the HSE and submitted to me on 23 December. I am currently considering the plan with a view to making a decision on it by the end of this week.

My Department has worked in collaboration with the HSE to develop the plan in the context of the comprehensive review of expenditure, the programme for Government reform agenda and commitments for mental health and primary care. The plan as submitted indicates at a high level the impact the savings measures will have on the various care areas. It would not be appropriate for me to discuss the details of the plan in advance of my final decision. However, I can indicate that there will be a greater emphasis on maximising the level of services through innovation and more efficient use of the resources available. I have already alluded to some of these when replying to the previous question. The HSE acknowledges the need to accelerate the process of health care reform and through the use of initiatives, such as the national clinical care programmes, to move to models of care across all programmes delivering services to patients and clients at the lowest level of complexity and the least possible unit cost. I hope to minimise the impact on services but the reality is that we are in very challenging times and there will be a consequence for every programme. We will work in tandem with the HSE, the unions and our staff to find ways of changing how we do our business while minimising the impact on service provision.

Deputy Joan Collins: People outside this House who will hear this reply will not be confident that there will be a better or more efficient health service in the future. A total of €868 million has been taken out of the health service in what is already a crisis. People generally and in my constituency believe services are collapsing around their ears. What has happened is that services have been cut to the bone and the cuts are now eating into the marrow. There are still up to 365 patients on trolleys, huge waiting lists and hospitals are trying to get patients back into community care services. However, there is a lack of care services in the community. When stroke victims who receive very good care in acute hospitals move back into the community they cannot access services as the system is not working. People do not believe it is working. We need further direction from the Minister who says he is guiding the health service into a better position, but that is not happening.

Deputy James Reilly: With respect, the system is working. Let us look at the facts, rather than the rhetoric and hyperbole. Perhaps the Deputy missed the point made, but the figure will be €750 million, not €868 million, as I explained to Deputy Ó Caoláin. I disagree that the service has collapsed and I stand over this assertion. The trolley count, week after week and month after month up to August last year, was 30% higher than in the preceding year. The special delivery unit, SDU, headed by Dr. Martin Connor, was formed in June and became operational in September and week on week the numbers have fallen since. Up until the last third of December, the trolley count was approximately 40% lower than in the previous year. That is a 70% turnaround in a matter of four months which I see as cause for cautious optimism, although I know we could run into serious problems and the trolley count could rise significantly again. Nonetheless, the initiatives taken by the SDU and hard-working doctors and nurses working in a different way in hospitals with support from management are yielding results. The great thing about the hospitals I have been to around the country is that the staff are buying into this. They now realise that instead of there being command and control from the centre, they are receiving support from the centre.

Deputy Joan Collins: Is the Minister saying that with a further €1.5 billion in cuts we will deliver a much-needed service, despite more people needing access to hospitals and some 3,000 health care workers being taken out of the system? He has mentioned the reduction in the trolley count, but we have heard from those on the ground that patients are being taken from accident and emergency departments to wards to pretend that there is not the same volume in traffic. This has been reported as true by workers on the front line. We can play with the figures which can always be played with, but those on the front line tell us about patients waiting in emergency departments, for access to hospitals, community care services and occupational therapists to help them to return to their homes. The only way they can receive that care is by going to private occupational therapists, in the process putting more pressure on ordinary working people. The Minister can play with the figures, but the reality is not as he states it.

Deputy James Reilly: I said the Government's health policy would be based on evidence based information. I challenge the Deputy to go to the Irish Nurses and Midwives Organisation trolley count site and measure the results. The figures indicated have been agreed by the organisation and us. There is a dispute in one or two areas because, as happened today in particular, there was an alarming difference between our count and that of the organisation. It is being investigated. However, the figures this time last year were far greater. On the first Wednesday of the new year last year there were 569 patients lying on trolleys; this year there were approximately 325, which is still too many.

The Deputy asked whether a further reduction of €750 million in the health budget would help; of course, it would not. However, I can tell her — time has proved this — throwing money at the problem, in the way the previous Government did, would not fix it either without basic reforms. These reforms are now being introduced.

Last June and July we asked that no one be left waiting for longer than 12 months for an inpatient procedure. At the end of December 2010 there were 14,000 such patients. Our target was met everywhere, with just one exception, Galway, which is receiving special attention. The target this year will be a wait of nine months and I expect it to be met. I will offer my support in this regard.

In agreement with the Irish Nurses and Midwives Organisation, we examine an arbitrary figure at 8 a.m. and again at 2 p.m. and 4 p.m. in order that we can predict what will occur the next day and take action to avoid problems experienced in the past. By the middle of this year, we will have moved to a six hour target. For 95% of patients, the time which should elapse between their arrival at an emergency department and discharge or admission is six hours. We want 100% of them to be discharged or admitted within nine hours. That would be real progress, but we have not succeeded absolutely; the 350 waiting on trolleys are 350 too many.

Insurance Industry

4. **Deputy Billy Kelleher** asked the Minister for Health if he has carried out an impact analysis of changes in Budget 2012 to generate extra revenue from private health insurers and their customers; and if he will make a statement on the matter. [1630/12]

Deputy James Reilly: As part of budget 2012, the Government agreed a number of changes to charges for patients who chose to be treated on a private basis in public hospitals. These changes will have no impact on public patients who comprise the vast majority of those treated in public hospitals.

When individuals elect to be treated privately, they agree to meet the consultants' fees and the hospitals' maintenance costs. These issues were examined in the value for money and policy review of the economic cost and charges associated with private and semi-private treatment services in public hospitals, which was published by the Department of Health and Children in December 2010. It is estimated that the average maintenance cost per bed day in a category 1 hospital is €1,046. In keeping with the long-standing policy of moving towards recovering the full economic cost of providing treatment for private patients in public hospitals, the maintenance charges for private patients in public hospitals have been increased by between 3% and 5%, depending on the category of hospital, with effect from 1 January. It is anticipated that this will yield additional revenue in the region of €18 million in 2012.

While the HSE and voluntary hospitals recoup considerable sums from private health insurance companies in respect of private and semi-private treatment services provided for their members, lengthy delays often occur between the discharge of patients and the receipt of payment from the companies. This has led to an unacceptably high level of debtor days, with a significant amount in fees outstanding. Some hospitals are much more efficient at collecting this income than others. It is intended that more hospitals will achieve the income collection standard of the better performing hospitals and, as a result, a target of €50 million in accelerated income has been set for 2012.

A significant proportion of private patients who are treated in public hospitals are not charged for the services because of the current rules on bed designation. In contrast, the public hospitals' consultants receive private fees, even where the hospitals cannot collect their maintenance charges. This represents a loss of income to the public hospital system and a significant subsidy to private insurance companies. It is intended to introduce new arrangements during 2012 to allow public hospitals to raise charges in respect of all private patients in public hospitals. This new system will be entirely in keeping with the changes required as we move along the road towards universal health insurance. It is estimated that the new system will yield an additional €75 million in 2012.

My meeting the three commercial private health insurers resulted in clear agreement that all would work competitively and co-operatively in driving down private health insurance costs. There was also agreement that savings could be achieved in the services provided by public and private hospitals, a matter to which I have alluded. Significant savings can be made in the costs of the health insurance companies. In addition, I indicated that I would be happy to hear of any proposal from the insurance companies that would result in lower costs. The Department is also happy to enter into new arrangements with the companies. For example, instead of charging per day, a fee per procedure could be agreed, whereby those hospitals which were efficient, carry out procedures and reduce their patients' average length of stay would benefit, while those which were inefficient would suffer.

Deputy Billy Kelleher: In last weekend's edition of the *Sunday Business Post* I read an article on some of the Minister's comments last January when he described the increases in insurance premium as an horrendous and appalling attack on ordinary families. The key decisions in the budget from the Department and the Government in the context of redesignating beds and charging the full amount will have a major impact on the cost of insurance for families. The Minister can stand here talking about cost analyses, reassessments and economies of scale but no insurance company can absorb the full cost and they will have to pass it on to the policy holders, ordinary hard-pressed families who are already struggling with the cost of health cover. Almost 60,000 people left in 2011 and the forecast is that another 100,000 could leave in 2012. That will lead to huge pressures for the insurance companies being able to fund procedures and for the public health system, which is already under huge strain and incapable of dealing

[Deputy Billy Kelleher.]

with the numbers coming through the door as it is. This will have a fundamental impact on people's ability to retain health cover and the ability of the public health system to provide services.

Deputy James Reilly: I remind the Deputy that his party's policy was to charge the full economic cost.

Deputy Billy Kelleher: Fine Gael is in government and when the Minister was in Opposition his view was completely different. I am only quoting his view.

Deputy James Reilly: The Deputy is not.

Deputy Billy Kelleher: The paper of record must be mistaken then.

Deputy James Reilly: I am saying that increases in charges will hurt families; there is no question about that. Why was no effort made over the 50 years of monopoly, most of them under Fianna Fáil Governments, particularly over the past 12 years, to address the costs of medical care here? Why is it possible for an individual to make €1 million out of a single company? Too much has clearly been paid for the services and no real cost analysis has been done of the real costs of providing hips, knees or endoscopy. That is what must be addressed. I have asked the companies to look at this not just in terms of an overall cut in costs, but to be more targeted. If a procedure is carried out by a consultant in a hospital that could be done by a consultant or primary care physician in primary care where no side room fee applies, the consultant's fee should be heavily discounted.

That is only one example; there are many areas here where we can reduce costs. The consultative forum is about reducing costs.

Deputy Billy Kelleher: Going back over the history lesson briefly, the insurance market has been opened up. Does the Minister not agree? There are now other health insurers providing cover. This has led to difficulties in the context of risk equalisation and cherry picking but, fundamentally, the bottom line is that premiums are going through the roof continually and the decisions the Government made in the budget for 2012 will increase premiums for hard-pressed families, whether the Minister likes it or not. It will happen or insurers will not be able to afford to provide cover.

Deputy James Reilly: We do not have to go too far back in history to find that rises in premiums in recent years were the most astonishing rises of all. I want a situation where the costs to the insurers are examined and reduced in a meaningful way and, therefore, the cost of premiums should be reduced as well. I do not suggest that some of the changes we have made will not cause upward pressure, I say that upward pressure can be mitigated by reducing the cost of care.

I hope the Deputy did not suggest in his earlier comments that we subsidise private insurance companies. Surely the public system is entitled to recoup the cost in the same way as the consultant? If someone chooses to see the consultant privately, they will be a private patient in the hospital as well; that is the rule. If he chooses to see the consultant as a public patient, the hospital will treat him as a public patient.

HSE Senior Management Remuneration

5. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health if the number of senior managers in the Health Service Executive receiving salaries of more than €100,000 per annum

will be reduced as part of the changes in management and administration of the HSE he announced recently after Cabinet approval; and if he will make a statement on the matter.
[1361/12]

Deputy James Reilly: As a step toward achieving this goal, I will bring legislation forward involving significant changes in the governance of the HSE. The legislation will abolish the board of the HSE and will replace the board structure with a directorate structure. The purpose of the new directorate structure is to drive greater transparency, accountability and efficiency, and to reshape the system to better support the Government's health reform programme.

The following seven areas will be the subject of a directorship: — hospital care, primary care, mental health, children and family services, social care, public health and corporate/shared services. One of the directors will be appointed as the Director General. The directorate team will run the health services as they exist and prepare for the transformation required in the move to UHI.

The new structure is intended to provide clarity as to the responsibility for the delivery of the services under each director, as well as greater financial transparency and accountability in those services.

Given the very challenging situation the health service faces in 2012 and future years, strong management capacity is needed to improve performance, to deliver on service targets in an effective and efficient way within available resources and to lead change in a complex environment. The changes I have announced are intended to improve the management of the service. In view of the nature and scale of the changes proposed, it is not possible at this stage to say whether there will be a reduction in the number of senior managers being paid salaries of more than €100,000.

It is envisaged that the directorate posts will be filled on an accelerated basis in accordance with the Public Service Management (Recruitment and Appointments) Act 2004. The remuneration for these positions will be in accordance with Government policy and will be subject to the approval of the Minister for Public Expenditure and Reform. The following seven areas will be the subject of a directorship: hospital care; primary care; mental health; children and family services; social care; public health; and corporate-shared services. One of the directors will be appointed as the director general. The directorate team will run the health services as they exist and prepare for the transformation required in the move to universal health insurance.

The new structure is intended to provide clarity as to the responsibility for the delivery of the services under each director, as well as greater financial transparency and accountability in those services. Given the very challenging situation that the health service faces in 2012 and future years, strong management capacity is needed to improve performance, to deliver on service targets in an effective and efficient way within available resources, and to lead change in a complex environment. The changes I have announced are intended to improve the management of the service. In view of the nature and scale of the changes proposed, it is not possible at this stage to say whether there will be a reduction in the number of senior managers being paid salaries of more than €100,000.

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Deputy Caoimhghín Ó Caoláin: I am sure the 110 senior managers will heave a sigh of relief that at least the Minister is not signalling that their salaries will be cut any time soon. Why did

[Deputy Caoimhghín Ó Caoláin.]

the Minister wait until the Dáil went into recess to announce this so-called package of reforms? Why was it not done in the previous weeks when we had the opportunity to discuss it here in the Dáil Chamber? He has not given us a timeline for legislation. He heralded wholesale change in the HSE appointing an interim board and now seven directors are signalled to take over responsibility. However, accountability must rest with him. When will we see the legislation and what exactly is involved? What reduction in bureaucracy does the Minister expect from changes and how does he expect that to impact? If the salaries of those 110 managers earning in excess of €100,000 are not to be touched, what reductions will take place in the administration and bureaucracy of the HSE as against the cuts in front-line services we have seen all too regularly in recent years, which are continuing apace in the current year?

An Leas-Cheann Comhairle: I call the Minister.

Deputy Caoimhghín Ó Caoláin: When does the Minister expect to introduce legislation? When will we see the reality of the changes he intends?

Deputy James Reilly: I assure the Deputy that he will have plenty of opportunity to discuss this in coming weeks. I intend to introduce the legislation at the earliest possible time — probably towards the end of next month. As I said in my original response, we are doing this because I want much clearer sight of money. We know what happened during the fair deal issue when moneys were put aside to accommodate people in long-term institutions. Once it went below the level of the regional director of operations it became very difficult to follow it. Moneys were going under different headings, which was unacceptable. I want to be able to know where the money went from the very top down to the very bottom. Hard pressed taxpayers have the right to expect that we, as Ministers acting on their behalf, have full sight of where money goes and how it is spent, and who makes decisions and why.

In addition we will move care, particularly of chronic illnesses, from the hospital sector back to primary care. I am working very hard with the Minister of State, Deputy Shortall, in this regard. We want a clear line of vision of the funding for those pillars, whether it is mental health under the Minister of State, Deputy Kathleen Lynch, primary care under the Minister of State, Deputy Shortall, or hospital care. When we can see those lines we can move money from one to the other in a very clear transparent fashion. When we have that done, we can look back towards universal health insurance through an integrated care agency.

Deputy Caoimhghín Ó Caoláin: Nothing in what the Minister said indicates we will see changes that will impact on the important front-line service delivery systems within the health services. Nothing he has signalled in terms of so-called reform will in any way reduce the impact of the cuts announced in budget 2012 in terms of the delivery of front-line services this year.

I welcome that the Minister is putting a timeframe on the introduction of legislation, which means we will at least have an opportunity to scrutinise what is intended. The Minister, in response to a question from me on the White Paper on the financing of universal health insurance which he proposes to introduce, indicated in this House that it will be three or even four years before that White Paper presents. Is that still the case? As such, these so-called reforms are very much long-fingered proposals and what the Minister is doing is tweaking at the higher echelons of oversight and management. Nothing the Minister is doing will impact on the front line in terms of the needs of people and patients.

Deputy James Reilly: I can assure the Deputy that the needs of patients and patient experience are to the fore of everything we are doing. That is the key issue for us. The Deputy is correct that many people who work within the service believe we are only moving the old

pieces at the top again and that this will make no difference to them. It may not be easy to see when one is down on the floor working hard dealing with emergencies day in, day out but things are going to change, including how budgets are organised, where money is going and who is making the decisions on where it is spent.

On the White Paper, it will be finished by the end of this year. The directorates around the universal health implementation group have been formed but the names have not yet been signed off on.

Deputy Caoimhghín Ó Caoláin: Is the Minister bringing forward the White Paper in 12 months' time?

Deputy James Reilly: Yes.

Deputy Caoimhghín Ó Caoláin: When did the Minister make that decision, given just over a month ago he told me it would not be ready for three to four years?

An Leas-Cheann Comhairle: Deputy Ó Caoláin should allow the Minister to continue without interruption.

Deputy James Reilly: It is in the service plan. I would prefer to under-promise and over-deliver than to do it the other way round.

Deputy Caoimhghín Ó Caoláin: We will see. I regret the Minister has not yet ticked that box.

Deputy Billy Kelleher: Lessons have been learned.

Deputy James Reilly: I would like to make the following final point, much to the mirth of our friend from Cork. The reality is that we must reform the service at the top so that structures can be put in place to allow people on the front line to deliver the service they are well capable of delivering. We must support those at ground level at the same time. This is being done through the service delivery unit, SDU, which has made a real impact. The clinical programmes commenced their genesis under the previous Administration. Without the support of the SDU in terms of implementation, the impact made to date would not have been made, which is acknowledged by the people concerned. What we have is a powerful combination of clinical programmes and a service delivery unit to ensure they are implemented, not alone where they start, namely, Cork, but across the system.

Other Questions

Health Services

6. **Deputy Robert Troy** asked the Minister for Health the steps he is taking to tackle hospital deficits; and if he will make a statement on the matter. [1195/12]

Deputy James Reilly: According to the latest available information, the HSE managed to achieve financial break-even within its overall Vote last year. While it was assisted in this regard by the Supplementary Estimate of €148 million, it is important to acknowledge that €58 million of this was attributable to a shortfall in the funding provided to the HSE earlier in 2011 for the pay savings arising from the voluntary exit schemes which ran up to the end of 2010 and departmental savings on its Vote of approximately €40 million which reduced the net impact on the Exchequer.

[Deputy James Reilly.]

It was recently stated in the headlines of a newspaper that the Department of Health had handed back €40 million which it had not spent. This is a technical issue. The Department of Health cannot hand over the €40 million to the HSE. It must hand that money back to the Exchequer which in turn allocates it to the HSE in a Supplementary Estimate. That is the way it works. Given the scale of the HSE Vote and difficulties that any health service faces in managing within budget, this has to be seen as a very satisfactory outcome.

Given the €750 million saved last year and the year before that and the requirement to save €750 million this year, real innovation will be required to maintain the service. We now are at a point at which we depend on real innovation to maintain the service. However, such innovation and the new clinical leadership behind it are coming to the fore. That said, I am aware the acute hospitals are entering 2012 with an underlying deficit based on their rate of spending in the latter part of last year. This clearly will add to the difficulties facing hospitals this year in managing within reduced budgets and staffing levels. The HSE estimates at this stage that the overall underlying deficit for acute hospitals is in the region of €160 million, but this is subject to revision in the light of detailed end of year figures. This is an average figure and the challenge facing individual hospitals varies. I am advised that some hospitals achieved a break-even position or are carrying forward relatively small underlying deficits, whereas others have substantial deficits. A number of hospitals are facing particularly difficult challenges in this regard and therefore must focus on maximising cost reductions, income collection and effective clinical changes.

Deputy Billy Kelleher: I thank the Minister for his reply. Obviously I accept there is huge pressure on hospitals in the delivery of front-line services in particular. However, this goes against every statement made last year by the Minister and the Government in the context of protecting front-line services. As a fair and reasonable person, I wish to give the special delivery unit time to work to ascertain whether it is having a real impact and is effecting change. However, there is a belief abroad that there was a massaging of the figures regarding how the waiting lists were analysed in respect of a 12-month period in the first instance and, in the context of waiting lists, on what patients were waiting for more than 12 months as a part of this assessment. As for people waiting on trolleys, the claims made by the Minister that fewer people are now waiting on trolleys on a daily basis in the accident and emergency units is correct. Equally, however, if one speaks to anyone who works in the front-line services, as I acknowledge the Minister does, they also will state the wards now are being overcrowded. In other words, the issue simply is being shifted from one area of a hospital to another and there has been no real, meaningful increase in the output and throughput of patients.

Deputy James Reilly: To reassure the Deputy opposite, protecting the front-line services still remains a priority and everything will be done to achieve this, notwithstanding the extremely challenging financial position in which we find ourselves. I reject any notion that there has been a massaging of figures. In a previous answer, I made clear how the figures were reached. Anyone waiting on a list before December 2010 was included as being a possible person who was still waiting and had to be treated by the end of December 2011. This amounted to 14,000 people and the fact this number now is in the low hundreds, all of which relate to Galway, speaks for itself in respect of the great efforts made by the service to achieve this goal. Moreover, as I stated, the target for the coming year is nine months, that is, no one will be left waiting for a procedure for longer than nine months.

Deputy Billy Kelleher: As for the hospitals which are in severe difficulty and are bringing forward deficits from 2011 to 2012, I refer to the Minister's proposed changes to how hospitals

charge private patients. Is there not an added incentive that in future, hospitals will prioritise private patients, given their ability to recoup the full costs from such patients? Moreover, in the context of hospitals being individualised into trusts over a period of time, could this not incentivise private patients over public patients to reduce budget deficits?

Deputy James Reilly: I thank the Deputy opposite for confirming there are fewer people on trolleys. The figures are there for people to see, and they speak for themselves. It is not good enough. I have said that.

Deputy Billy Kelleher: The Minister should not deny the facts.

Deputy James Reilly: We wish to go further. By the middle of the year we wish to bring in the six hour target in respect of the patient experience. The goal is that the time from when one enters an emergency department to the time one leaves or is admitted should be six hours for 95% of patients.

The Deputy is absolutely correct. I have considered this issue and have had quite a number of discussions in this regard with both Ministers of State, Deputies Shortall and Kathleen Lynch, on the danger that public hospitals would be incentivised to treat increasing numbers of private patients. This has been accommodated within what is planned because once the hospitals pass a certain quota, they will not be allowed to keep any of the money. Consequently, there will be no incentive for them to continue to do this.

An Leas-Cheann Comhairle: Briefly, Deputy Ó Caoláin.

Deputy Caoimhghín Ó Caoláin: I note the Minister now has given assurances twice to his junior ministerial colleagues that he will be consulting them on issues and, at the outset of 2012, I am sure this will be a highly welcome development both on their parts and those of all Members.

The Minister should make no mistake but that hospital deficits have a direct impact on patient care. Never mind the long term, Members are witnessing short-term temporary closures of wards and beds. The situation is serious and part of the solution to deal with it pertains to developing real efficiencies. However, the Minister is not consistent. For instance, he has cited his appeal to the management at both Galway and Limerick to consider redirecting certain procedures, which from their perspective are non-intensive, from their respective sites to smaller hospitals in the region. The Minister instanced how hernia operations or procedures are to go to Ballinasloe or Roscommon. This is welcome because Members want to see decentralisation—

An Leas-Cheann Comhairle: Deputy, can we have a brief question?

Deputy Caoimhghín Ó Caoláin: —to some of the smaller hospital sites. The Minister lauded and applauded the situation—

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

Deputy Caoimhghín Ó Caoláin: Yes, it is a question. The Minister lauded and applauded the position in Louth County Hospital, Dundalk, in respect of cataracts. At the same time, however, why does the Minister continue to preside over closures of critical outpatient services at several hospital sites throughout this State, while signalling even further cuts in that regard? There is no consistency in the Minister's position—

An Leas-Cheann Comhairle: Thank you Deputy. I must call the Minister for a final reply.

Deputy Caoimhghín Ó Caoláin: —only confusion, and people are suffering as a consequence. How does the Minister respond?

Deputy James Reilly: In response to Deputy Ó Caoláin, it is very early in the year to be working oneself up into a rage.

Deputy Caoimhghín Ó Caoláin: Members already have had 12 months of the Minister and I can be excused for it.

Deputy James Reilly: Not yet. Only ten months.

An Leas-Cheann Comhairle: We can all make good resolutions now. The Minister to reply.

Deputy James Reilly: It will be 12 months, please God, and I can have my assessment then.

Deputy Caoimhghín Ó Caoláin: God, what will that be like?

Deputy Ray Butler: The Deputy should check the position in the North. It is exactly the same.

Deputy Caoimhghín Ó Caoláin: The Deputy should not worry.

An Leas-Cheann Comhairle: Please allow the Minister to respond.

Deputy James Reilly: Equally, Deputy Ó Caoláin deliberately mishears when it suits his purpose.

Deputy Caoimhghín Ó Caoláin: No, these are things the Minister has said.

An Leas-Cheann Comhairle: Please allow the Minister to respond.

Deputy James Reilly: What I stated only a few moments ago was that I had consulted and had been consulting with both of my colleagues in government a number of times. Moreover, I will continue to do so and, contrary to what the Deputy wishes to imply, this is no new development.

Deputy Caoimhghín Ó Caoláin: I am pleased to hear that.

Deputy James Reilly: However, the Deputy is quite right to mention Louth County Hospital because it exemplifies what is achievable in a smaller hospital and how no longer having a 24-hour emergency department does not mean one's hospital does not remain vibrant and a source of great service to its community. As the Deputy noted, approximately 1,000 cataract operations have been carried out there where none was performed previously, as well as 3,000 colonoscopies, several thousand phlebotomies, while more care of the elderly cases have been looked after, more surgery, more day cases and so on. I perceive the future for smaller hospitals to lie in the provision of a safe service in good surroundings by caring and highly professional staff.

Deputy Caoimhghín Ó Caoláin: However, this is not being done across the board.

Mental Health Services

7. **Deputy Seamus Kirk** asked the Minister for Health his plans to cut respite facilities in psychiatric units like those in Ballina, County Mayo; and if he will make a statement on the matter. [1177/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The expenditure reductions necessary in 2012 will challenge all areas of the health system to provide continuity of services that is both appropriate and safe for patients. In common with other care areas, efficiencies and other savings will be required from the mental health service. However, I am glad it was possible to announce a special allocation of €35 million for mental health in line with the programme for Government.

Funding from the special allocation for mental health will be used primarily to strengthen community mental health teams in both adult and children's mental health services. It is intended that the additional resources will be rolled out in conjunction with a scheme of appropriate clinical care programmes based on an early intervention and a recovery approach. Some provision also will be made to facilitate the re-location of mental health service users from institutional care to more independent living arrangements in their communities, in line with the strategy of A Vision for Change. This necessarily will involve some rationalisation and re-organisation of services at a local and regional level.

Mental health services are continually reviewing the provision of service to their population to maximise the balance of service access within the available resources. Services include acute community mental health services, acute inpatient services, rehabilitation and continuing care. Some high support facilities also are used when required to provide respite care.

The case in Ballina referred to by the Deputy involves a community-based residential unit that provides inpatient and respite beds, as well as a day care centre and outreach services to patients with severe and enduring mental health conditions. These services are currently under review and a planning process for the future of mental health services for the area, which will include consultation with service users, is scheduled to commence shortly.

Deputy Billy Kelleher: While I have stated publicly that the Minister of State has a strong commitment to the issue of mental health and the implementation of the strategy of A Vision for Change, what clearly is needed now is action beyond the words and commitment. It is beginning to become evident there already has been a downgrading of psychiatric services. While we welcome the ring-fencing of a sum of €35 million in this respect, the closure of the two ten bed units in Teach Aisling and the other facility in Ballina, County Mayo is an indication that the reverse of what A Vision for Change is about is happening.

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

Deputy Billy Kelleher: Will the Minister of State agree that people are being centralised back into the system rather than being treated in the community in line with a proposal made in A Vision for Change? Clearly, the decision to close these two units indicates what was proposed in A Vision for Change is being reversed.

Deputy Kathleen Lynch: The units are not being closed, rather the position is under review. On what is proposed in A Vision for Change, we have not got our heads around what community care means in the context of mental health services. For instance, there is a community-based team in Cork, the members of which visit people in their homes, of which I am sure the Deputy will be well aware, not only on a regular basis but when there are acute emergency episodes in order to maintain them within the community. That is what A Vision for Change is about and what we should be seeking to achieve, whether it be in Cork or Ballina, County Mayo. We need to examine seriously how we can keep people out institutions and maintain them in good health in their own communities. While there will always be a need for acute beds when people have acute episodes, such care should be for as short a period as possible in order that we maintain people in their own communities.

Deputy Billy Kelleher: I read the Minister of State's comments on the late Sean McCarthy who was a champion of people with a psychiatric illness and a fond colleague and friend of ours in this House. It is clear that there is a downgrading of services, even though there is a commitment to ring-fence a sum of €35 million. On 15 December the Minister of State said the Department had sanctioned the lifting of the moratorium to recruit 100 staff, yet the HSE has paused such recruitment. What has happened in respect of that recruitment process? Has it been paused? Has the moratorium been lifted? What is happening with regard to the recruitment of an additional 100 staff, as announced by the Minister of State on 15 December?

Deputy Kathleen Lynch: I did not say that. I said that in the previous two years there had been a lifting of the moratorium in order to allow provision to be made for an 100 additional places and that we needed to examine seriously how we could get specific posts back into the service. We still do not know how many will leave the service at the end of February. If the numbers who left in previous years are anything to go by and given the fact that psychiatric nurses, in particular, can leave at an earlier age, we will probably lose more from the psychiatric services than from any other sector of the health service. We will have to examine seriously how we organise the posts in the system that will be necessary to deliver on the measures contained in A Vision for Change. That is to what the figure of €35 million relates. It is not to fund capital programmes but specifically to fund additional posts.

Deputy Caoimhghín Ó Caoláin: What steps does the Minister of State propose to take to address the situation in psychiatric services in the senior Minister's constituency of Dublin North and particularly the HSE's attempts to arbitrarily introduce changes for psychiatric nurses and in terms of patient care in breach of the rulings of the Labour Relations Commission? This could have resulted in industrial action as and from today, but, thankfully, it was suspended yesterday; however, the matter remains to be addressed. What steps does the Minister of State propose to take to ensure it is addressed full on, while recognising that the crisis has been compounded by the closure of the admissions unit at St. Ita's Hospital and that there has been massive displacement of persons presenting for psychiatric services and mental health support services in north Dublin?

Deputy Kathleen Lynch: Staff relations issues need to be dealt with under the mechanisms put in place. That has always been my belief and should happen. It is not the case that we are not aware of the issue, as we are very conscious of what is happening. We are keeping a close eye on the matter which I hope will be resolved, as such issues are usually resolved.

On there not being a unit available for admissions to St. Ita's Hospital, there are other units available. Again, this is about getting our heads around the fact that people do not always need to be admitted when they have an acute episode. We need to start to examine different ways of dealing with such persons.

Deputy Kelleher mentioned the late Sean McCarthy who has been a huge loss to the mental health community. He would have been the first to say and the person who convinced me that people in difficulty in terms of their emotional wellbeing did not always need to be placed in an acute unit. When the directorate is in place and we give it the sum of €35 million, we will see a fundamental change in how services are delivered to people with mental health difficulties.

Deputy Caoimhghín Ó Caoláin: I accept that, but we will need some additional staff.

Universal Health Insurance

8. **Deputy Niall Collins** asked the Minister for Health the model of health care on which

universal health insurance is likely to be based; the other models being examined; and if he will make a statement on the matter. [1169/12]

17. **Deputy Billy Kelleher** asked the Minister for Health the provisional estimates for the total cost of universal health insurance; and if he will make a statement on the matter. [1164/12]

42. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health when the promised White Paper on Funding Universal Health Insurance will be published; and if he will make a statement on the matter. [1316/12]

958. **Deputy Micheál Martin** asked the Minister for Health if he has attended meetings at which the universal health insurance model and hospital insurance fund was discussed; the progress made on same; and if he will make a statement on the matter. [32720/11]

Deputy James Reilly: I propose to take Questions Nos. 8, 17, 42 and 958 together.

The Government is committed to fundamental reform of the health system. This will see the delivery of a single-tier health service, supported by universal health insurance, which will ensure equal access to care based on need, not income. The universal health insurance system will be based on the principle of social solidarity. Every citizen will have a choice of insurer and equal access to a comprehensive range of curative services. A new insurance fund will subsidise or pay insurance premiums for those who qualify for a subsidy.

Key features of the reform programme which will underpin the introduction of universal health insurance include the strengthening of primary care services to deliver universal primary care with the removal of cost as a barrier to access for patients. It is a paradox of the current system that that which is the most efficient and cost effective, that is, primary care, has a cost associated with it and a barrier and that which is most expensive, that is, hospital care, does not. The work of the special delivery unit will continue in tackling waiting times — this relates to both scheduled and unscheduled care. The key features include the introduction of a more transparent and efficient “money follows the patient” funding mechanism for hospitals, and the introduction of a purchaser-provider split, whereby hospitals will be established as independent, not-for-profit trusts.

In addition, I recently announced significant changes in the governance of the Health Service Executive, under which the current board-chief executive structure will be replaced with a directorate or transitional governance structure. This new directorate structure will facilitate greater transparency, accountability and efficiency, and is a key component in the move to universal health insurance.

The reform programme is a complex and major undertaking that requires careful planning and sequencing. Detailed consideration must be given to the optimal structures for delivery of services and the critical inter-relationships between services, as well as best practice in health care reform. My officials and I have attended numerous meetings with interested parties at which various aspects of the reform programme have been discussed. These included a study visit by my officials to the Netherlands in June last year to examine the Dutch health insurance model. In addition, my Department organised a seminar on universal health insurance which was attended by experts from the Dutch Health Ministry, the World Health Organization and the European Observatory on Health Systems and Policies. Such contact with relevant bodies, both at national and international level, is vital to enhancing our knowledge and informing policy. I see it as imperative that we continue to engage with interested parties and gain from the experiences of other countries in this area. Ultimately, however, the Government’s reform

[Deputy James Reilly.]

proposals will be designed to meet the needs of the Irish people and system and ensure the best outcome for Irish patients.

In order to assist in developing detailed and costed implementation proposals for universal health insurance and help drive the implementation of various elements of the reform programme, the Government has approved the establishment of, and the terms of reference for, an implementation group on universal health insurance. I am finalising details of the implementation group, including its composition, which I will announce shortly.

The implementation group will have responsibility for assisting the Department in preparing a White Paper on Financing Universal Health Insurance which will outline the estimated costs and financing mechanisms associated with the introduction of universal health insurance. The White Paper will be published towards the end of the year. However, it must be borne in mind that the precise cost of universal health insurance will depend, to a large degree, on the implementation of various reform measures as outlined. This highlights the importance of driving performance improvement and progress on reform across the health system as quickly as possible.

Deputy Billy Kelleher: This is an extremely important issue and it must be discussed. The Minister referred to the publication of a White Paper at the end of this year. At that stage, he will have been in office for almost two years. He has made commitments in respect of health insurance and he referred to a long timeframe and a lead-in period. In the meantime, we are faced with a crisis of major proportions in the private health insurance industry. Many people are giving up their private health insurance because they cannot afford to pay their premiums. In addition, there is the question of the ruling of the European Court of Justice in the context of the VHI requiring a capital injection of €220 million. Then, there are the problems associated with Quinn Healthcare. While the Minister is discussing his grand designs, people cannot afford to pay for private health insurance and the Government may find itself in a hugely difficult position if it is obliged to provide VHI with a major injection of cash to bring it into line with other health insurers.

The Minister has a major problem but he does not appear to be addressing it. He is discussing something that will occur way down the road. In the interim, we are facing into a crisis of major proportions in the context of private health insurance. It is fine to discuss and be fascinated by the Dutch model. However, and regardless of whether Deputy Buttimer approves of our doing so, we must discuss bread-and-butter issues such as that relating to families not being in a position to afford private health insurance. Last year, the Minister referred to the increases that were introduced as being appalling and horrendous. The position in this regard has become even worse in recent months.

Deputy James Reilly: What would have been the nature of the increases if the Government of which his party was a part had introduced a risk equalisation scheme rather than merely bringing forward a levy so that it might continue to kick the can down the road?

Deputy Billy Kelleher: There were many reasons for that, including legal ones.

Deputy James Reilly: As I am sure he is aware, the question is rhetorical.

We are engaged with Europe in respect of matters relating to the VHI, the need for its position to be put in order by the Central Bank of Ireland and the exigencies and strictures that obtain. We will not allow a scenario to evolve whereby the urgent will continually displace the important. We have a short-term strategy to allow us to deal with the immediate situations we face. Hence, the establishment of the SDU, the development of the clinical programmes

and our discussions at Cabinet on the current position of the VHI and in respect of the market, which must be regulated and regularised. One thing that will prevent other insurers entering that market is uncertainty. That is why it is awaiting the publication of the risk equalisation scheme, on which the Cabinet has signed off and which will emerge shortly. That scheme will increase competition and will lead to prices being driven down.

We also have medium and long-term strategies. Our long-term strategy is to introduce universal health insurance as quickly as possible. Our plan for the medium term is to do what we always said we would, namely, make the best use of what is available to us. That is what we are doing. We are obtaining efficiencies through the clinical programmes. We are also bringing in the money-follows-the-patient model so that there will be transparency and that it will no longer be the case that hundreds of millions of euro will be dispersed into different parts of the system without our knowing about it. We will introduce universal health insurance so that every man, woman and child, regardless of income, will be treated on the basis of need and as equals.

Deputy Michael Healy-Rae: Deputy Buttimer is very quiet today.

Deputy Caoimhghín Ó Caoláin: The final line of the Minister's reply comes directly from Sinn Féin policy. The only difference is that the Government intends to introduce an insurance-based model as opposed to universal entitlement to health care. Before the general election, the Minister promised a detailed breakdown of Fine Gael's proposed insurance-based model. However, that information has not been forthcoming. Following the Minister's initial reply to these questions, we know nothing more about what is proposed. Will the Government's model be based on the State as insurer or will the existing insurance companies form part of what is intended? Is the Minister in a position to indicate what might be the actual contribution per citizen or what the State might be obliged to contribute if it is intended that it pick up the tab for those who cannot afford to make payments themselves? Can he comment on any or all of those critical matters? When will we see the real detail of what is proposed? I welcome the Minister's clarification to the effect that the White Paper will be produced earlier than he indicated in the House not that many weeks ago.

Deputy James Reilly: There are many similarities and differences between ourselves and Sinn Féin. One of the differences is that Fine Gael and Labour will deliver because they are in government. We are in a position to do what I have outlined and we will do it. We do not aspire to do what is proposed, we intend to deliver on our promise.

The Deputy asked a number of extremely reasonable questions in respect of the shape of the proposed universal health insurance system, the likely level of premia, the way matters will be organised, and so on. It would be wrong of me to pre-empt or second guess the implementation group on universal health insurance which will study this matter and produce well thought out recommendations on how we might proceed. What is proposed is a major step for health reform here and there are many who feel it will not be possible to deliver what is envisaged, particularly at a time of such economic difficulty. We will deliver but it will be necessary to engage in careful planning, thought and implementation in respect of the proposed system. Approaching this matter in the way in which we previously stated we would — namely, by fixing what is already in place, obtaining better results in respect of the resources at our disposal and then moving towards a universal health insurance model — offers the best chance of success. Citizens will not be interested in everyone being insured if people are obliged to wait nine months for a colonoscopy.

Written Answers follow Adjournment.

Topical Issue Matters

An Ceann Comhairle: I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 27A and the name of the Member in each case: (1) Deputy Dessie Ellis — the closure of Garda stations and in particular the future of Whitehall Station, Dublin 9; (2) Deputy Terence Flanagan — the need to enter into a bilateral adoption agreement with Ethiopia; (3) Deputy Michael Healy-Rae — the need to maintain small local schools; (4) Deputy Catherine Byrne — the need to maintain funding to the Base and Ballyfermot Star youth projects in Dublin; (5) Deputy Mattie McGrath — the application process for granting medical cards; (6) Deputy Nicky McFadden — the 4th Western Brigade, Athlone, County Westmeath, and the new structure of the Defence Forces; (7) Deputy John O'Mahony — the changes being implemented to the community employment scheme; (8) Deputy Barry Cowen — the transfer of information relating to pensioners' tax liabilities from the Department of Social Protection to the Revenue Commissioners; (9) Deputy Michael McGrath — the way in which the Revenue Commissioners handled informing 115,000 pensioners of their additional tax liability; (10) Deputies Jerry Buttimer, Micheál Martin and Ciarán Lynch — the need to defend employee rights in view of the dispute at the Vita Cortex plant, Cork; (11) Deputy Derek Keating — the problems of receiving State payments at Lucan Post Office, Dublin; (12) Deputy Tony McLoughlin — coastal erosion and, in particular, the problems around the County Sligo area; (13) Deputy Alan Farrell — the need to exclude those whose homes are affected by pyrite from paying the household charge; (14) Deputy Patrick Nulty — the decision to end the Dial to Stop Drug Dealing phonenumber service; (15) Deputy Éamon Ó Cuív — the need to reassess the permitted stocking levels of sheep and cattle in the Maam Turk and Twelve Bens areas of County Galway; (16) Deputy Tom Hayes — the completion of the Fethard and Mullinahone water schemes, County Tipperary; (17) Deputy John Lyons — the importance of completing the physical and social regeneration of Ballymun, Dublin; (18) Deputy Timmy Dooley — the need to declare Ireland a fracking free zone; (19) Deputy Jim Daly — the need to address the accumulation of penalties for people who cannot afford to pay the non-principal private residence charge; (20) Deputies Joanna Tuffy, Richard Boyd Barrett, Seán Crowe, Mary Lou McDonald and Joe Higgins — the need to resolve the problems at the La Senza retail outlets; (21) Deputy Dan Neville — the need to address self-harm and attempted suicide by way of intentional overdosing; (22) Deputy James Bannon — the need to include the rural transport programme in the context of all public transport subventions; (23) Deputy Thomas P. Broughan — the need to review the voluntary health insurance Acts to include services for citizens with an eating disorder in public and private hospitals and clinics; (24) Deputy Dara Calleary — the impending closure of inpatient mental health care services at Ballina District Hospital and the proposed closure of Teach Ashling, Castlebar, County Mayo; (25) Deputy Thomas Pringle — the herring quota allocation review completed in December 2011; (26) Deputy Aodhán Ó Ríordáin — forced labour and the way in which this problem can be tackled; (27) Deputy Seamus Healy — the centralisation of the processing of medical card applications; (28) Deputy Clare Daly — the role of the household charge project board; (29) Deputy David Stanton — the recruitment of additional staff to enable the PET-CT scanner unit at Cork University Hospital to become operational; (30) Deputy Brendan Smith — the need to protect the jobs of the workforce at Lagan Brick, Kingscourt, County Cavan; (31) Deputy Caoimhghín Ó Caoláin — the need to resolve the problems faced by former workers of Lagan Brick, Kingscourt, County Cavan, and to address the plight of workers in similar situations; (32) Deputy Mick Wallace — the need to resolve the problems faced by residents of the Priory Hall complex, Dublin; (33) Deputy Billy Kelleher — the status of the cystic fibrosis unit; and (34) Deputy Peter Mathews — the need to postpone the redemption of the €1.25 billion bond relating to the former Anglo Irish Bank which is due on 25 January 2012.

The matters raised by Deputies Buttimer, Martin and Ciarán Lynch, Tuffy, Boyd Barrett, Crowe, McDonald and Higgins, Cowen and Farrell have been selected for discussion.

Topical Issue Debate

Employment Rights

Deputy Jerry Buttimer: This is an extremely important matter which relates to the rights of workers in general and those of 32 employees at the Vita Cortex plant in Cork in particular. They have been exploited and denied those rights by their employer. This is the 27th day of their sit-in at the plant. These are dignified, decent men and women who have in many cases given more than 40 years' service to the company. The dispute in which they are engaged is centred on their being denied their entitlement to redundancy payments. I welcome the intervention of the Labour Relations Commission in respect of this matter earlier today. The commission has agreed to engage in discussions with the management of Vita Cortex and with officials from SIPTU to explore the possibility of obtaining a solution in respect of this matter.

It is important that a resolution which favours the workers should be arrived at because this matter relates to them and to ordinary people in general. There is an onus and an obligation on everyone, whether the Government, NAMA, the trade union movement and especially the owners and directors of Vita Cortex, to engage in this process and reach a resolution that ensures this group of people are paid the redundancy to which they are entitled.

There has been a restructuring of the company, asset stripping and a changing of the whole game plan regarding the directors and shareholders in what is, to me, a group of related companies in the same business. The workers in the sit-in have not interfered in any shape or form with the other companies in the Cork plant. Yesterday, I visited the workers, as I have done over the period. Vita Clean is working and operating, so it is important to put on the record of the House that the workers have not stopped the work going on in other parts of the company. It appears that assets have been taken out of the Cork company, including valuable equipment that has been moved to other sites. Despite all of this, it seems there has been a deliberate policy to wind down, close and deprive the people, in this case the Cork people, of their money and compensation. I look forward to hearing the Minister of State's reply and I will come back again with a supplementary question.

Deputy Micheál Martin: I thank the Ceann Comhairle for facilitating the raising of this issue this afternoon which is of significant importance to many people in the Cork area, especially to the 32 workers at Vita Cortex. All of us representing the area have met the workers and have been to the plant. The manner in which the workers have been treated is absolutely unacceptable and the overwhelming responsibility lies with the management of the company to meet its obligations to the workers. It is important that there is an interdepartmental response from the Government involving the Minister for Finance, the Minister for Social Protection and the Minister for Jobs, Enterprise and Innovation. There should be a more proactive response to this dispute. While I welcome the news today that the Labour Relations Commission, LRC, is to hold a fact-finding hearing next Tuesday, this should have taken place earlier and I call on the Minister for Jobs, Enterprise and Innovation to meet the workers and management on this issue.

The workers must continue to occupy and sit-in to try to get their rights. They were assured up to 16 December that they would get 2.9 weeks redundancy which, in the context of recent redundancy settlements and over recent years, is a modest and reasonable request from the

[Deputy Micheál Martin.]

workers. I call on the Minister for Jobs, Enterprise and Innovation to meet the workers and the management of the company. I call for a cross-governmental response because although the expedition of the application to the social fund will not solve the issue since it only deals with the statutory element, none the less it will be an important dimension to help the situation in which the workers find themselves.

I do not place the ultimate responsibility on NAMA, but none the less workers are watching bigger fish in the NAMA field, much bigger deals are being done in terms of hundreds of millions of euro and they are at a loss to understand how €2.5 million is frozen. They believe even a part of this could be released to meet their needs. It is difficult for workers in such situations on modest wages to understand the contrast in their perception of how others are being treated in the NAMA field compared with themselves. Will the Minister of State clarify today on the record of the House or, if he cannot, will he send me documentation relating to the legal basis upon which NAMA has made its decision? Is it the case that it is illegal for NAMA to intervene or is it the case that NAMA believes it could create an undesirable precedent to take steps to make a contribution to resolve this issue? The contributions must come from all sides and people must be imaginative and creative to try to find a way to realise the 2.9 weeks of redundancy payment that the workers seek.

Deputy Ciarán Lynch: I thank the Ceann Comhairle for granting me the opportunity to debate this matter along with the other Cork Deputies this afternoon. In September last year, the employer, Jack Ronan, and Vita Cortex informed the employees of the plant that he would make them redundant in December. At the time, the discussions indicated that the employees would receive 2.9 weeks for each year worked, and in some instances this is up to 40 years. During the period from September to December he said that he was in discussion with NAMA with regard to paying out the sum of money which, in total, came to €1.2 million. With redundancy payments having tax relief, this comes in at approximately €480,000. Jack Ronan's liability is less than €500,000 in this case. During that period he said that he was in ongoing discussions with NAMA and the workers. I came to the Dáil on 14 December and exposed this ruse. At no stage did NAMA state it would meet these payments because they were held in a separate account. No one knows better than Jack Ronan that NAMA is not a liable organisation in this case because Jack Ronan employed a financial company some years ago to restructure his companies and in such a way that liability would not travel from one company to another. No one knows better than Jack Ronan that the NAMA claim is a ruse. The fact is that Jack Ronan and his company must fork out the money and pay the €480,000.

There should also be a corporate examination of how this company restructured itself. One aspect of the company, Vita Cortex Cork, claims an inability to pay at present. However, there is also Vita Cortex Dublin, Vita Cortex Athlone and Vita Cortex Belfast and a host of other companies of which the same directors are in charge. It seems the shareholders and directors are the same for all of these separate companies.

It could be that the Department of Social Protection will have to pay the two weeks statutory redundancy to these workers and the Department will meet its obligations if it arrives in that place. Regardless of who pays the money, there should be a forensic examination of the company carried out to establish the interconnectivity between the different aspects of Vita Cortex holdings to ensure that if the taxpayer must pony up, it is the last court of recourse. A corporate structure aspect arises in this case and I am keen to know whether at any time there was any correspondence either from the Department, the union or any other entity to the Director of Corporate Enforcement to examine the corporate governance of this company. I welcome what the LRC has said as well. If Jack Ronan gets off the hook because of the way the company

restructured its finances, we will see other companies taking the same model on board to escape their liabilities and the State will have to pony up in more circumstances. It is critical, therefore, that such an examination is carried out. Following such an examination we must consider whether legislation is required to ensure that the practice carried out legally by Jack Ronan in terms of corporate governance is changed. We must ensure that the laws are changed to ensure we do not see the type of skulduggery engaged in by his company to renege on payments to his employees.

Minister of State at the Department of Jobs, Enterprise and Innovation (Deputy Sean Sherlock): I thank the Deputies for raising this issue. A number of points have been raised in each of the contributions. I thank the Deputies for raising this important matter and I thank the Ceann Comhairle for the opportunity to respond. I am concerned at the continuing situation at the Vita Cortex factory in Cork which has involved workers at the plant engaging in a sit-in since 16 December last arising from a dispute with their employer over redundancy payments. The workers involved in the Vita Cortex sit-in are seeking severance terms of 2.9 weeks per year of service, inclusive of statutory redundancy, in line with previous redundancy deals at the company, and they maintain this will amount to a total of €1.2 million. We know that the workers had been offered a paltry sum of €1,500 to leave the premises over the Christmas period and they rightly rejected this offer claiming that the company would use their absence to remove important machinery and stock.

The company stated that it informed workers that their redundancy would have to come from the State's social insurance fund unless NAMA agreed to release €2.5 million held on deposit by another Vita Cortex firm on foot of an Allied Irish Banks, AIB, loan taken over by NAMA. However, NAMA issued a statement that these funds were put out of reach of the Vita Cortex group not by NAMA but by AIB two and a half years ago when they were pledged as security for loans. While NAMA has stated that it empathises with the Vita Cortex workers, it has stated that: "unfortunately legally it cannot simply use charged deposit funds pledged against loans of one company to meet costs incurred by a separate legal entity". NAMA also stated that it is the responsibility of the owners and shareholders of Vita Cortex to resolve this situation. It is difficult to disagree with that contention. In the interests of achieving a resolution in this dispute, the Minister, Deputy Bruton, urged both parties to avail of the State's industrial relations machinery as soon as possible with a view to exploring ways of resolving the issues in dispute.

Officials from my Department were in contact with the workers' union representatives over the holiday period, in an effort to clarify the issues involved and to make them aware that the industrial relations machinery of the State is available to help them resolve the dispute. I understand that the Labour Relations Commission has today invited both parties to meet in Cork next Tuesday to clarify the facts and to explore with the parties the potential for moving forward. I welcome the initiative by the LRC and urge both parties to engage constructively in the process. Engagement with the State's industrial relations machinery offers the best way at this stage.

Deputy Jerry Buttimer: Thank you, a Ceann Comhairle for allowing me to raise this. No employer should be allowed to turn its back on its workers, or to strip away a company so that it can ride scot free into the sunset. It cannot ignore its legal responsibilities.

I know the previous Government restructured NAMA and we are now seeing that the way it was restructured is wrong. NAMA has much to answer for in the wider spectrum, but also in this case. I would like to see NAMA representatives explain their role better. I e-mailed NAMA three times, and while I got a reply the first time, on two further occasions I received no reply.

[Deputy Jerry Buttimer.]

The bottom line is that I want to see a group of decent ordinary people getting their money and being told they will get their correct entitlement. A whole web of inter-company transactions has effectively stripped the assets from the Cork company, and we cannot allow this to continue.

Deputy Micheál Martin: I thank the Minister of State for his reply. I rang the Minister for Finance before Christmas and he got the Chairman of NAMA to ring me and he said that it would be ultra vires of NAMA to become involved. I would like to get the precise legal basis under the Act upon which it cannot get involved. Having said that, the responsibility lies with the employer. Getting a solution to this for the workers is my primary concern, and I know the Labour Relations Commission is now going to have a hearing. Does the Minister of State have any indication of the pathway to be pursued by the LRC with a view to resolving this? What issues will it raise with management and unions to get a satisfactory conclusion? I know the hearing is about clarifying the facts, but is there a mechanism that can derive a contribution from the employer and a resolution of the issue?

Deputy Ciarán Lynch: I thank the Minister of State for coming into the Chamber and giving us a response this evening. The principal point is that the primary person with responsibility to his workers is Mr. Jack Ronan, as the major shareholder in Vita Cortex. Before any suggestion is made that the State should cover these costs, every stone should be turned over to make sure that he cannot avoid those costs. Regrettably, Mr. Ronan has restructured the company in such a fashion that the liability might not actually be realised. However, on the week the factory closed, a significant piece of machinery was moved from the plant in Cork to Athlone. It is still hard to establish how that machinery travelled up the road. I understand that the plant in Athlone is a separate company, but I do not know if an invoice or some charge was put on the transfer of that machinery. If that machinery was transferred to another plant, it means there is a cost arising from it. I believe the company wants to transfer more machinery up the road to Athlone as well. The moneys accrued from the transfer of that machinery can meet the cost of the redundancy payments. Any income that Mr. Ronan derives from stripping the plant on the Kinsale Road should be ring fenced.

I welcome the LRC's announcement today. The LRC should engage the Office of the Director of Corporate Enforcement, because there are serious concerns regarding corporate governance in this country, and regarding employers' actions in the future that will enable them to avoid their payments in a similar manner to what Vita Cortex is currently doing.

Deputy Sean Sherlock: The ultimate aim is to ensure that the rights of workers are vindicated. We all have that interest at heart. The second aim is to ensure that corporate social responsibility is adhered to and that there is some degree of corporate governance. I agree with the Deputies on the perceived Byzantine structures of Vita Cortex. We must also remember that Vita Cortex was a recipient of State funding. It would be in the interests of this State to ensure that we can shine a light on those companies in some way. If there is a mechanism through which a query can be made to the Director of Corporate Enforcement about the company structure, then I actively encourage people to use it.

It is impossible to say at this stage what the premise of the discussions will be. The LRC extended the invitation just today and I hope that both parties will agree to engage in that process. We should see where we can go from there. Other points were raised in respect of the Minister for Jobs, Enterprise and Innovation meeting with both sides and with company management. I will take back those points to the Minister.

We need to ensure that the State will use its force in a positive sense to ensure that workers' rights are vindicated. We are not going to rest on that——

An Ceann Comhairle: If Members wish to raise this matter again after the other discussions have taken place, I will consider it favourably.

Deputy Micheál Martin: Thank you.

Deputy Sean Sherlock: I acknowledge the point made by Deputy Martin about the legal basis of NAMA's position. I will also bring that to the Minister.

Job Losses

Deputy Joanna Tuffy: I raise the issue of the rights and entitlements of the La Senza workers. I ask the Minister about the treatment of the workers and the way the issue has been dealt with by their employers. The employees got virtually no notice that they are about to be made unemployed. Some people were phoned and told not to turn up for work the next morning. The Liffey Valley workers turned up for work on Monday and were told to help the removal men who were there to pack up the store's contents. They were not given any written notice that they were being made redundant. There was no attempt to engage them, as there should have been under the terms of the redundancy. An issue arises out of that. People have no documentation and they have not been paid their wages for the month of January, including overtime and Sunday payments, but they are not able to sign on and get social protection.

How can a company get away with this? It knew this was coming down the line. It might not have told its employees, but there were reports of the company going into administration at the end of December on the BBC. The company gave the workers the impression that they would be told what was happening, that they would be given notice and so on. It got them to come in and work long hours. The workers came in and worked in good faith, but they got no pay for that work. As a result, the company has made huge profits over the past month. It has taken that money out of the country, while stating that it will not pay redundancy for the workers and that the State will have to pick up the tab. What is being done about that?

The parent company, Lion Capital, is hugely profitable and has large amounts of money at its disposal. Other stores in the La Senza chain have been sold off and will continue to trade, so this should be examined.

Deputy Richard Boyd Barrett: On Monday, 114 workers in the La Senza lingerie chain were informed by either e-mail or phone call in curt notifications that their jobs were gone. They were not given information about the work they did over Christmas. There were no P45s given out, so they are unable to sign on. It is outrageous and shameful treatment of these mostly young women workers, single mums, people with mortgages and students who have been left high and dry by the company, La Senza, and by the administrators, KPMG, who must have known this was coming and allowed these workers to continue to work over Christmas in good faith believing they would be treated properly and receive proper notification of any change in their position.

They cannot sign on and they do not know about redundancy. If it must be paid by the State it could be a year before they receive it and they have no idea when they might be paid the moneys they are owed for Christmas. It is bad enough to treat workers like this at any time, but to do it just after Christmas is absolutely horrendous. Yesterday, some of the workers at the occupation were in tears telling me about their plight.

We do not just want a condemnation of La Senza, although it is roundly deserved. We want the Government to use its influence and contact KPMG to demand it immediately appoint an

[Deputy Richard Boyd Barrett.]

administrator and that the workers' wages are immediately paid. The Minister should move to urgently fast-track social welfare applications so the State provides assistance to these workers and they can sign on.

This speaks to a bigger problem. La Senza is just the latest victim of the retail collapse in the country and the latest of the tens of thousands of victims of the austerity which is crippling the economy. At the very least, if the Government is to continue with austerity it should put in place legislation or some type of insurance fund to protect workers who are left high and dry by unscrupulous employers.

Deputy Seán Crowe: I welcome some of the La Senza workers who are in the Visitors' Gallery. My colleague, Mr. Eoin Ó Broin, and I were at the Liffey Valley store this morning. There is much support from local people. People are shocked by what has happened. Is it not right that an employee who has worked for a company for nine and a half years is told on a Monday morning by seven heavies that her job is gone with no communication, phone call or e-mail? She still has not been officially told whether her job is gone, but the stores are closed.

This company is making fools not only of the staff but of Irish taxpayers and of the legislation on workers' rights. Will we allow the company to get away with this? This is the real question people want to ask. Is there any way to stop this? Other people have spoken about the fact that the workers have no proof they have lost their jobs and this is a difficulty in itself. The only way the workers can prove it is that the trade union in which some of them are involved can provide a letter of comfort to the Department of Social Protection. It highlights the difficulties in this regard and the importance of being members of a trade union.

In a number of cases people have taken slices of companies and the only people left without their payments are the workers. There is something wrong with the legislation if it allows this to happen. A portion of the company has already been sold off and €6.5 million in profits was sent to Britain after December. All of the workers in the Visitors' Gallery worked overtime and have not been paid. When will they be paid? We can go through tribunals but how long will this take with a waiting list of 35,000 people? It could be two years before these people are paid. Something is wrong and we need to fix it.

Deputy Mary Lou McDonald: I also welcome the workers and their trade union representatives. I commend them for standing their ground. A very important message needs to go from this Chamber to unscrupulous employers — we previously heard about the situation in Vita Cortex in Cork — that there is no free-for-all and that things being tough and being in recession are not a green light for every dodger and chancer to trample all over the rights of workers.

There are probably not sufficient words to describe the contempt with which the employers have held the staff of La Senza. Their behaviour has been utterly despicable with wages not being paid and overtime and bonuses being owed. In many cases, they did not even have the simple courtesy to phone people to tell them their jobs were gone.

The workers have taken their stand and they are quite correct to do so. They want to know whether they have our support. For our part in Sinn Féin they absolutely do. The question is whether they have the support of the Government. What does the State propose to do to vindicate the rights of this group of workers? If we do not take a stand in this case and in respect of Vita Cortex we can fairly predict an onslaught on workers in the retail sector and other sectors the like of which has never been seen. This is not acceptable and we need to state this loudly and clearly I ask the Minister of State to tell us what the Government proposes to do and to articulate in the clearest terms his absolute support for the workers and their action.

Deputy Joe Higgins: I welcome the representatives of the La Senza workers to the Visitors' Gallery and I am in solidarity with the Vita Cortex workers suffering from similar high-handed disgusting treatment. It is breathtaking in its arrogance and disrespect towards the up to 120 mainly female workers in the La Senza lingerie stores in Dublin and Cork that the company waited until the workers had left work on Monday evening to inform them by random phone calls — through the agency of KPMG doing the dirty work for the company — that they need not come in on Tuesday morning. It is beneath contempt that ordinary workers were told the company did not have the phone numbers of their colleagues and were asked to phone and tell them, including a manageress who worked loyally for the company for eight or nine years. It is absolutely incredible.

The workers are victims of the private equity vulture company, Lion Capital, which in the most callous way planned to walk away from its workforce to maximise its profit, handing it over to another company which will be equally ruthless, and treating these workers in the most disgusting fashion. This is capitalism red in tooth and claw and must be challenged.

Fine Gael and Labour Party Deputies come here and champion workers. They are the people who make and stand over the laws. For a change, let us have emergency laws to allow workers to receive their rights and to stop these gangsters behaving in this gangster-like fashion.

I call on the Irish Congress of Trade Unions and its leaders to come out of hiding and meet fire with fire. They should mobilise the power of working people in the country to stand together with the Vita Cortex and La Senza workers. Workers standing together will show the power they have, forcing the Government to act and these companies to pay what they should.

Deputy Derek Keating: The company made a profit of €100 million last year.

Deputy Sean Sherlock: No one political entity in the House has a monopoly on the rights of workers. I spoke with regard to the Vita Cortex case, in which there is a serious breach of corporate social responsibility and corporate governance, and the same applies in respect of this case. There is no question but that the rights of workers have not been vindicated and have been trampled upon. Under legislation from 1977 to 2007 governing the protection of employees, a number of provisions deal with an information and consultation process that must be entered into prior to any redundancies being implemented and the provision of information to employees and to the Minister for Jobs, Enterprise and Innovation. In this case, the Minister has not received any statutory notice of such redundancies. That is a serious breach in the first instance. There is a need for my Department to engage with Mr. Meegan and others of Mandate who, it is reported met KPMG today. I would like to get an assessment of what transpired at that meeting because the points raised on this and the previous Topical Issue matter go to the heart of industrial relations policy and vindicating the rights of workers. As a Government, we must ensure there are no precedents set and the legislation is adhered to by corporate entities, individuals and citizens. There is no question that we support the rights of workers as set down in legislation and will seek to do so.

By way of being helpful, I express my willingness to meet workers representatives on this issue in order that we can provide some degree of assistance where possible. I am keeping my statement brief because I realise Members will wish to make further submissions.

Deputy Joanna Tuffy: I welcome the points the Minister of State has made. In my previous submission I said that some of the La Senza stores were sold to a company, Alshaya, under a prepack deal in respect of administration whereby it was allowed to buy up the assets and the debts are written off. Given that some companies are opportunist, it is important to ensure they are not allowed to speculate when it comes to people's jobs and rights. If this is a new

[Deputy Joanna Tuffy.]

phenomenon, it needs to be nipped in the bud. I join others in commending the workers on taking a stand because these are important issues for all workers.

Deputy Richard Boyd Barrett: It is a welcome step forward that the Minister of State has indicated his concern for the workers' plight and is willing to meet them, but what the workers want to hear is concrete commitments to deal with their situation. Will the Minister of State contact KPMG and tell it to pay the workers the moneys, salaries and bonuses owed? Will the Minister for Social Protection fast-track their social welfare applications and ensure they have immediate financial assistance given that they have not been paid their wages? Will the Government introduce emergency legislation to ensure employers cannot do this and that an insurance fund is set up for workers who are left high and dry by employers? What the workers want is concrete action, not just words of concern.

Deputy Seán Crowe: There is a need for stronger legislation in this area. I do not know if anything is being done at EU level on this issue given that the company is spread across a number of frontiers. The issue is what support can be provided for the workers. If workers are summarily dismissed without wages or redundancy, something is wrong. It means there is a need to strengthen the legislation in this area.

Deputy Mary Lou McDonald: The Minister of State has added another piece to the puzzle, that is, that the employers have thumbed their nose at the Minister, Deputy Richard Bruton. Clearly, they have a disregard not only for the workforce but the law of the land. What is required is not simply sympathetic words. While I acknowledge the Minister of State's sincerity in that regard, the workers need to know he will be proactive by getting in touch with KPMG or anyone else as required and that he will pursue this matter vigorously. Today it is the La Senza workers; tomorrow it could be any other group of workers. The law has been broken. Will the Government intervene in a proactive manner to ensure the law is respected and the rights of the workers are vindicated?

Deputy Joe Higgins: There are many precedents in this area. Several years ago, Thomas Cook workers were in the same situation and left in the same disgusting and disgraceful fashion. When they correctly occupied the premises, the Garda was sent in with battering rams to break down the doors. The Thomas Cook workers were paraded in front of their lordships at the High Court and threatened with Mountjoy jail if they persisted to fight for their rights. I am afraid the law, on balance, is on the side of the bosses, employers and the unscrupulous vulture capital companies. The workers in the La Senza case are chasing their statutory entitlements from the taxpayer while Lion Capital walks off with massive profits. This is not a matter for dreaming about but in which action needs to be taken now. We want to know what the Minister of State will do today and tomorrow.

Deputy Sean Sherlock: I acknowledge the points made by the Deputies and I am not one to pay lip service to issues such as this. With respect, I have indicated that I want to meet the workers' representatives on this issue. I am concerned, as Deputy McDonald has pointed out, that there is a perceived breach of legislation. There is a perceived breach of legislation in respect of sections 9 and 10 of the Protection of Employment Act 1977 and Regulation 6 of the European Communities (Protection of Employment) Regulations whereby employees, whose employer has not complied with sections 9 and 10 of the Protection of Employment Act 1977, may refer complaints to a rights commissioner. There are issues around the mandatory notice to employers. Please allow me that mode of communication and let us see how we can proceed.

Tax Collection

Deputy Barry Cowen: The budget announced by the Minister for Finance, Deputy Michael Noonan, on 7 December provided for additional taxation receipts from the targeting of pensioners by the Revenue Commissioners, even though the initiative only emerged last week following demand letters being received by pensioners.

Fine Gael and Labour promised the people they would be upfront and honest with them at all times. In this case, the simple truth is that Fine Gael and Labour factored revenue into the budget a month ago from a planned tax compliance initiative aimed at 115,000 pensioners but failed to inform the pensioners of what was in the pipeline in the hope that their party political interests would be protected.

In the budget documents produced alongside the budget last month, the Department of Finance estimated that an extra €45 million would be collected in 2012 and €55 million in a full year arising from additional enforcement and compliance measures by the Revenue. I quote from the summary of the Estimates:

In recent years the Revenue Commissioners have sought and obtained an increase in their ability to obtain information on payments made by Government bodies and others to third parties. In addition, the Commissioners have continuously upgraded and extended the range of information they receive from the Department of Social Protection. This additional compliance activity from these new enhanced information sources allows the Commissioners to improve its collections.

While the Government has sought to hide behind the Revenue since news emerged of this initiative targeted at pensioners, the truth is that the Government factored into its budget a month ago the expected yield from the initiative. The Government made a political choice not to reveal the details of the initiative at budget time and, instead, allowed the Revenue to scare the living daylights out of thousands of pensioners around the country.

While every citizen has a duty to be fully tax compliant, the manner in which this initiative has been handled has caused widespread confusion and unnecessary fear among pensioners. The Government could have put the full information on the compliance initiative in the public domain as part of the budget to allay concerns of pensioners. That would have allowed them to be fully informed. Instead the Government decided pensioners would receive out of the blue an alarming letter from Revenue; it watched their reaction and then hid behind the same Revenue officials. The chairman of the Revenue Commissioners apologised at today's meeting of the finance committee. He acknowledged that many things could have been done differently by Revenue in its correspondence with pensioners. In recent days Revenue has met various representative bodies of those affected. We welcome this and the clarity it has brought to the matter.

It is now time to ask questions of the Government on the matter. Who in the Government thought it would be a good idea to land just after Christmas a letter on the doorsteps of 115,000 pensioners to inform them that they were not tax compliant? This was done without warning or an explanation or clarity on the approach to be taken. Who in the Government knew that this letter was coming and why did they not insist on there being a proper public information campaign before any such letters were issued? At a time when people are already concerned about how they will manage in the year ahead, terrifying them with the label "tax defaulter" shows a complete lack of empathy and understanding. Did the Revenue Commissioners inform the Minister for Finance, Deputy Michael Noonan, that the mailshot was about to be issued? If so, why did he not believe it was necessary to inform those who would be affected and if not, why not?

Minister of State at the Department of Agriculture, Food and the Marine (Deputy Shane McEntee): I am replying on behalf of the Minister for Social Protection, Deputy Joan Burton.

In recent years the Department of Social Protection has been actively engaged in data matching with other Departments and public bodies for control purposes. To this end, an extensive legal structure is in place to support the sharing of data for the purposes of controlling the entitlement to and payment of benefits. The legislative provisions that allow for the specific sharing of data with the Revenue Commissioners and other Departments and agencies are contained in section 261 of the Social Welfare (Consolidation) Act 2005. In exercising these functions the Department also operates in accordance with the relevant data protection legislation.

One of the Department's primary relationships in data sharing is with the Revenue Commissioners. In recent years bilateral liaison with Revenue has been improved through the establishment of a high level group at management board level, the purpose of which is to ensure ongoing collaboration and interaction between the two bodies, including on social welfare fraud and tax non-compliance issues. The two organisations are working together with a view to aligning expertise and information across their operations. In this context, a number of working groups have been established which are looking at a range of specific issues, including that of social welfare fraud and tax compliance. In this context, it is important to emphasise that data exchange operates on a two-way basis between the Revenue Commissioners and the Department and has been ongoing for many years.

On the information provided by my Department for Revenue, data relating to short-term benefits such as illness benefit, occupational injury benefit and jobseeker's benefit have been provided for some time on a weekly basis. Information on some other long-term schemes, including long-term disability-illness benefit, child benefit, carer's allowance and one-parent family payment, is provided for Revenue on an annual basis.

On foot of a specific data matching exercise carried out by the Department in late 2011, following work done by one of the high level group's sub-groups, as outlined, some 563,800 records of pensioners were provided for the Revenue Commissioners in early December. The data in question related to customers in receipt of five social welfare payments, namely, State pension, contributory State pension, transition State pension, non-contributory State pension, widow's-widower's-surviving civil partner's pension and invalidity pension. The data provided contained the customer's PPS number, name, pension type and rate of payment. Although data in respect of this customer group were provided occasionally in the past, they were not previously given on a bulk basis. However, the development of new technology in the Department has facilitated the provision of this data in a complete and continuous manner.

It is important to recognise that this is all part of an ongoing policy to enhance data sharing between the Department of Social Protection and other public service bodies. As technology develops in the Department and elsewhere, it is expected that the exchange of data with other organisations will continue to be improved. The Department has been sharing data with other Departments and agencies for many years. Since 1997 it obtains commencement of employment data from Revenue which are matched against social welfare claims and relevant cases are investigated, where necessary. Information is also received on a daily basis on PRSI collection and, on a more *ad hoc* basis, certain tax exemptions and other tax heads. Other examples of ongoing co-operation include data matching and sharing of information with the Irish Prison Service which provides data for my Department on a weekly basis; the Department of Education and Skills which provides student data; the Commission on Taxi Regulation which provides data on taxi and hackney licences; the Probate Office; the Private Residential Tenancies Board; and the Health Service Executive.

The taxation of pensioners and all citizens is primarily a matter for the Revenue Commissioners. However, in the case of social welfare payments which are subject to tax, my Department notifies its customers that their payments are taxable and that they should contact their local tax office in this regard. A notice to this effect is contained in the award letter issued by the Department to the customer. The information leaflets for each of the relevant schemes also contain a reference to potential tax liability.

Deputy Barry Cowen: I thank the Minister of State for his response, despite the fact that it does not deal with the substantive question put to him.

An Ceann Comhairle: I am sorry but the request concerned the transfer of information on pensioners' tax liability from the Department of Social Protection to the Revenue Commissioners.

Deputy Barry Cowen: Yes. There has been an exchange of data between Departments for a number of years and the transfer of information was enhanced in the recent budget. That is what was said, but, unfortunately, it did not go much further and tell us what exactly had been enhanced and for what reason.

The question to which I hoped the Minister of State would respond was related to the fact that 115,000 pensioners had essentially been labelled as tax cheats, despite the fact that the vast majority of them had no idea that their liabilities had been miscalculated. This has caused great distress and confusion for many of the most vulnerable and older people. We acknowledge that the chairman of the Revenue Commissioners appeared before the finance committee today and apologised for Revenue's role and the manner in which people had been notified. What role did the Government play in this fiasco? Who in the Government thought it would be a good idea to land such a letter on the doorsteps of the people concerned immediately after Christmas without giving any warning, an explanation or there being clarity on the approach to be taken? Who in the Government knew that the letters were being sent and why did they not insist on there being a proper public information campaign before the letters were issued? Did the Revenue Commissioners inform the Minister for Finance that the mailshot was about to be issued and, if so, why did he not believe it was necessary to inform those about to be affected and if not, why not?

An Ceann Comhairle: Thank you, Deputy.

Deputy Barry Cowen: The Taoiseach said yesterday that the approach to be taken by the Revenue Commissioners would have to be improved. What role did he and the Cabinet play? When was the issue discussed and agreed to by the Cabinet? Was it last November? When the budget was announced, the measure on the enhanced transfer of information was sneaked in.

An Ceann Comhairle: We are over time.

Deputy Barry Cowen: The reality is that it came home to roost in January.

The Taoiseach: It was not a Cabinet decision.

Deputy Barry Cowen: If not, why not?

An Ceann Comhairle: It would be helpful if Deputies were to state clearly the information they are seeking when applying to raise a topical issue. This request related to the transfer of information.

Deputy Shane McEntee: It has been made clear that in the transfer of information and data there is co-ordination between various institutions and the Department. I have given a reasonable reply to the question asked. Everyone regrets that 115,000 letters were issued without warning, but that is the way it is. I have outlined what happened and the issue has been addressed by way of people apologising earlier today for the manner in which the letters had been sent. The matter had to be dealt with and was dealt with. If the previous Government had been working on such measures and Ministers had been in control of their Departments, there might not have been such a scenario.

Deputy Billy Kelleher: For how long will the Government blame the previous tenants for the state of its dirty kitchen?

Local Authority Charges

Deputy Alan Farrell: As the Topical Issue matter suggests, I am looking for an exemption under section 4.4 of the household charge legislation to grant exemptions for homes affected by the pyrite epidemic that has befallen a large number of home owners, in Leinster primarily, over recent years, estimated at 20,000 homes across north Dublin, Meath, Kildare and parts of Louth. This also presents a significant health and safety risk to home owners because of the pyrite swell in the floor slab which can cause problems opening and closing doors and in itself requires considerable remedial work. I know from my experience with my own home that this work can take a number of weeks. I ask that the Minister of State would entertain the possibility of including these homes in the list of properties exempted from the household charge. The homes affected could be termed as being in unfinished estates because these in turn will become building sites to resolve the issue. My personal experience is that the work took eight weeks and I have heard of other cases where it has taken several months to complete the work. This means the estate is in fact a building site and is therefore unfinished. I ask the Minister of State to recognise that fact.

I wish to acknowledge the establishment of the pyrite panel which will allow the individuals in question to deliberate on the possibilities for dealing in future with properties affected by pyrite. I hope the advice given to the Minister of State by the pyrite panel would include a gesture by the Government to exempt these properties. In recent months, the Government which I support has taken considerable steps in recognising pyrite. We have done more in nine months than the previous Government did since the problem came to light in July 2007. This problem affects the constituencies of the two Ministers of State present in the Chamber and at least two of my colleagues beside me who represent constituencies where this issue is very prevalent. As a home owner living in an estate with this issue, I would welcome the Minister of State's recognition of that fact by a granting of this exemption.

Minister of State at the Department of the Environment, Community and Local Government (Deputy Fergus O'Dowd): I thank Deputy Farrell for raising this important issue. As he has made clear, the Minister, Deputy Phil Hogan, has already taken appropriate measures to address problems arising from the presence of pyrite in hard core material under the concrete ground floor slabs in housing developments.

In September 2011, the Minister established an independent panel with the remit of seeking to facilitate a resolution of pyrite contamination in private housing. This panel is chaired by Mr. Brendan Tuohy, a former Secretary General at the Department of Communications, Energy and Natural Resources. Other members are Mr. Noel Carroll, a former senior housing adviser in the Department of the Environment, Community and Local Government, and Mr. Malcolm Edger, a civil engineer. All three members have engineering backgrounds which is essential to the understanding of the complexities of the pyrite problem and they also bring a

broad range of other skills to the panel. The panel is currently engaged in a broad-ranging consultation process with key stakeholders, including public representatives, industry representatives, including quarries and their representative bodies, local authorities, representative bodies of the insurance and banking industries, regulatory bodies and representatives of home owners affected by pyrite. The Minister has asked the chairperson of the panel to ensure its task is completed in as short a time as possible and to submit a report to him early this year. The Minister has indicated he will place this report in the public domain.

However, it must be understood that responsibility for compliance with the building regulations rests with the owner of a building and-or the builder or developer who carries out the work. The State bears no liability, a position supported by the outcome of the recent High Court case in which the quarry which supplied the hard core for a construction project was found liable for the supply of defective pyrite material. The case is currently under appeal to the Supreme Court.

As regards the household charge, the Minister will give further consideration to the position of owners of certain pyrite affected houses upon receipt of the report of the panel. The Minister will also need to consider issues surrounding the identification of relevant problematic properties.

The Local Government (Household Charge) Regulations 2012 contain the list of unfinished estates to which a waiver of payment of the household charge will apply in 2012. This list is also available from the website, www.householdcharge.ie. Some estates which are in Deputy Farrell's constituency may be included in that list.

Deputy Alan Farrell: I thank the Minister of State for his response. I am delighted to note that the response does not dismiss my suggestion of the possibility that the Minister and the pyrite panel might take on board the suggestion. Through no fault of the home owners, considerable expense will be required to rectify this problem. I would welcome the opportunity to speak to the pyrite panel members as I understand they will finalise their deliberations soon. Perhaps the members of the pyrite panel and the Minister might attend the Joint Committee on Environment, Transport, Culture and the Gaeltacht to discuss this matter further. I thank the Minister of State for his comments.

Deputy Fergus O'Dowd: I will ensure the Minister, Deputy Phil Hogan, is informed of the Deputy's views and suggestions and that he will respond directly to Deputy Farrell as soon as possible.

Leaders' Questions

Deputy Micheál Martin: Without any warning or preparation, 150,000 pensioners received letters from the Revenue Commissioners to inform them they had underpaid their taxes due to a failure on their part to include their State pension when calculating their tax liability. It is very difficult to comprehend how the issuing of 150,000 letters of this nature to pensioners was not known to the Government or to any Minister, particularly when the records of up to 560,000 pensioners were sent by the Department of Social Protection to the Revenue Commissioners last November. There was a provision in the recent budget targeting savings of €45 million in the area of compliance.

The Taoiseach has called for clarity and certainty so that pensioners will know where they stand. Surely it is the Taoiseach's responsibility and that of his Government to provide that clarity and reassurance to people. When that provision for savings of €45 million was being discussed at Cabinet, the underpinning of that €45 million must have been discussed along with the question of where that €45 million would come from, as otherwise it could not have been

[Deputy Micheál Martin.]

included in the budgetary figures. It seems to me that a very cynical exercise has been undertaken and it has caused anger, confusion and great distress to thousands of pensioners. Was the Taoiseach personally aware that 150,000 letters were being issued to pensioners? Will he explain the reason for the absence of any political leadership or accountability with regard to this issue? It is clear there has been a conscious concerted effort to collect moneys without any political accountability on the part of the Government, either by the Minister for Social Protection or the Minister for Finance.

The Taoiseach: The Deputy has finished where he started by talking about political accountability, the absence of which was very evident for a very long period of time. Deputy Martin is aware that the power to transfer information has been available since 2005. He is also aware that the Revenue Commissioners are not subject to diktat from the Government with regard to any particular sector. I am sure he also accepts the principle — as should everybody — that where tax is due and liable to be collected, it should be collected. If the country did not have an Office of the Revenue Commissioners tax collection system, we would be in very poor shape.

I accept that the handling of the communication of this matter could have been better. The Chairman of the Revenue Commissioners, an exceptionally competent person, has been before the Joint Committee on Finance, Public Expenditure and Reform, and has clarified the whole issue. It is perfectly evident that there was no attempt by the pensioners to be involved in tax evasion. It is important to say that were we to have a different system, we would have had 500,000 persons concerned or anxious about what is involved here. It is true that the Revenue Commissioners would have advised the Department of Finance of its capacity to collect €45 million as a result of the information given to it from the Department of Social Protection under the Act and to do that without great difficulty. Pensioners accept that if there is a liability, it should be paid. As the Deputy is aware, there are four categories involved and the letters spelled those out. I am glad that a representative from the Revenue Commissioners has gone before an Oireachtas committee today to spell out exactly what was involved.

Furthermore, in the budgetary announcement made by the Minister for Finance, the reference to the €45 million being collected was in the supporting documentation to the budget and that would be a matter for the Revenue Commissioners to implement as it does normally. As Deputy Martin is well aware, the Revenue Commissioners are not subject to direction or diktat from the Government, but are independent in the performance of their duties and over the years have certainly improved the collection of taxes that are due under the law of the land.

I am glad that as a result of this, we will have improved communication and certainty for pensioners who are involved. Those who may have a liability will know what that liability is. Those who do not have a liability will now be clear about that and for those who may have some small liability, an assessment will be made by the Revenue Commissioners as to whether it is worth while pursuing that liability. I have heard mention of amounts as low as 20 cent of a liability per year, which clearly would not be worth pursuing.

Deputy Micheál Martin: The Taoiseach did not answer the questions I asked as to whether he was personally aware that 150,000 letters were going out to pensioners. He also did not answer as to why there was no political accountability or responsibility for the decision to send out those letters. The Revenue Commissioners have confirmed to the Oireachtas committee that when they realised the scale and implications of this issue were so great, they decided to enter into discussions with the Department of Finance to ensure it was aware of the scale of it and the impact it would have. The Taoiseach and the Minister for Finance must have been aware of that.

In essence, the Taoiseach ducked the issue. The Budget Statement was the ideal opportunity to be up-front and honest with people and to state that an operation of an enormous scale, namely the sending of 150,000 letters to pensioners, was to take place. This is an enormous operation by any yardstick and the Revenue Commissioners recognised that and sent the information to the Department of Finance. However, the Taoiseach ducked the issue and decided to let the Revenue Commissioners send the letters out and not to mention that in the context of the Budget Statement. It is pathetic for the Taoiseach to come in now and say that it is hidden somewhere in the depths of the rain-forest of supporting budgetary documentation. The pensioners of Ireland deserved a bit better than that. If anything should result from this from the Taoiseach's perspective, it should be a greater degree of political accountability, honesty and transparency, which is something we are being lectured on *ad nauseam* by him since he came into office. What has happened is not good enough. The Taoiseach should have overseen a major communications programme on this issue, knowing, as he and the Minister for Finance did, that this would happen. He should have used the budget to do that.

The Taoiseach: Let me answer the Deputy's questions. The answer to the first question is "No". I was not aware of the extent of the letters going out from the Revenue Commissioners to pensioners. The Revenue Commissioners are completely independent of Government and to attempt to either direct them or dictate to them would be unwarranted interference by the Government in what is a completely independent body with an important job to do.

Deputy Micheál Martin: The intention should have been stated in the budget.

The Taoiseach: The Government does not discuss whether pensioners in the category where a 20 cent liability might be involved should be written to by the Revenue Commissioners.

Deputy Micheál Martin: It was a sum of €45 million.

The Taoiseach: The €45 million was not buried away in the forests, but was in the supporting documentation to the budget, which the Deputy should have read.

Deputy Timmy Dooley: Was that adequate information for pensioners?

The Taoiseach: The Revenue Commissioners would have notified the Department of Finance, as is its due, to say that on the basis of the assessment of the more than 500,000 files it received, it would be in a position to collect €45 million. It was the responsibility of the Revenue Commissioners to collect that and that information was included formally and publically in the supporting documentation given by the Minister for Finance in the House on budget day.

Deputy Micheál Martin: The Taoiseach is still not reasonably answering the questions.

The Taoiseach: As Deputy Martin is aware from experience, there is never discussion at the Cabinet table — but perhaps he was not there — as to whether the Revenue Commissioners should be directed by the Government to go after a particular category or sector.

Deputy Micheál Martin: I was there last year.

The Taoiseach: Notification was given by the Revenue Commissioners to the Department of Finance and it was the responsibility of the commissioners as to how to go about the matter.

(Interruptions).

The Taoiseach: I am glad the Chairman of the Revenue Commissioners was in before the Oireachtas committee today to clear up this issue once and for all. Everybody will understand

[The Taoiseach.]

exactly where he or she stands now. I am glad that communications and any further correspondence between the Revenue Commissioners and different sectors of society will be improved as a consequence.

An Ceann Comhairle: I call Deputy Gerry Adams. May we have silence. Deputies have just returned from a break. They should give us all a break now and let Deputy Adams in.

Deputy Gerry Adams: Maith thú. Athbhliain úr faoi mhaise don Cheann Comhairle agus don Taoiseach agus dá dteaghlaigh. Tá súil agam go raibh Nollaig maith acu. Bhí mé ag féachaint ar an teilifís ag an Nollaig ar daoine ag fillleadh abhaile agus ansin ag fágáil arís. Bhí sé truamhéalach. Tá a fhios ag an Taoiseach nach gá go mbeadh orthu imeacht dá mbeadh postanna á cruthú dóibh anseo. Tá a fhios ag Sinn Féin agus ag go leor daoine eile go bhfuil slí eile, slí níos fearr, ann.

I invite the Taoiseach to make a new year resolution. I ask him to reflect on the 500,000 citizens on the dole, on mass emigration, new stealth taxes, VAT increases, the household and septic tank charges, pensioners, the distress in households and on workers on sit-in at La Senza and Vita Cortex. I also invite the Taoiseach to reflect on his support for austerity and his commitment in the fiscal compact to make austerity part of our Constitution. In particular, I would like the Taoiseach to reflect on the fact that €1.25 billion will be paid out on 25 January to unguaranteed bondholders. I invite the Taoiseach to make a new year resolution to stop this outrageous payment and instead to use the moneys to retain and create jobs and grow the economy. I ask the Taoiseach to share this resolution with the troika, who are back in town to start the new year with us. I ask him to tell them he will not invest or give away the people's money to unguaranteed bondholders, but will invest it in retention of jobs, public services and the creation of new jobs.

The Taoiseach: Tá clár rialtais fada leagtha amach ag an Teachta ansin. Is dóigh go raibh an Teachta é féin ar imirce óna dáilcheantar i rith na Nollag freisin. Níl a fhios agam an raibh an Teachta sa bhaile nó cén baile ina raibh sé. In any event, I want the Deputy to understand that I have already made a new year resolution, a continuation of the one I made last year——

Deputy Timmy Dooley: Before or after the election?

The Taoiseach: ——by Government decision, to sort out the problems of our public finances and to put our country in order so that we can grow as an economy, have peace and prosperity for our people and careers and job opportunities for the next generation. Every worker who received a pay cheque in January saw no change in that from that issued in December——

Deputy Pearse Doherty: Bar the pensioners.

The Taoiseach: ——because there was no change in the income tax levels, rates or bands, as committed to by the Government. People have said to me in their hundreds that at least they are in a position to plan their lives for this year and beyond with some degree of certainty. I agree there are issues in respect of planning in so far as charges and all that are concerned——

(Interruptions).

The Taoiseach: ——but we have given the people the opportunity and the choice to plan.

An Ceann Comhairle: I ask Deputies to please stay quiet and allow the Taoiseach respond.

The Taoiseach: I do not hear the Deputy talking about, for instance, the investment——

Deputy Colm Keaveney: What about the cuts in Northern Ireland?

The Taoiseach: —of €350 million by a major US multinational in our country on Monday of this week, which is a signal internationally of American strength, competence and continued investment in this country where workers — ordinary men and women who go to work every day — and others, including subcontractors and subsuppliers, will have a future as a consequence.

The troika is back in town. It is here for ten days. There will be extensive discussions in detail about the performance of Ireland and its Government over the past three months. I expect that our team — the Minister for Finance and the Minister for Public Expenditure and Reform — will deal with all of those issues as well as the big challenges that lie ahead in 2012. We expect that, with the programme for Government, the targets that we have set out will be achieved.

The primary focus of this Government will be to do whatever we can and whatever is necessary to create and protect each and every job. Clearly, we can never have a country with an economy that is as strong as one would like unless we put people back to work. Our attempts for 2012 will be in restructuring our public finances and the way we deliver services to give every support and initiative to every proposal where jobs can be created that is credible, achievable and in the interests of our country and our people. This is my new year's resolution and I will work relentlessly with my Government to achieve it. I hope in the interest of job creation that Deputy Adams will support us.

Deputy Gerry Adams: We will support the Taoiseach. We have made many positive suggestions and propositions to assist job retention and job creation. We also welcome any investment. However, this situation does not add up. Some €3.1 billion of taxpayers' money is to be paid in March in respect of a promissory note to someone. The Taoiseach is not ag éisteacht liom. Some €3.1 billion is to be paid to a toxic criminal bank, namely, Anglo Irish Bank, in March. Some €3.8 billion in cuts will affect schools, single mothers, pensioners, the disabled, students, home owners and those in community employment, CE, schemes. A total of €4.3 billion in taxpayers' money is to be given to criminal banks and unguaranteed bondholders.

An Ceann Comhairle: A question, please.

Deputy Gerry Adams: In this light, €20 million for job creation does not add up. The people are looking for hope. Sinn Féin is hopeful, as people are increasingly realising that the Government is on the wrong road. Will the Taoiseach reflect again instead of giving his usual stock answer? This is a new year and the Government is relatively new, although some believe it is Fianna Fáil recycled. We want a real commitment, which means putting people's money not into bad banks or unguaranteed bondholders, but into job creation. What money will be invested in job creation in 2012? Will the Taoiseach confirm that €4.3 billion will be given to bad banks and unguaranteed bondholders?

A Deputy: It was Sinn Féin's bailout.

The Taoiseach: I did not know that Deputy Adams was colour blind. The colour here is blue and red.

Deputy Gerry Adams: What about the white in between?

Deputy Ciara Conway: We are not French.

The Taoiseach: We will talk about green, white and gold later. I have already made the point about the promissory note for which he and we were not responsible but which is the subject of serious technical discussions at the level of the European authorities and the IMF to negotiate an alternative to the promissory note as set out in the first place. I will not go beyond that except to say that there is an intense level of discussion about the negotiation of an alternative to the promissory note.

Deputies: Hear, hear.

Deputy Pádraig Mac Lochlainn: The Government Deputies are saying “Hear, hear” yet the Taoiseach did not give an answer. He is in safe hands with that crowd. He will never have a problem with leadership challenges again.

An Ceann Comhairle: Will Deputy Adams ask his rowdy Deputy to remain quiet, please?

Deputy Joe Higgins: Does the Taoiseach agree that, for many of us, it is deeply disappointing to hear today that whatever reflection he did over the Christmas break, he has not recognised in the Dáil’s first meeting of 2012 that the austerity policy is an absolute disaster economically and socially? Does he not see the significant contradiction in a supposedly sovereign Dáil meeting when, 100 metres from here, the EU, IMF and ECB are in Government Buildings enforcing the diktat of private institutions and European financial markets to the effect that their speculators must be repaid tens of billions of euro by the Irish people for gambling private debts and demanding that the Government channel these tens of billions of euro while it shreds jobs, living standards and health and education services? Does the Taoiseach not accept that the Government is not much more than a puppet government? Does he not see that its decision to continue almost identically the bailout and austerity policy of its predecessor is poisoning every aspect of life in the State? Is it not clear that Revenue, for example, felt under considerable pressure when it sent thousands of letters scarifying pensioners to beat out the €45 million that the Minister for Finance secretly, quietly and sneakily included in the budget?

5 o'clock

An Ceann Comhairle: A question, please.

Deputy Joe Higgins: When the Government and its colleagues in Europe continually abase themselves in front of the market speculators and show not a glimmer of fight against the markets railroading economies and Europeans’ living standards, is it any wonder that charlatans like La Senza or vulture capitalists like Lion Capital can abuse 120 female workers by telling them on a Monday night after they have left work that they should not return in the morning because their jobs are gone and that they will need to go to the taxpayer in 12 months time for their statutory rights? Does the Taoiseach not see the link?

In saying that the Taoiseach is championing jobs, does he not recognise that the Government’s austerity programme of taking billions of euro out of the economy is slaughtering the domestic economy, including the retail and other sectors, and will lead to an ongoing disaster unless the Government changes course?

Deputy Bernard J. Durkan: Happy new year, Deputy. Cheer up.

The Taoiseach: I should wish Deputy Higgins a happy 2012. As he is aware, over the past two years the concept of dealing with unsubordinated bond investors has resulted in €15 billion being taken out of that category. The Deputy appreciates that this country is in a programme. He will also appreciate that, between January and October of last year, there was a movement of 125,000 people off the live register. Unfortunately, they were replaced by others, but it

shows the extent of movement of labour. There was a reduction, admittedly a slight one, in unemployment numbers towards the end of 2011.

I am quite sure that, from the Deputy's own leadership of his party, he accepts that, where tax liability is due, taxes should be collected. I have already made the point that, if the Government got involved in some sort of communications plan arising from the transfer of data from the Department of Social Protection to the Revenue Commissioners, which they have had the power to do so since 2005, some 500,000 people would have been very upset about this. Pensioners fully understand that, if there is a liability, it should be paid. Clarity is being brought to those who received letters but where there is in fact no liability. I am quite sure that the Chairman of the Revenue Commissioners has confirmed the position where a very small liability is or may be due.

The Deputy talked about fighting against the plan and the troika. It is not a case of all-out war — it is a case of negotiating for a better position where the plan that this country is in is concerned. That meant being able to negotiate a substantial interest rate reduction, which was a substantial saving to the Irish taxpayer. It meant being able to renegotiate the conditions of the plan for the minimum wage and resulted in acceptance of Government proposals to exempt 330,000 people from the universal social charge. It also allowed for negotiation whereby the Ministers for Finance and Public Expenditure and Reform can discuss the question of how proceeds from any disposal of State assets will be used and achieve clarity of that so it can be dealt with on a case by case basis.

If the Deputy believes there is a better way the country can function given the extent of our borrowings every day because of the circumstances we are in, he must have been away for Christmas. The Government is focused on achieving the targets in the programme that runs for a further two years, achieving the targets set out in the budget presented by the Minister for Finance in December and focusing on the creation of jobs and job opportunities wherever and whenever possible. I am sure the Deputy would want to assist in that work.

Deputy Joe Higgins: The diktats from the austerity policy and the troika are overriding Government responsibility and allowing Ministers to duck their responsibilities and hide. In the past week, the Poor Clares could not have been more silent on the pensions controversy than the Minister for Social Protection.

An Ceann Comhairle: That is not exactly a supplementary question.

Deputy Jerry Buttimer: I thought Deputy Higgins had no faith.

Deputy Joe Higgins: I can imagine if the Minister, Deputy Burton, had been in opposition, she would have brought an orchestra in to accompany her wails of distress for the pensioners who are being scarified by the Government.

Did the Taoiseach not see just down the road from him at Knock Airport after Christmas the heartbreak these policies are causing, with young people leaving? Is it not clear to him that this is a disastrous policy for jobs; that it is slaughtering them? Has the Taoiseach heard there will be a shocking announcement of more job losses from a financial institution in a short period? How can he say his policies have enjoyed any success when there are still 440,000 people unemployed, a half of whom are long-term unemployed who have been out of work for more than a year? In two weeks time, will the Taoiseach not pay €1.25 billion to Anglo bond holders for private gambles and put the money instead into investment of jobs, creating tens of thousands of jobs in public infrastructure projects that would revive and regenerate the economy? That is the only way we will come out of this morass.

The Taoiseach: If we were not in a programme, given the circumstances that apply to the country, we would be expected to do in a year what is envisaged over three years in the programme. That would have brought the Poor Clares out in public with a clear break in their silence, although I am not sure if Deputy Higgins would have joined in the chorus. We must look at what the commentators and economists all say. None of them have to make decisions and the decision here must be balanced between rectifying the structural defects and deficiencies in the way our country is run, in our public finances, and growing our economy while providing sufficient for day to day services to operate in our country. That is the balance that must be achieved and it will only be achieved by the Government making decisions that are in the best interests of the country and our people.

The airport the Deputy mentioned is not a State airport and has been held out as the kind of model others should follow in terms of their increases in passenger numbers and the way it conducts its business. I invite the Deputy to come down there on many occasions during the summer to see the excited people who will come from mainland Europe and our main tourism markets to see, understand and appreciate the wonderful opportunities for people to enjoy themselves in a country like ours.

A financial institution was mentioned by the Deputy. Financial institutions will have to change their own structures because of the requirement for a leaner, more efficient, more competent and smaller banking sector. I remind the Deputy that whatever happens in those sectors, it will be of a voluntary nature.

The Government is focused on dealing with the reality we face every day, that we must deal with and that we will deal with in the best interests of our people and country to rectify the morass and mess we have inherited. We are not afraid of the challenge; we will meet it successfully.

Order of Business

The Taoiseach: It is proposed to take No. 8, motion re ministerial rota for parliamentary questions; and No. 4, Protection of Employees (Temporary Agency Work) Bill 2011, Order for Second Stage and Second Stage. It is proposed, notwithstanding anything in Standing Orders, that No. 8 shall be decided without debate. Private Members' business, No. 38, motion re special educational needs, shall, if not previously concluded, be adjourned after 90 minutes tonight and shall take place immediately after the Order of Business tomorrow and shall be brought to a conclusion after 90 minutes on that day.

An Ceann Comhairle: Is the proposal for dealing with No. 8, motion re ministerial rota for parliamentary questions without debate, agreed to? Agreed. Is the motion for dealing with Private Members' business agreed to? Agreed.

Deputy Micheál Martin: I have in my hand——

Deputies: A mobile phone.

Deputy Jerry Buttimer: It is Brian Cowen ringing.

Deputy Micheál Martin: It is relevant to what I am about to say. It is an absolute necessity to have an iPhone in the House because today the treaty on stability, coordination and governance in the economic and monetary union was leaked online.

Deputy Jerry Buttimer: From Mahon?

Deputy Timmy Dooley: No, from the Bundestag.

Deputy Micheál Martin: It highlights the irrelevance of this House to promised legislation in terms of a European Union treaty. We have been asking for months for details of the Government's proposals for this treaty and for its position on a new EU treaty. The Government has committed itself to a European Union treaty, a draft copy of which has now been leaked. The Taoiseach must have access to the detail of this. It seems to have been drafted to avoid a constitutional amendment so I ask the Taoiseach when he proposes to bring this legislation before the House.

Will the Taoiseach give an indication to the House if he has had legal advice at his disposal that would indicate the need for a constitutional referendum? Will he publish a Green Paper or White Paper on this treaty and the degree to which he will involve the Dáil or a committee in a detailed discussion of the options facing the country and the detail of the treaty? It is not good enough that we would find a fundamental issue like this online. We need more proactive openness about this sort of legislation emanating from Europe than we are getting.

The Taoiseach: There are 27 countries involved and I am not sure to what draft Deputy Martin refers. This matter is far from concluded and a great deal of discussion is going on at the moment.

Deputy Micheál Martin: What about this draft?

The Taoiseach: I am not sure what specific one the Deputy is talking about but there are 27 countries involved with technical personnel from a range of Government Departments from all member states talking about the drafting of it.

I have not asked the Attorney General for formal legal advice on the matter yet because it is not opportune or appropriate to do so until the conclusions are arrived at. There is no point in asking for formal legal advice on an issue until we know what the issue is.

Deputy Timmy Dooley: The draft on the issue is clear.

The Taoiseach: The draft he has before him and many others will be discussed in the coming weeks. There is a great deal of activity at the technical, European and official level on various drafts and issues being raised by all countries. I have not seen the draft the Deputy has before him, but it is not the conclusive issue which will not be decided for some time.

Deputy Micheál Martin: The Attorney General would surely be consulted if these issues were being discussed by the Permanent Representatives and the officials negotiating for the 27 member states.

An Ceann Comhairle: If the Deputy tables a parliamentary question, we can have a further debate on the issue.

Deputy Micheál Martin: It is fundamental and requires more than a parliamentary question. A Bill has been drafted and the Attorney General has already been consulted. It is not true to say the Attorney General has not been consulted.

Deputy Timmy Dooley: Yesterday's date was on it.

Deputy Micheál Martin: The Attorney General has been consulted. The Taoiseach should not tell the House the Attorney General has not been consulted.

Deputy Timmy Dooley: It was at 7 p.m. yesterday.

Deputy Micheál Martin: I know something about treaties.

An Ceann Comhairle: I ask the Deputy to cease his private discussion.

Deputy Gerry Adams: I wish to raise two issues. The first is under reachtaíocht atá fógraithe, promised legislation, and the Ceann Comhairle might let me come back to raise another issue. The legislative programme contains a commitment to introduce a workplace relations law reform Bill. Since 16 December, through the Christmas period, workers at Vita Cortex in Cork have been engaged in a sit-in because of its management's refusal to make redundancy payments. The workers — mostly women — at La Senza are in a similar position. I welcome the intervention of the LRC in the Cork dispute. Clearly the Taoiseach will agree it is totally unacceptable for workers to be treated in this way. Will the promised legislation rectify these injustices and ensure workers are not treated in this despicable way by employers?

An Ceann Comhairle: If the Deputy has another question, he should ask it now.

Deputy Gerry Adams: The Taoiseach made a commitment to hold a number of meetings with Opposition leaders. One related to the upcoming constitutional convention and another to alleged abuse in Our Lady of Lourdes Hospital in Drogheda. I note that the Taoiseach is meeting the British Prime Minister tomorrow. Does he intend to brief us in advance of the meeting?

The Taoiseach: The workers legislation mentioned by the Deputy is on the C list. The heads of the Bill have not yet been presented to the Government. The question of the Vita Cortex plant was raised as a Topical Issue. I am aware of the report given under the direction of the Ceann Comhairle on the discussion with the different Deputies and hope the matter can be resolved. I do not like to see workers having to do what the workers in Cork have had to do. I hope the matter can be resolved and to that end, the machinery of government is obviously available.

On the consultations on the constitutional convention and the alleged abuse in Our Lady of Lourdes Hospital, I hope to make arrangements for meetings with Opposition leaders shortly.

Deputy Gerry Adams: What about the meeting with the British Prime Minister?

The Taoiseach: I am going to London tomorrow morning where I have a number of engagements. I will be back tomorrow evening. I will give the Deputy an account of what transpires at the meeting and the matters discussed.

Deputy Gerry Adams: With other European issues, I ask the Taoiseach to raise the issue of the Dublin and Monaghan bombings on which he is to report back, the case of Pat Finucane and the Ballymurphy killings.

Deputy Richard Boyd Barrett: As everybody in the country is painfully aware, from the comfort of the Merrion Hotel the so-called troika is injecting the poison of austerity into the economy and inflicting it on citizens. I ask the Taoiseach, at the very least, to publicly invite the troika to this Chamber——

An Ceann Comhairle: Hold on for one second.

Deputy Richard Boyd Barrett: ——for a special sitting of the Dáil——

An Ceann Comhairle: This is supposed to be about promised legislation and no such legislation has been promised.

Deputy Richard Boyd Barrett: —or the Joint Committee on Finance, Public Expenditure and Reform to enable the people who are actually directing the legislative programme of this country—

An Ceann Comhairle: The Deputy should get real.

Deputy Richard Boyd Barrett: —and dictating economic policy for citizens—

An Ceann Comhairle: This is supposed to be about promised legislation.

Deputy Richard Boyd Barrett: It is also about Dáil sittings—

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

Deputy Richard Boyd Barrett: —and the legislative programme.

An Ceann Comhairle: No, it is not about a legislative programme in respect of Dáil sittings.

Deputy Richard Boyd Barrett: If the troika is directing our legislative programme, can its representatives come here—

An Ceann Comhairle: Will the Deputy, please, resume his seat?

Deputy Richard Boyd Barrett: —to tell us what their demands are in order that at least the debate would take place in public?

An Ceann Comhairle: I call Deputy Healy-Rae.

Deputy Richard Boyd Barrett: May I have a response from the Taoiseach?

An Ceann Comhairle: No, because inviting the troika to the Chamber has nothing to do with the Taoiseach under the heading of promised legislation.

Deputy Richard Boyd Barrett: It is about having a special sitting of the Dáil to bring the troika here.

An Ceann Comhairle: The Deputy should contact the Committee on Procedures and Privilege on the matter.

Deputy Richard Boyd Barrett: On a point of order—

An Ceann Comhairle: What is the point of order?

Deputy Richard Boyd Barrett: Is it not up to the Taoiseach to decide on sittings of the Dáil?

An Ceann Comhairle: No, it is not up to the Taoiseach; it is up to the Chair to decide.

Deputy Gerry Adams: It is up to the troika.

Deputy Richard Boyd Barrett: What about special sittings of the Dáil?

An Ceann Comhairle: No.

Deputy Richard Boyd Barrett: We had a special sitting of the Dáil on Europe Day, with MEPs present. Could we not do the same?

An Ceann Comhairle: The Taoiseach is the Head of Government.

Deputy Michael Healy-Rae: Will legislation be introduced to deal with our outdated bankruptcy laws or will we continue to export the problem to the North, Wales and England? When is it proposed to do something to deal with our antiquated rules?

An Ceann Comhairle: I call the Taoiseach to deal with the matter of bankruptcy law.

The Taoiseach: Never mind Deputy Boyd Barrett, you cannot attend the do without being elected. The troika is here as part of the discussions on the programme in which we are involved.

Deputy Bernard J. Durkan: He could try it though.

An Ceann Comhairle: I ask the Taoiseach not to encourage him.

The Taoiseach: Even Deputy Boyd Barrett cannot make such arrangements. I am very glad to see Deputy Healy-Rae back in the Chamber in such strong and robust health.

Deputy Michael Healy-Rae: I thank the Taoiseach.

The Taoiseach: Long may he continue to maintain such strong and robust health.

An Ceann Comhairle: And stay in order.

The Taoiseach: On the issue of bankruptcy, the Minister for Justice and Equality will shortly present a Bill on personal insolvency which is part of a package of Government measures to deal with personal insolvency, mortgages and so on. I expect the Bill to be brought before the Government shortly.

Deputy Timmy Dooley: Prior to Christmas the Taoiseach indicated the Minister for Transport, Tourism and Sport was due to bring a memorandum to the Cabinet on the management and ownership of the airports at Shannon and Cork. In particular, it would have related to any amendments required to the State Airports Act 2004. Has the memorandum been brought before the Government and is it likely that there will be amendments to that legislation in coming weeks?

The Taoiseach: The Minister for Transport, Tourism and Sport has received the consultant's report which he is examining. He is in discussions with the authorities involved. The legislation is on the C list and the Minister would be happy to respond to the Deputy if he were to table a parliamentary question on the progress made following receipt of the report.

Deputy Bernard J. Durkan: I note that the national vetting bureau Bill is on the A list of promised legislation. Is it expected to be passed during this session? The land and conveyancing law reform (amendment) Bill is on the C list, with publication expected in 2012. Given the multitude of conveyancing issues that have arisen in recent times, is that legislation likely to be brought before the House as a matter of urgency?

The Taoiseach: It is very likely that the land and conveyancing law reform (amendment) Bill will be brought before and approved by the Government shortly. It is related to the question asked by Deputy Healy-Rae. The national vetting bureau Bill is on the A list. As the Deputy is aware, the A list includes legislation proposed to be published during this session which will last approximately ten to 12 weeks. There are 26 Bills listed, nine of which were carried over from the last list for the last session which was a very active one. The Bill mentioned will be published in this session; whether we get around to taking it remains to be seen.

Deputy Charlie McConalogue: No. 29 on the Order Paper is the Bill in my name providing for a constitutional amendment on adoption, to include wording already agreed to by all parties. On 29 December the Bill was automatically deemed to have been read a second time as the Government had failed to produce an alternative by that date. Under Standing Orders, Committee Stage of a Private Members' Bill is completely under the control of the Government. Will the Taoiseach allow the Bill to be debated on Committee Stage?

The Taoiseach: No, I regret to tell the Deputy that I will not. The Minister for Children and Youth Affairs is in Vietnam today dealing with the question of adoption. I want to proceed with the best consensus we can get. There is a great deal of work being done by the all of the agencies concerned, including the Attorney General's office, in regard to the appropriate wording, which we must get right. I respect the Deputy's right to produce a Private Members' Bill. However, there are very strong views across the spectrum on this issue, and we must get it absolutely right. From that point of view, the Minister will report to the House on the progress she is making with the agencies involved.

An Ceann Comhairle: I call Deputy Joe Higgins.

Deputy Charlie McConalogue: I understand the point the Taoiseach makes but——

An Ceann Comhairle: We cannot have a debate on the matter now. The Deputy has received his answer.

Deputy Charlie McConalogue: The legislation in respect of the children's rights referendum is on the C list. Why, if it is such a priority, is it on the C list? Prior to the election——

An Ceann Comhairle: We cannot have a debate on the issue.

Deputy Charlie McConalogue: ——the Taoiseach's party was calling for the referendum to be held. It was promised that the referendum would be held alongside the presidential election. There have been many broken promises by this Government. Why, if this legislation is such a priority, is it on the C list? Why will the Taoiseach not allow this Bill to be debated on Committee Stage?

The Taoiseach: It is important. What we do not want is a referendum on adoption alone; we want a referendum on children's rights. The relevant Minister of State, as part of her duties abroad, is today dealing with the issue of adoption.

There is no legislation in respect of referenda on the A list because I want to ensure that when we do move, we are clear in what we are doing. From that point of view, we are seeking agreement on a referendum on children's rights rather than adoption, which we can put to the people.

Deputy Micheál Martin: Everyone is in agreement on this one.

Deputy Joe Higgins: On 28 April 1999 I had the privilege — perhaps the responsibility — of bringing to the attention of the Taoiseach of the day on the Order of Business the broadcast the evening before of a stunning RTE programme entitled "States of Fear". I would like to note with great regret the untimely passing of Mary Raftery, the author of that work and to recognise the ground breaking achievements of her life and work by shocking and stunning the political, Church and State establishments into dealing with institutionalised child abuse. It is appropriate, bearing in mind the huge impact for good all round of her work and the many

[Deputy Joe Higgins.]

times it was discussed in this House, that we should note her untimely passing and pay our respects to her family.

Deputies: Hear, hear.

The Taoiseach: I share that view. I, too, regret the passing of Mary Raftery who was a courageous and diligent journalist whose work changed Irish society. I regret her passing. I concur with the Deputy that it is appropriate he should mention it.

Deputy Ray Butler: Does the Government plan to legislate to address the illegal fuel laundering and dumping that is occurring to the detriment of the State, environment and economy, especially in light of the big dump find today on the M1?

An Ceann Comhairle: Is legislation in this area promised?

The Taoiseach: There is no legislation promised. However, I inform Deputy Butler that this is a matter of great interest to the Revenue Commissioners, Garda Síochána and Customs and Excise. It is an issue that will be pursued as diligently as possible.

Deputy Paschal Donohoe: Will the fiscal responsibility Bill be brought before the House prior to the summer recess? This legislation will ensure this and future Governments do not make the same mistakes as previous Governments in relation to the wrecking of our national finances. Also, will legislation be required to bring in the loan guarantee scheme to allow small and medium sized businesses to access credit and obtain support from banks in order to sell their goods and services and create more jobs in the country?

The Taoiseach: The fiscal responsibility bill is No. 10 on the A list. It will be published this session. It is important also in terms of the proposed new treaty, in respect of which we have given a commitment. Also on the A list at No. 16 is the temporary partial credit guarantee Bill which it is proposed to publish and pass as quickly as possible.

Deputy Tom Hayes: Is legislation promised in regard to the huge problem of under-age drinking, in particular the huge increase in volume of alcohol sold in supermarkets, which is having a detrimental effect on many of our young people? I believe this matter needs to be addressed by way of legislation.

An Ceann Comhairle: I suggest the Deputy raise this matter on the Topical Issue Debate.

Deputy Tom Hayes: Is legislation in this regard promised?

An Ceann Comhairle: Is legislation promised?

The Taoiseach: Yes.

An Ceann Comhairle: Good.

The Taoiseach: It is the sale of alcohol Bill, which is on the B list. The Minister of State, Deputy Shortall, who is dealing with this issue, recently made a fine presentation on the matter. The legislation will be brought before the Dáil and relevant Oireachtas committee for full discussion. Everyone is involved in this. There are a range of options and issues that need to be addressed. Everyone's opinion will be sought and will be important given the seriousness of this issue not alone for particular sectors of society but for the country. The Minister of

State, Deputy Shortall, will present her case to the Oireachtas for discussion, following which it will be discussed outside.

Deputy Thomas P. Broughan: At what stage is the housing Bill? The Taoiseach might have noticed on his way into the Dáil today that residents of Priory Hall were again outside the House protesting. They want in particular to meet the Minister responsible, Deputy Hogan. Perhaps the Taoiseach will direct him to meet these people who are in dire straits.

An Ceann Comhairle: Is legislation promised?

The Taoiseach: Yes, it is on the C list. This is a matter of considerable import and urgency. The Deputy will be aware that a Supreme Court judgment will be issued later this month. The new Minister of State with responsibility for housing, Deputy O'Sullivan, has met the residents. There is much discussion going on between Dublin City Council and the Department of the Environment, Community and Local Government. We all understand and appreciate the concerns and difficulties being experienced by the Priory Hall residents. It is hoped the discussions taking place will bring about a solution. I feel for the people concerned and their families who through no fault of their own ended up in an apartment block which was seriously deficient.

Deputy Thomas P. Broughan: There is no reason the Minister cannot meet them. There is no legal action by the Priory Hall residents.

The Taoiseach: I know. The Minister of State with responsibility for housing met the residents and will report directly to the Minister as often as needs be.

Deputy Pádraig Mac Lochlainn: Yesterday, Clare County Council and other councils outlawed the practice of fracking. Is legislation proposed to deal with the issue at national level?

The Taoiseach: I am aware of the implications of this and the concerns expressed. There is no legislation promised in this regard.

An Ceann Comhairle: I suggest the Deputy table a parliamentary question on the matter.

Deputy Dessie Ellis: The Minister for the Environment, Community and Local Government, Deputy Hogan, is responsible for the introduction of the household charge. The Minister has indicated that people who do not pay will be pursued, be it through fines or otherwise.

An Ceann Comhairle: The Deputy must ask about promised legislation.

Deputy Dessie Ellis: I am coming to it. There are issues of civil rights involved in terms of access to private information. Is legislation proposed to tackle this issue in terms of people's rights? Does the Government propose to bring forth legislation to allow the Minister, Deputy Hogan, to access people's private information be it by way of the electoral register or ESB bills?

An Ceann Comhairle: Is legislation promised?

The Taoiseach: No. The Deputy will be aware that under the Constitution everyone has rights and responsibilities. I assume that as a law maker the Deputy proposes to live up to his responsibilities.

Ministerial Rota for Parliamentary Questions: Motion

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

That, notwithstanding anything in the Order of the Dáil of 9th March, 2011, setting out the rota in which Questions to members of the Government are to be asked, Questions for

[Deputy Paul Kehoe.]

oral answer, following those next set down to the Tánaiste and Minister for Foreign Affairs and Trade, shall be set down to Ministers in the following temporary sequence:

Minister for Communications, Energy and Natural Resources

Minister for Education and Skills

Minister for Public Expenditure and Reform

Minister for Jobs, Enterprise and Innovation

Minister for Social Protection

Minister for Arts, Heritage and the Gaeltacht

Minister for Finance

whereupon the sequence established by the Order of 9th March, 2011, shall continue with Questions to the Minister for the Environment, Community and Local Government.

Question put and agreed to.

Protection of Employees (Temporary Agency Work) Bill 2011: Order for Second Stage

Bill entitled an Act to give effect to Directive 2008/104/EC of the European Parliament and of the Council of 19 November 2008 on temporary agency work; for that purpose to amend certain enactments; and to provide for matters connected therewith.

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): I move: “That Second Stage be taken now.”

Question put and agreed to.

Protection of Employees (Temporary Agency Work) Bill 2011: Second Stage

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): I move: “That the Bill be now read a Second Time.”

I am pleased to present the Protection of Employees (Temporary Agency Work) Bill 2011 for the consideration of the House. The Bill marks an important milestone as it represents the last piece of the three part matrix of employment rights protection geared towards workers engaged in atypical work patterns. It has been preceded by the Protection of Employees (Part-Time Work) Act 2001 and the Protection of Employees (Fixed-Term Work) Act 2003 that deal, respectively, with part-time and fixed-term work. Members will have a full opportunity to explore the provisions of the Bill in greater detail on Committee Stage and I look forward to active engagement with them on the Bill.

The Bill has been designed to give effect to an EU directive on temporary agency work that was finally adopted in 2008 after a number of years of discussion. The directive has a transposition date of 5 December 2011 and as its implementation is mandated by our EU commitments, it is intended that the legislation will on enactment have retrospective effect to that date, with the exception of the offence creation provisions in sections 12 and 14 and Part 4 of the Bill. These latter provisions will, on the basis of legal advice, only come into effect on enactment of the legislation.

At its core, the directive aims to establish in all member states of the European Union a legal framework in which agency workers are afforded equal treatment in respect of their basic working and employment conditions as if they were directly recruited by a hirer to the same job. This key objective is reflected in the non-discrimination principle set out at Article 5.1 of the directive. Other entitlements concern the right of access by agency workers to the collective facilities and amenities at the hirer undertaking, to include canteen, crèche and transport facilities, in the same manner as these may be available to direct employees of the undertaking. Additionally, agency workers are also to be provided access to vacancy notifications to avail of the same opportunities to gain access to permanent employment positions in hirer undertakings. Agency workers must also be included in the headcount towards employee representation in either the employment agency, as in the case of the Bill or with the hirer undertaking.

In short, the directive established a set of minimum rules to be applied by EU member states having regard to the national law, custom and practices in force in each jurisdiction. This is geared towards improving the operation of the temporary agency work sector by promoting job creation and making agency work more attractive and amenable to employer needs for flexibility in the labour market. The underlying rationale for the directive, as explained by the European Commission at the time the proposal was first tabled in 2002, was that by extending the equal treatment provision to agency workers at EU level and creating a common framework for agency work, this would promote agency work. In the context of its analysis at the time, the Commission pointed to the main difference in terms of intrinsic quality of agency working compared with the terms and conditions enjoyed by employees on open-ended contracts as being related to pay.

The directive provides for certain derogations that may be availed of by member states under Article 5. The first of these is under Article 5.2 and allows member states to exclude from its scope but limited only to the aspect of equal pay agency workers engaged on a permanent basis and paid between assignments. Section 6 of the Bill invokes this derogation and includes necessary protections against potential abuse of the provision in that it requires that such workers are paid at a level of not less than 50% between assignments based on the most recent assignment.

The derogation available under Article 5.3 of the directive entrusts the social partners with the ability to conclude collective agreements that deviate from the basic working and employment conditions. While the system of collective bargaining envisaged under the Article 5.3 derogation is more suited to the well established system of collective bargaining associated with mainland Europe, in the Irish context, it would cover registered employment agreements. This derogation recognises the national traditions, custom and practice in place in member states and allows a necessary level of flexibility in the workplace to operate to the mutual benefit of employees and agency workers alike. Use of this derogation is not without limit but must have overall regard to the need to ensure overall protection for agency workers. Collective agreements cannot, for instance, set levels of pay at a rate lower than equal treatment would demand without being balanced by countervailing measures favourable to temporary agency workers such as, for instance, in respect of the provision of better training opportunities between job assignments.

Section 7 of the Bill provides for this derogation and enables existing collective agreements to be upheld and facilitates the negotiation and conclusion of future such agreements. It would also facilitate the future negotiation and conclusion by the social partners of collective agreements at the level of the user undertaking or at enterprise level. The provisions for oversight and approval by the Labour Court of such collective agreements as set out in the section mirrors that already in place in the context of agreements reached under the terms of section 24 of the Organisation of Working Time Act 1997.

[Deputy Richard Bruton.]

Recognising the voluntarist nature of industrial relations in the United Kingdom and Ireland, the derogation available under Article 5.4 of the directive was designed to meet the needs and flexibilities required in the labour market to accommodate the system in place in both countries. This derogation includes the possibility to have a qualifying period before the principle of equal treatment would apply to temporary agency workers. However, the derogation is subject to agreement being reached between the national social partners and, in the absence of such agreement, cannot be invoked by the Oireachtas. Members will be aware that the present and previous Governments engaged in discussions with the national social partners, namely, IBEC and ICTU, with a view to facilitating agreement between the parties on this important issue. This was against the background that agreement on a qualifying 12 week period already had been achieved in Great Britain and Northern Ireland that applies to temporary agency workers assigned to hirer undertakings in the North and elsewhere in the United Kingdom. Regrettably, agreement on this issue has not proved possible between the national social partners. In that case, it is not possible to avail of the derogation and the Bill provides for the application of equal treatment for temporary agency workers on a day one basis.

I advise Members that the qualifying period was considered important not in any sense to disadvantage temporary agency workers as they would, on expiry of the qualifying period, benefit from equal treatment. Rather, the measure raises issues of a competitiveness nature in that the absence of agreement on a qualifying period, unfortunately, puts Ireland in a less favourable position in terms of labour market flexibility than that of our closest neighbour, the United Kingdom. Employer representative groups and the recruitment sector were also anxious to have a sensible qualifying period in place in Ireland, given that in the absence of such, it gives rise to greater administrative overheads in providing day one equal treatment, even in respect of very short-term assignments. This will result in higher labour and administration costs for the sector. There is also concern that this is likely to have a chilling effect on employment in the agency sector in that undertakings are likely to opt to use existing staff in preference to taking on agency workers to meet spikes in demand or short-term absences of permanent staff. It would have been optimal, at the least, to have an all-Ireland approach on a qualifying period, given that certain larger recruitment agencies operate both in the State and Northern Ireland. In the context of the serious labour market challenges that beset the economy, each job, including those of a short-term or even seasonal nature, must be nurtured and every effort made to maintain and grow employment and reduce unemployment.

In deciding how to establish equal treatment and in line with section 6 of the Bill, read in tandem with the definition in section 2, the requirement is to treat the agency worker as if he or she had been recruited directly by the hirer to occupy the same job. This means that equal treatment can be established by giving those relevant terms and conditions, for example, pay and holidays, as if the agency worker had been directly recruited by the hirer to occupy the same job having regard to the particular role and the required skills or qualifications needed. The relevant terms and conditions are those which are included in enactments, collective agreements or other arrangements generally applicable to employees of the hirer. This would include, for instance, terms and conditions ordinarily found in contracts of employment of directly recruited employees of the hirer which are binding and generally in force in the hirer undertaking. Section 2 defines “pay” as basic pay, shift premium, piece rates, overtime premium, unsocial hours premium and Sunday premium. Pay does not extend to other aspects provided for in recognition of the longer term relationship between an employer and a permanent employee such as pension schemes, financial participation or sick pay schemes.

As to the profile of agency work, although established statistical sources in Ireland do not capture data for this type of atypical work, in general, estimates based on surveys conducted

by private employment agencies suggest temporary agency workers represent approximately 2% of the active working population. Currently, this would amount to approximately 35,000 agency workers operating in both the private and the public sectors. The majority of agency workers are engaged in the private sector across a diversity of sectors ranging from security, manufacturing and services to information and communications technology, etc. In the public sector, in particular in the health sector, agency workers represent a significant and important part of the workforce and allow the service to use them in a flexible manner to respond as necessary to short and medium-term staff absences.

Agency workers already enjoy extensive rights and entitlements in the current suite of Irish employment rights legislation. Thus, for example, they are entitled, in the same way as full-time workers, to the annual leave entitlements under the provisions of the Organisation of Working Time Act 1997. Additionally, they have recourse to redress under unfair dismissals legislation and are also subject to rules that apply under health and safety legislation. They can vindicate their rights and pursue grievances under employment law by accessing the same avenues of civil redress — rights commissioners and under the National Employment Rights Authority — as are generally available to directly recruited workers.

Under the Bill, it is important to note that there will be no change to the employment status of agency workers, nor will their entitlements to avail of existing employment rights such as statutory leave and rest periods, a safe working environment and the right to claim redress for unfair dismissal be affected. As is the case, the triangular employment relationship between the agency worker, the employment agency and the end user undertaking will continue under the Bill such that the employment agency which pays the agency worker's wage is the employer. In the case of unfair dismissal, however, it will continue as in the past that where an agency worker is dismissed by a user undertaking, the agency worker may bring a claim under the Unfair Dismissals Acts against the user undertaking which, in that instance, is deemed to be the employer.

In general, the fair treatment the enactment of the Bill will bring about for agency workers will confer a greater level of employment protection. Understandably, employer representative groups, user undertakings and employment agencies are concerned about the additional costs the legislation will impose in bringing the entitlements for agency workers to an equal level with direct employees. This is challenging at a time when businesses are otherwise facing serious challenges in endeavouring to maintain and sustain a competitive cost base.

Agency work has a legitimate and valuable role to play in the economy and is the option of choice of some who benefit from the flexibility, personal freedom and income it provides. It also serves the business needs of employers in that this type of atypical working arrangement can be used to assist in managing the peaks and troughs encountered in the normal business cycle.

In the light of the divergent considerations of the various stakeholders and based on the outcome of the consultation process undertaken in informing the provisions of the Bill, the Bill represents a balanced approach to transposition of the directive. It aims to respect in full the objective of providing fair and equal treatment for agency workers, while at the same time striking a necessary balance with the need to ensure labour market flexibility and contribute to ensuring agency work can continue as an option of choice for agency workers and employers and user undertakings alike.

The Bill is divided into four Parts and has two Schedules. Part 1 contains standard preliminary provisions. The main part of the Bill contains the protections available to temporary agency workers under employment law which are set out in Part 2. Part 3 contains a number of amendments to earlier enactments and certain statutory instruments. Part 4 sets out the

[Deputy Richard Bruton.]

means of achieving redress in the event that a claim by an agency worker for breach of equal treatment in terms of basic working and employment conditions or other entitlements is made. As I mentioned, the intention is that on enactment the Bill will, with the exception of sections 12 and 14 and Part 4, have retrospective effect to 5 December 2011.

Section 1 contains the Short Title of the Bill and enables the Bill to come into effect from 5 December 2011. The retrospective provisions will not apply to the provisions of the Bill that create offences.

Section 2 contains definitions of a number of terms used throughout the Bill. Section 3 sets out the scope of the Bill and to whom it applies. Section 4 gives effect to the exemption from the scope, permitted by Article 1.3, of agency workers on public or publicly funded programmes where these are designed to facilitate the integration or reintegration of certain categories who may encounter difficulties in entering or re-entering the labour market. Section 5 is a standard feature to enable the funding of administration costs by the Minister.

Section 6(1) gives effect to the basic principle laid down in Article 5.1 of the directive in which a temporary agency worker assigned to a hirer is entitled to equal treatment in relation to his or her “basic working and employment conditions” as if he or she were directly recruited by the hirer to the same job. Section 6(2) invokes the use of the derogation available to member states under the terms of Article 5.2 of the directive which applies to pay and may be applied only to agency workers who have a permanent contract of employment and are paid between assignments.

Section 7 gives effect to the derogation provided by Article 5.3 of the directive which facilitates the social partners to develop collective agreements at the sectoral or enterprise level to establish arrangements which deviate from the working and employment conditions of agency workers, provided such are appropriately balanced to ensure the overall protection of agency workers. This section provides the framework in which the Labour Court will decide whether to register such agreements that have been agreed.

Section 8 is a consequential amendment linked with sections 7 and 8 of the Employment Equality Act 1998. Section 9 brings agency workers as defined in the Bill within the scope of the Terms of Employment (Information) Act 1994.

Section 10 provides that an agency worker is entitled to be provided with information on job vacancies within the hirer available to a comparable employee. Section 11 sets out overarching principles to help improve the situation of agency workers, mainly with a view to enabling them to gain access to permanent employment.

Section 12 prohibits the charging of work-seeking fees by employment agencies. It strengthens the current provision under the Employment Agency Act 1971.

Section 13 provides that an agency worker is entitled to be treated no less favourably than a comparable employee in relation to access to collective facilities and amenities provided by the hirer for employees. These include canteen, workplace crèche or transport services and provide that less favourable treatment in terms of access by agency workers to these facilities can only be justified if it is based on objective grounds.

Section 14 outlines the relative responsibilities of the employment agency and the hirer and in relation to the obligations of both parties and the necessary flow of information to comply with the terms of the Bill. Subsection (2) is designed to allow the employment agency to be compensated in the event that the hirer fails to comply with the terms of subsection (1).

Section 15 brings within scope of the Employment Agency Act 1971 an employment agency within the meaning of the proposed transposition legislation. Section 16 ensures the Employ-

ment Agency Act 1971 regulating employment agencies generally, through licensing, applies to temporary work agencies as defined under the current legislative initiative.

Sections 17 to 19, inclusive, meet the terms of Article 7 of the directive by providing that agency workers should be included in the context of calculating the thresholds above which bodies representing workers are to be formed and provide that agency workers should be included in the thresholds for the establishment of representative bodies of the temporary work agency in respect of the information and consultation requirements of various enactments on this issue.

Section 20 to 22, inclusive, include standard whistleblowing provisions. Section 23 provides for the manner in which complaints in respect of the contravention of provisions contained in the legislation will be dealt with and must be read alongside Schedule 2 to the Bill.

Schedule 1 appends a copy of EU Directive 2008/104/EC on temporary agency work. Schedule 2 contains standard complaints and redress provisions applicable and procedures to be followed by the various parties in respect of any breach of a right to equal treatment. The employment agency will be responsible for dealing with any rights for which it is responsible. Liability in relation to access to employment notices — section 10 — and collective facilities — section 13 — falls solely on the hirer as the agency has no role in the delivery of such rights. The redress provisions in Schedule 2 are modelled on the provisions in other employee protection legislation such as that relating to fixed-term work.

It is my intention on Committee Stage to bring before the House a number of amendments in order to clarify or strengthen the intent of certain provisions of the Bill or align them more closely with similar provisions in other enactments. I commend the Bill to the House.

Deputy Willie O’Dea: I am extremely relieved with regard to the final statement by the Minister, namely, that he intends to bring forward amendments on Committee Stage. Unfortunately, the Bill bears all the hallmarks of being hastily drafted. Essentially, what we are doing here — albeit we are being compelled to take action on foot of an EU directive — is adding to the difficulties faced by employers in the context of taking on employees. The last thing required in respect of such a move, particularly in light of our current position, is uncertainty.

Temporary agency work is essential to the smooth functioning of a modern economy. As the Minister pointed out, this type of work is not a private sector phenomenon because it also obtains in the public sector, particularly in the context of the HSE. Agency workers sometimes manage to obtain full-time positions out of placements they obtain. However, many of those to whom I refer are involved in this type of work on foot of a lifestyle choice. It suits them to work in a temporary capacity. It is difficult to identify the number of agency workers here at present but the best estimate is that there are between 35,000 and 45,000 of them.

The availability of the facility of agency work is especially important to the multinationals which invest in this country and on which a great deal of our economic well-being currently depends. If, for example, a multinational decides to establish operations here, while it is carrying out a proper recruitment process, and so on, and building up its workforce it can take on agency workers and commence production immediately. There are various other reasons the facility of agency work is particularly attractive to multinationals. In that context, the Minister referred to peaks and valleys in production. If such companies wish to commence operations in a new area of production, they sometimes take on agency workers to carry out the work.

Ireland is noted worldwide for its highly-skilled and flexible workforce. We must, therefore, avoid at all costs any measures which impact not just negatively on the engagement of temporary agency workers but which would jeopardise investment, whether local or foreign. Such an outcome would have catastrophic consequences in light of the current position regarding

[Deputy Willie O’Dea.]

unemployment in Ireland. I do not know the motivation of those who put forward the relevant EU directive. I am sure it did not revolve around making agency work not viable.

Approximately 3,000 temporary agency workers are employed in the recruitment industry here. Globally, the use of agency workers has increased significantly in recent times. In that context, it is estimated that the number of agency workers, or their full-time equivalents, increased from 5.2 million to 8.9 million between 1999 and 2009. The numbers in this regard remain strong in recent years despite the recession. There is a notion abroad that agency workers are concentrated exclusively at the lower end of the labour market but that perception is changing. The opposite appears to be the case. Studies carried out by the CBI in the United Kingdom show that in sectors such as energy and water, 7% of employees are agency workers, that in the manufacturing sector the figure is 5% and that the figure for lower-paid and lower-skilled areas such as retail is approximately 1%. This would tend to dispel the idea that agency workers fall into the same category as those whose terms of employment are governed by JLCs. The difference between these two categories is vast.

As the Minister indicated, in the past, agency workers were treated, to use Kipling’s phrase, as “lesser breeds without the law”. In 1970, the English High Court found that a temporary agency contract is not a contract for services but a contract *sui generis* — in other words, a contract exclusive to itself — a different kind of contract from either of the familiar two, namely, an employment contract or a contract for services. This decision was cited with approval in several decisions subsequently handed down in the Irish superior courts. Under successive Governments during the past two decades, almost every item of labour protection legislation passed by the Irish Legislature has conferred on agency and temporary agency workers protection equal to that conferred on their full-time counterparts. As the Minister pointed out, agency workers now enjoy legislative protection in the context of equality, health and safety, working time, payment of wages, redundancy, maternity, minimum notice and unfair dismissal.

I will make a couple of general points in respect of this legislation. In the first instance, it is retrospective. This must be one of the few occasions — it may be the only such occasion — in the history of the State where detailed benefits are being conferred on employees and detailed obligations are being imposed on employers in the absence of the legislation which makes provision for such benefits and obligations. The edict from the Department of Jobs, Enterprise and Innovation states that the directive effectively came into law on 5 December. For the purposes of legislation, in most cases the agency is the employer. If the agency is to confer on a worker his or her rights under the directive to which I refer, then it will be obliged to consult the hirer company to ascertain how it deals with workers who hold comparable positions. The obligation to convey this information from the hirer company to the agency will, under section 14, only kick in when the Bill is signed into law by the President. The obligation in this regard will have existed from 5 December last but it will only be enshrined in law at some future date. That is curious, to say the least, and it will give rise to a further element of uncertainty in an area where certainty is required.

The Bill bears all the hallmarks of being hastily drafted. I suspect that the Government tried to negotiate in respect of a derogation clause but was unsuccessful and waited until the very last moment before it drew up the legislation. It could easily have drafted the legislation at any time during the past ten months and then waited to see if a derogation clause were forthcoming. The inclusion of a clause would only have added one line to the text of the Bill in any event.

The courts have, naturally and traditionally, been suspicious of retrospective legislation. In the Supreme Court decision relating to the Health (Amendment) (No. 2) Bill 2004, the test

applied is outlined in the context of a decision handed down by the late Chief Justice O'Higgins in the case of *Hamilton v. Hamilton* in 1982 when he stated, "Retrospective legislation, since it necessarily affects vested rights, has always been regarded as being *prima facie* unjust." The Bill before the House is the first item of labour legislation — transposed from EU law or otherwise — that is being made retrospective. I do not know why that is the case.

The practical difficulty that arises appears to be that employers have issued serious threats to the effect that they will challenge the legislation in the courts. If they do so, not only will the country suffer but employees and temporary agency workers will also suffer in several ways. First, they will not obtain that to which they may be entitled under the legislation until the legal process has been exhausted and that might take years. Second, there will be a marked reluctance on the part of employers to take on agency workers as a result of the uncertainty surrounding this entire area. Third, the uncertainty to which I refer will have an impact on possible investment by multinationals.

Under Article 5 of the EU directive, the Government could have obtained a derogation if it had been able to agree such with the social partners. The Minister referred to negotiations conducted by the previous Government. As I understand it, those negotiations were only in the very early stages when the general election was called. The 5 December deadline had been approaching for ten months while the Government was in office and before it was compelled to bring in the legislation it was incumbent on the Government to agree a derogation period with the social partners but it failed to do so. In the United Kingdom the Government has managed to negotiate a derogation period of 12 weeks but the Confederation of British Industry, CBI, has calculated that, even with a derogation of 12 weeks, some 25% of temporary agency jobs could be lost as a result of the application of the directive. That would equate to approximately 10,000 jobs here with a 12 week derogation but here we have no derogation; the extra obligations on employers kick in from day one.

I am all in favour of equal rights for all workers whether temporary agency workers, casual workers or whatever but we should remember that we are implementing this directive and transposing it into law in a particular context. Everything has a context. The context here is that 450,000 people are unemployed officially and, depending on who one believes, perhaps up to 2,000 people per week are emigrating. Another part of the context is that the country is heavily dependent on multinational investment, especially from the United States, at a time when American investment in Europe is dropping proportionally; they are moving more towards the Far East.

I deplore the failure of the Government to get a derogation. As the Minister rightly recognised in his speech, we are at a competitive disadvantage *vis-à-vis* our nearest neighbours, those in the United Kingdom. The same applies with even greater force with regard to other European countries. Article 5.3 of the directive states that if a country already has a collective agreement which provides for not so much a derogation but lesser treatment of temporary agency workers, it stands despite the directive. Germany, the Netherlands and several other countries are in the happy position of having such a collective agreement as we speak but we do not. Even with these lesser rights, the Dutch enjoy a six month derogation and the Germans a six week derogation. It is no exaggeration to suggest that we are probably in the worst position of all in Europe and we will be in the worst position when this legislation goes through without derogation. Nevertheless, we support it because it transposes an EU directive and I do not propose to oppose that. I am simply pointing out the obvious. The Minister would agree because in September 2011 in a letter to the leadership of the Irish Congress of Trade Unions, ICTU, the Minister indicated that the provision of a day one equal treatment for agency workers could have implications for jobs. He stated that "without the benefit of some leeway in transposing the directive in the shape of a framework agreement, Ireland will be in a position

[Deputy Willie O'Dea.]

of significant competitive disadvantage vis-a-vis our European trading partners". He went on to state:

This would be particularly keenly felt given that our immediate and major trading partner, the UK, has already secured agreement for a waiting period of 12 weeks, an arrangement I understand extends also to Northern Ireland. In the current climate and with the significant challenges that face us on the road to economic recovery, we must avail of the flexibilities afforded by the directive.

This is the major flexibility afforded by the directive and apparently we are not in a position to avail of it.

Temporary agency workers in Ireland are already subject to a good deal of the legislation protecting employees rights. However, the directive and the legislation which will transpose it takes the matter further. Thus, the task of the Oireachtas is to make up the difference or shortfall. However, we must do so in a way that minimises the effect of the directive on flexibility and on potential investment, especially multinational investment.

An unduly burdensome transposition could have devastating consequences for employment. This applies not only to agency workers, to which the Minister referred, but to current and potential employees of multinationals. Competitiveness is not only about wages and prices. Flexibility in the labour market is a key element of competitiveness in this country and one we cannot afford to undermine. I refer not only to potential investment but to current investment. We are unusually reliant on foreign direct investment as anyone who read the recent IDA report would readily conclude. The respected economist Mr. Jim Power carried out a study for IBEC on the potential effects of this directive and it is worthwhile to consider the conclusions he reached. For example, from talking to several multinationals he established that the three major attractions for investment in this country were the skill of the Irish workforce, the 12.5% corporation tax and the fact that we have a flexible workforce. It is worthwhile to quote what Mr. Power stated in his report. He stated, "Based on interviews with a number of employers who utilize agency workers and on a considerable body of research, it is very clear that employers in Ireland, be they foreign-owned or domestic employers, regard the proposed introduction of the Directive on Temporary Agency Work as a development that will damage the flexibility of the labour market and ultimately undermine employment in the economy." These are strong words. I understand he researched the matter intensively and spoke to many people. He goes on to state that, "For the multi-national sector, where there is a significant reliance on agency workers due to the flexibility that they give rise to, the Directive as it stands with no qualifying period, is viewed as a development that would undermine flexibility and competitiveness." His conclusion from speaking to those who employ people is that, "The clear view is that a statutory regime that is overly restrictive will act as a major disincentive to employers to engage the services of agency workers."

The Government has stated that everything it is doing centres around job creation. The Taoiseach said as much again today and stated that the Government would pursue job creation relentlessly. In an interview yesterday, the Minister, Deputy Bruton, said that we should be obsessed with job creation. If this is true, then the Government is obliged to interpret this directive in a way that does not hamper job creation or that does so to the smallest extent possible. To do this, the Government should produce legislation that is clear, certain and readily understood and it must retain flexibility to the greatest possible extent.

An unduly burdensome transposition of the legislation would undermine the principle contained at recital 11 of the directive which states, "Temporary agency work meets not only undertakings' needs for flexibility but also the need of employees to reconcile their working

and private lives. It thus contributes to job creation and to participation and integration in the labour market.” Apart from the disincentive, especially for multinationals, to invest generally, a more immediate consequence would be that employers would simply stop using agency workers. Given that in the majority of cases agency workers are taken on only because the employer has decided for one reason or another not to recruit directly for the jobs, the immediate consequences of a burdensome or legally uncertain transposition would include job losses. This would mean the State had failed in its obligation, set out in Article 2 of the directive, for member states to take into account “the need to establish a suitable framework for the use of temporary agency work with a view to contributing effectively to the creation of jobs and to the development of flexible forms of working.”

I have no wish to be personally offensive to the officials but the Bill is rather poorly drafted and I am glad the Minister has proposed to introduce amendments. The last thing we need is uncertainty. If we are to add to employers’ burdens and make it more difficult, especially because of the interests of multinationals and large native investors in this area, the least we can do is to make it as simple as possible with the least possible burden.

There are different categories of agency workers listed in the Bill, subject to different limitations and exceptions. I presume it is necessary to do it that way, but it certainly makes the Bill pretty complex. Section 2 defines “agency worker” and “employment agency”. The definition of “agency” in section 2(1) may cover certain workers who are contracted by companies that are not registered employment agencies, but are simply in a position of acting in a way that is defined as doing what an employment agency does under the appropriate definition. Is that the intention? Is this to be confined to registered employment agencies that are in the business of providing employees on a temporary agency basis, or is it intended that it be extended to other types of agencies?

The direction and supervision is new. Existing employment statutes use different terminology. I presume the reasons for the new test is the reference to it in the directive, but I am not sure if it was necessary to transpose it into national law. I am sure the matter could have been covered by the well used phrases of the past which have been interpreted and which we all clearly understand by now.

Section 6 deals with the principle of equal treatment. This is unclear to me because it does not seem to distinguish between agency workers and direct recruits where there is a genuine distinction between them. I am not talking here about a notional distinction. For example, a company could take on agency workers to do work which is already being done by experienced recruits who have been working for ten years in the business. This could be the first time the agency workers did this sort of work. I notice there is an attempt in section 2(5) which defines the term “comparable worker” in order to overcome that situation. I would ask the draftsman to have a look at this before the Bill comes to Committee Stage. It does not deal with the problem.

Section 6(1)(b) envisages a situation where there is no flesh and blood comparable employee. In this case, the agency worker is entitled to what a hypothetical employee could be entitled to if one was employed. What about the situation where there is not a comparable employee? What about the situation where the company in question has never had an employee doing that sort of work? What about the situation where a company had comparable employees three or four years ago? We could hardly go back. We are now living in a different country. What is an employer to do in a situation like that in the real world? Is he supposed to look at the pay scales in the industry generally and try to make a comparison from those? It is quite unclear.

Section 6(1) seems to rule out a situation where agency workers could have terms that are different, but in the aggregate, no less favourable than comparable direct recruits. The not less

[Deputy Willie O'Dea.]

favourable formula is used in the Protection of Employees (Fixed-Term Work) Act 2003 to provide flexibility for employees while still protecting the rights of the workers. The wording of the directive seems sufficiently flexible to allow that concept to be imported into this legislation, yet it is not being done. Why?

Section 2(5) proposes to define “comparable employee”. Are paragraphs (c), (d) and (e) of section 2(5) cumulative or are they simply alternatives? If they are cumulative, it would be best to say that. I hope that will be the subject of one of the Minister’s amendments. What categories of temporary employees are excluded from the Bill? For example, a situation might arise where a person is to all intents and purposes self-employed, but has incorporated as a company. If that company is contracted by an agency, it may just have the one employee who will work under the direction and supervision of a third party. Is that person a temporary agency worker within the definition set out in the Bill? In other words, is the one man corporate entity a temporary employment agency for the purposes of the Bill? There are many arrangements like that where it is difficult to define a category.

Section 7 allows people to opt out by way of collective agreement. It states that they can opt out provided that the Labour Court is satisfied about a number of things, one of which is that their rights are protected under article 5(3) of the directive. I have examined article 5(3) and I do not think there is any great guidance as to what the Labour Court has to look at when it is deciding, so we should to clarify that.

The definition of “pay” is a bit curious. It sets out what is included, but it specifically excludes payments under financial participation schemes, sick pay and pensions. It does not rule out things like bonus payments and maternity top-up payments, which are presumably excluded. If they are to be excluded, let us make that clear. If we are expressly excluding certain things, then we might as well expressly exclude anything we want to exclude.

I have difficulty with the redress provisions. I can understand that in an unfair dismissals case, it is the hirer who does the dismissing and he is the defendant. However, it seems that in most cases, the employment agency will be the party that is liable, so if a temporary agency worker is not getting what he or she is entitled to under the legislation, then he or she has to take action in the various fora against the temporary agency. The temporary agency has to defend the case and lose it. In the vast majority of cases, the reason the agency worker is not getting what he or she is entitled to is because the temporary agency got incorrect information from the hiring company. However, the agency has to serve as the defendant in the case, lose the case and then go against the hiring company. That seems extraordinarily complex. Surely there should be some provision whereby the Labour Court should have discretion as to who should be the proper defendant if a case is brought.

Where an agency worker has successive assignments in different hiring companies and when different annual leave arrangements apply to each company, to which is the agency worker entitled? He or she could have accrued leave by working for a succession of hiring companies.

There are many more issues that can be dealt with on Committee Stage, but I am making these points to illustrate that the legislation is pretty unclear. I am extremely disappointed that we are bringing this in without a derogation, thereby putting ourselves competitively at a huge disadvantage *vis-à-vis* not only our nearest neighbour, which is assiduously competing with us at the moment for mobile investment, but also with other European countries, which have been pushing very hard for this directive when they themselves were protected by internal collective agreements.

It will be quite difficult for somebody to interpret this legislation properly, so we need to bring simplicity and certainty to the legislation. We need to transpose it in such a way that it

will have a minimum disruptive effect on employment. We will put forward amendments on Committee Stage to secure those objectives. I look forward to seeing the Minister's amendments. He appears to agree largely with what I have said about the derogation. I hope his amendments will reflect that and I hope he will be sympathetic to our amendments.

Deputy Peadar Tóibín: Ar an gcéad dul síos, ba mhaith liom fáilte a chur roimh an Bille seo. Is céim sa treo ceart é seo agus is iarracht é ceartanna fostaíochta a chosaint. Táimid ag maireachtáil in am atá an-deacair do fostóirí agus do fostaíthe agus tá an-brú ar tuarastail agus coinníollacha fostaíochta. Ba cheart dúinn gach rud is féidir a dhéanamh chun comhionannas a chur i bhfeidhm.

I welcome the Bill which is a step in the right direction with regard to safeguarding workers' rights. I support equal pay and conditions for workers who do equal work and have the same skills set, but I do not agree with my flexible friend that there should be a derogation with regard to time. If people do the same job as others, never mind whether they are of a particular race, creed or orientation or whether they are agency workers, they are entitled to the same pay and conditions.

There are many types of employers. Most employers in the State understand that treating their workers and employees well and with respect ensures cohesiveness, productivity and a successful workforce. However, some unscrupulous employers will seek to exploit workers for short-term gains. Some of these employers will seek to do so for profit and to undermine hard-fought rights and entitlements for workers which have been achieved. This happens particularly at a time of recession when some unscrupulous local and international businesses will, if they get a chance, ride roughshod over employee rights. These unscrupulous employers seek an unfair competition to gain advantage over decent employers. In effect, they force a race to the bottom in the market in general. In the long term this is counter-productive but in the short term and mid term it can cause hardship to employees. The Yanks have a phrase, "never waste a crisis". It is evident that some in our society are using this crisis to cut wages and drive down conditions. Those who can get away with it seek to pay different wages to workers for exactly the same job.

I am glad the Minister, who long sought a derogation from the EU directive that necessitates this legislative process, has experienced a *volte-face* and now sides with equality and the workers. He stated when publishing the Bill that it represents an important step for agency workers by guaranteeing equal treatment in terms of pay and basic conditions with directly-recruited workers. We now have detailed legislation and the Minister assures us there will be equal treatment. However, it is of concern that the Minister added that in these very challenging economic times the legislation is also designed to minimise the impact on competitiveness in the economy and keep employment costs to a minimum. I always find it very difficult when particular political parties look exclusively to wages and conditions, often of those at low and middle employment levels, to find competitiveness in the economy. On most occasions, they do not criticise senior executives on excessive salaries as this is considered to be the normal market.

The Government states that it is committed to enhancing competitiveness. However, as we have stated *ad nauseam* in the Chamber there are many other areas in which to seek this competitiveness. It can be sought through VAT or increasing the level of investment in education, telecommunications and transport infrastructure. Broadband, transport and energy are all issues central to competitiveness. We also have the issue of upward-only rents. Unfortunately, we will see a plethora of international and local retail firms leave the Irish market in the coming months and one of the reasons for this will be upward only rents. However, this is competitiveness the Government does not seek. The Government places landlords as a priority

[Deputy Peadar Tóibín.]

over tenants and bankers over small businesses. To read between the lines, commitment to equality can be pursued only if there is minimal costs.

I congratulate the trade unions who worked hard on this issue. It was only through the trade unions staying resolute that workers' rights were defended in this issue. The Minister was on record as seeking a derogation, extending the qualifying period and other diminutions of rights. I congratulate the trade unions for showing leadership on this issue.

My welcome for this legislation is tempered by some of the issues raised by my Opposition colleague. Clarity is missing on many sections of the Bill. Amendments will be required to close down potential loopholes which could allow unscrupulous employers to treat workers unequally. I hope the Minister will have a positive approach and will include entitlements such as sick pay, occupational pension schemes, benefits in kind, financial participation payments and bonus payments. How can workers with equal length of service doing the same job with approximately the same skills have different entitlements with regard to sick pay? The Minister and the Department should clarify that workers will be entitled to the same benefits. If this is not the case, the Minister should identify why one human being should be treated differently to another.

We are also concerned about the issue of vagueness with regard to comparators. We need to ensure workers receive the correct entitlements and the system is not abused by unscrupulous employers. In identifying a relevant position to compare with that of an agency worker the legislation draws on similar definitions used in equality law. Equality law identifies three definitions for a comparator on basis of which to seek equality. Under that legislation only one of these definitions is required to make a claim of equality in terms of conditions. However, for some unknown reason, in this legislation the Minister seeks the comparator to meet all three conditions. Why is this? It is not consistent with equality law and appears to make the legislative safeguards in this area very difficult to achieve. This could provide an employer with a case in which an exact comparator does not exist and that employer could seek to undermine the entitlements of the agency worker. In this case, the agency workers would require a considerable amount of detail from the employer to build his or her case for a hypothetical comparator. IBEC has already highlighted that this would be a possible mechanism to ensure no comparator existed and therefore no obligation for the employer. This approach would undermine the spirit of the law. The Minister must clarify why he has chosen this path and why he has moved away from the accepted methods of identifying a comparative job.

The legislation also provides for what is known as the Swedish delegation, which excludes from equal pay entitlements those agency staff retained on half-pay by the agency between assignments. This affects a class of workers known as permanent agency workers. This provision is open to abuse in that employers would seek out permanent agency workers as a way of circumventing equal pay obligations. Will the Minister re-examine this to ensure this class of worker, although very small in number, is not presented with discrimination or used to undermine the legislation?

The legislation includes a list of collective facilities agency workers are entitled to have as part of equality of treatment. I hope the Minister will clarify the list as the list provided is not exhaustive and is used only for illustrative purposes. I hope the Bill and its protections will be enhanced as it moves through the legislative process and that the Minister acts on the points made. Agency workers have a vital part to play in our economy and in meeting the needs of employers. They can provide short-term support and technical skills expertise. Enactment of the Bill should not safeguard the rights of agency workers only but also those of all workers. There should not be an advantage to an employer in the employment of an agency worker over a directly employed worker, and I include the State as an employer in this regard. There

is a trend whereby some unscrupulous employers will see agency staff as cheap labour and a method of keeping wage rates low and eliminating entitlements. Agency workers should be used to fill short term gaps in the labour market not to provide a form of cheap labour. There will be a cost for equality but the cost of equality should be met within a civilised society. This will have an impact on public services. We are aware of the huge number of agency staff contracted across the public sector. In my constituency, many of the roles in Navan hospital, County Meath, are filled with agency staff. The State is trying to eliminate such staff, but it is not filling the roles where agency staff once worked. Therefore, there is a danger of reducing health care services to people in County Meath.

While some have been used to fill short term and technical positions we remain concerned at the number of agency workers who have been used to fill full-time permanent staff vacancies circumventing the employment embargo and in some cases they are used to drive down costs. It makes nonsense of the employment embargo and shows how ridiculous it is. It is unwieldy and cannot properly deal with the necessity for front-line service and front-line employees.

The HSE spent €48.6 million on agency staff in the first quarter off 2011, higher than the amount spent the previous year. In excess of €14.5 million was spent on agency doctors, €21 million on agency nurses and a further €13 million on agency care, assistants and porters. If the Minister is true to his word to ensure equality between workers, the economic case for long term use of agency workers should no longer hold. There is a need to lift the employment embargo and begin to recruit full time permanent front-line staff to deliver services. I hope the Minister will respond to these points and provide the necessary clarifications for strengthening of the legislation.

Deputy John Halligan: I wish to share time with Deputy Clare Daly.

Acting Chairman (Deputy Michael McGrath): Is that agreed? Agreed.

Deputy John Halligan: Like the previous speaker I welcome the Bill's aim to provide the country's 35,000 agency workers with entitlement to equal treatment, pay and conditions of permanent staff in order that they cannot be used to drive down pay and conditions generally or to undermine the hard fought equality rights as has been happening in recent years. Many of us have encountered an increasing number of workers, notably in the construction sector, hotel services, contract clearing and red meat industries, who were displaced and left with little option but to work as agency workers with wages driven down and existing conditions undermined as a result of a failure to legislate for the principle of equal treatment.

Most EU countries have already counteracted the obvious risk of exploitation in agency working by enacting and enforcing dedicated legislation which recognises the equal rights of an agency worker from day one. It is imperative to follow their lead in regulating the agency worker business with commercial legislation and the assignment of workers to user companies with employment legislation which covers both.

It is crucial to recognise the potential of agency working for displacing direct employment by legislating for a limited duration, for temporary employment, after which a worker must be made permanent. While I have not read the legislation in detail, that issue may be provided for. While providing protection for agency workers there is also the question of protecting the directly employed worker from losing his or her job to a cheaper agency worker, a case well illustrated by the Irish Ferries dispute some years ago. It is possible to run a sustainable economy without the necessity to maintain a tier of workers who are poorly paid and badly treated. I welcome the elements of the Bill which address this issue.

[Deputy John Halligan.]

There remains a great deal of uncertainty on particular elements of the Bill. For example, where breaches occur, the legislation is notably vague as to how liability will be apportioned between the agencies and the end user companies. There is a need for clarity on the obligation of the hirer to provide the agency with correct information on pay and relevant conditions which would have applied had a worker been recruited directly. Perhaps, in his summing up, the Minister would clarify that issue. It is important for workers to know where they stand and the conditions of employment when making application to the agencies. Many do not know the terms and conditions until they are employed by the main company.

I am concerned as to how the equal treatment of an agency worker will be determined under the provisions of the Bill. For example, to whom will that worker be compared to ensure he or she is being fairly treated? Creating a comparator could prove particularly difficult for SMEs who may not employ an equivalent permanent staff member. I acknowledge that not every agency worker will be comparable with a permanent worker, because of variations in qualifications and experience. The Bill is vague on that issue and needs to be tightly drafted in order that an agency worker is, nonetheless, treated fairly.

While I will support the Bill, clarification is needed on some issues. The Minister means well in dealing with agency workers who have been treated badly during the past ten years. In general, I welcome the Bill.

Deputy Clare Daly: It is timely that we are discussing this matter. Clearly the protection of workers is an extremely important issue. The Topical Issue debate brought to centre stage the issue of workers rights in general and highlighted the necessity for legislative protection. Statutory and legal protection, if not enforced, is not sufficient. That workers in Vita Cortex and La Senza who are not being given basic statutory rights were forced to take action to secure those rights, shows the breaches of existing legislation that are being engaged in by employers. That begs the question as to what support and protection will be provided to ensure those breaches do not take place.

Agency work is a form of casualisation of labour and has been traditionally used to undermine the rights and entitlements of full time workers and is generally for the benefit of employers and not workers. That the practice is rampant within the public sector is an indictment of the Government, particularly the Labour Party which prides itself on being friends of workers. As previous speakers have said this is a consequence of the public sector recruitment embargo. Not only does it threaten the job security of workers and undermine the level of service provided to the taxpayer but it is a more expensive option in many instances. Unless the issue is properly addressed society will continue to suffer, not least the workers involved. Historically, there have been major campaigns and struggles against casualisation, not just in this country but in other countries as well, from the days on the docks when employers liked to hand pick the fellows they wanted for the day and sent everyone else home with no rights or security whatsoever. What we have is an EU directive which does not propose the abolition of agency workers or to curb the ability of employers to engage temporary agency workers instead of directly employing them. The purpose of the directive is to propose that we legislate for the equal treatment of agency workers in terms of some but not all conditions. It is shocking that the notion of equality is objectionable to some, but in fact that is the case. What happened is that the introduction of the provision has been delayed. The legislation should have been passed before Christmas. I note that the Government is respecting the provisions of the directive from 5 December but we all know what happened when the word got out that this provision was to be given legislative status — many employers started banging the drum. One would think they were going to be pauperised as a result of the measures being put in place.

As a result, the Government is somewhat begrudgingly introducing the measure late in the day. It is poor form on the part of employers' groups that led the charge in that regard. There is no doubt what they were seeking was a similar provision to that negotiated by some employers in Britain and Northern Ireland where the directive was transposed into legislation but it also included a derogation that excluded workers from the protection of the legislation unless they had worked for a 12 week period. It is appalling that equality would be measured by the length of time one works and that one would not be entitled to equal treatment if one happened to work for ten weeks, two weeks or one week. It is regrettable that the derogation was introduced in those jurisdictions. Undoubtedly, in that instance it is a licence for people to employ temporary agency workers for 11.5 weeks to avoid liability under the terms of the legislation. I am pleased that such a measure is not being envisaged in this country but it is incredibly poor form that it was allowed to happen elsewhere. It is regrettable that many of the employers' organisations waged a certain campaign against the progressive element in the legislation in this country. As other Members have said, there is a progressive element to the legislation which would be welcomed by most right-thinking people.

I am pleased the Bill will provide for equal treatment of agency workers in terms of core pay and work place facilities such as canteens, transport and crèches. I imagine that many workers would have a good laugh at that on reading the legislation considering that there are hardly any employments that have crèche provision and there are few which provide transport either. However, even on the limited basis that such facilities exist they should be made available to all, even if an employee is only in the workplace for a day, three days, a week or two weeks. That is a point that should be conceded.

The biggest problem with the legislation is the list of exemptions, which we in the United Left Alliance find objectionable and on which we will table amendments on Committee Stage. There is no need for workers to be excluded from protection. In the context of equal treatment and equal protection, why should it not be extended to all areas? Pensions have been highlighted. That is an issue on which there is frequent media comment. The argument could be made that it is unrealistic to provide for agency workers in general being protected by a potential scheme but that is a false argument. The construction industry provides a poor pension scheme but nonetheless it demonstrates that there is an ability to pay pensions for those working for multiple employers and still to develop a mechanism whereby a pension provision could be made available for them. While the scheme is poor in terms of the returns to employees, the idea that one could not have a pension scheme because workers are moving around to various employments does not stand up to scrutiny given what is happening on the ground. It is logistically possible to provide for that so why would we not do so? The sad reality is that the pension provisions are so poor that many workers are opting out of the scheme for fear they will get nothing ultimately. We should not make pensions unattractive; we should facilitate the provision of pension cover where possible. That is one area that also requires to be examined.

Similarly, sick pay needs to be addressed. That someone may become ill when he or she is engaged in short-term employment must be considered because it is precisely those workers who are the most casual and the most vulnerable who need the most protection. The idea that there would not be sick pay provision could lead to catastrophic consequences for those workers and provision should be made in that regard.

There are a number of potential problems with other aspects of the Bill such as the exclusion of benefit-in-kind and bonuses. We saw that happen in the EBS dispute before Christmas whereby bonuses are not just something that apply to fat-cat bankers and the provision of big four and five figure sums to already wealthy people. In many employments the negotiation of bonuses or benefits associated with piece work have been a negotiated part of people's wages

[Deputy Clare Daly.]

and conditions. If we were to exclude temporary agency workers from protection and access to benefit-in-kind and bonuses we would create a loophole which could give rise to employers being encouraged to set up a structure of pay involving a low basic rate with piece work and targeted bonuses being built in to that to try to exclude an entire section of the workforce from core benefits by enhancing other benefits rather than improving basic pay and thereby introducing a divide between permanent and agency workers. There is no need for such an approach because they are the type of bonus payments which are part and parcel of payroll. That is an important issue that must be addressed.

In the context of equality, many of the jobs in question are carried out by women. Maternity leave and access to top-up maternity pay are important issues. It is unacceptable that they would be excluded. Many temporary agency workers are employed in catering, cleaning and hospitality, which are predominantly occupations involving females. One could ask whether they deserve less equal treatment when pregnant than their permanently employed colleagues in a similar condition. Of course they do not. Provision must be made in that regard.

Other speakers pinpointed the derogation in section 6(2) exempting permanent agency workers who are paid between employments. The derogation should be opposed as it could work to the disadvantage of workers. The situation must be rectified.

One of the most significant anomalies arises in section 7 which, likewise, facilitates the social partners in agreeing to deviate from the positive provisions that exist in the Bill. That screams out to me as being like a sector-wide inability-to-pay type of facility for employers. That is something about which we must be mindful because if that is the case or if the legislation provides for an opt-out of that scale there is a certain double-speak because, on the one hand, we are talking about equality for a certain category of vulnerable workers and, on the other, we are excluding so many things that the equality is not as meaningful as it could be. That is extremely important.

The other main area that is crucial is enforcement. There is no point in us debating legislation and nit-picking over amendments if the legislation does not offer protection to the workers who need it. That is likely to happen. I do not say that lightly or with any good feeling but the reality is that our enforcement procedures are in crisis at the moment and the disputes we mentioned previously are a good example of that. One could ask what agencies are in place to enforce existing legislation to protect workers. There are two. The first is the Labour Court through the services of the Labour Relations Commission. The second is NERA through the investigations it carries out.

Even before the tranche of other workers who need to be protected are included, it is a sad tale on which the Minister's Department needs to act. In The figures for the Employment Appeals Tribunal are horrendous and the responses to questions I put to the Minister towards
7 o'clock the end of last year show the situation is chaotic and that there is lack of enforcement. Since 2007, when the economic crisis began which resulted in many people losing their jobs and an increase in the number of unfair dismissal claims, there has been a trebling of the number of cases brought before the tribunal. The waiting time to have cases dealt with has risen as a consequence from 20 weeks to 74 in Dublin and 76 outside it. Any person who wishes to access the tribunal must wait over a year and a quarter. This is appalling and there have been consequences. Because of the backlog of cases to be dealt with by the Rights Commissioner, many people are choosing not to go before the Rights Commissioner but to skip that stage and go straight to the higher court to avoid delay — a delay which could be avoided if sufficient resources were invested at the level of the Rights Commissioner. It also means that many workers are walking away from an entitlement to perhaps up to two years' compensation in wages because they simply cannot access hearings. This is

not good enough. If this is the case now, the addition of tens of thousands of other temporary workers who may potentially need to avail of the labour relations machinery of the State will mean that, without sufficient resources, the position will get even worse, if that is possible.

I anticipate that the Minister's reply will be the same as before Christmas, that the staffing level at the tribunal has been increased by 50%, from 30 personnel to 45.8 since the start of the crisis. While this increase is welcome, the facts prove that it is not sufficient. The matter must be dealt with immediately if there is to be any meaningful protection and the law is to mean anything.

I refer to the inspection services of NERA. The most recent report by its inspectors was in the summer of last year — a report was not produced at the end of the year. The statistics show that its inspectors carried out 2,359 inspections of individual employments and in that period found the total due to workers was over €1.067 million in unpaid wages which they recovered. This compares with a figure of more than 3,000 inspections in the previous year in which it was discovered that approximately €500,000 was due in unpaid wages. The figures illustrate that the number of inspections carried out by NERA — a tiny figure to begin with considering the overall number of employers in the country — was very small. It has carried out fewer inspections in the last year but its inspectors recovered more money, meaning more breaches were found. The level is increasing, even though the numbers of inspections has fallen.

We should take cognisance of these figures. The sectors in which breaches have been found are precisely the ones in which we are seeking to protect temporary agency workers. In agriculture the compliance rate is 42%; in catering, 26%; in retail, 28% and in hotels, 26%. The contract cleaning sector was one of the few that made it over the figure of 50%, with a 55% compliance rate. The security sector scored a 48% compliance rate, the construction sector, 61%, and the electrical sector, 54%. Others sectors recorded a rate of 42%. The average compliance rate is well under 50%, based on inspections in many of the employments which generally employ temporary agency workers. Unless the inspection service and the issue of backup support are addressed, all we are doing is nodding in the direction of the European Union and pretending we are writing in a provision. We are being disingenuous as regards the workers seeking our protection. On the one hand, we are bringing in a piece of paper to promise equality and, on the other, not giving them any vehicle to exercise that equality in cases in which employers choose to ignore it. Sadly, the facts speak for themselves; many employers are continuing to choose to ignore the legislation.

While I accept there are positive aspects to the Bill, its powers are too limited and there is no provision for backup. On that basis we will be tabling amendments on Committee Stage because it is essential that we support the intention to protect workers in this category.

Deputy Heather Humphreys: I wish to share my time with Deputy Jerry Buttimer.

I welcome the opportunity to speak on the Protection of Employees (Temporary Agency Work) Bill 2011 and commend the Minister for bringing it forward. It follows on from the EU directive on temporary agency work and will allow for the passage of the directive into Irish law.

The Bill will allow for the equal treatment of agency workers with direct employees as regards basic working rights and conditions. Leaving aside the matter of employment rights, that every person should be treated equally and with dignity, no matter what his or her circumstances, is one of the most basic human rights that should be available to every person. The Bill ensures agency workers will be afforded the same rights, in terms of pay, work duration, breaks and holiday time, as those who are directly employed. It will mean that temporary agency workers will also be allowed equal access to the relevant amenities and facilities within

[Deputy Heather Humphreys.]

their workplaces such as crèche and canteen facilities. This is a welcome provision and I was surprised to discover it was not already the case. I find it astonishing that temporary workers are not permitted to use the same canteen facilities as their permanent counterparts. This is unequal treatment and what springs to mind is what happened in 1950s America when African Americans were not permitted to sit beside their Caucasian counterparts on buses. I did not think there is a similar practice in Ireland in 2012 where temporary agency workers are not allowed to eat alongside their colleagues. In fairness, I would be surprised to discover any such cases. It is a welcome development that this right is being set out clearly in law.

I note the provision in the Bill that equal access to amenities may not be afforded to temporary agency workers where such action can be “objectively justified by the hirer”. There must be clarification of this provision to avoid confusion in the workplace. In this regard, perhaps the Minister might outline briefly the exact meaning of the term “objective justification”.

With regard to pay, it is welcome that this legislation means that temporary agency workers will be entitled to the same basic pay as those who have been directly employed. They will also be entitled to any overtime, unsocial hours and Sunday premium payments available to permanent staff. It is welcome that this is being set down in law. If temporary agency staff are not entitled to the same level of premium pay, there is nothing to stop unscrupulous employers having rosters which have temporary agency staff working weekends, nights, etc., meaning they will not have to premium rates. In this regard, it is important that employees are made aware that this legislation will be applied retrospectively from 5 December 2011. Employment agencies and hirers were notified of this provision and instructed to make appropriate arrangements to ensure equal treatment from that date. This means that once the legislation is enacted, employers will be obliged to backdate payments to this date.

Another important provision is that agency workers must be informed of any vacant positions for employment which arise at their respective companies, in the same way as a comparable permanent employee would be entitled to be informed. This is only fair. In essence, it affords agency workers the same opportunities to progress in the workplace that would be available to permanent employees.

As somebody who has worked as a PAYE worker all my life, I fully appreciate and recognise the huge contribution workers have made to this country. As I mentioned previously, equal rights in the workplace are not just a matter of employment rights but represent a fundamental human right. It is hugely important that nobody feels discriminated against or is made to feel like a lesser person in the workplace, regardless of race, gender or the fact that one is an agency worker. In Dáil Éireann, equal rights are also something of a topical issue, with discussion ongoing regarding the low number of elected female representatives. In this regard, I acknowledge that as a newly elected Deputy, I have not felt discriminated against in our workplace because I am a woman. While I agree that it is a positive step to continue to encourage female participation in politics, it is important that we differentiate between equal rights and equal numbers. It is fine to introduce gender quotas and this has certainly brought the issue of women in politics to the fore. However, at the end of the day, the electorate will have the final say on the best person for the job, regardless of gender. I will not go into further detail on this, as it is a debate for a different day.

The Government has made it clear that it wants to protect workers. This was evident in our restoration of the minimum wage rate to €8.65 and is evident again today in this Bill. The protection of workers is integral to any society and Ireland has a fine tradition in this respect. Figures such as James Connolly have played a vital role in ensuring that equal rights and conditions are afforded to workers. The reason I mention James Connolly is that he is an Irish patriot whom I consider to be a particularly inspirational figure. James Connolly’s parents were

from County Monaghan. They originated from the Killevan area, which, by coincidence, is the same area from which I come. I welcome this Bill and look forward to its enactment.

Deputy Jerry Buttimer: It is important to acknowledge that even as we speak, two groups of people, the workers of La Senza and Vita Cortex, are engaged in sit-ins in their places of employment in an attempt to gain what is rightfully theirs. This Bill is an important move in the right direction and I welcome the Minister's decision and persistence in proceeding with it. It is concerned with equal treatment in regard to pay and conditions of employment for workers. It is about people. The Minister was correct to say when publishing it that it was about directly recruited workers, but more importantly that it also was designed to minimise the impact on competitiveness in the economy and to keep costs in employment to a minimum. We must value work and must reward people who do their job, irrespective of the type of work and this Bill is important because it is about providing workers with equal pay and conditions.

The Bill is concerned with pay, duration of the working day, rest periods, breaks, night work, annual leave and public holidays. These are issues many people in employment take for granted. Deputy Humphreys alluded to the issue of access to facilities. I have been concerned with regard to the trend, particularly in the health sector, towards agency work and I will refer to this in more detail later. When I was in college, I had a part-time job as a porter in Cork Regional Hospital and there were many people working there as cleaners. We were trained on the importance of hygiene in our hospitals. We have moved away from that type of training now with the recruitment of agency workers, particularly with regard to cleaners in hospitals. These workers are women in the main. They do a very good job and they should be treated with respect. This Bill will ensure that happens. The Bill will include and recognise the right to basic pay. I am not sure but would like clarification from the Minister on whether it will also deal with the issue of a shift premium and an unsocial hours premium, which are important for people in this sector.

We must keep employment costs to a minimum, while at the same time rewarding and creating employment. I compliment the Minister on the interview published in *The Irish Times* this morning in which he stressed the importance of work and of getting people back to work. He spoke earlier about a milestone and referred to the Protection of Employees (Part-Time Work) Act 2001 and the Protection of Employees (Fixed Term Work) Act 2003, important legislation. To be fair, other Governments have done significant work in protecting employees. It is extraordinary that agency workers were not entitled to access to facilities or to information on job vacancies. We must avoid creating antagonism between people in full-time employment and agency workers.

Chambers Ireland and IBEC have raised concerns about the Bill. Sometimes these groups do not speak the language I speak and I am concerned at times about some of their remarks. In these economic times, many agency workers are young and unskilled and they must be protected. For that reason, I wonder about the thrust of the argument put forward by Chambers Ireland regarding the anti-competitive and unsupportive element of the legislation. Equally, IBEC complains regarding the cost to employers. Without doubt, employers here are in big trouble and the months of January and February will be a major challenge to small and medium size enterprises in our cities and counties. I have met with and spoken to some traders in Cork city in recent weeks and, thankfully, there has been good business within the retail industry and restaurants in Cork city in the past month. Part of this resulted from the Government restoring confidence. People believe someone is in charge and some want to spend and support local industry and small retailers. It is important to shop local, but it is also important to keep costs down for those who want to employ.

[Deputy Jerry Buttimer.]

The derogation to which the Minister referred presents a major difficulty. Unfortunately, and despite his best efforts, agreement with the social partners was not reached. After the enactment of this legislation, negotiations to secure the derogation and keep us in line with the majority of European countries will continue. It is clear that the Government and all sides of the House encourage flexibility of employment while protecting the rights of workers.

The amount spent by the HSE on agency workers has increased by 75% from €108 million in 2009 to an expected €190 million last year. This increase directly related to the recruitment embargo, as front line staff who are on maternity leave, sick leave or annual leave can only be replaced by employing agency workers. In replying to a parliamentary question of mine last November, the Minister for Health confirmed the breakdown of the cost of using agency staff. He stated:

The cost to the HSE is the wage cost, commission, which ranges from 5.5% to 11.75%, employers PRSI at 10.75%, holiday and public holiday pay at 12%, plus VAT at 21%. This costs the HSE a premium of between 55% and 62% on top of the wages paid to the agency worker.

The cost increased from 5 December onwards because of the direct effect of the European regulation. Going by last year's figures, removing the VAT element would save the HSE €33 million.

Is it right to spend €190 million per year on agency staff when we have limited resources? It is an extraordinary amount of money by any stretch of the imagination and, even on its own, is a reason to reconsider the embargo. Just as with education, one size does not fit all in the health sector. Perhaps the Government and the HSE should revisit the question of spending so much money on agency staff when the HSE could recruit and directly employ additional front line staff.

The Vita Cortex situation in Cork is a question of employment and employees' rights. Thanks to the Minister for Jobs, Enterprise and Innovation, the Labour Relations Commission, LRC, has intervened. I compliment him on his efforts and thank him for engaging with me on the dispute during the Christmas period. Of the 32 workers, 27 have been forced to sit in every day since mid-December. As I stated during the Topical Issue debate, they are genuine, decent people, many of whom have given more than 40 years. They have been treated appallingly by a company that is sacrificing humanity because of greed.

Acting Chairman (Deputy Paudie Coffey): Deputy Buttimer must be careful not to make anyone identifiable.

Deputy Jerry Buttimer: I will not mention anyone. People outside the Chamber need to understand that, if the Bill is meant to protect workers and their rights, it is important that Vita Cortex's workers are mentioned on the record of the House properly and devoid of party politics. They are being treated poorly. They are the innocent party in the dispute. I look forward to the engagement with the LRC.

In the current economic climate, it is important that we not sacrifice workers and their rights. We must protect workers and attach a value to working in a job. Those who choose to sacrifice employees are wrong.

Deputy Dara Calleary: I will begin where Deputy Buttimer concluded. There are three cases — possibly a fourth by tomorrow morning — of companies trampling over workers' rights, namely, Vita Cortex, La Senza and Lagan Brick. Given that many businesses are under con-

siderable pressure and the majority are run by decent, ordinary people trying to make a living, the three cases outlined do the business sector no service. The workers should be shown respect and fairness. Forcing people to occupy their workplaces to get their entitlements is a bad sign for business.

I welcome the chance to discuss this directive and its implementation. The officials in attendance have spent many years and done a considerable amount of work on the issue. It has been a frustrating subject. In the absence of a derogation we now have something that, when combined with other Government decisions in recent weeks, will contribute to an erosion of competitiveness and may cause job losses.

We agree with the directive's central aim, that is, to give temporary workers protection, as there are many cases across the EU of temporary workers being abused for the want of this protection. However, the way in which we have come to the directive without a derogation will set back everyone's shared aim of job creation. That the Minister acknowledged this in his speech was extraordinary. He stated: "Rather, the measure raises issues of a competitiveness nature in that the absence of agreement on a qualifying period, unfortunately, puts Ireland in a less favourable position in terms of labour market flexibility than that of our closest neighbour, the United Kingdom." I praise the Minister for his admission.

It is even more extraordinary that ICTU, an all-island body, could agree to the derogation in the North but not in the South. I presume that IBEC is also partly to blame. The inability to reach an agreement has damaged our economy's competitiveness.

Temporary workers can be found in all sectors, not just the low paid sectors with which many people automatically identify them. They are used on contract bases in many leading multinationals. They perform specific tasks and deliver specific products before moving on to other contracts. This is how they work.

The 2% increase in the VAT rate will affect every aspect of business. We have also tackled the redundancy side of the issue by lowering the rebate from 60% to 30%. Adding this directive to the equation sends a wrong signal to employment creators despite the Government's rhetoric about job creation being its No. 1 priority.

I appeal to everyone involved to take the chance presented by this debate. Given the condition of the Irish and European economies, will the Minister try to knock some heads together?

Debate adjourned.

Private Members' Business

Special Educational Needs: Motion

Deputy Seán Crowe: I move:

That Dáil Éireann:

- recognises the right of every child to equal opportunity through education as enshrined in Article 28.1 of the UN Convention on the Rights of the Child and that the Education Act 1998 makes specific reference to provision for the education of persons with disabilities or special educational needs, and that a stated objective of the Act is "to give practical effect to the constitutional rights of children, including children who have a disability or other special educational needs";

[Deputy Seán Crowe.]

- notes that the Education for Persons with Special Needs Act 2004 promotes inclusive education for children with special educational needs and confers on parents a series of rights in relation to their child with special educational needs;
- notes that Delivering Equality of Opportunity in Schools (DEIS) band one and DEIS band two schools provide essential support for children from disadvantaged backgrounds and those with special educational needs, so that they are able to leave school with the skills necessary to fully participate in the social and economic activities of society and to live independent and fulfilled lives;
- notes that in total there are 199 DEIS band one schools, 32 of which were in the former Breaking the Cycle, BTC, programme that predated DEIS; DEIS band one BTC junior schools will operate a staffing schedule of 18:1; DEIS band one BTC senior schools will operate a staffing schedule of 24:1; vertical (junior and senior pupils) band one BTC schools will operate separate staffing schedules of 18:1 at junior and 24:1 at senior level;
- notes that other DEIS band one schools (167 schools that are not in BTC) will function as follows: DEIS band one junior schools will operate a staffing schedule of 20:1; DEIS band one senior schools will operate a staffing schedule of 24:1; DEIS band one vertical (junior and senior pupils) schools will operate a staffing schedule of 22:1;
- notes that junior DEIS schools are to be treated on a pupil-teacher ratio of an “alleviated” level: 18:1 from 15:1 and that DEIS band two schools will increase from a 24:1 ratio to 28:1;
- notes that a number of administrative principals are to be lost; the support teacher scheme is ending; the learning support system allocation changed and an estimated 250 teachers in DEIS disadvantaged primary schools are to be transferred to main-stream schools;
- notes that more than 428 DEIS teaching posts from 270 primary schools and 163 post-primary schools will be lost and that schools with classrooms designed to cater for a 15:1 pupil-teacher ratio will be unable to accommodate larger classroom sizes;
- commends the dedication and work of teaching staff in DEIS schools and recognises the incremental improvements that have resulted from dedicated programmes designed to help children who struggle to reach their educational potential;
- notes that the decision to reduce the pupil-teacher ratio from 22:1, as originally set out in Budget 2012, to 18:1, will still result in the significant loss of teachers to disadvantaged schools covered by DEIS band one and DEIS band two;
- acknowledges that cuts to DEIS schools will result in the dismantling of essential educational supports for pupils with a high level of need in school and that this is a continuation of past Government budgetary policies that have resulted in cuts in education services designed to assist children from marginalised and disadvantaged backgrounds;
- notes that many DEIS band one and DEIS band two schools have already lost a range of services including special needs assistants, Traveller allocation teachers

and language support teachers and the withdrawal of visiting support teachers for Travellers, the phasing out by 2012 of senior Traveller training centres, all of which have contributed to improving numeracy and literacy standards;

- acknowledges that the loss of an estimated 700 plus career guidance counsellors in second level schools, as a result of the decision in Budget 2012 not to provide these posts on an ex-quota basis, will seriously reduce the level of support for children experiencing a range of emotional and learning difficulties;
- notes that it contradicts OECD recommendations to prioritise educational resources for socio-economically marginalised urban and rural areas and will undermine the Government's EU commitment to reaching the EU 2020 target of 10% early school leavers nationally;
- notes that the national literacy and numeracy strategy that has been prioritised by the Government and seen as essential to improving standards in schools will be undermined and will result in the loss of much of the progress that has been made in assisting children who have benefited greatly from the establishment of DEIS schools in 2005 and the Breaking the Cycle scheme which was initiated in 1996;
- acknowledges that the targeting of DEIS schools will have serious implications for society in the medium to long term, and will contribute to greater social exclusion of many young people who are unable to avail of a fair and equitable education;
- notes that this is yet another attack on some of the most vulnerable children and undermines the Government's commitment to protect the educational rights of children and those marginalised by poverty;
- notes that cuts in DEIS schools contrasts with the Government's prolonged review into State funding for private schools and its decision to implement a two-point increase in the staffing schedule in second level fee-paying schools, with one teacher for almost every 22 pupils;
- notes that phased staffing adjustments in small schools with fewer than five teachers will leave an estimated 1,500 small schools struggling with higher pupil-teacher ratios and will lead to the closure of many rural schools;
- calls upon the Minister for Education and Skills, Deputy Ruairí Quinn, to rescind these cuts as a matter of urgency and protect the rights of children to obtain their education entitlement by ensuring DEIS schools are adequately funded and retain their current pupil-teacher ratio;
- calls upon the Government to retain the current scheme of giving DEIS band schools a "top up" allocation on the existing standard staffing schedule to enable them to implement reduced class sizes of 20:1 in junior classes and 24:1 in senior classes;
- calls upon the Government to reverse its decision to withdraw, from 2012, supports in some schools from disadvantage schemes predating DEIS;
- calls upon the Government to rescind its decision to cut teaching posts from DEIS band one and DEIS band two schools;

[Deputy Seán Crowe.]

- calls upon the Government to reverse these indefensible cuts to essential education services which will impact on the life chances of young people and have broader ramifications for Irish society and its economy; and
- calls upon the Government to ring-fence funding and supports for DEIS band one and DEIS band two schools in order to break the cycle of deprivation, marginalisation and disadvantage and to promote fairness and equality.

Announcing his budget proposals in December, the Minister for Education and Skills said his focus was on protecting the most vulnerable. The Minister also spoke of maintaining the number of special needs assistants. This was a nonsense because the cull of special needs assistants had already started. Special educational needs officers, SENOs, and Department officials efficiently carried out the Minister's directive and children with special needs and behavioural problems were forced to cope without support and to manage with a reduced service. A total of 227 SNAs lost their jobs and were removed from the system and vulnerable children, their parents and teachers are still reeling from the fall-out from this decision.

The Minister's post-budget statement never mentioned Travellers and their particular educational needs. Their essential supports were decimated earlier in the year and the additional allocation given to schools removed. Services lost included resource teachers for Travellers, the withdrawal of visiting support teachers for Travellers, the reduction in resource hours for children with low incidence special needs, the proposed reduction in learning support teachers under the general allocation model and the phasing out by 2012 of senior Traveller training centres.

All of these services and specialised teaching posts contributed greatly to improving numeracy and literacy standards among children from the Traveller community and increased the number of Travellers successfully completing the junior certificate. It seems clear that when it comes to targeting vulnerable children, this Government, like its predecessors, has no conscience.

It would be helpful to the debate if Government Deputies would enlighten us on their thoughts on schools in their own constituencies. Do they believe there are too many teachers and, if so, could they outline what schools and what students deserve to lose their teachers? What DEIS band 1 or band 2 school deserves to lose one, two, three, four, five, six, or even nine teachers? One school in my area has estimated it could lose up to 12 teachers. Another school may lose a quarter of its teachers. These are not the exception but the new reality facing many schools following December's budget.

The question must be asked what child deserves to lose the potential for a better future through a decent education. I ask the Minister to please tell me. Is gadaithe iad Airí an Rialtais. Like thieves in the night, the Minister and his Cabinet colleagues have stolen the life chances of thousands of children throughout the State. What angers me and parents throughout the country is that regardless of the spin attempted to justify this budget, this is a savage attack on the most vulnerable.

I want to outline the backgrounds of some children who attend a DEIS school. This gives a stark reminder of why we need extra support in these schools. Only the nicknames have been changed. Tom's dad is in prison and his mum suffers from depression and has difficulty managing her three other children. Jack suffers from low self-esteem. John's mum and dad are recovering heroin addicts who are on methadone. They have a volatile relationship, often breaking up and getting back together. Bob has a stable family but his family has huge difficulties with their neighbours. Their windows have been smashed and their car damaged. Jim's

dad is in prison and his mum has mental issues, and Jim is very withdrawn. Matt has poor social skills and is constantly pulling and hitting other children. He has great difficulty making friends. Ben is a Traveller whose dad is in prison for assault and his mum is at home with many, many children. Ben is volatile and his behaviour is unpredictable. Adam is volatile, his behaviour is unpredictable and the teacher is not sure of his home background. Gerald's older brother took his own life. Luke's mum is an alcoholic, his dad was murdered ten years ago, his older brother is in residential care and another brother died tragically. He is currently in the care of his older sister. Lucy's dad is in prison, convicted of inflicting grievous bodily harm. Mary's mum and dad are drug addicts. Mary lived on the streets in her early years and is currently cared for by her grandmother. She is very withdrawn. Jessica's family are involved in crime. Maeve's mother was an alcoholic who was killed by a close relative who is in prison. She is currently cared for by her guardian, who is a functioning alcoholic. Linda's mum is a recovering addict and the father has left the home.

This report was given to me by the principal of a DEIS school, someone of the highest integrity who is not given to exaggeration. Any number of principals and teachers from other schools are listening to this debate who from their own experience can vouch for the truth of the shocking reality I have outlined in this one school. I talked to one principal who thought I was talking about his school and who was concerned I would identify the school.

This is the Ireland we live in and if the Minister does not know that, he ought to. As a teacher who contacted me said, the children in this school have done nothing to deserve this sort of treatment. Another said that without small classes and specialised programmes, the children will be condemned to educational poverty. The cycle of educational disadvantage was being broken so the removal of resources at this time will have a disastrous effect on our children.

When looking at this issue, we must also consider the loss of an estimated 700 school guidance counsellors in a move that Barnardos believes will severely affect children because of the essential role such counsellors play in supporting young people's educational, emotional and mental well-being. School guidance counsellors are often the first point of contact for young people when they experience difficulties. They are one of the few free supports available and they play a vital role in helping young people in times of crisis. Out of all the initiatives in DEIS, the withdrawal of support teachers could have the most detrimental effect on the teaching and learning in our schools. There are simply too many children with educational, emotional and behavioural difficulties for schools to manage without support teachers. Their loss will have a massively negative effect on the children who need additional help in school. It will undermine their basic right to receive an education in a calm and safe environment. This will result in more suspensions and expulsions and there will be significant disruption in classrooms and, in the long run, huge costs to the taxpayer.

It is recognised internationally that providing additional targeted support for children with special needs or from a disadvantaged background can make a significant difference in their lives. Child poverty in Ireland can only be eradicated if we tackle educational disadvantage that is passed from one generation to the next. When the DEIS initiative was launched, the accompanying action plan recognised that underachievement in school has profound and far-reaching consequences for children and adults in later life. Not only does it lead to economic uncertainty, it also has implications for the individual's well-being, health, self-esteem and participation in family and community life.

I will conclude by quoting from the views of many parents and teachers who have contacted my office on this issue. One parent said his children's literacy and numeracy levels have all improved in recent years. They are confident and happy, and enjoy going to school. She said

[Deputy Seán Crowe.]

she was very worried about their future. A teacher said to me that with class sizes increasing, children who need extra help will not get it.

These cuts contradict everything suggested in the new literacy and numeracy framework. The Government is taking a massive step backwards. So much for cherishing all the children of the nation equally as we approach 2016.

Deputy Pearse Doherty: Cuirim fáilte roimh an deis atá againn anocht an rún fíor-thábhachtach seo ar chúrsaí oideachais a phlé sa Dáil. Bhí sé iontach slítheánta an dóigh a thug an Rialtas agus an t-Aire na ciorruithe a chuir siad i bhfeidm i gcúrsaí oideachais. The Government introduced the education cuts in December's budget in a very sly way. We had the mantra from Government spokespersons, Ministers and backbenchers that class sizes had not changed. However, within days the Minister outlined the new staffing schedule for small rural schools which clearly indicates fewer teachers in smaller schools and more children in larger classes.

The issue of the DEIS schools will be well ventilated over the next two days. They particularly affect urban areas and schools in my constituency are not absolved from the impact of the Minister's decision. I have listened to parents and teachers in DEIS schools in Lifford, Carndonagh and other areas throughout the county who have told us about the real impacts on children's education and on the school environment. The DEIS school in Lifford will lose three teachers as a result of the Minister's proposals.

I wish to focus in particular on the Government's decision to try to force the closure of small rural schools. The Minister has made no bones about saying that the changes in school staffing schedules with four or fewer teachers has been done in order to give these schools an opportunity to consider amalgamation. I have also seen the reports from the Department of Education and Skills to the Department of Public Expenditure and Reform proposing other ways to force small rural schools to close down. The impact of this on rural areas will be huge. In County Donegal it will have a significant impact because of the rural nature of my county. Some 115 of the 176 schools in County Donegal have fewer than 100 pupils. I believe that more than 60 of them have fewer than 50 pupils. Nearly two thirds of the schools in County Donegal will be affected by the staffing schedule changes the Minister has announced.

However, while the Minister increased the staffing schedule by two for schools with four or fewer teachers, Gaeltacht schools will be more severely affected. A Gaeltacht school with four teachers requires 76 pupils to maintain its four teachers. The Minister has decided to increase that by seven and he has done it retrospectively. He has told those schools they now need to find seven more pupils if they want to retain their fourth teacher. Why did the Minister single out Gaeltacht schools for a more severe cut than that being taken by other schools? Every other school with four or fewer teachers will require two additional pupils, but the staffing schedule in Gaeltacht schools with a principal and three other teachers increases by seven.

It is not just that schools will lose teachers. The decision to allocate 0.2 of a resource teacher per mainstream classroom does not make sense. A four-teacher school will now have 0.8 of a post. The additional learning support will not be able to be amalgamated with this position and therefore teachers will have to share a position between two schools. The INTO pointed out that the resource teacher in a four-teacher school will have to travel to another school every day to provide 0.2 of a position to that school. However, within the same school there could be a pupil who is allocated five hours of learning support and the learning support person would need to travel from another school to go to that school. This would result in teachers passing each other on the roads going from school to school, providing education. As the INTO stated, the only people to benefit from this are the owners of the petrol stations along the way.

The Minister's proposals make no sense. In the past learning support and resource teachers were allowed to be amalgamated in particular for rural schools. I offer to meet the Minister and lead him through rural areas to show him how his decision will have an effect there.

Three weeks after the fact the Minister has asked for a report on DEIS schools. What educational example does that set for our children? One does not make decisions now and then ask for a report on the impact of it three weeks later. The Minister should have done his homework before the budget and should have known the impact his decisions would have on DEIS schools, learning support, resource teachers and mainstream allocation in rural schools. He should have made his decision clear and concise based on the evidence. What the Minister did was to rush in and we all know that only fools rush in.

Deputy Gerry Adams: One of the most unfair and morally reprehensible cuts announced in December's budget was the decision to increase pupil-teacher ratios in DEIS band 1 and DEIS band 2 schools, and the phasing out of legacy posts. I would have presumed that would have gone against the core political values of the Minister, as a long-standing Labour Deputy. It is a far cry from the Proclamation and cherishing all of the children of the nation equally.

Tá cur i gcéill á dhéanamh ag Fine Gael lena bpolasaí ar chúrsaí oideachais. Tá scoileanna timpeall na háite seo atá faoi bhrú anois agus is léir go bhfuil gá le tacaíocht a thabhairt dóibh, seachas míchothromas do pháistí a chothú. Bhí páistí ó scoil amháin taobh amuigh den Dáil inniu ag geataí Teach Laighin, in éineacht lena muinteoírí scoile, le tuismitheoirí agus garthuismitheoirí. Bhí siad feargach agus bhí an ceart acu a bheith mar sin.

My constituency of Louth has 20 DEIS schools, five post primary and 15 primary schools. These cuts represent an appalling dismantling of the support for pupils who have such a high level of need. There is an abundance of research of which the Minister must be aware. Was any of this equality-proofed? Was any of it reviewed in terms of the social consequences, hopes and opportunities in the lives of these young people? While minimal money will be saved it will be lost ten times over. Leaving aside the politics, the ideological position and the morality of it all, it is bad economics because in time the State will need to pay more to pick up on the social legacy left by these cuts. I ask the Minister not to review but to reverse his position on the issue. He should be ministerial and show leadership. He should have a social conscience on the issue.

My note indicates that at this point I should ask the Government Deputies to support these schools. However, where are the Government Deputies?

Deputy Finian McGrath: They ran away.

Deputy Gerry Adams: They are not here because they will not face up to this issue. I will dispense with that part of my script because there is no use in talking to myself.

DEIS schools play a huge role in children's education. Another matter is the issue of guidance counsellors. Apart from guidance such counsellors give on careers, education and so on, they are the first port of call for many children with difficulties in their lives. That has also been dismantled, which is very short-sighted. Where is the equality in any of this? These cuts will copperfasten inequality. We will see emerging in this State two different types of Ireland peopled by the people of the bottom of the ladder who have not emigrated or are not on the dole, who will be cemented into their inequality while those at the top of the tier will have their positions reinforced. I do not believe Irish people want to see that happen. It is totally unacceptable.

This is not about money and it should not be reduced to money issues, in particular by a Government which will by March of this year have given €4.3 billion of taxpayers' money to

[Deputy Gerry Adams.]

criminal banks and unguaranteed bondholders. As a representative of County Louth and from all of my experience in west Belfast, I know the huge effect which small amounts of money can have on disadvantaged areas in terms of uplifting possibilities and opportunities, in particular, for young people. Let us not consign another generation of people to a life on the dole or to emigration. Mol an óige agus tiocfaidh sí. Even those who have Gaeilge bhriste know the sense and wisdom of that proverb. Mol an óige agus tiocfaidh sí — nourish the young and they will come right. Do the opposite and we create problems for ourselves.

This is an indication of whether the State values and is committed to all citizens. This Government is clearly saying it is not committed to all citizens. The Minister, if he proceeds with these cuts, is clearly saying he does not believe in equality. What would James Connolly, whose bust is here, do? In modern republicanism the core values must be around access to education, the right to a job, a home, a clean environment and a good health service. What would be the view of the founder of the Labour Party on this issue were he here today debating this matter in this Chamber? Sin mo mhéid. Tá mé fíor cinnte má amharcann an tAire isteach ina chroí go leanfaidh sé an treo ceart, ach má leanann sé ar aghaidh leis an bpolasaí seo, leanfaidh sé an treo mícheart. Nil ciall ar bith le sin.

I appeal to the Minister to reverse this decision and to stand by the pupils, parents, grandparents, teachers and staff in DEIS schools.

Deputy Pádraig Mac Lochlainn: I had the privilege once of being a member of an audience listening to a speech by the former general secretary of the Labour Party, Mr. Mike Allen. It was one of the best speeches I ever heard. Mr. Allen talked about the impact of unemployment on working class and rural communities across the country following the 1980s and compared it to the potato famine, which devastated this country. He said that it was not so much the famine that caused the devastation but the cholera, disease, hopelessness and loss of our language and that in the 1980s it was not so much the unemployment crisis but the heroin, despair, inter-generational unemployment and impact of it that caused the devastation. He made that speech to the then Taoiseach, Mr. Bertie Ahern. One could have heard a pin drop. It was a superb comparison.

The Minister will be aware that much of the work being done by DEIS schools is addressing the legacy of the 1980s. Almost half the number of people currently on the live register are long term unemployed. In my constituency of Donegal north-east, emigration is rife again. Thousands of young people across the county with a population of 160,000 people have emigrated. Unemployment has increased from 8,000 to 23,000. The impact of this on the ground is horrific. The same is happening in our cities. DEIS is dealing with the legacy of the last economic depression. The current recession is taking from this and the previous generation, which is insanity.

I do not perceive Ministers and Members opposite as indecent but the policies they are pursuing are fundamentally indecent. How can they look the people of their communities in the eye, some of whom they went to school with, played football with or socialised with all of their lives and tell them this is right? How can they tell the teachers who took up the challenge to reverse the impact on education of the last recession, that this is fair when in a few weeks time the Government will write a cheque for €1.2 million to people who I and they know should never see one cent of that money? It will do the same in respect of a further €3.1 billion by the end of March.

At what point will we look back to James Connolly? At what point will we find the essential Irishness, the fighting spirit within ourselves, to stand up for the vulnerable young children and teachers at the front-line who have done Trojan work and reversed the tide of the 1980s? These

teachers who are now facing another tide need more, not less resources. The challenge to the Members opposite is to do something about this profound injustice.

At what stage will the Government raise with Chancellor Merkel, President Sarkozy or whomever are the Ministers for education in Germany and France how its Ministers are to justify these types of insidious, unjust, indecent cuts against the most disadvantaged people in this country while it pays wealthy, greedy, reckless, elite investors around the globe? What I am witnessing is remarkable. It is the hijacking of decency and democracy by an elite which gambled recklessly, lobbied for low regulation and took over the sanity of Governments and economists and destroyed our economies. What have we done? We have rewarded them and put them at the head of the European Central Bank, ECB, and made them technocratic Prime Ministers in Greece and Italy.

At what point do we look at the busts around this Chamber and acknowledge our inheritance as Irish citizens? The Proclamation at the front door which vows to cherish the children of the nation equally is my inheritance as a Teachta Dála. At what point do we find within ourselves the ability to fight against this disastrous situation we face? I am sure that in 20 years' time I will review more speeches by people like Mr. Mike Allen and others engaged in community activism. We will review the speeches of another Mike Allen in regard to the impact of this recession and the need to address it, to which speech another Taoiseach will listen, comment that it was great but will not do anything.

I do not consider myself to be a more decent man than the Minister or Minister of State. However, they and their Cabinet colleagues have the power to change things. They can start by reversing these cuts. They could make a statement by no longer punishing the most vulnerable or crushing the morale of the teachers, communities and people on the front line in this area. I appeal to them to find their Irishness and spirit and to do justice to the fight of those who came before us.

Deputy Sandra McLellan: I welcome the opportunity to speak on this motion and take this opportunity to welcome all the visitors in the Visitors' Gallery, particularly those whom I met earlier from St. Louise's school, Ballyfermot. On the first day back after the Christmas break, a time when families traditionally come together, it is appropriate that Members should have a chance to discuss the Government's scurrilous attack on the very fabric of Irish society. This was a stark Christmas for many families who were made face into another year of Government-prescribed austerity in which a myriad of stealth taxes and charges on the horizon have been promised and guaranteed. Virtually all such families have been affected either directly or indirectly by the scourge of unemployment and forced emigration and their children have been forced to leave because of disastrous Government policy. The novelty of using Skype soon gives way to the fact that one's own children must travel halfway around the world simply to afford a decent existence. Moreover, if they have managed to return home for Christmas, they are merely visitors in their own homes. The Government's policy has failed young people. It has failed to deliver either jobs or growth and most of all, it has failed to deliver hope. As all the economists and financial commentators line up to give their assessments and to highlight the need for a second bailout or ten more years of austerity, Deputies from both Sinn Féin and the Government know this is set to continue to fail, despite the protestations to the contrary of the Minister, Deputy Noonan.

The cuts to the DEIS programme announced in the budget deserve particular attention both because of the devastating effect they will have on those children who are covered directly by the scheme and in the broader sense, having an appreciation of the role of education to society as a whole. This State at times has had nothing less than a shameful record on education. Children born into disadvantaged families have always been the ones to bear the brunt. A two-

[Deputy Sandra McLellan.]

tier education system continues to exist in this State and schemes that went some way towards its redress, such as the DEIS scheme or free third level education, are being hollowed out. It is probably appropriate to remind Members that DEIS stands for delivering equality of opportunity in schools. Although it stands for delivering equality of opportunity to society's youngest and most disadvantaged or most vulnerable, a Labour Party in coalition sees fit to target this scheme. How can its Members do this at a time when the DEIS scheme is more important than ever?

In a climate of high unemployment and increasing rates of poverty, crime rates, mental health issues, suicide rates, substance abuse and strain on people and families, it is incumbent on the Government to show leadership and to show what we as a people stand for. If not through the education of our children, how do we shape the society in which we live? In essence, equality of opportunity is about fairness. It is about giving each child who, through whatever quirk of geography, genetics, environment or circumstances has found him or herself at a disadvantage from an early age, a chance to reach his or her full potential. Cuts to DEIS schools are the definition of unfairness and epitomise the ideological basis on which the Government approached budget 2012. Cuts to DEIS schools in any circumstance are regrettable but when billions, comprising many multiples of the entire education budget, are being pumped into defunct and toxic financial institutions and are used to pay off private speculators in some sort of submissive apology to our paymasters, cuts to DEIS schools are offensive. They should be offensive to all Members of this House. I dare say it disgusts and angers the very people who elected the Labour Party Deputies, a fact of which I am sure the latter are well aware. These changes will mean that many children in these schools will have significantly reduced access to learning and language support. The very children who need the most intensive educational support with regard to literacy and numeracy will be most affected by these budget measures.

I urge all those Labour Party Deputies who spoke out on the issue over the weekend to stand by the strength of their convictions, join their colleagues who did so previously and reject the Government's systematic assault on both the most disadvantaged and most vulnerable in society and on the very fabric of society itself. This Government strategy is the wrong one, as there is a better and fairer way. I ask all Deputies to support the Sinn Féin motion.

Deputy Martin Ferris: Nearly two years ago, I sat on these benches and listened to the Labour Party leader accuse the then Government of economic treason. Many people outside this House agreed with what the then Deputy Gilmore had stated, while others were quite shocked. I am disappointed about the expectations of the people, as reflected in the election of February of last year. I refer to the hope and expectations they believed would come about as a result of changing the Government. It was hoped the Government would be more fair, would look after those who were most in need and essentially would be a better and more transparent Government. However, I can discern no difference between the policies and budgets of the current Administration and those of its Fianna Fáil-Green Party predecessor. I cannot understand how the Minister, Deputy Quinn, can claim to be a Labour Party person who represents and espouses the aims and aspirations of James Connolly and similar people, while penalising the most disadvantaged in society. I cannot understand how, in the recent budget, a Labour Party Minister, Deputy Burton, penalised people with disabilities aged between 16 and 24 and nor can I understand how the Labour Party can remain in government while penalising schools in disadvantaged areas through cuts.

The Minister had choices when drawing up the budget in Cabinet. He could have made choices that would have protected the disadvantaged, those with disabilities and elderly people.

While he could have made choices that would have protected and enhanced the education system, he acquiesced and took what he considered to be the easy option. I would expect this from Fine Gael, which, after all, is a right-wing party. It is a party that represents the upper class and the privileged. It is a party that suggests education should be a privilege for those who can afford it, namely, the rich and the elite. However, I cannot understand the reason the Minister, as a member of the Labour Party, should target the most discriminated-against sections of society. The Minister's party leader's accusation against the then Government of economic treason is quite applicable to the current Administration right now.

However, I refer to other people within the Labour Party around this island. Councillor Ryan of Waterford City Council, together with the Fine Gael councillors, supported a Sinn Féin motion against these cuts. There are other Labour councillors around the country who are disgusted by what the Minister is about to do regarding cuts in provision to disadvantaged schools. One choice the Minister could have made and which formed part of the Labour Party's pre-Government proposals, pertains to a third rate of tax. Although a third rate of tax would have brought in enough money to protect people with disabilities as well as the rights and entitlements of people in disadvantaged areas, the Minister instead went for the more vulnerable and those who are most at need in our society and communities. How can he sit in this Chamber and call himself a representative of the Labour Party or of the working class? How can his party vote for and support in this Chamber a budget that is targeting those most in need in our society and communities? I cannot understand this as there are good people on the other side of the House. While I acknowledge Members opposite are disgusted with what the Government is doing, they should get off their arses and stand up to it. They should not sit there like sheep and acquiesce in what they have been told by the Government. They should get up off their knees and stand by the people in need. They should stand by their pre-budget submissions on the requirements of those who are most disadvantaged in DEIS and disadvantaged areas. Those Members should stand by what they said about education being a right for all of the people, not a privilege for those Fine Gael has always represented, namely, barristers and those who comprise the so-called elite in our society, the members of the privileged class. Now that the Minister's party is representing the privileged class, it is no different from Fine Gael. There is also no difference between this and the previous Government. The previous Government was accused of economic treason by the Minister's leader, in the same way as I accuse the Minister of economic treason for targeting the most needy and the most vulnerable in our communities who deserve support most.

Minister for Education and Skills (Deputy Ruairí Quinn): I move amendment No. 2:

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

- acknowledges that the plans set out by the Government in Budget 2012 form an important step in returning Ireland's economy to a sound footing and regaining our economic sovereignty;
- recalls the pioneering measures first taken in 1996 by the then Fine Gael-Labour Party Government by the introduction of dedicated supports for tackling educational disadvantage, with the purpose and objective of ensuring that educational attainment is not confined by the circumstances or place of a child's birth, and that each child has the opportunity to attain their full educational and social potential;
- notes the further development since that time of a series of initiatives, including the Delivering Equality of Opportunity in Schools, DEIS, Programme;

[Deputy Ruairí Quinn.]

- commends the commitment, dedication and unstinting work since that time of teachers, principals, school staff, parents and others in the school communities concerned who have worked to ensure the success of DEIS and related schemes in the face of multiple challenges and difficulties;
- notes the successes that have been achieved to date in improving educational opportunities and the life chances of the children who have benefited from these measures;
- notes the resources that have been committed to these schools under a range of headings, including over €158 million that is being provided in 2012 in additional resources and supports for primary and second level schools included in DEIS, in the form of:
 - teaching posts to implement more favourable class sizes;
 - additional capitation funding;
 - additional funding for school books;
 - access to the School Meals Programme;
 - access to numeracy-literacy supports and measures at primary level such as Reading Recovery, Maths Recovery and First Steps;
 - access to Home-School-Community Liaison services;
 - access to the School Completion Programme;
 - access to planning supports;
 - access to a range of professional development supports; and
 - provision for school library and librarian support for DEIS Second Level schools, access to the Junior Certificate School Programme and Leaving Certificate Applied;
- notes the priority that has already been afforded by the Minister for Education and Skills, Deputy Ruairí Quinn, TD, to the core issue of improving literacy standards and literacy strategy that is currently being implemented; and
- welcomes:
 - the firm commitment of the Government to the principle of equality of educational opportunity;
 - the determination of the Government to further the attainment of this goal through the design and implementation of coherent and evidence-based strategies which builds on these achievements;
 - the engagement by the Minister for Education and Skills with school principals, teachers, parents and communities in recent weeks, to hear their concerns and clarify the position in relation to changes announced under Budget 2012 to

posts allocated to schools under previous schemes to tackle educational disadvantage; and

- the fact that, following this engagement, the Minister for Education and Skills has asked his Department for a report within the next four weeks on the position of DEIS Band One and Band Two schools which currently have posts under older schemes, in the context of the staffing allocations due to issue to all schools in the coming weeks.

I would like to share time with Deputy John Lyons.

An Leas-Cheann Comhairle: That is agreed.

Deputy Ruairí Quinn: The education allocation for current expenditure in 2012, including from the national training fund, will be €8.604 billion. This represents approximately 17% of all current expenditure this year. Savings measures announced in the budget will provide net savings of €76 million in 2012, increasing to €241 million in 2014. Achieving savings in my Department's budget has required very difficult decisions to be made, particularly at a time when the schoolgoing population is increasing. We are dealing with a very difficult situation in the education sector where we have to find savings and control the increase in public sector numbers, considering that one third of all public sector employees work in the education sector.

It is important to note that a key aspect of the EU-IMF programme of support and Ireland's overall budgetary strategy is a requirement to reduce the public sector payroll. This is particularly challenging in the education sector; unlike other countries, our schoolgoing population is rising rapidly. Places have to be provided for the extra 70,000 pupils who will be arriving in schools in the next six years. Teachers have to be appointed to teach them. Providing for increased enrolments is a key priority but making some adjustment to teacher numbers is unavoidable, given the budgetary constraints. The net impact on overall teacher numbers in schools has been minimised to the greatest possible extent. It is important that we have effective redeployment arrangements in place to ensure all surplus permanent teachers are redeployed into vacancies in neighbouring schools. Despite the pressures on spending, the Government has shielded, to the greatest possible extent, front-line services in schools. There has been no increase in the mainstream staffing schedule general average of 28:1 for the allocation of classroom teachers at primary level. The overall number of special needs assistants and resource teachers will be maintained at current levels.

Notwithstanding certain cost implications, my Department has prioritised a reform agenda in certain key areas. Among the measures planned are implementation of the literacy and numeracy strategy which will cost an additional €6 million in the current year; reform of the junior cycle which will cost an additional €1 million in the current year; the roll-out of 100 mbps broadband for second level schools which will cost €1.4 million in the current year; labour activation fund proposals to increase the number of places for jobless adults; and implementation of the report of the Forum on Patronage and Pluralism.

The Department introduced a general allocation mode, GAM, for primary schools in respect of teachers in September 2005 in order to provide additional permanent teaching resources to assist schools in making provision for children with learning support and higher incidence special educational needs such as mild general learning difficulty. Prior to the introduction of the GAM, schools had been required to apply for additional learning support resources based on assessments for each individual child with higher incidence needs. The staffing allocation for many schools under the GAM has not been updated since it was first introduced seven years ago in 2005. As part of the reforms to the teacher allocation process it will now be

[Deputy Ruairí Quinn.]

updated from September 2012 for all schools through a redistribution of existing resources. The combined resources available for GAM and language support services, currently a total of 4,700 posts, will be used to create a single simplified allocation process to cover GAM learning support and language support services. This new single allocation will be based on the number of classroom teaching posts in each school in the previous school year, that is, the allocation for the 2012-13 school year will be based on the number of mainstream classroom teaching posts in the previous school year. This simplified approach will make it easier to automatically update it annually in line with the changes in the number of classroom teachers in each school.

Schools will have autonomy on how to deploy the resource between language support and learning support services, depending on their specific needs. The single allocation process will involve the allocation of the equivalent of around 4,100 posts as follows: an allocation of five hours per week, or 0.2 of a post, to each mixed or all boys' school for every mainstream classroom teaching post; and an allocation of four hours per week, or 0.16 of a post, to each all girls' school for every mainstream classroom teaching post, rounded to the nearest 0.2 of a post to facilitate clustering into full-time posts.

I again confirm what I undertook to do in December, which was to make some adjustment to reflect the particular position of DEIS band one schools in the new GAM allocations. The details will be notified to schools in the coming weeks as part of the Department's staffing circular to schools.

The new GAM allocations are being made in five hour blocks, which is the equivalent of the tuition time in a full school day. Teachers who are in shared posts between schools can, therefore, operate local arrangements that enable their travel to a neighbouring school, where possible, from the start of the school day, thus avoiding loss of tuition time. The new GAM arrangements also provide for additional support to be given to schools with high concentrations of pupils who require language support.

With regard to resource posts and the allocations made by the National Council for Special Education, NCSE, as part of the reforms to the teacher allocation process, existing posts will be used to put in place a network of about 2,450 full-time resource posts in over 1,600 base schools throughout the country that will be allocated on a permanent basis. This approach builds on the interim arrangements operated in 2011 but in a more structured and transparent manner. The annual changes in resource hours at individual school level will only have an effect where the teacher is working on any one day, they will not have an effect on whether the base school continues to host the full-time post. This approach will introduce greater constancy in the context of the annual allocations and redeployment process.

The teachers in these full-time resource posts will undertake NCSE approved — low incidence — resource hours in the base schools or neighbouring schools. Schools are typically notified of their NCSE approved resource hours in the late spring-early summer period but also throughout the school year. Through his or her role in allocating resources the local special education needs organiser, SENO, will have an oversight role in relation to the sharing arrangements between schools in order that they can operate as efficiently as possible and any time loss due to travel between schools can be kept to a minimum. Schools that are unable to access their NCSE approved resource hours from this network of full-time resource posts will be allocated mainly part-time temporary posts.

With regard to the staffing schedule for small primary schools, while there is no increase in the staffing schedule general average of 28:1 for the allocation of classroom teachers at primary level, there will be a phased increase in the pupil threshold for the allocation of classroom teachers in small primary schools. As part of the budgetary decisions the number of pupils

required to gain and retain a teaching post in small primary schools will be gradually increased between September 2012 and September 2014. The schools concerned are those with four or fewer classroom teachers. It is important to emphasise that no small schools will be closed owing to the changes announced.

The phased adjustment is estimated to yield a saving of 250 teaching posts in the next three years, with 100 of these posts being removed in 2012-13 school year. The resulting surplus teachers will be redeployed to vacancies in neighbouring schools in accordance with the redeployment arrangements. The phasing of these measures provides the schools concerned with time to consider the potential for amalgamation with other schools where this is feasible. There is a significant number of small schools across the country. For the information of the House, there were once 6,500 primary schools in Ireland. Now, there are 3,200 mainstream primary schools.

I will deal now with the budget measures relating to guidance provision at post-primary level, which has been the subject of some discussion. Guidance posts at post-primary level will no longer be allocated to post-primary schools on an ex-quota basis — that is, the additional allocations for guidance provision will cease from September 2012. Guidance provision in future will be managed by schools from within their staffing schedule allocation. In this way, schools will have discretion to balance guidance needs with the pressures to provide subject choice. The relevant budget measures, including those relating to guidance, come into effect from September 2012. Schools will be notified in the normal manner in relation to these changes. My Department will issue a circular this month which will outline the staffing arrangements in schools for the 2012-13 school year.

Until now, a specific resource was provided for guidance in addition to the standard teacher allocation for post-primary schools. In future, schools will be obliged to meet their guidance requirements — these are statutory in nature — from within the overall resource provided by that normal staffing schedule. Individually, schools will be able to continue to make provision for guidance and counselling. Decisions on how this will be done will be taken at school level in the best interests of students and to ensure the best use of resources available. I am confident that school management and teachers will continue to work together to meet the needs of the students in their care.

The recent budget also provided for the filling of 300 assistant principal posts in post-primary schools. This is above the level originally planned and it will ensure that schools will have sufficient management positions to ensure appropriate supports — including those provided by year heads — will be available for all students. This is an important change which will reduce the impact of the moratorium on the filling of posts of responsibility in second level schools. Principals will now have something they have been seeking for a long period, namely, greater autonomy to decide the priorities as between subject provision and guidance counselling. I have no doubt that leaving certificate students will receive sufficient guidance, particularly in January when they are completing their CAO forms. Our schools are caring institutions and I am satisfied they will provide the necessary supports for vulnerable pupils in their care. All teachers, not just guidance counsellors, have a duty of care to their students.

The Government will continue to prioritise targeted supports for schools with the most concentrated levels of educational disadvantage through the delivering equality of opportunity in schools, DEIS, programme. These supports will be over and above those available to other schools. In the region of €700 million continues to be provided for tackling disadvantage across the education spectrum, from preschool to further and higher education. This includes schemes such as the school completion programme and disadvantaged youth, which is now under the

[Deputy Ruairí Quinn.]

aegis of the Department of Children and Youth Affairs, and the school means programme, which is administered by the Department of Social Protection.

DEIS post-primary schools will be targeted for additional support through an improved staffing schedule of 18.25:1, which is an improvement of 0.75 when compared to the existing standard 19:1 which applies in post-primary schools that do not charge fees or to the 21:1 ratio which will apply in fee-charging schools. The Government is also providing €13 million in enhanced funding and €2 million in school book funding for DEIS schools, as well as a €26 million investment in home-school community liaison. All of these areas have been protected from reductions in expenditure for 2012. In addition, €27 million will be provided next year for the school completion programme, which is a major component of DEIS and which is funded by the Department of Children and Youth Affairs.

The DEIS action plan, implemented in 2005, represented a significant advance in dealing with educational disadvantage because it was the first comprehensive initiative in this area developed by drawing, in a co-ordinated fashion, on appropriate data sources to identify indicators of disadvantage which then provided the basis for the identification of schools for inclusion in a suite of integrated supports under the programme. DEIS recognises that barriers to the educational progress of children and young people are varied and are not just related to issues within the education system. It also recognises that solutions will not be found just within that system but by working in partnership with others across Departments and agencies and the wider community.

Prior to the introduction of DEIS in 2005, educational inclusion schemes had targeted additional supports to schools in disadvantaged areas under a range of unco-ordinated measures. Among these were the disadvantaged areas scheme, DAS, introduced in 1984 when Labour was previously in government, Breaking the Cycle, which was introduced in 1996, and Giving Children an Even Break, introduced in 2000. All of these were primarily aimed at reducing class sizes. Through a lack of integration of the schemes at their time of introduction, some schools were included in all schemes while others were included either in some or just one. Posts allocated under schemes which predated DEIS, which are the focus of the current adjustments, were retained by schools despite the fact that such measures were not warranted under the programme. It was considered essential that the focus should be on preserving the core activities and resources applied to DEIS because the programme provides for a more integrated and focused approach, addressing the educational needs of children and young people in disadvantaged communities from preschool through second level — in other words, between the ages of three and 18 — supported by a much increased emphasis on target-setting and measurement of progress and outcomes.

The aim of DEIS is to ensure that the educational needs of children and young people from disadvantaged communities are prioritised and effectively addressed. Its core elements comprise a standardised system for identifying levels of disadvantage and an integrated school support programme, SSP, which brings together and builds upon existing interventions for schools and school clusters-communities with a concentrated level of educational disadvantage. Following the comprehensive identification and review processes in 2005 and early 2006, and allowing for the inclusion of new and newly amalgamated schools and for closures, some 865 schools — 195 post-primary schools and 670 primary schools — are currently included in the SSP under DEIS.

DEIS primary schools are subdivided into three classifications to reflect rural and urban status and levels of disadvantage. These currently include 199 urban band 1, 144 urban band 2 and 327 rural primary schools. More than €158 million is being provided to make additional resources and supports available to primary and second level schools included in DEIS. These

supports include more favourable pupil-teacher ratios in band 1; additional capitation funding; additional funding for school books; access to the school meals programme; access to numeracy-literacy supports and measures at primary level such as reading recovery, maths recovery and first steps; access to home-school community liaison services; access to the school completion programme; access to planning supports; access to range of professional development supports; provision for school library and librarian support for DEIS second level schools; and access to the junior certificate school programme and the leaving certificate applied.

Just prior to Christmas I received three evaluation reports on DEIS, which indicate that it is making a measurable contribution to improving outcomes for children in schools which benefit from it. Research and evaluation are essential tools underpinning DEIS and my Department has commissioned the Educational Research Centre, ERC, to conduct an ongoing independent evaluation of the SSP component of DEIS in primary and post-primary schools in order to assist in successful implementation of the programme and to assess its impact while ensuring that the best possible approaches to measuring progress and outcomes are implemented and that any adjustments to the programme will be made on the basis of the outcome from both the research and evaluation processes.

The first evaluation I received — which is the second in a series by the ERC — involves the evaluation of DEIS in urban primary schools, with a particular focus on achievement in English reading and mathematics based on testing carried out in 2007 and 2010. The initial findings of the evaluation show that when the overall average reading scores for urban schools for 2007 and 2010 were compared, there was an overall improvement in average reading and maths achievement. The improvements are statistically significant at all grade levels in both English reading and mathematics. Improvements are greatest at lower grade levels, with the largest gain among second class pupils. Progress appears most marked among pupils with lower levels of achievement. Positive change in achievement is most evident among junior grades. In addition, the inspectorate of the Department undertook evaluation in a sample of 36 DEIS schools and the findings are supportive and significant.

When the DEIS system was introduced at a time when the economic landscape was more favourable, as a concessionary measure schools were allowed to retain the staffing benefits they had under previous disadvantaged schemes in addition to resources provided under the new system. The previous schemes included the disadvantaged areas scheme, breaking the cycle, giving children an even break and the support teacher project. Schools not selected for DEIS but operating under older schemes also retained teaching and financial resources from these previous schemes up to 2008-09 when they were withdrawn under the budget of the previous Government. A decision was taken to withdraw 428 posts from earlier disadvantage programmes and schemes in 270 primary schools and 163 post-primary schools. A total of 20 of these posts were allocated to the professional development service for teachers to work directly with schools providing in-service relating to the implementation of literacy and numeracy under the national literacy strategy.

The implementation of the literacy and numeracy strategy for the period 2011-20 includes a commitment to support enhanced literacy and numeracy provision for students from socially, economically and educationally disadvantaged backgrounds. For some schools particularly impacted by the withdrawal of disadvantage posts, several teaching posts are being held in reserve to reduce the impact of changes. These are associated with the schools most acutely affected by these measures. The special position of DEIS schools will also be recognised in adjustments to the general allocation model, which is used to allocate learning and language support teaching posts to schools.

[Deputy Ruairí Quinn.]

All schools will be notified in the coming weeks of their staffing entitlements under the new arrangement, including any alleviation measures that may apply. This will allow schools to plan for the school year beginning in September. Conscious of the concerns of some schools that will be adversely affected by this measure, I have met with school principals, teachers, parents and communities in recent weeks to hear their concerns and to clarify the position in respect of changes announced under budget 2012 to posts allocated to schools under previous schemes to tackle educational disadvantage. I have also held many meetings with members of my parliamentary party and all Government colleagues, who have performed an invaluable service in allowing me to develop our understanding of the actual impact of the proposed measures on these schools. Consequently, I have asked my Department for a report within the next four weeks on the position of DEIS band 1 and DEIS band 2 schools which currently have posts under older schemes in the context of the staffing allocations due to issue to all schools in the coming weeks. I have attempted to make it clear at all stages that we wish to examine the exact situation as it pertains to each individual DEIS school on a case-by-case basis. This report is the next step in that examination.

As we have stated in the amendment to the motion, I wish to place on the record my admiration and appreciation of the extraordinary commitment, dedication and affection involved in alleviating educational disadvantage within our schools. I refer in particular to the work of teachers, principals, staff, parents and wider school communities in ensuring the continued success of the DEIS scheme and the education of so many children from disadvantaged homes and communities. This work allows children to experience a genuine equality of opportunity which was denied to too many children in this country for too many years.

My personal commitment, and the stated objective of the Government is to continue working to develop strategies that will strive to eliminate educational disadvantage from our society. I hope that all DEIS band 1 and DEIS band 2 schools will be assured of our commitment to resolve the current issues within the timeframe I have outlined. After all, we have an honourable record in democratic politics, especially in the area of education and it is my intention to live up to that record.

Deputy John Lyons: I am privileged albeit a little nervous to speak on this matter. Sometimes we come in here and speak about things somewhat outside, whereas today I am speaking about something close and personal. I put it to the Sinn Féin Party that it is not the only party with a monopoly on what poverty looks and smells like. We do too. As a Labour Party member I am aware of what poverty looks like, especially as someone who has grown up in Ballymun and who has chosen to live there. I attended what would be today a DEIS school and the children of my brothers and sisters attend DEIS schools. I know what that is like. I have spoken to the Minister and brought back to him what I have heard not only from listening to teachers but from people who I know, including my neighbours, whose children also attend DEIS schools.

The DEIS system does transform the lives of the children who go to these schools. Along with the legacy posts that went before which were referred to earlier, it has offered a chance to break the cycle in these communities. The first Member from Ballymun is standing here tonight discussing the matter. The type of work DEIS schools carry out allows this to take place. For the first time we are seeing children from Ballymun and Finglas reaching the national literacy levels at the same age as children from the rest of the country. This is because of the commitment of the extra resources that the DEIS system brings to these schools. We cannot afford to do anything to stop it. We must continue to break the cycle.

Ultimately, this is about giving people a fair chance. It is about allowing people to reach their full potential and to allow them perhaps to have a sufficient level of literacy so that when they attend secondary school they are able to read properly and engage with school and not act out and end up outside the classroom. This is what DEIS system does. It transforms the lives of the individuals who access these programmes and attend these schools. In addition, it transforms the families and ultimately the communities.

As the Minister and everyone here is aware, the work DEIS has done and that of the projects that went before it cannot be described on paper. However, we must continue what we are doing at the current levels. I spoke to the Minister about this beforehand. I will support the amendment to the motion because there is spirit in the words of the last paragraph, which resolve to examine and review what DEIS offers at the moment.

I sound one word of caution. I hope that the review will allow the schools that are delivering a top quality service to continue. The additional teachers in place are not drossing, they are probably working more hours than teachers in other schools but not getting the pay. They earn their pay because some of these teachers have been working in these schools for years. They are in the tough schools earning their bucks. They work more than they should because they are committed. These teachers come to us because they believe in the children. It is not about having an extra teacher in the school so that one can sit in the staff room drinking tea. It is about delivering as much as they can at whatever scale they can and to serve the needs before them.

We are all aware that the needs in these schools are acute. The most difficult children are in these schools. However, the great thing is that when the resources are put in place one can transform this and this is what DEIS system is doing.

Deputy Joan Collins: The resources are being taken out.

Deputy John Lyons: I am confident that at the end of this review the Minister will ensure these DEIS band 1 and band 2 schools will continue to have sufficient resources to continue to deliver the work that they are doing so that, hopefully, there will be another John Lyons here at another time.

Deputy Micheál Martin: I wish to share my time with Deputy Brendan Smith and Deputy Éamon Ó Cuív who, I anticipate, will arrive in the nick of time. We have 15 minutes to speak so it will be a difficult challenge to deal with all aspects of this issue.

Since it came to office, this Government has placed a higher priority on the presentation of announcements than on their content. Nowhere was this clearer than during the week of budget announcements in December. Ministers and backbenchers alike operated to the same set of speaking points, central to which was the claim that the budget was based on being fair. In area after area, the implementation of the budget has been shown to be the exact opposite. It is the most regressive and unfair budget for many years, and the commentary of the ESRI has testified to this, with the targeted cuts to fall more on those who have the least. This is just as true in the area of education as it is for the Government's tax and welfare policies. When spending plans were announced, the Government stated that education was being spared, with the pupil teacher ratio being left untouched. That was the greatest deceit articulated during the budget debate itself.

The budget documentation states that "a key priority is to continue to prioritise and target available funding at schools with the most concentrated levels of educational disadvantage". We know that the detail of the budget has shown exactly the opposite. The pupil teacher ratio in schools will rise significantly this year, with the removal of nearly 600 posts from disadvan-

[Deputy Micheál Martin.]

taged schools, 800 posts in guidance counselling and 100 posts in rural schools. That is in the Minister's documentation, yet the first half of his speech was gobbledegook. He should stop insulting people with language such as "the general allocation model has been updated". In the name of God, does he know what that means? It means that posts are being lost. There are seven schools in my own area with DEIS band 2 status, and they will lose 30 posts. The updating of the general allocation model to those schools means a reduction of 30 posts. Let us stop this language which represents a complete disconnect with the reality on the ground. The Minister says he is talking to principals, but principals will tell him about this if he actually talks to them. Three schools with DEIS band 1 status in my area have lost nine posts.

This is unacceptable. I have not witnessed such an unprecedented assault on disadvantaged schools in a long time. No school can be expected to shoulder a loss of two school teachers in a DEIS 1 school or a loss of three or even five teachers in some DEIS band 2 schools. That is what is happening through this gobbledegook about updating general allocation models, five hour blocks of resources and the changes in respect of language teaching supports. Adding it all up means double and treble whammies on the impact on teacher numbers in schools. It is the children who need it most who are suffering. I have met the teachers and the parents in the schools in many communities. They are in absolute despair.

The latter half of the Minister's speech was a bit better in terms of the impact of DEIS itself. That is the point. DEIS is actually working. It is having a huge impact on literacy and numeracy achievements and school planning. The Department's inspectorate carried out a report on the DEIS model for school planning, and recommended that it be rolled out to every other school in the country. It will be impossible to carry out such school planning if the Minister goes ahead with these cuts. Why then does the Minister impose these cuts on the schools if all the demonstrable evidence is that it is working to great effect?

Sometimes Ministers and backbenchers claim that they have no option and they have been forced to take these actions due to circumstances imposed on them. However, the Minister's own document shows that he proposed these cuts himself to the Minister for Public Expenditure and Reform. On 9 September 2011, the Minister finished his review of education spending and sent it to the Department of Public Expenditure and Reform. He dealt with the disadvantage schemes at length. He acknowledged that they had been independently studied and had delivered undeniable progress for many thousands of pupils. In spite of this, he recommended cutting these posts because he could not find any "objective and equality grounds" for retaining them. In other words, the Minister proposed these cuts because he felt they were the right thing to do, not because he was forced to do so.

Part of the spending review on the national literacy and numeracy initiative has been withheld from the public, but the details which are available show that key parts of it are to be funded through those cuts to school supports. It is political cynicism of the worst type to cut support for a disadvantaged scheme in order for the Minister to claim that he is creating another one. He has repeatedly said that the DEIS scheme should apply uniformly to all disadvantaged schools, but that goes directly against the evidence that we cannot have a one size fits all approach to disadvantaged schools and pupils. There are different scales of disadvantage and different issues, which is why we retain the staffing of the earlier schemes when DEIS was set up. These schools have extra supports, not because of a legacy issue, but because they actually need them. Studies have repeatedly shown how literacy, numeracy, home schools links, school completion programmes have all significantly improved the work of the teachers whose posts are being cut. The benefit to families, communities and the entire country from this modest spending has been enormous. The sudden withdrawal of so many posts will have a huge and damaging impact.

I believe there are alternatives to this. I ask the Minister not to rely on reviews and reports, but to accept the general consensus. Our first motion under Private Members' business was about education. We wanted to be constructive and say that all parties in the House should affirm the primacy of education as the key pillar for equality of opportunity, reflecting our republican ideals and principles. I ask the Minister to reverse the cuts on the DEIS schools, and to allow them to continue to build on the outstanding progress that has undeniably been made. I appeal to him to respond to this debate this evening by reversing the cuts to the DEIS schools and retaining the posts.

Deputy Brendan Smith: The amendment refers to the importance and success of the DEIS programme, the serious difficulties that would arise from many schools with the withdrawal of 428 posts. We note the progress that has been made under these programmes. We also recognise the huge concern of so many parents with the proposal to change the method of allocation for career guidance and counselling, and we also outline very strongly the need to protect the significant investment in our rural schools over the past 15 years in particular.

Since 2005, a range of welcome and necessary measures have been introduced under the DEIS programme, including reduced class sizes, developments in numeracy and literacy, reading and maths recovery initiatives, the school completion programme and the school book grants scheme. There has been significant investment in these programmes on an annual basis. Speaking to both parents and teachers, this investment by the State has been put to very good use and has benefited many pupils. Those pupils needed that support, and as Deputy Martin has pointed out, society has been the beneficiary. Schools in disadvantaged areas face the greatest challenges and can least afford cuts to their staffing levels and services. The DEIS programme is the only scheme that targets educational disadvantage in rural Ireland.

The challenges remain in 2012 and it is completely disingenuous of the Government to state that it has protected class sizes at primary level and that it also protected the most disadvantaged. Having listened to informed commentary and having spoken to people in the education sector and to parents, the reality is very different. It is clear that some of the most disadvantaged schools in the country will lose significant numbers of teaching posts, resulting in significant increases in the pupil teacher ratio for those schools. This is apart from the changes proposed to the staffing schedule for schools of four teachers or less.

We have discussed with the Minister the welcome emphasis on literacy and numeracy. How can the Government or the Minister claim that they have a literacy and numeracy strategy and that such a strategy has been prioritised when we see the withdrawal of support from those pupils who should not be denied such necessary assistance? I have read correspondence and have spoken to teachers and parents who have outlined clearly the progress made as a result of the implementation of DEIS. That progress was achieved through smaller classes and through teachers being able to work more closely with their pupils. Page 7 of the Minister's script outlines the success of that programme.

There is widespread concern in rural Ireland about the future of small rural schools. We want to send a clear message that those schools are not in danger. I also want to refer to the decision by the Government to change the allocation in respect of career guidance counselling services. We have all met boards of management in schools, principals, career guidance teachers and teacher of other subjects. They are all very concerned about this proposal. In many areas it will mean the complete abandonment and the elimination of career guidance and counselling in schools.

There has never been a greater need for this service to be maintained and improved. I met teachers not only in career guidance and counselling who are passionate about the service and

recognise the absolute need to retain it in all schools. It is abundantly clear that the requirements of section 9(c) of the Education Act 1998, brought through the Oireachtas by my party leader, will not be met by many schools. Some time ago, the Minister told me he would issue a circular. The responses to parliamentary questions have been vague to say the least. The career guidance and counselling service needs to be maintained and I appeal to the Minister to reverse the decision and to ensure the present method of allocation for the career guidance and counselling service is maintained.

Deputy Éamon Ó Cuív: Tá áthas orm deis a fháil labhairt ar an rún tábhachtach seo anocht. Is iomaí gné de pholasaí an Rialtais go bhféadfainn a cháineadh, ach anocht tá mé chun díriú isteach ar na scoileanna beaga tuaithe, go mórmhór na scoileanna beaga Gaeltachta. Níl aon amhras orm, ach le fada an lá tá an Roinn Oideachais ag iarraidh cónascadh a dhéanamh ar na scoileanna beaga. Tá daoine ann — is léir go bhfuil an tAire ar duine acu — a chreideann go bhfuil buntáiste i dtaobh airgid agus i dtaobh oideachais ag baint le seo, ainneoin nach bhfuil aon chruthúnas do cheachtar den dá rud sin.

Ní amháin go bhfuil an polasaí seo ag an Aire sa dlínse seo, tá an polasaí céanna á chur i bhfeidhm i dTuaisceart na hÉireann ag Sinn Féin, ach go bhfuil sé á dhéanamh ar bhonn níos déine fós thuas ansin, is é sin, deireadh a chur leis na scoileanna beaga. Ní aontaím leis an polasaí seo agus ní aontóidh mé go deo leis, mar nuair a dúntar scoil beag, gearrtar an croí amach as an bpobal. Go deimhin, siar i 1997, mhol mé i bpolasaí tuaithe a scríobh mé do Fhianna Fáil, go laghdófaí an cóimheas múinteoirí agus scoláirí ó 24 — an mhéid a bhí ann ag an am leis an dara oide a choinneáil. De thoradh ar sin, laghdaigh mo chomhghleacaí anseo, an ceannaire ar Fhianna Fáil, Deputy Micheál Martin, a bhí mar Aire Oideachais nuair a tháinig muid i gcumhacht i 1997, an cóimheas sin ó 24 duine go dtí 12 agus laghdaigh muid ina dhiaidh sin é ar na hoileáin amach ón gcósta go ochtar.

Ní chreidim gur airgead atá ag tiomáint an pholasaí seo, ach gur polasaí dearfa aontaithe ag an Aire agus a Roinn atá á thiomáint. Tá siad ar chomh intinn faoi seo. An sprioc atá aige, rud a bhí i gceist ag an Roinn a dhéanamh le fada an lá, fiú nuair a bhí airgead fairsing, na scoileanna beaga a dhúnadh. Ar ndóigh, luíonn seo le réasún ó thaobh an Aire de, mar le fada an lá mar urlabhraí comhshaoil ag Páirtí an Lucht Oibre, bhí sé go mór in aghaidh lonnaíochta tuaithe agus go mór in aghaidh tithíochta tuaithe. Dúirt sé go minic gur chreid sé go mba ceart dúinn ar fad cónaí i sráidbhailte nó i mbailte móra agus nach ceart go mbeadh muid scaipthe thart sna bailte fearainn atá chomh tábhachtach sin do ghnáth phobal na tuaithe.

Ar ndóigh, tá scéal níos níos tromchúisí ann i gcás na Gaeltachta. Ní léir gur tógadh an straitéis 20 bliain ná cúinsí teanga san áireamh ar chor ar bith nuair a bhí an cinneadh seo á dhéanamh. Cuirfidh an cinneadh seo as do 95 as 130 de na scoileanna beaga Gaeltachta. Mar is eol do chuile duine, tá brú ar an teanga sa Ghaeltacht. Táimid ag brath go mór ar na scoileanna chun tacaíocht a thabhairt do thuismitheoirí ó thaobh na Gaeilge de. Tá sé cruthaithe sna scrúdaithe a rinne an Roinn go bhfuil caighdeán níos airde scríofa agus labhartha ag gach duine Gaeltachta i mBéarla ná mar atá acu siúd taobh amuigh den Ghaeltacht. Cruthaíonn sé sin chomh maith agus atá ag éirí linn ó thaobh cúrsaí oideachais.

Tá mé ag caint anseo mar thuismitheoir. Cé gur chuaigh mé ar scoil anseo i mBaile Átha Cliath, chuaigh mo chuid gasúir ar scoil sa Ghaeltacht. Tá mo bhean ar bord bainistíochta ceann de na scoileanna beaga Gaeltachta le fada an lá. Má dhéanann an Aire scrúdú ar thorthaí na ngasúir a chuaigh chuig na scoileanna beaga seo, is féidir liom a dhearbhú go ngeobhaidh sé amach gur ndearna siad i bhfad níos fearr ná an meán ó thaobh na cáilíochtaí a bhain siad amach sa saol. Cén fáth an bhfuil sé ag athrú polasaí atá ag oibriú?

Tá a fhios againn cá bhfuil teip sa chóras oideachais — cá bhfuil líon an-bheag do scoláirí ag dul chuig an tríú leibhéal, nó rogha acu é sin a dhéanamh. Ní amuigh faoin tuath atá sé. Is

istigh sna cathracha atá sé. Má tá an Rialtas ag iarraidh fadhb a leigheas, is ansin gur chóir é a dhéanamh. Ní cheart iarracht a dhéanamh rud a dheisiú nach bhfuil briste ar chor ar bith.

Ba chóir do bhaill an Rialtas a admháil go dtagann toradh iontach maith os na scoileanna beaga tuaithe. Ba cheart dóibh bealach eile a fháil chun an méidín beag airgid suarach atá á shabháil leis an bpolasaí seo a fháil. Tá mé in amhras go sábháiltear rud ar bith, os rud é go mbeidh costaisí móra iompair agus foirgnimh i gceist. Ba chóir don Rialtas scoileanna beaga na tuaithe a fhágáil mar atá siad. Tá siad ag oibriú agus ag cur oideachas ar an bpobal. Tá na daoine istigh iontu in ann a gcuid a dhéanamh don tír.

An Leas-Cheann Comhairle: I call on Deputy Thomas Pringle who is sharing time with Deputy Joan Collins.

Deputy Thomas Pringle: I welcome the opportunity to speak on this very important private Members' motion and I commend Sinn Féin for tabling it. The cuts in education epitomise the budget brought forward by the Government. Initially, people were delighted to hear the pupil-teacher ratio was not being increased across the board and it was only as the impact of the budget sank in that people realised the impact the cuts would have.

In his contribution, the Minister stated that we have an honourable record in democratic politics, particularly in the area of education. The loss of 486 posts in DEIS schools, the loss of 700 guidance counsellors whereby schools will have to decide between subjects and guidance, the increase in enrolment numbers required to retain teachers in small schools throughout the country which will force the amalgamation and closure of schools because the Minister did not complete his review because of opposition to it last year, and the removal of the modern languages in primary schools initiative show the mean-spiritedness and lack of honour in the cuts implemented in the budget.

The cuts show a lack of concern for the education of our young people and the impact they will have and the contribution they will make in the future. They make a mockery of the Government's claim that an educated workforce will make a difference to our recovery from the recession we are in at present. They show a lack of concern for pupils, parents, teachers and communities throughout the country which will suffer under these cuts. The devastation in communities when small schools will close will be untold and will shake the confidence of these communities.

The role of the Government should be to enhance and build education and grow young people so they can contribute to society. I do not see how any of these cuts will contribute to this. It is a sad reflection and shows a lack of honour with regard to the contribution education can make to society. I urge the Minister to ensure the DEIS schools are protected and to look after guidance counselling. It is only then that we can grow the economy out of this continuing austerity. Continuing to make cuts will not protect our children and will not grow the economy.

Deputy Joan Collins: I am shocked, as I would say are most people in the Visitors' Gallery and in the Opposition, with what the Minister had to say. He has not changed his position on the DEIS schools. His message, that he would examine the issue on a case-by-case basis, is exactly what he sent his messengers to say at the meetings held with the principals of DEIS schools prior to and after Christmas. Prior to Christmas I attended a meeting of inner-city DEIS schools and yesterday I attended a meeting of DEIS schools in the Inchicore area in Dublin 8. I was struck by how proud these principals are to work in these communities, how proud they are of their students, how much they love their jobs, and how angry they were, having thought there would be no change to the pupil-teacher ratio, to see what has been done subsequently. Yesterday morning I stated how angry I was at seeing principals having to beg public representatives to ringfence money for DEIS schools and not to make cuts.

[Deputy Joan Collins.]

Deputy Lyons stated that we do not have a monopoly on poverty. I do not have a monopoly on poverty but I listen to people speak about it. At the meeting I attended yesterday I heard a request for a message to go to the Minister, Deputy Quinn, not to make cuts in DEIS schools and to ringfence the money in future without case-by-case consideration. The principals made clear that they will not accept case-by-case consideration. I hope people will be out on January 19 at the Department of Education and Skills where the principals are organising the students and parents to stop this. It is absolutely outrageous.

Dublin 8 has already lost 11 teachers and could face the loss of another 14 teachers. The capital grants are being removed and all of the resources are being cut. It is not acceptable. During the debate on health this morning, I stated that one can cut people to the bone but when one gets into the marrow people will fight back. This is a time when people will fight back.

Debate adjourned.

The Dáil adjourned at 9 p.m. until 10.30 a.m. on Thursday, 12 January 2012.

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 8, inclusive, answered orally.

Hospital Waiting Lists

9. **Deputy Éamon Ó Cuív** asked the Minister for Health the reason he changed the basis for calculating waiting lists; and if he will make a statement on the matter. [1189/12]

Minister for Health (Deputy James Reilly): This list contained the names of approximately 14,000 people who had been listed for treatment on or before 31 December 2010. It is necessary to ensure that all those on this list are treated by 31 December 2011 in order to achieve the maximum waiting time target.

This explains why the list being operated by the NTPF for the SDU is calculated on a different basis to the list published by the HSE in its performance reports. The HSE list is also compiled by the NTPF and provides details of the number of persons who have been waiting longer than a given period, at a specific point in time. The PTL list, on the other hand, is being used by the health service to ensure that the maximum, waiting target is met.

Care of the Elderly

10. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health if he will set out in detail the basis for his contention that Health Service Executive care homes for older persons with less than 50 beds are unsustainable; and if he will make a statement on the matter. [1317/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The Health Service Executive is facing challenges in respect of all services in 2012. In the case of Community Nursing Units for Older People these include challenges regarding staffing, funding, and environmental factors around the age and structure of the units. In addition further losses of staff are anticipated between now and the end of February 2012.

It is clear that on a business as usual basis, the HSE would have to close further beds across a range of public community nursing units in 2012. In the absence of reform, this would increase the cost of caring for older persons within the public system, undermine the viability of public community nursing units and reduce the overall number of older persons that can be supported

[Deputy Kathleen Lynch.]

within the budget available for Fair Deal. This is not a sustainable way forward and would not meet the needs of older persons, local communities, the taxpayer or those working in the public service.

Instead, we need a more pro-active approach to the provision of community nursing home units which seeks to protect the viability of as many units as possible within the funding and staffing resources available, including smaller units where challenges of scale may require more innovative approaches to service delivery. This is likely to require a combination of actions such as consolidation of services; changes in staffing, skill mix and work practices; the different types of services required — such as long-stay and transitional — and the respective strengths of public and private community nursing units in that regard; the public and private capacity available within an area; the age and structure of public units; the wider needs of the local community and alternative options for providing a viable community nursing service including a possible role for local communities or other voluntary providers. The HSE is already examining issues in this regard and will be working closely with the Department to develop an overall set of proposals for the Minister.

Hospital Services

11. **Deputy Mick Wallace** asked the Minister for Health his plans to provide a neonatal unit and the relevant parental accommodation as part of the new National Children's Hospital due to open in 2016; and if he will make a statement on the matter. [1218/12]

Minister for Health (Deputy James Reilly): The new children's hospital is planned to accommodate a total of 445 beds (392 in-patient beds and 53 day care beds) to meet paediatric healthcare demands projected to 2021. The configuration of these beds reflects international and best practice trends in paediatric acute bed requirements, resulting in a higher allocation of both critical care and day care beds within the overall bed complement.

Of the total of 445 beds, 62 beds are to be allocated to Paediatric Intensive Care and High Dependency areas, representing a one-third increase in the number of critical care beds provided by the existing children's hospitals. This includes a dedicated Neonatal Intensive Care Unit, High Dependency beds and cardiac and neurosurgical critical care beds. Provision will also be made within the intensive care and high dependency areas for all necessary supports to be available to support the range of critical care functions.

Parental accommodation will be available nearby within the hospital for parents of children in the neonatal intensive care unit and children admitted to the other critical care units. This accommodation will be provided within a family overnight unit which will provide en-suite bedrooms with suitable support accommodation.

Dedicated facilities are also planned for children who require long-term ventilation but who no longer need critical care accommodation. Access to paediatric and neonatal critical care services will be supported by a centralised national transport and retrieval service based at the new children's hospital.

Community Care

12. **Deputy Charlie McConalogue** asked the Minister for Health the community nursing homes he intends to close over the course of 2012; and if he will make a statement on the matter. [1184/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As the Deputy is aware it is a matter for the Health Service Executive to deliver services both nationally and

locally within its budget and overall health policy priorities in line with the overall resources available to it. The HSE is facing challenges in respect of all services in 2012, and in the case of Community Nursing Units these include challenges regarding staffing, funding and the age and structure of its units. In this context the Department and HSE are working together regarding the 2012 National Service Plan.

It is clear that on a business as usual basis, the HSE would have to close further beds across a range of public community nursing units in 2012. In the absence of reform, this would increase the cost of caring for older persons within the public system, undermine the viability of public community nursing units and reduce the overall number of older persons that can be supported within the budget available for Fair Deal. This is not a sustainable way forward and would not meet the needs of older persons, local communities, the taxpayer or those working in the public service.

Instead, we need a more pro-active approach to the provision of community nursing home units which seeks to protect the viability of as many units as possible within the funding and staffing resources available, including smaller units where challenges of scale may require more innovative approaches to service delivery. This is likely to require a combination of actions such as consolidation of services; changes in staffing, skill mix and work practices; the different types of services required — such as long-stay and transitional — and the respective strengths of public and private community nursing units in that regard; the public and private capacity available within an area; the age and structure of public units; the wider needs of the local community and alternative options for providing a viable community nursing service including a possible role for local communities or other voluntary providers. The HSE is already examining issues in this regard and will be working closely with the Department to develop an overall set of proposals for the Minister.

Finally I would like to reassure the Deputy that should there be concern for the future of any unit, the HSE will engage fully in a local consultation process with all stakeholders before any decision is taken.

Medical Cards

13. **Deputy Richard Boyd Barrett** asked the Minister for Health the estimated cost to his Department in terms of medical cards envisioned by the abolition of concurrent payments of social welfare in Budget 2012; and if he will make a statement on the matter. [1281/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): As part of Budget 2012, a number of changes were announced in relation to concurrent payments of certain social welfare benefits. The changes relate to Community Employment schemes, the payment of two qualified child increases, and half-rate payments of Jobseeker's Benefit, Illness Benefit and Incapacity Supplement.

As the Deputy is aware, the decision to award a medical card is made by the HSE mainly on the basis of the means of the applicant, as set out in detail in the HSE's Medical Card/GP Visit Card National Assessment Guidelines.

The HSE expects to issue an extra 100,000 cards in 2012 but this is primarily due to the general economic situation and not budgetary measures.

While undoubtedly, there will be some extra costs in terms of medical card provision arising from social welfare measures, an accurate overall forecast is not possible due to the very wide variation in personal circumstances.

The impact of these measures is minimised however by the fact that in most instances the measures relate to new social welfare applicants only.

[Deputy Róisín Shortall.]

The impact is further mitigated by the fact that where the only income of an applicant is from social welfare, there is an automatic entitlement to a medical card. So many of the persons affected by the social welfare changes will already have medical cards.

Health Service Reform

14. **Deputy Barry Cowen** asked the Minister for Health if it is envisaged whether any members of the new Health Service Executive directorate will have a greater level of remuneration than currently exists; and if he will make a statement on the matter. [1170/12]

22. **Deputy Timmy Dooley** asked the Minister for Health if positions for the new health care directorate will be advertised; and if he will make a statement on the matter. [1174/12]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 14 and 22 together.

The Government is committed to a radical reform of the health services which will see the introduction of Universal Health Insurance (UHI). As a step toward achieving this goal, I will be bringing legislation forward involving significant changes in the governance of the HSE. The legislation will abolish the Board of the HSE and will replace the Board structure with a Directorate structure. The purpose of the new Directorate structure is to drive greater transparency, accountability and efficiency, and to reshape the system in order to better support the Government's health reform programme. The Directorate team will run the health services as they exist and prepare for the transformation required in the move to UHI.

The following seven areas will be the subject of a Directorship: — Hospital Care, Primary Care, Mental Health, Children and Family Services, Social Care, Public Health and Corporate/Shared Services. One of the Directors will be appointed as the Director General.

It is envisaged that the Directorate posts will be filled on an accelerated basis in accordance with the provisions of the Public Service Management (Recruitment and Appointments) Act 2004. The remuneration for these positions will be in accordance with Government policy and will be subject to the approval of the Minister for Public Expenditure and Reform.

Human Rights Issues

15. **Deputy Clare Daly** asked the Minister for Health the steps he has taken to address the findings of the European Convention on Human Rights in relation to the A, B and C cases which deemed that Ireland was guilty of a serious violation of human rights. [1047/12]

30. **Deputy Clare Daly** asked the Minister for Health when he will introduce legislation to deal with the provision of abortion when the life of a woman is in danger in view of the urgency of the situation and the outcome of the cases before the European Convention on Human Rights. [1046/12]

947. **Deputy Clare Daly** asked the Minister for Health the reason for the delay in bringing forward proposals to legislate for abortion arising from the outcome of the November 1992 referendum as well as the outcomes of the A, B and C cases. [1161/12]

Minister for Health (Deputy James Reilly): As the Deputy is aware, abortion is prohibited in Ireland except where it is established, as a matter of probability, that there is a real and substantial risk to the life as distinct from the health, of the mother and that this real and substantial risk can be averted only by the termination of her pregnancy. Following the ruling in the *X* case, the Irish electorate voted on three amendments to the Constitution on the 25th

November 1992. The provision of abortion in Ireland, as proposed in the Twelfth amendment, was ruled out; its intention was to row back on the *X* case judgment by removing suicide as a reason for lawful termination of abortion. However, the right to travel and the right to information were accepted. Article 40.3.3 of the Irish Constitution was therefore amended to read:

‘The State acknowledges the right to life of the unborn and, with due regard to the equal right to life of the mother, guarantees in its laws to respect, and, as far as practicable, by its laws to defend and vindicate that right.

This subsection shall not limit freedom to travel between the State and another state.

This subsection shall not limit freedom to obtain or make available, in the State, subject to such conditions as may be laid down by law, information relating to services lawfully available in another state.’

Legislation was introduced on foot of the referendum, in the form of the *Regulation of Information (Services outside the State for Termination of Pregnancies) Act 1995*. The Act sets out the conditions under which information relating to services lawfully available in another State might be made available within the Irish State.

In relation to the *ABC v Ireland* judgment of the European Court of Human Rights, I wish to assure the Deputy that the Government is fully committed to its implementation. As the Deputy is aware, the Government submitted an Action Plan to the Committee of Ministers of the Council of Europe on 16th June 2011 as required by the European Court of Human Rights. The Action Plan contained a commitment by the Irish State to establish an Expert Group, drawing on appropriate medical and legal expertise with a view to making recommendations on how this matter should be properly addressed.

On 29th November 2011 the Government approved the establishment of this Expert Group. I expect the Group to be established by the end of this month and to report back to Government within six months of establishment. It would be inappropriate for the Government to pre-empt the recommendations of the Expert Group at this stage.

Hospital Staff

16. **Deputy Michael Moynihan** asked the Minister for Health if hospital consultants’ remuneration will be cut this year; and if he will make a statement on the matter. [1187/12]

Minister for Health (Deputy James Reilly): While the Programme for Government provides for a reduction in consultants’ remuneration, my immediate priority is to achieve more effective implementation of the existing contract so that patients get faster access to services and achieve better outcomes within the budgets available to hospitals. I believe there is plenty of scope under the existing contract and the Croke Park agreement to achieve greater productivity from consultants. For example, increased consultant participation in patient discharges at weekends could more quickly free up beds for emergency admissions. I am satisfied that considerable efficiencies can be achieved under the terms of the 2008 contract, if consultants embrace this reform agenda.

The 2008 Consultant contract provides for an extended working day, an increase in the length of the working week and structured weekend work, with consultants working as part of a team delivering the Clinical Directorate Service Plan and focusing on greater equity in the provision of care. I believe that the efficiencies, productivity increases and reform, if achieved, will be worth more to the health system than simply reducing the pay of consultants. I would therefore

[Deputy James Reilly.]

strongly encourage consultants and their representative bodies to engage in a meaningful way with the HSE and hospital management to progress this important agenda.

Question No. 17 answered with Question No. 8.

Mental Health Services

18. **Deputy Micheál Martin** asked the Minister for Health if he intends to lift the staff moratorium in relation to psychiatric services; and if he will make a statement on the matter. [1180/12]

840. **Deputy Joe Higgins** asked the Minister for Health if he will lift the ban on public sector recruitment in view of the situation that arose at a hospital (details supplied) over the Christmas and new year period, where long standing patients were moved into secured rooms. [40926/11]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 18 and 840 together.

The Government is committed to a reduction in public service numbers to 282,500 by 2015. This represents a reduction of 37,500, or 12% of staff, compared to 2008 levels. The health service must make an appropriate contribution to this reduction. The draft National Service Plan 2012, which is the subject of discussions between my Department and the HSE at present, will set out the level of reduction required in the current year. The Plan must also provide for all possible steps to minimise the effect of staffing reductions on services. These include pursuing to the maximum the flexibility and reform agenda provided for in the Public Service Agreement. In particular, it is essential that we bring about change in relation to rostering (especially of nursing and medical staff), skill-mix, a reduction in the use of agency staff and the continued implementation of the HSE's clinical programmes.

The current Employment Control Framework for the health sector gives the HSE some flexibility in relation to filling posts in order to protect frontline services in so far as possible while still achieving the required targets. In addition, the Public Service Agreement allows the HSE to redeploy staff based on service need. Nevertheless, the overall target reduction in numbers must be met, which will undoubtedly pose a significant challenge.

In relation to St. Brendan's Hospital, Grangegorman, temporary arrangements were put in place over the Christmas period to ensure continuity, quality and safety of services for all patients. Because of this, a number of female patients had to be transferred from Unit 3B to a low secure ward on the Grangegorman Campus. The Minister of State with responsibility for Disability, Equality, Mental Health and Older People, Deputy Kathleen Lynch, visited the hospital before Christmas and met with most of the women involved. I am satisfied that in the circumstances the best possible arrangements were put in place for these patients and that every effort was made to keep the disruption for them to a minimum.

Unit 3B had been due to reopen on the 16th January. However, with the co-operation of management and staff, the HSE was able to reopen the Unit a fortnight earlier than anticipated and the female patients have now returned to Unit 3B.

Hospital Services

19. **Deputy Denis Naughten** asked the Minister for Health the steps he is taking to provide additional services at Roscommon County Hospital; and if he will make a statement on the matter. [1045/12]

Minister for Health (Deputy James Reilly): As part of new management arrangements for hospitals in the west of Ireland, designed to deliver improved performance, organisational coherence and effectiveness, I recently announced the appointment of Mr Bill Maher as CEO to the Galway/Roscommon Hospitals Group. Mr Maher commenced duties on the 9th of January. The new management structure will provide accountability, greater efficiency and safer delivery of acute hospital services within a more unified hospital group. The new CEO will have full regard to the entire capacity of the hospital group, with a particular emphasis on developing the role of the smaller hospitals.

I have consistently said that the reorganisation of our acute hospital services must be a two way process. Just as more complex treatment, rightly, should be made available in larger facilities where there is a sufficient volume to ensure safe and effective delivery, routine and less complex treatment should generally be provided as close to a patient's own community as possible. With the development of linked hospital groups, in that area, under the new management structure, the transfer of such treatment to smaller hospitals should become more straightforward to implement.

There are a number of initiatives under way or being considered in relation to the range of services available at Roscommon County Hospital, including the following.

- In relation to endoscopy services, there are two capital projects. The first, for an endoscopy suite with funding of €1.95 million, is at design stage. The second, for an interim endoscopy decontamination unit, is almost completed and is expected to be operational in this quarter.
- Roscommon Hospital has been considered as a suitable site for an HSE West Medical Rehabilitation Service under the remit of the National Rehabilitation Hospital in Dublin. Accordingly, Roscommon, in association with the National Rehabilitation Hospital, has applied for a consultant in rehabilitation medicine.
- Roscommon is also treating elective day case surgical patients who are on waiting lists at Galway University Hospital, with the numbers being treated expected to increase over 2012. As part of this initiative, the day case elective plastic surgery service is now established. Discussions are ongoing for the further development of the service.
- The recruitment process for a consultant physician with special interest in respiratory medicine has been completed and a start date for the permanent appointment is awaited.

Our smaller hospitals should be a vibrant part of their communities and local regions, with major contributions to make in the delivery of acute services in their regional networks. I welcome the sort of initiatives that will support this position for Roscommon and other smaller hospitals.

In this context, I am preparing a Framework for the Development of Smaller Hospitals, including Roscommon, which will set out the type of services that can and should be provided in smaller hospital facilities. This approach will free up the larger hospitals to concentrate on more complex work, while enhancing the services provided by smaller hospitals to their local communities.

Health Service Staff

20. **Deputy Brendan Smith** asked the Minister for Health if he has prepared an impact analysis on the effects of reductions in staffing levels in February; and if he will make a statement on the matter. [1194/12]

41. **Deputy David Stanton** asked the Minister for Health the way in which the staffing embargo and high level of retirements is impacting on the delivery of health services; and if he will make a statement on the matter. [1279/12]

992. **Deputy Bernard J. Durkan** asked the Minister for Health the degree to which he has examined the impact of the recruitment embargo on the staffing levels throughout the health service; and if he will make a statement on the matter. [1607/12]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 20, 41 and 992 together.

The most recent information available from the HSE indicates that over the period September 2011 to end February 2012 some 3,200 health service staff, equating in wholetime equivalent terms to approximately 2,700 employees will have retired. These retirements will contribute significantly to the achievement of the staffing reductions required in the health sector in 2012, in line with the Government's policy of reducing public service employment numbers on a phased basis to 282,500 by 2015.

The purpose of the three-month minimum notice period for retirement introduced for the public service in July 2011 was to allow management to have advance knowledge of the number of staff planning to retire in a particular service/area and to plan accordingly. In September last, I asked the HSE to carry out an assessment of the likely impact of retirements in the period to the end of February, based on the three months' notice period, queries to superannuation departments and the age profile of staff. I also requested the Executive to identify particular pressure points as a priority and to develop appropriate measures to deal with significant departures in a given service or area. As retirement applications have been received, the HSE has analysed the data on an ongoing basis to establish the emerging position as to the distribution of posts according to staff category and region.

The Executive, in preparing the National Service Plan 2012, has taken into account the expected reductions in staff numbers, and discussions between my Department and the HSE are under way at present, with a view to ensuring that the Plan provides for all possible steps to minimise the effect on services. These include pursuing to the maximum the flexibility and reform agenda provided for in the Public Service Agreement. In particular, it is essential that we bring about change in relation to rostering — especially of nursing and medical staff — skill-mix, a reduction in the use of agency staff, and the continued implementation of the HSE's clinical programmes.

Medical Cards

21. **Deputy Catherine Murphy** asked the Minister for Health the number of existing medical cards that were renewed from 2010 into 2011; if he is satisfied that each renewal is granted with due individual scrutiny; and if he will make a statement on the matter. [36209/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): The Health Service Executive has confirmed that the Primary Care Reimbursement Service (PCRS) issued 463,446 individuals a renewed medical card in 2011.

The issues arising in respect of medical card renewals are a matter of concern to me, and I have held detailed discussions with the HSE. A medical card holder who genuinely engages with the review of their medical card should not have their entitlement withdrawn before that review is complete. The HSE is taking steps to ensure that this rule is properly implemented. In particular, the HSE is undertaking significant changes to how it conducts reviews so that

there is far less administrative burden placed on most medical card holders and so that reviews take far less time.

From this month, the HSE is easing the review process for pensioners. The change will mean that reviews for medical card holders who are 66 yrs or over will operate on a self-assessment basis, as currently happens with over-seventies. The self-assessment review model will also be extended to medical card holders under 66, who were granted their medical card on the basis of a means assessment, where the HSE is satisfied that the client has not passed away and is living in this jurisdiction.

The HSE is also standardising eligibility periods from two years to three years for people aged under 66yrs, with a new four year eligibility period for medical card holders aged 66 or over. Notwithstanding, there continues to be an obligation on all card holders to notify the HSE of any change in their circumstances which would disentitle them from holding a medical card.

These reforms should significantly reduce the administrative burden on these medical card holders and indeed the HSE, and ensure that some of the issues in relation to renewals are addressed. I am continuing to engage with the HSE in relation to other possible changes to the renewal and application process.

Question No. 22 answered with Question No. 14.

Community Care

23. **Deputy Seán Crowe** asked the Minister for Health if he will provide a list of all publicly run nursing homes and units; the number of beds in each; and if he will make a statement on the matter. [1318/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): At the end of November 2011 the HSE indicated that there were 121 public long stay residential care units in operation across the country providing 8,098 residential care beds (this includes temporarily closed beds). Of these, 6,036 were designated long-stay beds under the Nursing Home Support Scheme (NHSS). The balance, 2,062 provide short-term care, i.e. rehabilitation, respite, convalescent and palliative care. A summary of the long stay public bed stock at November 2011 is set out below.

HSE Region	Number of Public Units	Designated NHSS Beds	Non-designated short term beds	Total Beds
South	37	1,719	701	2,420
DNE	21	1,122	227	1,349
DML	25	1,616	346	1,962
West	38	1,579	788	2,367
Total	121	6,036	2,062	8,098

The HSE is currently carrying out a review of all its long stay public residential units and I have asked the Executive to provide the Deputy with an updated list of each of the Public Units with bed numbers by region.

Assisted Human Reproduction

24. **Deputy Jonathan O'Brien** asked the Minister for Health the date on which he will publish legislation on assisted human reproduction; and if he will make a statement on the matter. [37908/11]

Minister for Health (Deputy James Reilly): My Department is currently examining policy proposals on Assisted Human Reproduction and related practices in Ireland. I will consider such proposals when presented to me.

Vaccination Programme

25. **Deputy Mary Lou McDonald** asked the Minister for Health his policy regarding the setting of fees for administration of the flu vaccine; and if he will make a statement on the matter [1321/12]

43. **Deputy Dessie Ellis** asked the Minister for Health the manner in which fees for general practitioners and pharmacists for the administration of the flu vaccine were determined; the reason for the difference in fees paid to GP's and pharmacists; and if he will make a statement on the matter. [1320/12]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 25 and 43 together.

On 11 August 2011, my Department placed notices in the national press advising that, in accordance with the Financial Emergency Measures in the Public Interest Act 2009 (FEMPI), I had initiated a review of the fees payable to General Practitioners (GPs) in respect of the provision of immunisation services. As part of the process, submissions were sought from interested parties. Following consideration of submissions and compliance with the detailed requirements of the FEMPI legislation, I decided to reduce the fee payable to GPs in respect of the administration of the seasonal flu vaccine on behalf of the HSE from €42.75 to €28.50, a reduction of 33%. The new fee took effect on 3 November 2011. It is important to say that the fee of €42.75 had been built up over many years. The scale of the reduction had to satisfy the test of fairness/proportionality and also avoid the possibility of a sudden disruption of the vaccination programme that might arise if GPs were to withdraw their services. I am satisfied that the fee that was set met these two objectives, while at the same time realising savings to the HSE.

Separately, I decided last July that community pharmacists should be invited to participate in the HSE seasonal flu programme. This was the first occasion that pharmacists had been invited to participate in the seasonal flu programme. As such there were no “legacy” issues to be taken into account in setting the fee nor did I have to have regard to the various requirements of the FEMPI legislation. The fee for pharmacists of €15 was set in accordance with the provisions of the Community Pharmacy Contractor (CPC) Agreement.

Health Insurance

26. **Deputy Willie O’Dea** asked the Minister for Health his estimate for increases in premiums charged by private health insurers to customers in view of changes he announced in Budget 2012; and if he will make a statement on the matter. [1191/12]

Minister for Health (Deputy James Reilly): I am concerned that private health insurance is becoming harder to afford, especially for older people, as insurers increasingly tailor their insurance plans towards younger, healthier customers. I am strongly committed to protecting community rating, whereby older and less healthy customers should pay the same amount for the same cover as younger and healthier people.

As part of Budget 2012, the Government agreed a number of changes to charges for patients who choose to be treated on a private basis in public hospitals. These changes will have no impact on public patients, who comprise the vast majority of those treated in public hospitals.

When individuals elect to be treated privately, they agree to meet the costs of the consultant's fee and hospital's maintenance costs. These issues were examined in the Value for Money and Policy Review of the Economic Cost and Charges Associated with Private and Semi-Private Treatment Services in Public Hospitals, which was published by the Department in December 2010. It is estimated that the average maintenance cost per bed-day in a category 1 hospital is €1,046. In keeping with the long-standing policy of moving towards recovering the full economic cost of providing treatment to private patients in public hospitals, the maintenance charges for private patients in public hospitals have been increased by between 3% and 5%, depending on the category of hospital, with effect from 1 January 2012. It is anticipated that this will yield additional revenue in the region of €18 million in 2012.

While the HSE and voluntary hospitals recoup considerable sums from private health insurance companies in respect of private and semi-private treatment services provided to their members, lengthy delays often occur between the discharge of patients and the receipt of payment from the companies. This has led to an unacceptably high level of debtor days with a significant amount in fees outstanding. Some hospitals are much more efficient at collecting this income than others. It is intended that more hospitals will achieve the income collection standard of the better performing hospitals, and, as a result, a target of €50 million in accelerated income has been set for 2012.

A significant proportion of private patients who are provided with treatment by a public hospital are not currently charged for the services because of the current rules on bed designation. In contrast, the public hospitals' consultants receive private fees even where the hospital cannot collect its maintenance charge. This represents a loss of income to the public hospital system and a significant subsidy to private insurance companies. It is intended to introduce new arrangements during 2012 to allow public hospitals to raise charges in respect of all private patients in public hospitals. This new system will be entirely in keeping with the changes required as we move along the road to universal health insurance. It is estimated that this new system will yield an additional €75 million in 2012.

In December 2011 I agreed with the three commercial health insurers to establish a Consultative Forum on Health Insurance, to tackle issues of mutual concern. We agreed to work cooperatively in driving down costs related to health insurance and to identify savings that could be achieved by both public and private hospitals. I indicated to the insurers that I would be happy to hear proposals from them which would result in lower costs for the health insurance sector. In addition, a new review of the VHI's claims costs will be carried out to establish what further savings can be made. The review is to be completed early this year and will contribute significantly to more effective cost control within the private health insurance market. I am determined that these and other measures will have a significant impact in containing the level of any future increases in health insurance premiums.

Health Services

27. **Deputy Joe Higgins** asked the Minister for Health if he will direct the Health Service Executive to maintain adolescent and child psychiatric services in Blanchardstown, Dublin 15, which is the youngest fastest-growing area of the country. [1050/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): It is planned to relocate the Warrenstown in-patient service from Blanchardstown to St. Loman's Hospital, Palmerstown on an interim basis, pending transfer to a new unit in Cherry Orchard. The facility at Warrenstown can only accommodate 6 in-patient beds and this results in an inefficient utilisation of the staff resource available. The recently vacated and redecorated in-patient facility at St. Loman's will provide accommodation of a higher standard than that available in Blanchards-

[Deputy Kathleen Lynch.]

town and will also facilitate the expansion of the service through the provision of additional in-patient beds.

The new purpose built 22 bed in-patient unit proposed for construction in the grounds of Cherry Orchard Hospital will in due course, accommodate the Warrenstown Service and a new Older Adolescent In-Patient Service. The design team has been appointed and it expected that construction will be completed by the end of 2013/ early 2014. There are no plans to reduce the level of service currently provided by the Castleknock and Blanchardstown Community Child and Adolescent Mental Health Teams. The buildings where they are currently accommodated are no longer fit for purpose and it is planned to relocate them to the new Child and Adolescent Day Hospital facility recently completed in Cherry Orchard, while continuing to provide clinics in the catchment areas.

Medical Cards

28. **Deputy Michael Colreavy** asked the Minister for Health if he will address, as a matter of urgency, the delays in processing annual reviews of medical cards in view of the fact that the current delays are causing qualified patients to lose medical card cover; and if he will make a statement on the matter. [1319/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): Since taking over the centralisation of the Medical Card scheme, six months ago, the HSE's Central Office is working to deal with some residual logistical problems which naturally arise with a project of this scale and magnitude.

The issues arising in respect of medical card renewals are a matter of concern to me, and I have held detailed discussions with the HSE. A medical card holder who genuinely engages with the review of their medical card should not have their entitlement withdrawn before that review is complete. The HSE is taking steps to ensure that this rule is properly implemented. In particular, the HSE is undertaking significant changes to how it conducts reviews so that there is far less administrative burden placed on most medical card holders and so that reviews take far less time.

From this month, the HSE is easing the review process for pensioners. The change will mean that reviews for medical card holders who are 66 yrs or over will operate on a self-assessment basis, as currently happens with over-seventies. The self-assessment review model will also be extended to medical card holders under 66, who were granted their medical card on the basis of a means assessment, where the HSE is satisfied that the client has not passed away and is living in this jurisdiction.

The HSE is also standardising eligibility periods from two years to three years for people aged under 66yrs, with a new four year eligibility period for medical card holders aged 66 or over. Notwithstanding, there continues to be an obligation on all card holders to notify the HSE of any change in their circumstances which would disentitle them from holding a medical card.

In addition, from February 1, the HSE will implement a new system that provides additional functionality to GPs to maintain the eligibility of their patients where a patient is going through the renewal process. This new system will also allow GPs to add new babies online.

These reforms should significantly reduce the administrative burden on these medical card holders and indeed the HSE, and ensure that some of the issues in relation to renewals are addressed. I am continuing to engage with the HSE in relation to other possible changes to the renewal and application process.

Care of the Elderly

29. **Deputy Bernard J. Durkan** asked the Minister for Health the degree to which he can or will examine and compare the costs associated with the operation of public nursing homes as compared to the private sector given a similar patient profile in terms of mobility and nursing or medical care requirements with a view to ensuring the maximisation of available resources to the best advantage and with the objective of catering for the greatest possible number of patients notwithstanding the difficult economic situation; and if he will make a statement on the matter. [1051/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The cost of care in public and private nursing homes is published on the HSE's website at: <http://www.hse.ie/eng/services/Find—a—Service/Older—People—Services/nhss/costs.html>

The HSE is committed to examining all options to maximise the resources available for nursing home care, e.g. skill mix, rostering arrangements and reconfiguration etc. It should be noted that the 2010 Long-Stay Activity Statistics, prepared by the Department of Health, indicate that at end-2010, 83.7% of residents in public nursing homes were of high and maximum dependency. In private nursing homes, 59.7% of residents were in the same category.

The Nursing Homes Support Scheme is due for review later this year. The scheme will have been in operation for three years at that stage and established and validated trends and statistics will be available in order to inform the work. The review will look at, amongst other issues:

- the ongoing sustainability of the scheme,
- the relative cost of public versus private provision,
- the effectiveness of current methods of negotiating price in private and setting price in public nursing homes, and
- the balance of funding between residential and community care.

Question No. 30 answered with Question No. 15.

Hospital Accommodation

31. **Deputy Denis Naughten** asked the Minister for Health the steps he is taking to address the overcrowding crisis at Galway University Hospitals Group; and if he will make a statement on the matter. [1044/12]

Minister for Health (Deputy James Reilly): I have said clearly on many occasions that the situation in our hospital emergency departments where people must wait for unacceptably long periods on trolleys will not be allowed to continue. For this reason, one of my first actions as Minister for Health was to set about establishing the Special Delivery Unit. The unit is establishing an infrastructure based on information collection and analysis, hospital by hospital, so we will know what is happening in real time. It is providing information tools for hospital managers, including clinical managers, to map and measure bed capacity in their hospital depending on variations in for example the average length of stay of patients. This will allow us to begin to embed performance management in the system, to manage bed capacity and to sustain shorter waiting times.

The problems in our emergency departments are complex and did not arise overnight. The particular issues vary from hospital to hospital and some of the solutions will depend on local factors. As part of the process of forming the overall picture of the emergency department

[Deputy James Reilly.]

situation nationally, the Special Delivery Unit has identified 15 hospitals which between them account for 80% of the trolley wait problem in the hospital system. Eight hospitals have been identified for very high support including Galway. Liaison Officers from the unit are working proactively to support these sites. I have agreed that some additional funding may be provided, on a strictly once-off basis and based on specific proposals from the hospital, to reduce waiting times between 1 November 2011 and 31 January 2012 to help address issues such as delayed discharges. Adherence to the agreed criteria will be closely monitored by the unit.

I will set out the conditions and performance measures that Galway and other hospitals have to meet. For the remainder of 2011 and throughout January 2012, no patient will wait more than 23 hours in the hospital's Emergency Department. In addition, the trolley wait target must be maintained at least 70% below the maximum daily trolley count since January 2010. Other conditions/performance measures include seven-day ward/discharge rounds, the achievement of all Acute Medicine Programme milestones; and the implementation of approved measures to effectively stream elderly patients. In relation to Galway, some €0.35 million was approved to help alleviate emergency department pressures including the extension of the Medical Assessment Unit from 12/24 to 24/24 opening, the opening of an eight-bed, five-day unit; and the provision of off-site convalescence care for a two-week period, two patients per week for the remainder of the period. I am pleased to report that there has been an improvement in the number of patients on trolleys in the period.

Nursing Homes

32. **Deputy Aengus Ó Snodaigh** asked the Minister for Health the number of private nursing homes and the number of public nursing homes in the State. [1323/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): At the end of 2011 there were 404 private nursing homes, 48 voluntary nursing homes and 121 public nursing homes registered to operate with the Health Information and Quality Authority.

Primary Care Strategy

33. **Deputy Sandra McLellan** asked the Minister for Health his plans regarding the roll out of free general practitioner care. [1325/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): The Government is embarking on a major programme of reform of the health system, the aim of which is to deliver a single-tier health service that will deliver equal access to care based on need rather than income. A fundamental element of the reform process involves significant strengthening of primary care services to deliver universal primary care with the removal of cost as a barrier to access to GP services. This commitment will be achieved on a phased basis. Access to GP care without fees will be extended in 2012 to claimants of free drugs under the Long-Term Illness Scheme and in 2013 to claimants of free drugs under the High-Tech Drugs Scheme. Access to subsidised GP care will be extended to all in the next phase and universal access to GP care without fees will occur in the final phase. Primary legislation is required to give effect to these commitments. It is hoped that free GP care for claimants of free drugs under the Long-Term Illness Scheme will be in place by early Summer. There will be an announcement in due course about the start date for this arrangement.

Hospital Equipment

34. **Deputy Joe Higgins** asked the Minister for Health when the MRI scanner at James Connolly Hospital, Dublin 15, will be delivered. [1049/12]

Minister for Health (Deputy James Reilly): Following the publication of the Infrastructure and Capital Investment 2012-2016: Medium Term Exchequer Framework, the Health Service Executive commenced drawing up its capital programme for the multi-annual period 2012-16. The Executive is required to prioritise the capital infrastructure projects within its overall capital funding allocation taking into account the existing capital commitments and costs to completion over the period. A draft capital plan for the period 2012-16 has been submitted to my Department. My Department is reviewing the proposals and following up with the HSE where further details may be required. The proposed plan requires my approval with the consent of the Minister for Public Expenditure and Reform. Details of the plan will be published by the Executive following its approval.

Hospital Accommodation

35. **Deputy Mick Wallace** asked the Minister for Health his proposals in the long term to assist the parents of premature babies in neonatal intensive care units who face separation from their child if they cannot afford to pay for private temporary accommodation; and if he will make a statement on the matter. [1219/12]

Minister for Health (Deputy James Reilly): Of the total of 445 beds in the new children's hospital, 62 beds are to be allocated to Paediatric Intensive Care and High Dependency areas, representing a one third increase in the number of critical care beds provided by the existing children's hospitals. This includes a dedicated Neonatal Intensive Care Unit, High Dependency beds and cardiac and neurosurgical critical care beds. Provision will be made within the intensive care and high dependency areas for all necessary supports to be available to support the range of critical care functions. Parental accommodation will be available nearby within the hospital for the parents of children in the neonatal intensive care unit and children admitted to the other critical care units. This accommodation will be provided within a family overnight unit which will provide en suite bedrooms with suitable support accommodation. Provision for accommodation for parents and families of children who require longer-term admission to the hospital will be provided in a facility directly adjacent to the new hospital. The HSE tries to maximise the availability of accommodation for parents of premature babies in neonatal intensive care units in existing hospitals. The priority for the HSE and acute hospitals is to ensure the most appropriate and safe treatment is provided to infants in the most appropriate location and as close to home as possible and that the families of such infants are provided with appropriate information and support. This includes the provision of dedicated and direct telephone access to the units treating the infants. The Deputy will be aware that there are proposals to move a number of maternity hospitals from stand-alone sites to sites adjacent to adult teaching hospitals. The issue of providing parental accommodation will be considered as these proposals are further developed.

Health Insurance

36. **Deputy Bernard J. Durkan** asked the Minister for Health if he has examined the ongoing and increasing cost of health insurance with particular reference to the ability of the consumer to meet such costs; if he has evaluated the increase in premiums over the past five years with a view to a determination as to the action that might be taken to ensure that private health insurance is affordable and available to the widest possible age spectrum; if particular attention has been paid to the extent to which the impact on such insurance is affected by the public and or private health sectors respectively; and if he will make a statement on the matter. [1337/12]

965. **Deputy Michael Healy-Rae** asked the Minister for Health his views on the fact that it has been estimated that because of the increasing cost of living and the increase in private health insurance cover that up to 6,000 persons a month are abandoning their health cover and that this amount of new public health patients will put an unbearable pressure on failing health service; and if he will make a statement on the matter. [1379/12]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 36 and 965 together.

I am concerned that private health insurance is becoming harder to afford, especially for older people, as insurers increasingly tailor their insurance plans towards younger and healthier customers. I am strongly committed to protecting community rating, whereby older and less healthy customers should pay the same amount for the same cover as younger and healthier people. Under Universal Health Insurance, everyone will be insured for health care and the current unfair discrimination between public and private patients will be removed. In the meantime, I am focusing on addressing the problems of the current private health insurance market, where insurers have a considerable financial incentive to cover younger, better risks than older, poorer risks.

To protect community rating, we need a system of Risk Equalisation which ensures community rating can survive. An Interim Scheme has been in place since 2009. It is designed to compensate insurers that have older, less healthy customers and therefore higher claims costs, compared to insurers with younger, less costly customers. It does so by a system of tax credits, based on age, in respect of people aged 60 or more. Without such a system, community rating cannot survive. To keep down the cost of health insurance for older people, I was pleased recently to increase significantly the age-related income tax credit for insured persons aged 60 years and over from 1 January 2012. Without this support, health insurers would have had a strong financial incentive to segment the market by offering policies targeted at young people, to the disadvantage of older customers.

The measures I took are designed to result in no overall increase of premiums in the market and to spread the risk more evenly between the healthy and the less healthy, the old and the young. The increased levy is balanced by a corresponding increase in tax credits for older people, so the system is Exchequer neutral. It is important to note that the levy on policies is not a revenue-collecting mechanism for the Exchequer. The Community Rating Levy, under the Interim Scheme, is placed on private health insurance providers for each insured individual, and not the individuals themselves. The extent, if any, to which they pass the levy on to their clients is a matter for the insurance providers. I welcome the announcements by Aviva Healthcare and the VHI that they do not envisage passing an increase on to customers' premiums on foot of the revised rates of Age-Related Tax Credit and Community Rating Levy for 2012.

As part of Budget 2012, the Government agreed a number of changes to charges for patients who choose to be treated on a private basis in public hospitals. These changes will have no impact on public patients, who comprise the vast majority of those treated in public hospitals. When individuals elect to be treated privately, they agree to meet the costs of the consultant's fee and the hospital's maintenance costs. These issues were examined in the Value for Money and Policy Review of the Economic Cost and Charges Associated with Private and Semi-Private Treatment Services in Public Hospitals, which was published by the Department in December 2010. It is estimated that the average maintenance cost per bed-day in a category 1 hospital is €1,046. In keeping with the long-standing policy of moving towards recovering the full economic cost of providing treatment to private patients in public hospitals, the maintenance charges for private patients in public hospitals have been increased by between 3% and

5%, depending on the category of hospital, with effect from 1 January 2012. It is anticipated that this will yield additional revenue in the region of €18 million in 2012.

While the HSE and voluntary hospitals recoup considerable sums from private health insurance companies in respect of private and semi-private treatment services provided to their members, lengthy delays often occur between the discharge of patients and the receipt of payment from the companies. This has led to an unacceptably high level of debtor days with a significant amount in fees outstanding. Some hospitals are much more efficient at collecting this income than others. It is intended that more hospitals will achieve the income collection standard of the better performing hospitals, and, as a result, a target of €50 million in accelerated income has been set for 2012.

A significant proportion of private patients who are provided with treatment by a public hospital are not currently charged for the services because of the current rules on bed designation. In contrast, the public hospitals' consultants receive private fees even where the hospital cannot collect its maintenance charge. This represents a loss of income to the public hospital system and a significant subsidy to private insurance companies. It is intended to introduce new arrangements during 2012 to allow public hospitals to raise charges in respect of all private patients in public hospitals. This new system will be entirely in keeping with the changes required as we move along the road to universal health insurance. It is estimated that this new system will yield an additional €75 million in 2012.

In December 2011, I agreed with the three commercial health insurers to establish a Consultative Forum on Health Insurance, to tackle issues of mutual concern. We agreed to work co-operatively in driving down costs related to health insurance and to identify savings that could be achieved by both public and private hospitals. I indicated to the insurers that I would be happy to hear proposals from them which would result in lower costs for the health insurance sector. In addition, a new review of the VHI's claims costs will be carried out to establish what further savings can be made. The review is to be completed early this year and will contribute significantly to more effective cost control within the private health insurance market. In the meantime, VHI has been finalising contract negotiations with the private hospitals treating its customers. In addition, VHI's contracts with consultants are due for renegotiation in mid-2012 and the VHI has informed consultants that it will be seeking further savings at that point.

I am determined that these and other measures will have a significant impact in containing the level of any future increases in health insurance premiums. The Government's clear objective is for the health insurance market to remain competitive and strong as we move towards a new system of Universal Health Insurance. It is my intention to ensure the private health insurance market is reformed to ensure costs are reduced and there is a more even balance in the market. I recently welcomed the announcement that Quinn Healthcare's Health Insurance business was being bought out by the company's senior management team and will be underwritten by Swiss RE. The buy-out has brought certainty to customers of Quinn Healthcare in relation to the company's future and to the private health insurance market as a whole.

Cancer Screening Programme

37. **Deputy David Stanton** asked the Minister for Health his policy in relation to diagnostic and preventative screening for cancer patients and those needing screening for other conditions; and if he will make a statement on the matter. [1278/12]

Minister for Health (Deputy James Reilly): The HSE National Cancer Screening Service (NCSS) encompasses BreastCheck (the national breast screening programme) and Cervi-

[Deputy James Reilly.]

calCheck (the national cervical screening programme). The NCSS is preparing for the introduction of a national population-based colorectal cancer screening programme, which will be available to men and women aged between 65 and 69. International evidence does not recommend the introduction of a population based screening programme for prostate cancer at this time. The Department and the HSE are keeping emerging evidence under review including the results of randomised trials that are being conducted internationally. The embedding of best practice and quality assurance within cancer screening, in line with best international evidence, has been a strong focus of the development of cancer screening in Ireland. Further expansion of screening in accordance with the Programme for Government and international best practice includes the extension of the BreastCheck programme to provide screening to women aged between 65 and 69.

The national neonatal metabolic screening programme provides that all babies born in Ireland are screened for six medical conditions soon after birth. The conditions are Phenylketonuria; Homocystinuria; Maple Syrup Urine Disease; Classical Galactosaemia; Cystic Fibrosis; and Congenital Hypothyroidism. The neonatal screening programme enables potentially devastating diseases to be detected at a very early age and allows treatment and management to be commenced as quickly as possible. The policy on school health examinations forms part of the Best Health for Children guidelines, produced in 1999 and revised in 2006. These guidelines were produced after a rigorous evaluation of international literature, and a review of good practice in Ireland and abroad. A comprehensive training programme for staff working in this area was also developed. The policy is kept under review, and will be revisited in 2012 as part of the HSE work plan. New governance structures have also been put in place in relation to child health screening and surveillance in the HSE which will further improve the quality assurance of the process. In its 2007 review of child health in Europe, the World Health Organization commended the Best Health for Children approach that has been adopted by Ireland as an example of good practice. The Best Health for Children guidelines set out a clear timetable for child health checks and detail what is required at each stage. b I am working with the HSE to examine the extent of compliance with the guidelines in the context of the 2012 Service Plan. I am committed to ensuring the continued provision of evidence based screening programmes within the limitations of available resources.

Health Insurance Levy

38. **Deputy Michael Colreavy** asked the Minister for Health his views on the recent increase in the health insurance levy; and if he will make a statement on the matter. [1322/12]

Minister for Health (Deputy James Reilly): Community rating, in principle, provides that everybody is charged the same premium for a particular health insurance plan, irrespective of age, gender and the current or likely future state of their health. The only exceptions to this rule relate to children less than 18 years of age and students in full time education. Community rating therefore means that the level of risk that a particular consumer poses to an insurer does not directly affect the premium paid. It also means that premiums for younger or healthier lives are typically higher than their expected claims would require, whereas for older or less healthy lives, premiums are typically lower than the expected claims would require. The Interim Scheme of Age-Related Tax Credits and Community Rating Levy was introduced in 2009 to provide direct support to community rating. It achieves this by way of a mechanism which provides for a cost subsidy from the young to the old. It works by allocating Tax Credits for persons in six age bands and funding this by the collection of an annual levy on health insurance companies based on the number of lives covered by policies underwritten by them. The scheme

is designed to be Exchequer neutral and ensures that every customer has the benefit of a community rated health insurance premium. The scheme provides that health insurers receive higher premiums in respect of insuring older people, but that older people receive tax credits equal to the amount of the additional premium so that all people continue to pay the same amount for a given health insurance product. In this way community rating is maintained and insurers are partly compensated for the higher level of claims associated with older people.

Last month I was pleased to announce changes to the Interim Scheme which will help to make private health insurance more affordable for older people. With the agreement of the Minister for Finance, there will be extra age-related income tax credit for insured persons aged 60 years and over, from 1 January 2012, funded by an increase in the annual levy on health insurers based on the number of lives insured by them. The new rates will be included in the forthcoming Finance Bill. The new rates are calculated to result in no overall increase in the total amount paid to health insurers by way of premiums and to spread the risk more evenly between the healthy and the less healthy, the old and the young. It is important to note that the levy on policies is not a revenue collecting mechanism for the Exchequer. The Community Rating Levy, under the Interim Scheme is placed on private health insurance providers for each insured individual, and not on the individuals themselves. It is a matter for the companies as to the extent, if any, they pass the levy on to their clients. I welcome the announcements by Aviva Healthcare and the VHI that they do not envisage passing an increase on to customers' premiums on foot of the revised rates of Age-Related Tax Credit and Community Rating Levy for 2012.

Primary Care Strategy

39. **Deputy Pearse Doherty** asked the Minister for Health the action he has taken regarding the charging of fees by general practitioners for services that should be provided free to patients with medical cards. [1326/12]

904. **Deputy Brian Stanley** asked the Minister for Health if his attention has been drawn to the fact that a number of doctors are charging their medical card patients for blood tests; the procedure for reporting this matter; and if he will make a statement on the matter. [41382/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): I propose to take Questions Nos. 39 and 904 together.

General Practitioners who hold GMS contracts with the HSE must not seek or accept money from medical card or GP visit card holders for services covered under the GMS contract. For instance, in circumstances where the taking of blood is necessary to either (a) diagnose a patient or (b) monitor a diagnosed condition, the GP may not charge the patient if they are eligible for free GMS services. The HSE points out that in many GP surgeries, it is the practice nurse who takes blood samples and it significantly subsidises the cost of employing practice nurses. At my request, the HSE has written to all GMS GPs reminding them of their obligations under their contract in this regard. I encourage patients to follow up with the HSE if they believe they are being wrongly charged for services by their GP and the matter will be fully investigated by the Executive. Formal complaints will be dealt with through the HSE's Consumer Affairs Service. In a number of cases to date, the GP has reimbursed their patients following receipt of correspondence from the HSE. I appreciate that because of the nature of the GP/patient relationship, it may be difficult for patients to make such complaints. Where public representatives are made aware of GPs charging GMS patients in error, they may wish to notify the HSE directly.

Medical Cards

40. **Deputy Pádraig Mac Lochlainn** asked the Minister for Health the current number of persons with medical cards; and the equivalent number in December 2010. [1324/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): The Health Service Executive has confirmed that the number of people with medical cards in December 2011 was 1,692,605. The figure in December 2010 was 1,611,138.

Question No. 41 answered with Question No. 20.

Question No. 42 answered with Question No. 8.

Question No. 43 answered with Question No. 25.

Departmental Expenditure

44. **Deputy Richard Boyd Barrett** asked the Minister for Health if he will provide details of the additional efficiency target to save €50 million that have been set for disability, mental health and child care services in Budget 2012; and if he will make a statement on the matter. [1280/12]

Minister for Health (Deputy James Reilly): There is no doubt that there are challenges facing the mental health, disability and child care services as a result of reduced resources by way of an additional efficiency target of €50 million in 2012. This target is in addition to savings in employment and procurement costs which are required of the health services as a whole next year. The precise level of savings required will vary depending on the profile of individual service providers and is currently being considered in the context of the development of the National Service Plan for the HSE which has been submitted to me and which I am considering. It is clear that the acceleration of the health reform programme and the reduction of our dependency on costly staff-intensive models of service will be central to ensuring these efficiency targets are met. As I informed the House before Christmas, I am pleased to be in a position to provide additional ring-fenced funding of €35 million for mental health services in line with the commitment in the programme for Government. This funding will further advance the implementation of A Vision for Change, which was the Report of the Expert Group on Mental Health Policy. It will enable the HSE to enhance the multidisciplinary composition of the existing adult and child and adolescent community mental health teams; focus on key priorities in mental health; and increase the availability of psychological and counselling services at primary care level. As 90% of mental health needs are dealt with in primary care settings, this funding will assist in developing closer links between mental health services and primary care.

Embassy Closures

45. **Deputy Finian McGrath** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will provide an update on the proposed closure of the Iranian Embassy. [40809/11]

46. **Deputy Finian McGrath** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will provide an update on the closure of the Vatican Embassy. [40810/11]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): I propose to take Questions Nos. 45 and 46 together.

The Government's decision of 3 November 2011 to close the Embassies to the Holy See and Tehran was motivated by the need to maximise the return from the diminishing resources available to my Department to operate the Diplomatic and Consular network. All administrative and logistical processes associated with the closures are under way. These include the termination of accommodation leases, return or disposal of furniture, secure dismantling of the ICT infrastructure and removal of equipment. It also includes the settlement of outstanding local staff issues. It is expected that the Embassy in the Holy See will close this month and that the Embassy in Tehran will close by the end of the first quarter in 2012. The Government plans to maintain diplomatic relations with both states through the appointment of non-resident Ambassadors. The agreement of the Vatican to the nomination of the Secretary General of my Department, Mr. David Cooney, as Ambassador to the Holy See was received recently. It is proposed to accredit an Ambassador in the region as Ambassador to Iran.

Foreign Conflicts

47. **Deputy Thomas P. Broughan** asked the Tánaiste and Minister for Foreign Affairs and Trade the actions being taken at EU and UN level to address the escalating crisis in Syria and in view of the number of reported deaths of anti-regime protestors; and if he will make a statement on the matter. [41003/11]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): I have made clear my strong condemnation of the ongoing violence and serious repression of human rights in Syria, most recently in a statement on 20 December. The UN estimates that over 5,000 people have been killed by Syrian forces since last March. I am gravely concerned that, despite the presence of an Arab League observer mission since 27 December, the killings of unarmed protestors continue. I fully support the call from Arab League Secretary General el-Araby for a complete cessation of all violence in Syria. The international community, including the EU, the UN and the Arab League, has reacted to the violence in Syria with a series of robust economic, political and diplomatic measures to compel the Syrian regime to cease its appalling and unacceptable attacks on the Syrian people.

The EU Foreign Affairs Council agreed on 1 December additional measures related to the energy, financial, banking and trade sectors, as well as the listing of additional individuals and entities involved in the violence or supporting the regime. This comes on top of extensive existing EU sanctions, including a ban on oil imports from Syria. I entirely support these additional sanctions and the statements of High Representative Ashton on Syria, including on 2 December. Ireland also fully supports implementation of the sanctions, including an asset freeze and an embargo on investments, imposed by the Arab League on Syria on 27 November. The Government, together with its EU partners, welcomes the leadership which has been shown by the Arab League in tackling the crisis caused by the Syrian regime's lethal repression against its own citizens. The Arab League has brought forward a plan which provides for the withdrawal of all Syrian forces from besieged towns and cities, for the release of all detainees and for the beginning of genuine political dialogue with the Syrian opposition. This plan represents the best way forward for Syria and it is vital that the Assad regime complies fully and without any further delay. I support the Arab League plan to continue its monitoring mission until 19 January and look forward to its full assessment of the situation at that stage.

At UN level, an overwhelming majority of UN member states, including Ireland, supported a resolution calling for an end to all human rights abuses in Syria which was adopted by the General Assembly on 19 December, following discussion and agreement in the Third (Human Rights) Committee in November. This followed the UN Human Rights Council's Special Session on Syria on 2 December which also adopted a strongly worded resolution on Syria.

[Deputy Eamon Gilmore.]

The UN High Commissioner for Human Rights, Mrs. Navi Pillay, laid out a persuasive case to the Security Council on 12 December that the Syrian regime is guilty of committing crimes against humanity in its brutal response to pro-democracy protests. Her presentation shared the conclusions of the report of the independent International Commission of Inquiry mandated by the HRC last August and which issued on 28 November.

These UN actions make it clear that the international community is united in its view that the violence in Syria must come to an immediate end. It is, therefore, extremely disappointing that the Security Council has still, after all this time, been unable to agree a robust Resolution on Syria to bring further pressure to bear on President Assad. I hope that it will soon be able to do so. I call on Security Council members with influence on President Assad to seek to persuade him to immediately relinquish power so that a political transition may begin. Ireland and its EU partners, working with the UN, the Arab League and international partners such as the US and Turkey, are determined to maintain strong and united political pressure on the Syrian regime until it ends the violent repression against its own people and begins a process of transition.

Ministerial Staff

48. **Deputy Catherine Murphy** asked the Tánaiste and Minister for Foreign Affairs and Trade the names and salaries of each person serving as a special adviser and or the names and salaries of each person directly appointed by him or a Minister of State to any other position within his Department or predecessors Department on each of the following dates; 1 December 2009, 1 December 2010 and 1 December 2011; and if he will make a statement on the matter. [41349/11]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): The information requested by the Deputy is set out in the following tables:

1 December 2011

Tánaiste and Minister for Foreign Affairs and Trade, Eamon Gilmore TD

Name	Position held	Annual Salary
Mark Garrett	Chief Adviser — Office of the Tánaiste	€168,000
Colm O'Reardon	Economic Adviser — Office of the Tánaiste	€155,000
Jean O'Mahony	Special Adviser — Department of Foreign Affairs and Trade	€80,051
Doreen Foley	Personal Assistant — Office of the Tánaiste	€56,060
Karen Griffin	Personal Assistant — Department of Foreign Affairs and Trade	€56,060
Anne Coleman	Personal Secretary — Department of Foreign Affairs and Trade	€45,939

Minister of State for Trade and Development, Jan O'Sullivan TD

Name	Position held	Annual Salary
Joe Leddin	Personal Assistant	€52,925
Margaret O'Donoghue	Personal Secretary	€47,755
Tom Considine	Civilian Driver	€32,964
Timmy Hennessy	Civilian Driver	€32,964

Minister of State for European Affairs, Lucinda Creighton TD

Name	Position held	Annual Salary
Stephen O'Shea	Special Adviser	€61,966
Barry Walsh	Personal Assistant	€43,715
Julie McGovern	Personal Secretary	€34,195
John Fagan	Civilian Driver	€32,964
Paul Neville	Civilian Driver	€32,964

1 December 2010

Minister for Foreign Affairs, Micheál Martin TD

Name	Position held	Annual Salary
Christy Mannion	Special Adviser	€101,939
Tim Conlon	Special Adviser	€84,132
Elisabeth O'Donoghue	Personal Assistant	€46,334
Susan Kinsella	Personal Secretary	€38,760

Minister of State for European Affairs, Dick Roche TD

Name	Position held	Annual Salary
David Grant	Special Adviser	€92,672
Geraldine Cole	Personal Assistant	€51,653
Ciara Furlong	Personal Secretary	€44,673
Frank Rickard	Civilian Driver	€32,964
Noel Keyes	Civilian Driver	€32,964

Minister of State for Development, Peter Power TD

Name	Position held	Annual Salary
Jerry O'Connor	Special Adviser	€89,898
Brian Stokes	Personal Assistant	€47,394
Susan Coleman	Personal Secretary	€36,738
Michelle Crowley	Personal Secretary	€22,022
Frank Ryan	Civilian Driver	€32,964
Matthew Givens	Civilian Driver	€32,964

1 December 2009

Minister for Foreign Affairs, Micheál Martin TD

Name	Position held	Annual Salary
Christy Mannion	Special Adviser	€110,210
Deirdre Gillane	Special Adviser	€103,389
Elisabeth O'Donoghue	Personal Assistant	€49,198

[Deputy Eamon Gilmore.]

Name	Position held	Annual Salary
Susan Kinsella	Personal Secretary	€39,456

Minister of State for European Affairs, Dick Roche TD

Name	Position held	Annual Salary
David Grant	Special Adviser	€100,191
Geraldine Cole	Personal Assistant	€55,030
Ciara Furlong	Personal Secretary	€47,403
Frank Rickard	Civilian Driver	€34,826
Noel Keyes	Civilian Driver	€34,826

Minister of State for Development, Peter Power TD

Name	Position held	Annual Salary
Jerry O'Connor	Special Adviser	€93,499
Brian Stokes	Personal Assistant	€48,829
Susan Coleman	Personal Secretary	€40,270
Michelle Crowley	Personal Secretary	€23,181
Frank Ryan	Civilian Driver	€34,826
Tom Flannery	Civilian Driver	€34,826
Matthew Givens	Civilian Driver	€34,826

Departmental Staff

49. **Deputy Denis Naughten** asked the Tánaiste and Minister for Foreign Affairs and Trade if he runs a graduate internship programme; and if he will make a statement on the matter. [41364/11]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): The Department of Foreign Affairs and Trade annually offers a small number of 11-month graduate internships in areas such as human rights, conflict resolution, disarmament and public international law. The Department's Development Cooperation Division, known as *Irish Aid*, also provides a number of 18-month internships for graduates with experience in international development. These are advertised through the careers offices of Irish third-level institutions. Separately, the Department annually facilitates four 6-month student placements in *Irish Aid* under a co-operation programme between the Department of Public Expenditure Reform and the University of Limerick. Consideration is also being given to temporarily recruiting a small number of Interns in summer 2012 to fill temporary additional posts allocated to the Department in the context of Ireland's forthcoming Presidency of the EU in the first half of 2013. All Interns are paid on the basis of the first point on the Executive Officer standard salary i.e. €26,122.

Departmental Offices

50. **Deputy Dara Calleary** asked the Tánaiste and Minister for Foreign Affairs and Trade his view that he, or any agency funded by him which owns properties in office complexes in which a management company is in place, should take an active role in the running of such management companies including the appointment of a nominee to the board of the company in order to protect the investment of tax payers' money. [1154/12]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): My Department occupies one property in the State which is owned by the State, namely Iveagh House. This premises does not fall into the category specified by the Deputy. There are no Agencies under the aegis of my Department.

Diplomatic Representation

51. **Deputy Billy Timmins** asked the Tánaiste and Minister for Foreign Affairs and Trade the reason the Irish Embassy to the Vatican closed; his plans to reopen it; and if he will make a statement on the matter. [1270/12]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): The decision to close Ireland's Embassy to the Holy See, along with the Embassy to Tehran and the Irish Aid Office in Dili, was made following a comprehensive review of the Mission network and against a background of the need by my Department to reduce its expenditure in the current difficult economic climate that we face. As regards the Holy See, in addition into savings in staff costs, the Villa Spada, which has heretofore served as the Ambassador's residence and Embassy chancery, will be reallocated to the Embassy to Italy, thereby allowing significant savings in rental charges.

While there are no plans at this stage to appoint a resident Ambassador to the Holy See, this does not mean an end to diplomatic relations with the Vatican. The Government has nominated the Secretary General of my Department, Mr. David Cooney, as our non-resident Ambassador to the Holy See. The Holy See has signalled its agreement to this appointment and has indicated that Mr. Cooney will be invited to present his credentials in line with normal Vatican protocol. Mr. Cooney will be travelling to Rome regularly to maintain contacts with officials of the Holy See and to represent Ireland at major ceremonies.

For our part, the Government has agreed to the nomination of Monsignor Charles J. Brown as Apostolic Nuncio to Ireland. I would like to congratulate Monsignor Brown on his consecration as Archbishop on Friday last and look forward to working with the Archbishop both in his position as Nuncio and as Dean of the Diplomatic Corps.

The Government will continue to review our network of diplomatic missions to ensure that it most efficiently and effectively meets Ireland's current needs, consistent with the resources available.

52. **Deputy Billy Timmins** asked the Tánaiste and Minister for Foreign Affairs and Trade the number of Irish Embassies that are in operation; the location of same; the cost of each; and if he will make a statement on the matter. [1271/12]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): In 2011, Ireland had 58 Embassies, 7 multilateral missions and 11 Consulates General and other offices overseas. In addition to their country of primary accreditation, many Ambassadors are also accredited to additional countries on a non-resident basis. Our Missions abroad are involved in representing and advancing government policies with other States and in international organisations, in particular the EU and the UN; economic and cultural promotion; frontline consular and passport services to Irish citizens overseas; engaging with Irish communities and harnessing the resource they offer in assisting economic recovery; and managing programmes, particularly in Irish Aid priority countries.

The budget of each Mission in 2011 is provided in the table below. These budgets are considered to be the locally-devolved administrative (day-to-day) budget including local staff salaries but not salaries of diplomatic staff, which are a charge on the Headquarters budget. Likewise, my Department's small capital budget is not allocated to missions on an ongoing basis but is managed from Headquarters.

[Deputy Eamon Gilmore.]

A number of Missions manage significant programmes on behalf of Irish Aid, funded from Vote 29, which reflect the additional management and oversight required for the effective implementation of those important programmes. These costs are shown separately in the tables below.

Administrative Budgets for Missions under Vote 28 (Foreign Affairs)

Mission Name	2011
ABU DHABI	466,900
ABUJA	267,599
ANKARA	397,809
ARMAGH	615,500
ATHENS	488,109
ATLANTA	147,400
BEIJING	750,784
BELFAST SECRETARIAT	697,715
BERLIN	929,251
BERNE	445,899
BOSTON	344,629
BRASILIA	524,784
BRATISLAVA	377,803
BRUSSELS (EMBASSY)	565,860
BRUSSELS (P.F.P.)	278,750
BRUSSELS (PR-EU)	3,307,842
BUCHAREST	485,075
BUDAPEST	465,593
BUENOS AIRES	426,217
CAIRO	396,657
CANBERRA	760,756
CHICAGO	340,825
COPENHAGEN	445,389
EDINBURGH	220,194
GENEVA	1,282,450
HELSINKI	539,283
HOLY SEE	420,987
KUALA LUMPUR	388,340
LISBON	431,630
LJUBLJANA	427,868
LONDON (Includes PPO London)	3,396,000
LUXEMBOURG	435,287
MADRID	1,038,990
MEXICO	442,290
MOSCOW	766,233
NEW DELHI	704,242
NEW YORK — C.G.	1,836,245
NEW YORK — PMUN	1,755,273
NICOSIA	365,313
OSCE — VIENNA	494,500
OSLO	615,300

Mission Name	2011
OTTAWA	580,960
PARIS	1,635,188
PRAGUE	598,634
PRETORIA	705,300
RAMALLAH	347,291
RIGA	210,748
RIYADH	347,071
ROME	1,193,087
SAN FRANCISCO	394,350
SEOUL	413,750
SHANGHAI	567,923
SINGAPORE	828,590
SOFIA	408,350
STOCKHOLM	616,107
STRASBOURG	422,091
SYDNEY	647,462
TALLINN	390,376
TEHRAN	348,049
TEL AVIV	573,639
THE HAGUE	749,539
TOKYO	1,888,548
VALLETTA	322,379
VIENNA	670,686
VILNIUS	416,380
WARSAW	754,711
WASHINGTON DC	1,149,777

Administrative budget of Embassies from Vote 29 (Irish Aid)

Mission Name	2011
ADDIS ABABA	747,137
DAR ES SALAAM	878,000
DILI	215,600
FREETOWN	537,000
HANOI	745,000
KAMPALA	1,231,532
LLONGWE	644,185
LUSAKA	1,324,700
MAPUTO	1,086,500
MASERU	656,700
PRETORIA	477,350

53. **Deputy Billy Timmins** asked the Tánaiste and Minister for Foreign Affairs and Trade the reason the Irish Embassy to Iran was closed; his plans to reopen same; the balance of trade between Ireland and Iran; and if he will make a statement on the matter. [1272/12]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): The decision to close the Irish Embassy to Iran, along with the Embassy to the Holy See and the Irish Aid Office in Dili, was made following a comprehensive review of the Mission network and against a background of the need by my Department to reduce its expenditure in the current difficult economic climate that we face. While the decision was met with disappointment by the Iranian authorities, they have expressed understanding of the very difficult decision the Government has had to take. They have also expressed the hope that the efforts to continue other areas of bilateral contact and cooperation, including political and cultural work, will continue, notwithstanding the closure of our Embassy in Tehran. I fully support this intention.

Despite our serious differences on issues such as human rights and the nuclear issue, Ireland has always emphasised the importance of dialogue and will continue to maintain communication with the Iranian authorities on a range of issues. While there are no plans at this stage to appoint a resident Ambassador based in Tehran, this does not mean an end to diplomatic relations with Iran. The Government plans to maintain diplomatic relations with Iran through the appointment of non-resident Ambassador, based in the region.

In 2010, Iran was Ireland's 55th largest merchandise trading partner, with merchandise trade worth €86.8 million. Irish exports were valued at €81.6m and imports were valued at €5.2m.

Ireland's principal merchandise exports to Iran include: General industrial machinery, equipment and parts; medical and pharmaceutical products; miscellaneous edible products and preparations. Our principal merchandise imports are fertilisers.

Figures for trade in services with Iran are unavailable from the CSO.

The Government will keep our network of diplomatic missions under review to ensure that it continues to serve Ireland's needs efficiently and effectively and that the available resources are deployed to best advantage.

Northern Ireland Issues

54. **Deputy Finian McGrath** asked the Tánaiste and Minister for Foreign Affairs and Trade if he is not sitting back in the belief that the Northern question has been resolved; and the plans in place to further develop closer co-operation on the island in 2012. [1592/12]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): The implementation of the Good Friday Agreement has transformed life on the island of Ireland. In the May 2011 elections, the people of Northern Ireland gave their overwhelming endorsement to the parties committed to making the institutions of the Agreement work. The Government remains committed to protecting all of the benefits that have emerged from the Good Friday Agreement, and to strengthening the relationship between the traditions on this island. Further strengthening these relationships will require sustained effort on all sides. The Government is fully committed to this process. The main forum for advancing North South economic cooperation remains the North South Ministerial Council. The Programme for Government affirms our commitment to strengthening North South cooperation even further, and to working with our Northern colleagues to develop greater economic collaboration to accelerate the process of economic recovery and job creation on this island.

Sadly, there are those who still wish to disrupt the peaceful society which has emerged in Northern Ireland since the Good Friday Agreement. The level of cooperation and mutual support between the Garda and the PSNI in counteracting the threat from dissidents has never been higher, and my own Department continues to work towards erasing the scourge of sectarianism through the Reconciliation and Anti-Sectarianism Fund.

The decade 2012 -2022 will see the centenary of many seminal events in the history of modern Ireland, North and South. Commemoration of these has the potential to foster reconciliation and deepen understanding between all traditions on the island of Ireland. To this end, the Government has endorsed an overall approach to commemorations where by the Government's own commemorations, any commemorations organised by the public service, and any commemorations that the State supports will respect historical accuracy, promote tolerance, respect and inclusiveness and will recognise the All-Island and East/West shared past nature of the decade. Since becoming Tánaiste and Minister for Foreign Affairs and Trade I have visited Northern Ireland on a number of occasions and, during these visits, have met with my Northern Ministerial colleagues, as well as community representatives. I intend to continue to travel to Northern Ireland on a regular basis to continue building and strengthening relationships.

Economic and Monetary Union

55. **Deputy Pearse Doherty** asked the Minister for Finance if a social and economic impact assessment was carried out by him, or by another Department at his request, on the implications for Ireland of the new fiscal rule of 0.5% of GDP structural deficit limit, as contained in the statement by the eurozone area Heads of State or Government signed by the Taoiseach on 9 December 2011; and if he will make a statement on the matter. [40921/11]

Minister for Finance (Deputy Michael Noonan): Targeting an appropriate structural balance has been a feature of the European fiscal framework for a number of years already. To help ensure sustainable economic and budgetary policies, the structural balance is an appropriate tool, as it provides greater clarity on the underlying budgetary position by adjusting the headline fiscal position for short-term movements in the economic cycle. The statement by euro area Heads of State or Government recognises the important role it plays and European leaders are placing greater emphasis on this tool.

Its application is reflected in the budgetary policies adopted by each Member State and it is in this context that any economic assessment arises.

In terms of current economic and budgetary policies, the priority for the Government is delivering on our programme commitments, which will also help maintain the public finances on a sustainable path over the medium and longer term.

Tax Code

56. **Deputy Éamon Ó Cuív** asked the Minister for Finance if his attention has been drawn to the fact that the telecom companies are charging 23% VAT on charity related SMS text messages even though these are exempted from VAT by the Revenue; and if he will make a statement on the matter. [41226/11]

Minister for Finance (Deputy Michael Noonan): I am advised by the Revenue Commissioners that charitable donations made via SMS text message, excluding any fees charged by the telecommunications provider or other service provider, are outside the scope of Irish VAT. Any fees charged by the telecommunications service providers in connection with the facilitation of donations are liable to VAT at the standard rate of 23%. Telecommunications providers have recently advised Revenue that their systems do not currently have the technical ability to distinguish between the telecommunications service which is liable to VAT at the standard rate of 23% and the charitable donation which is outside the scope of VAT. Therefore, the telecommunications service providers have to date accounted for VAT at the standard rate on the full amount including the donation made via SMS text message. However, it is Revenue's

[Deputy Michael Noonan.]

understanding that the telecommunications providers are working towards resolving this issue in the near future and are putting in place measures to ensure that the appropriate contribution from the charitable donations made via SMS text message is passed on VAT-free to the charities or to third party service providers acting on behalf of the charities where this is the case.

Revenue also understands that charities are working with the telecommunications providers with a view to resolving this matter.

Vehicle Registration

57. **Deputy Billy Timmins** asked the Minister for Finance if he will give consideration to the issuing of personalised vehicle registration plates in view of the fact that this would cut down on unnecessary administration; and if he will make a statement on the matter. [1275/12]

Minister for Finance (Deputy Michael Noonan): The registration plate in place under the current system allows members of the public and car buyers to ascertain, at a glance, both the year and county of registration of a vehicle. It is seen as a simple and effective registration plate system which is indeed the envy of many European registration authorities, including the UK. A move to a more complicated plating system, using variations of letters and numbers, could create confusion without providing any real benefits. A move to introduce a parallel system for personalised plates would also require inter-agency agreement, involving An Garda Síochána, the Department of Environment, Community and Local Government, the Department of Transport, Tourism & Sport and the Office of the Revenue Commissioners; and would necessitate legislative and administrative changes.

The small size of the Irish car market, the potential for confusion and increased tax evasion, as well as the costs of administering such a scheme, raise considerable doubts as to whether any real overall benefit would accrue to the State if a personalised vehicle registration system was introduced. These difficulties are compounded by potential additional problems in the management of the national fleet and the identification of vehicles in connection with road traffic accidents and offences.

Motor Taxation

58. **Deputy Billy Timmins** asked the Minister for Finance if he will give consideration to the abolition of road tax and replace it with a *quid pro quo* tax on fuel in view of the fact that this would cut the cost of administration of the current system, would require no policing and would ensure that the user pays principle would be implemented as all road users would have to pay a cost based on their road usage; and if he will make a statement on the matter. [1276/12]

Minister for Finance (Deputy Michael Noonan): I do not intend to seek to replace the current system of motor tax with additional taxation on motor fuel.

Motor tax receipts for 2011 were in the order of €1bn. Maintenance of the tax base would require an increase in fuel excise rates of more than 20 cent per litre, with direct negative impacts on the rate of inflation and economic competitiveness. Goods vehicles and other high usage and high mileage vehicles, such as public service vehicles and buses, would have higher costs under a pay-as-you-drive system. There would be other distributional effects on, among others, those with longer distances to commute.

A significant increase in fuel duty would lead to an increase in cross-Border fuel purchasing, further depressing the tax base and requiring a compensatory adjustment to make up the shortfall. The potential for an increase in fuel laundering is also clear.

The benefits identified by the Deputy would have to be weighed against these issues, and many others, before the change proposed could be contemplated.

Insurance Industry

59. **Deputy Michael McGrath** asked the Minister for Finance if his attention has been drawn to the fact that some insurance companies are refusing to provide house insurance cover in respect of all residential properties in certain towns because of a deemed subsidence risk; if he has any concerns about such a practice from a competition point of view; and if he will make a statement on the matter. [1416/12]

Minister for Finance (Deputy Michael Noonan): Neither the Central Bank nor I, as Minister for Finance, have powers to compel insurance companies to quote for business. The decision to provide any specific form of insurance cover and the price at which it is offered is a commercial matter for individual insurers. I am advised that individual insurers make their own decisions in respect of areas that are deemed to be of risk of subsidence, based on their own knowledge and on company claims experience. Insurance companies compete with each other for business. They also consider the claims history of individual properties and the relevant geographical and geological features of the area when deciding what premium to charge and what terms and conditions to apply.

Insurers report that such underwriting actions are taken in the interests of policy holders in general to keep household premiums affordable.

Tax Yield

60. **Deputy Michael McGrath** asked the Minister for Finance the amount raised from the levy on private medical insurance policies in each of the past three years; the rates of payment for different category of insured person that are made under the scheme; and the amounts paid to each of the medical insurers. [1507/12]

Minister for Finance (Deputy Michael Noonan): I am informed by the Revenue Commissioners that the amount of the levy on authorised health insurers collected in the years 2009 to 2011 is as follows:

Tax Year	Amount
2009	€197million
2010	€317million
2011	€346million

The 2011 figure is provisional and subject to revision.

The rates of payment of age related tax credits (ARTC) for the different categories each year are as follows:

Age category of insured person	2009	2010	2011
50-59 years	€200	€200	€0
60-69 years	€500	€525	€625
70-79 years	€950	€975	€1,275
80 years and over	€1,175	€1,250	€1,725

[Deputy Michael Noonan.]

The amounts of ARTC paid in respect of insured persons in the respective age categories, based on the cash flow payout to insured aged persons derived from claims made in the years 2009 to 2011 to date, are as follows:

Age category of insured person	2009	2010	2011
50-59 years	€39 million	€53 million	€6 million
60-69 years	€73 million	€104 million	€122 million
70-79 years	€71 million	€101 million	€133 million
80 years and over	€33 million	€50 million	€73 million
Total	€216 million	€308 million	€334 million

For reasons of taxpayer confidentiality it is not possible to provide details of the amounts paid to each of the medical insurers involved.

Motor Taxation

61. **Deputy Brendan Griffin** asked the Minister for Finance if there are exemptions to vehicle registration tax in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [40766/11]

Minister for Finance (Deputy Michael Noonan): The legislation governing Vehicle Registration Tax provides that a vehicle may be registered without payment of VRT if the vehicle is the personal property of an individual and is being brought permanently into the State by the individual when he/she is transferring his/her normal residence from a place outside the State to a place in the State. This exemption (referred to as Transfer of Residence exemption) is subject to certain conditions and restrictions which are prescribed in Statutory Regulations. These Regulations provide that the relief shall not be granted in respect of a vehicle brought into the State more than 12 months after the transfer of normal residence unless the Commissioners, in their discretion, so decide in any particular case.

I am advised by the Revenue Commissioners that this taxpayer transferred her residence from Northern Ireland in 2005. The vehicle in question was brought into the State on 1 November 2011 — over 6 years later. Transfer of Residence relief was refused because the vehicle was not brought into the State within the 12 month period, as prescribed.

The taxpayer was notified of this decision and of the relevant Appeal procedures, should she wish to appeal this decision.

Tax Reliefs

62. **Deputy Robert Dowds** asked the Minister for Finance his views on the tax write-off to which Ministers are entitled for the cost of having their clothing dry-cleaned; if he plans to abolish same; and if he will make a statement on the matter. [40776/11]

Minister for Finance (Deputy Michael Noonan): A Minister or a Minister of State, whose official duties as an office holder or as a member of the Oireachtas require him or her to maintain a second residence in addition to his or her main residence, can claim an income tax deduction in respect of expenses incurred in maintaining that second residence. The allowance is confined to office holders who represent constituencies outside the Dublin area and is known as the dual abode allowance. It should be noted that it is only where an office holder uses hotel

or guesthouse accommodation as his/her second residence that any costs in relation to laundry can be allowed.

It should also be noted that overnight expenses are not paid to officers holders. Such expenses apply only to deputies and senators who are not office holders.

I do not intend to abolish the dual abode allowance at this time or to make changes to its operation.

Credit Availability

63. **Deputy Dominic Hannigan** asked the Minister for Finance the steps the Credit Review Office is taking to ensure that it is being promoted among the business community; the promotional campaigns it has undertaken; its main avenues of promotion; and if he will make a statement on the matter. [40893/11]

Minister for Finance (Deputy Michael Noonan): As the Deputy may be aware, the Credit Review Office was established to help SME or farm borrowers who have had an application for credit of up to €500K declined or reduced, and who feel that they have a viable business proposition. The CRO also look at cases where borrowers feel that the terms and conditions of their existing loan, or a new loan offer, are unfairly onerous or have been unreasonably changed to their detriment. In terms of the CRO being promoted among the business community, the two pillar banks are required to ensure that all letters of rejection to eligible borrowers include the CRO leaflet. These leaflets should be on display stands in all bank branches of the two pillar banks.

An ongoing media campaign is focused on national and regional radio advertisements, which comprises a weeklong radio advertising burst each quarter at prime commuting time. In addition, print media advertising is used to leverage advertorial and editorial articles in selective national and regional newspapers and the business press. The publication of the CRO quarterly reports trigger further coverage.

The Credit Reviewer has made himself available to meet with journalists for radio and press coverage, and speaks regularly at various business events. In addition, the CRO has taken trade stands at many SME events and conferences.

Gambling Regulations

64. **Deputy Maureen O'Sullivan** asked the Minister for Finance if he will consider the implementation of a licensing system to regulate all forms of gambling activity, and the reform of the current taxation system with a taxation on profits rather than on turnover for the betting industry; and if he will make a statement on the matter. [40901/11]

Minister for Finance (Deputy Michael Noonan): The Finance Act 2011 contains legislation that, subject to a Ministerial Commencement Order, provides for the extension of betting duty to remote bookmakers and betting exchanges. The tax changes provided for in the Finance Act can only be implemented once the Betting (Amendment) Bill, which will provide for a regulatory and licensing regime, is enacted. The Betting (Amendment) Bill 2011 is currently at an advanced stage of drafting. The proposed licensing regime will make it a condition of the license for the operator to collect the betting duty with the licensed operators being liable for payment of the duty. It is expected that by including this high-growth area of the betting sector, particularly given the increasing prevalence of smart phones, the tax base from betting will be boosted significantly. In a full year it is expected that the tax yield could grow up to €20 million depending on the prevailing market conditions.

[Deputy Michael Noonan.]

Just as important is the positive signal this measure will convey to international betting operations that have expressed an interest in or have already invested in Ireland. A location with an appropriate licensing framework coupled with relatively low taxes provides real investment and employment opportunities in this sector.

The Deputy may wish to note that my colleague the Minister for Justice and Equality received Government approval last July for the preparation of a new comprehensive Bill on Gambling. The Bill proposes to bring together under a single enactment the regulatory environment for all types of gambling, including the repeal of the Betting Act 1931.

Banking Sector Regulation

65. **Deputy Dominic Hannigan** asked the Minister for Finance his plans to address the difference between the variable rate mortgage with Permanent TSB, with an interest rate of 5.44%, and the AIB standard variable rate of 3.04%, and the effect this is having on consumers; and if he will make a statement on the matter. [40941/11]

Minister for Finance (Deputy Michael Noonan): Neither the Central Bank nor the Department of Finance has a statutory function in relation to interest rate decisions made by individual lending institutions at any particular time. However, I can confirm to the Deputy that Permanent TSB did pass on, in full, the recent reductions to customers holding standard variable rate (SVR) mortgages and reduced further their LTV standard variable rates to align them with the SVR. Ultimately the pricing of financial products, including standard variable mortgage interest rates, is a commercial decision for the management team and board of each bank, having due regard to their customers and the impact on profitability, particularly where the cost of funding to each bank, including deposit pricing, is under pressure.

In his recent letter to the Taoiseach, the Deputy Governor of the Central Bank stated that the Central Bank was not requesting the power to have regulatory control over the setting of retail interest rates. He indicated that the experience of such controls in the past, and in other countries, did not encourage the Central Bank to believe that such a regime would be advantageous in net terms as the banking system recovers its normal functioning. Binding controls tend to reduce availability of credit and channel it to the most creditworthy customers, starving smaller and less secure customers from credit. This could have an adverse effect on sound competition in the market. The Deputy Governor mentioned also that, within its existing powers and through the use of suasion, the Central Bank will engage with specific lenders which appear to have standard variable rates set disproportionate to their cost of funds.

However, the Government is acutely aware of the increasing financial stress that some households are facing arising from difficulty in meeting their loan, and in particular their mortgage, commitments and there are a number of measures in place to assist people in this situation.

In the first instance, the Central Bank's Code of Conduct on Mortgage Arrears (the Code) is the key framework that governs the relationship between lenders and borrowers who are in arrears, or facing arrears, on their mortgage. The Code provides a number of protections to borrowers. These include the establishment of a formal Mortgage Arrears Resolution Process (MARP) to deal with mortgage customers who are in arrears or pre-arrears, the establishment of dedicated Arrears Support Units and a separate internal appeals process by lenders to deal with individuals on a case by case basis. The Code also provides that a lender must not apply to the Courts to commence legal action for the repossession of a borrower's private residence until every reasonable effort has been made to agree an alternative arrangement with the borrower and that, where a borrower co-operates with the lender, the lender must wait at least

twelve months from the date the borrower is classified as a MARP case before applying to the Court to commence legal action for repossession of a borrower's primary residence. This twelve month period does not include any time where the borrower is complying with the terms of any alternative arrangement agreed with the lender, or being processed by the internal Appeals Board, or any time during which a complaint against the lender against any aspect of the Mortgage Arrears Code is being processed by the Financial Services Ombudsman's Office.

There are also other public measures in place to assist eligible mortgage holders experiencing difficulty in respect of the mortgage on their primary home such as the Department of Social Protection Mortgage Interest Supplement scheme and the provision of a free, confidential and independent financial advice service from the Money Advice and Budgeting Service.

In addition, the report of the Inter-Departmental Group on Mortgage Arrears, which was published last October, sets out a number of further recommendations to address the situation of significant mortgage difficulty. The report concluded that blanket approaches to tackling the mortgage problem would not be an effective use of scarce State resources and would, in any event, not address the real difficulty which is the level of significant arrears arising in some mortgages. Instead, it stated that the issue of mortgage difficulty can only be addressed in an efficient way on a case by case basis. Arising from the report, a number of developments are underway that will be of further assistance to mortgage holders experiencing significant difficulty. The reform of personal insolvency law was identified in the report as a critical measure to tackle mortgage distress, and considerable work has now been undertaken to prepare a Bill that should be shortly ready for Government consideration. Progress has also been made on preparing the groundwork for mortgage-to-rent schemes as a social housing response to this problem. In addition, the Central Bank has now received mortgage arrears resolution strategies and implementation plans from mortgage lenders and these will now be analysed and considered by the Central Bank. The implementation of the report's recommendations is key to tackling the major problem of significant mortgage distress and a Steering Group, chaired by my Department and including representation at a senior level from the other relevant Departments, has now been established by Government to oversee and drive the implementation of the report's recommendations across the range of relevant Departments.

Tax Code

66. **Deputy Michael Creed** asked the Minister for Finance if a person (details supplied) in County Cork is liable for the universal social charge on their retirement pension from FÁS; and if he will make a statement on the matter. [40959/11]

Minister for Finance (Deputy Michael Noonan): The position is that the Universal Social Charge (USC) does not apply to social welfare payments or payments of a similar nature. However, I should point out that occupational pensions are liable to the USC, if the payment is greater than the exemption limit, which from 1 January 2012 is €10,035 per annum.

Tax Reliefs

67. **Deputy Clare Daly** asked the Minister for Finance if he will consider including among the beneficiaries of his decision in budget 2012 the extension of mortgage interest relief provision to all those first-time buyers who agreed the purchase of their first property in 2008, even if the transaction was completed in early 2009 (details supplied). [40969/11]

Minister for Finance (Deputy Michael Noonan): As I stated in my Budget speech, the Government has now fulfilled its commitment contained in the Programme for Government to increase the rate of mortgage interest relief to 30 per cent for first-time buyers who took

[Deputy Michael Noonan.]

out their first mortgage in the period 2004 to 2008. The individuals in question do not qualify for the increased rate of mortgage interest relief, however, they should be able to avail of the existing rates which for them would be 25% for 2009 and 2010, 22.5% for 2011, 2012 and 2013 and 20% for 2014 and 2015.

Tax Clearance Certificates

68. **Deputy Jack Wall** asked the Minister for Finance if a person (details supplied) in County Kildare could be furnished with a valid tax credit certificate; and if he will make a statement on the matter. [40982/11]

Minister for Finance (Deputy Michael Noonan): I have been advised by the Revenue Commissioners that they are contacting the person concerned to obtain the full details necessary to issue the tax credit certificate.

Government Bonds

69. **Deputy Peter Mathews** asked the Minister for Finance the average maturity of Government bonds issued each year since 1990; the average interest rate paid on Exchequer borrowings each year since 1990; and if he will make a statement on the matter. [40983/11]

Minister for Finance (Deputy Michael Noonan): Data supplied to my Department by the Central Bank of Ireland concerning the average maturity of Government bonds issued since 1990 is set out in the accompanying table. The Deputy should be aware that the information only pertains to Government bonds on the Central Bank's register and shows the simple average maturity on first issuance of new Government bonds in each year.

	Average Maturity (Years)
1990	5.4
1991	7.0
1992	4.9
1993	8.9
1994	12.8
1995	10.6
1996	5.5
1997	10.9
1998	—
1999	9.4
2000	—
2001	—
2002	8.5
2003	6.2
2004	16.3
2005	—
2006	—
2007	11.0
2008	7.1
2009	8.4
2010	10.8
2011	—

Data supplied to my Department by the National Treasury Management Agency (NTMA) concerning the average interest rate paid on the National Debt each year since 1990 is set out in the table below. The Deputy should be aware that the rate applies to all sources of funding for the National Debt including Government bonds, State saving and short-term paper.

	Average Interest Rate
1990	8.5%
1991	8.5%
1992	8.1%
1993	7.6%
1994	7.3%
1995	7.0%
1996	7.4%
1997	8.2%
1998	7.0%
1999	6.1%
2000	5.4%
2001	5.2%
2002	4.6%
2003	4.8%
2004	4.4%
2005	4.5%
2006	5.0%
2007	4.4%
2008	3.5%
2009	4.0%
2010	4.1%
2011	4.3%

Banking Sector Regulation

70. **Deputy Michael McGrath** asked the Minister for Finance if he will provide full details, including the number of current and former employees affected and the amount of money involved, of any performance-related or contractual-related bonuses or deferred bonuses paid by any of the covered institutions in December 2011 or which fall due for payment in January 2012; and if he will make a statement on the matter. [41005/11]

Minister for Finance (Deputy Michael Noonan): I am informed by the respective covered institutions that no payments, as described in the Deputy's question, have occurred. For the sake of completeness, the Deputy should be aware that payments other than bonus payments of the type referred to in his question continue to arise. For example, sales commission payments continue to be paid in some of the covered institutions where this is an integral part of the employees' remuneration structure. In addition, where the institutions are deleveraging businesses or assets at overseas locations retention and contractual payments deemed necessary to achieve optimal results arise.

The Deputy will also note that payments to certain staff at EBS Ltd, described as bonus payments in the relevant contracts, were not paid on the basis that the provisions underpinning the State's investment in the covered institutions prohibits the payment or awarding of bonuses whatsoever. While I have indicated, on the floor of the House, that I am anxious for the

[Deputy Michael Noonan.]

matter to be resolved any resolution will have to respect the parameters and conditions of the State's investment.

Banks Recapitalisation

71. **Deputy Pearse Doherty** asked the Minister for Finance the amount of money borrowed by the State since 2008 to recapitalise the covered institutions; the dates on which this money was borrowed; the body or institutions from whom the money was borrowed; the bank into which the money was transferred; the interest rates charged on this borrowing; and if he will make a statement on the matter. [41008/11]

Minister for Finance (Deputy Michael Noonan): In 2009 the Exchequer funded a €4 billion capital injection into Anglo Irish Bank. In 2009 also there was a frontloading of the 1% of GNP Exchequer contribution to the National Pensions Reserve Fund (NPRF) for 2009 and 2010 to part-fund the recapitalisations of Allied Irish Bank (AIB) and Bank of Ireland (BOI) announced in February 2009. The total sum transferred from the Exchequer to the NPRF in 2009 was €3 billion. Both AIB and BOI were recapitalised by way of a €3.5 billion capital injection in the form of Preference Shares in each institution with all of that capital provided from the NPRF. Generally speaking, transfers from the NPRF do not impact the Exchequer and are not therefore deemed borrowings.

In 2010, the Exchequer provided €625 million to Educational Building Society (EBS) and €100 million to Irish Nationwide Building Society (INBS) by way of special investment shares. This method of investment gave the State extensive powers and full economic ownership of the two building societies.

During 2010 also, capital injections totalling €30.85 billion were committed to Anglo Irish Bank, INBS and EBS. The respective amounts were €25.3 billion for Anglo Irish Bank, €5.3 billion for INBS and €250 million for EBS. The consideration for the capital injections was promissory notes issued by the Exchequer to the institutions in lieu of cash. These notes will be redeemed over a period of several years with the Exchequer committed to making annual repayments of 10% of the initial capital value of the notes. This means the Exchequer did not require upfront cash funding for the capital injection. While the promissory notes impact the General Government Debt from the date they were issued, they only impact the National Debt as the annual instalments are paid.

In March 2011, the Exchequer provided a combined €3,060 million to Anglo Irish Bank and INBS — now known as Irish Bank Resolution Corporation (IBRC) — 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.

Finally in relation to 2010, a further €3.7 billion was injected into AIB in return for ordinary shares. This capital was provided from the NPRF.

In July 2011, the Exchequer funded €7,568 million of the payments for the recapitalisation of the banking sector, which followed from the March 2011 PCAR process. €2,700 million was provided to Irish Life & Permanent (ILP) in return for ordinary shares and contingent capital notes, €985 million to BOI in return for contingent capital notes and €3,883 million to AIB by way of a capital contribution and contingent capital notes. Offsetting this cost somewhat were the €1,018 million in capital receipts transferred to the Exchequer from the NPRF from the sale of part of the State's shareholding in BOI and €46 million in fees related to the recapitalisations. This resulted in a net Exchequer contribution of some €6.5 billion towards the recapitalis-

ation of the banking sector in 2011. The *Budget 2012* Exchequer deficit estimate for 2012 made provision for €1.3 billion in Exchequer funding to complete the recapitalisation of ILP.

Of the €24 billion in capital identified as being required following the March 2011 PCAR process, a further €10 billion was provided from the NPRF with the balance of some €7.5 billion being sourced to date through burden sharing with subordinated bondholders, private investment, asset disposals and internal capital generation.

In terms of the dates on which borrowings were undertaken, the body or institution from whom the money was borrowed and the bank into which the money was transferred, the Deputy should be aware that there was no specific tranche of borrowing that was undertaken solely for the purpose of funding payments to banks. Rather the funds which become available to the State as a result of borrowing undertaken by the Exchequer are available, along with the funds sourced from revenues such as tax revenue, non-tax revenue and capital receipts, to fund overall expenditure, including the recapitalisation of the banks. But it is the case that in the absence of the requirement to provide capital to the banks, the Exchequer deficits and therefore the State's borrowing requirement would have been lower in these years. Because of the nature of the international capital markets it is not possible to identify exactly from whom the money was borrowed. All borrowing was transferred into the Exchequer account.

The average interest rate on Exchequer long-term borrowings undertaken in 2009 was 4.6% while the average interest rate on Exchequer long-term borrowings undertaken in 2010 was 4.7%.

In 2011 long-term funding was raised under the EU/IMF Programme rather than in the market. The average interest rate on Exchequer borrowings undertaken so far as part of the EU/IMF Programme is approximately 3.7%.

Tax Reliefs

72. **Deputy Alan Farrell** asked the Minister for Finance the estimated cost of providing the increased rate of mortgage relief for first time buyers for those who purchased their homes in 2009; and if he will make a statement on the matter. [41018/11]

Minister for Finance (Deputy Michael Noonan): It is assumed that the Deputy has in mind increasing the existing rate of mortgage interest relief for first time buyers in 2009 to 30% in line with the Budget 2012 measure for first time buyers in 2004 to 2008 inclusive. I am informed by the Revenue Commissioners that the cost to the Exchequer of the changes mentioned is tentatively estimated to be of the order of €4 million per year.

Tax Code

73. **Deputy Dominic Hannigan** asked the Minister for Finance if any consideration has been given to changing the rules for travel agents and the charging of VAT for the holidays they sell; the rules for VAT on holidays sold by travel agents in the UK; and if he will make a statement on the matter. [41020/11]

Minister for Finance (Deputy Michael Noonan): I am advised by the Revenue Commissioners that the Finance (No.2) Act 2008 amended the Value-Added Tax Act 1972 to provide for the introduction a Travel Agents Margin Scheme. Under this scheme certain travel agents are liable to VAT on their supply of certain services, not in respect of the consideration they receive for such services but in respect of the travel agents margin on those services. This scheme, which is provided for in Articles 306 to 310 of the EU VAT Directive, was introduced with effect from 1 January 2010. The scheme deals with the activities carried on by travel agents

[Deputy Michael Noonan.]

who act in the capacity of a principal when supplying certain travel services such as transport, accommodation, etc, which they have bought in from third parties for onward supply to travellers. The Scheme is a standard EU wide Scheme and is in operation in the almost all Member States of the EU including the UK. In the UK it is referred to as the TOMS (Tour Operators Margin Scheme) but in Ireland it is referred to as the TAMS (Travel Agents Margin Scheme.) For the purposes of the VAT Directive both travel agents and tour operators covered by the Scheme are treated the same for VAT purposes. Consequently there is no material difference between the TAMS in operation here and the TOMS in operation the UK.

The rate of VAT that applies to the supply of travel facilities by a travel agent covered by the Travel Agents Margin Scheme is the standard rate of VAT, which is currently 23 per cent.

Detailed discussions took place with representatives of the travel industry prior to the introduction of the scheme.

Banking Sector Regulation

74. **Deputy Michael McGrath** asked the Minister for Finance the way the €250 million allocated for each of the years 2012 and 2013 for a resolution fund for the credit union sector will be allocated; and if he will make a statement on the matter. [41025/11]

Minister for Finance (Deputy Michael Noonan): The purpose of the Resolution Fund under the Central Bank and Credit Institutions (Resolution) Act, 2012 is to provide a source of funding for the resolution of financial instability in, or an imminent serious threat to the financial stability of, an authorised credit institution. In particular the Resolution fund may be used for:

- the payment of financial incentives for transfers,
- providing capital for a bridge bank,
- meeting the expenses of the Central Bank incurred when discharging functions under the Act, and
- making certain payments under the Act, for example, the payment of expenses to an assessor appointed under the Act.

This Act applies to credit unions as well as other credit institutions such as banks and building societies.

Payments will be made on a case by case basis according to the resolution actions undertaken by the Central Bank under the Act. The Central Bank is responsible for managing and administering the resolution fund.

Question No. 75 withdrawn.

Banking Sector Regulation

76. **Deputy Kevin Humphreys** asked the Minister for Finance if his attention has been drawn to the decision by the EBS not to pay staff their 13th annual payment which has been a long-standing part of their employment contract; if his further attention has been drawn to the fact that staff in EBS were only informed of this decision on the 6 December 2011, three days before payment was due, and that this has left many of them in a dire financial position; if he will intercede to resolve this issue; if his attention has been drawn to the fact that the interest-free loans offered by EBS to staff to ameliorate this situation are subject to benefit in kind of

12.5% and if he will waive that provision for this specific case; the reason managers in EBS continue to receive their 13th annual payment but staff below that pay grade do not, which has created a grave unfairness; and if he will make a statement on the matter. [41045/11]

78. **Deputy Ciara Conway** asked the Minister for Finance the reason an EBS worker (details supplied) in County Waterford along with all front line staff at that institution will not receive a thirteenth month payment in December 2011 as they traditionally have done while managers will be paid a bonus; if there will be any recourse for EBS workers in this situation; and if he will make a statement on the matter. [41077/11]

95. **Deputy Brendan Ryan** asked the Minister for Finance his views that staff at team leader level and below at the State-supported Educational Building Society are not to be paid their annual Christmas payment when EBS staff from assistant manager level upwards are being awarded the payment; and if he will make a statement on the matter. [41429/11]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 76, 78 and 95 together.

I have outlined my position on the various matters raised in the questions above when replying to previous parliamentary questions on the same subject (refs: 40290/11 & 40334/11 of 14 December 2011 and 40410/11, 40538/11 & 40633/11 of 15 December 2011) and in my contribution to a Topical Issues Debate on the issue of 15 December 2011.

In the course of that contribution, I indicated that I would like the matter to be resolved taking into account the parameters and restrictions surrounding the issue. I have also communicated this directly to the trade union involved and to solicitors representing it, on foot of legal correspondence received, indicating that the matter should be pursued directly with the employer — EBS Ltd.

Personal Debt

77. **Deputy Billy Timmins** asked the Minister for Finance the position regarding debt write-down or forgiveness for persons who cannot keep up payments and are finding they have no income left at the end of the month; and if he will make a statement on the matter. [41062/11]

Minister for Finance (Deputy Michael Noonan): The banks in Ireland, including those in which the State has a significant shareholding, are independent commercial entities and decisions on the handling of their loans are, in the first instance, a commercial matter for the individual institutions. However, the Government is aware of the increasing financial stress that some households are under arising from difficulty in meeting their loan, and in particular, their mortgage repayments.

The Deputy will be aware of the report of the Inter-Departmental Group on Mortgage Arrears, which was published last October. The report sets out a number of recommendations to address the situation of those in mortgage arrears. The report stated that the issue of mortgage difficulty can only be addressed in an efficient way on a case by case basis. Arising from the report, a number of developments are underway that will be of assistance to mortgage holders experiencing significant difficulty.

The reform of personal insolvency law was identified in the report as a critical measure to tackle mortgage distress, and considerable work has now been undertaken to prepare a Bill that should be ready shortly for Government consideration. This legislation will be the responsibility of my colleague, the Minister for Justice and Equality.

[Deputy Michael Noonan.]

Progress has also been made on preparing the groundwork for mortgage-to-rent schemes as a social housing response to this problem. In addition, the Central Bank has received mortgage arrears resolution strategies and implementation plans from mortgage lenders and these will now be analysed and considered by the Central Bank. A Steering Group, chaired by my Department and including representation at a senior level from the other relevant Departments, has been established by Government to oversee and implement the report's recommendations across the range of relevant Departments.

Question No. 78 answered with Question No. 76.

State Banking Sector

79. **Deputy Brian Walsh** asked the Minister for Finance if he will request that the Central Bank use its powers to engage with Permanent TSB regarding its standard variable mortgage rate, which is considerably higher than that of other State-controlled banks, in order to establish if the rate is disproportionate to the cost of funds; and if he will make a statement on the matter. [41078/11]

Minister for Finance (Deputy Michael Noonan): As the Deputy is aware, neither the Central Bank nor the Department of Finance has a statutory function in relation to interest rate decisions made by individual lending institutions at any particular time. On 8th December 2011, permanent TSB confirmed that it will pass on the interest rate cut of 0.25% announced on that date by the ECB to all mortgage customers including those on Standard Variable Rates and Tracker Rates and including both home owners and investors in residential properties. In addition the bank has confirmed that it will reduce the rates applying to a number of variable rate mortgages held by both residential and investor customers by as much as 71 basis points. This includes the impact of the ECB reduction of 0.25%.

Ultimately the pricing of financial products, including standard variable mortgage interest rates, is a commercial decision for the management team and board of each bank, having due regard to their customers and the impact on profitability, particularly where the cost of funding to each bank, including deposit pricing, is under pressure.

In his recent letter to the Taoiseach, the Deputy Governor of the Central Bank stated that the Central Bank was not requesting the power to have regulatory control over the setting of retail interest rates at this time given this could absolve banks of their responsibility to price risk accurately. He indicated that the experience of such controls in the past, and in other countries, did not encourage the Central Bank to believe that such a regime would be advantageous in net terms as the banking system recovers its normal functioning. Binding controls tend to reduce availability of credit and channel it to the most creditworthy customers, starving smaller and less secure customers from credit. This could have an adverse effect on sound competition in the market. The Deputy Governor mentioned also that, within its existing powers and through the use of suasion, the Central Bank will engage with specific lenders which appear to have standard variable rates set disproportionate to their cost of funds.

National Asset Management Agency

80. **Deputy Michael McGrath** asked the Minister for Finance the reason the National Asset Management Agency, when inviting tenders for the provision of insurance and advisory services, set a minimum turnover condition for bidders of €15 million for each of the past three years; his views that this condition is unfair on many small and medium sized businesses which might wish to tender for the contract; and if he will make a statement on the matter. [41080/11]

Minister for Finance (Deputy Michael Noonan): I am informed by NAMA that, when tendering for services, it takes account of the scope for involvement of small and medium-sized businesses. However, in relation to the tender for insurance and advisory services, NAMA advises that the contract to be awarded concerns a worldwide portfolio of about €32 billion worth of assets, where multi-jurisdictional brokerage services and insurance advice is required. NAMA must be prudent in ensuring that a contracting party can meet its obligations and potential liabilities under any given contract and setting a minimum turnover is one of the means to assist NAMA in doing this. It should also be noted that the EU procurement law, with which NAMA must comply, does not allow for the artificial segmentation of required services into lots. Therefore, NAMA is restricted in what it can do in this regard. However, the Agency does permit tenderers to form consortia or to rely on the capacities of third parties so they can meet necessary requirements, provided that a tenderer can prove that the necessary support from those entities will be provided.

Pension Provisions

81. **Deputy Olivia Mitchell** asked the Minister for Finance further to Parliamentary Question No. 101 of 28 June 2011, if he has received further correspondence from any of the representative bodies of the pensions industry in relation to the pension fund levy; if any of the pension fund administrators or providers have absorbed any of the pension fund levy by reducing fees and charges; the steps he will take to encourage them to absorb the levy if they have not done so already; and if he will make a statement on the matter. [41111/11]

Minister for Finance (Deputy Michael Noonan): On 1 June 2011, I wrote to the representative bodies of the pensions industry with whom I had previously met to further outline my view that the cost of the pension fund levy should be absorbed by a reduction in the fees and charges made by their members. These bodies responded to me by the end of that month but the responses were not particularly positive. One response indicated that it would be a matter for individual companies to decide on the question of the absorption of the cost of the levy into their existing fees and charges but that the scope for companies to do so was extremely limited. I am not aware whether any of the companies involved absorbed any of the pension fund levy in this way or what decisions have been made by them in relation to this issue. As regards further steps in this matter, I should point out that a group has been established to examine charges in the pensions industry. The group is chaired by the Department of Social Protection with representatives of the Central Bank and the Pensions Board. This study will provide an initial benchmark on the level of pension charges for different forms of funded supplementary pension arrangements and will provide information in relation to disclosure of charges. These data have not been available to date so the study will provide valuable information to inform policy. When this information on pension charges becomes available, I will consider how it may be used to advance the issue of the industry absorbing the impact of the pension fund levy.

Tax Code

82. **Deputy Stephen S. Donnelly** asked the Minister for Finance if, with regard to the operation of the universal social charge, the surcharge of 3% on persons who have income from self-employment that exceeds €100,000 in a year applies equally to directors of limited companies whose income exceeds €100,000 in a year and who pay Class S PRSI; and if it does not, the reason this is so. [41151/11]

Minister for Finance (Deputy Michael Noonan): The position is that I am aware of the situation and the matter is currently under consideration.

83. **Deputy Michael Creed** asked the Minister for Finance if a person (details supplied) in County Cork is liable for the universal social charge in view of the fact that they hold a full medical card; and if he will make a statement on the matter. [41212/11]

Minister for Finance (Deputy Michael Noonan): The position is that full medical cardholders are currently exempt from the higher rate (7%) of Universal Social Charge (USC). In addition, in 2012, if a person's gross income is below €10,036 a year they are exempt from the USC. The exemption limit for 2011 was €4,004 a year. I am advised by the Revenue Commissioners that on the basis of the information available to Revenue, the person concerned is exempt from paying the USC for 2012. Her employer was informed of her tax credits on 19 December, 2011 and was advised that she is exempt from the USC.

The person concerned can obtain a copy of her Tax Credit Certificate by registering online for PAYE Anytime and viewing or printing the Certificate or by contacting Mr. Diarmuid O'Connor at Revenue House, Blackpool, Cork (Tel 021-6027506). The person concerned should notify Revenue in the event of any change which would bring her income above the €10,035 exemption limit.

Banking Sector Regulation

84. **Deputy Brendan Ryan** asked the Minister for Finance his plans to tackle the discrepancies in variable mortgage rates between State-guaranteed banks; his further plans to tackle the State-guaranteed banks (details supplied) which offer the highest rates of variable interest; and if he will make a statement on the matter. [41214/11]

Minister for Finance (Deputy Michael Noonan): The lending institutions in Ireland, including those in which the State has a significant shareholding, are independent commercial entities. Ultimately the pricing of financial products, including standard variable mortgage interest rates, is a commercial decision for the management team and board of each lending institution, having due regard to their customers and the impact on profitability, particularly where the cost of funding to each lending institution, including deposit pricing, is under pressure.

I have no responsibility for any variation in the variable mortgage rates charged.

National Asset Management Agency

85. **Deputy Arthur Spring** asked the Minister for Finance the reason the National Asset Management Agency does not have to put contracts for services it utilises out to tender like other State agencies; and if he will make a statement on the matter. [41215/11]

Minister for Finance (Deputy Michael Noonan): It is not correct to state that NAMA does not tender for services. NAMA as a contracting authority is subject to EU Directive 2004/18/EC, as implemented in Ireland by the European Communities (Award of Public Authorities' Contracts) Regulations 2006 (the "Regulations"), in respect of the procurement of goods, works and services above certain values (the "EU Thresholds"). The principles underpinning the Regulations are equal treatment, non-discrimination, mutual recognition, proportionality and transparency. Where the Regulations do not apply — either because the value of the procurement is below the EU Thresholds or falls outside of the Regulations — NAMA adopts a competitive process designed to obtain the best value for money which can be achieved in a manner that is both fair and transparent. This is in line with its statutory objective of obtaining the best achievable financial return for the State. NAMA informs me that it supports small and medium sized businesses in Ireland where that is possible without compromising its value for money principles.

In certain cases, NAMA has established panels of service providers who have demonstrated, through a tendering process, that they have the capacity to provide a particular service. NAMA advises me that it may then hold mini-tenders among suitably-qualified members of a panel to obtain the most competitive price for any particular assignment.

86. **Deputy Arthur Spring** asked the Minister for Finance the reason the National Asset Management Agency did not contract Irish auction houses to auction art that NAMA repossessed recently; and if he will make a statement on the matter. [41216/11]

Minister for Finance (Deputy Michael Noonan): NAMA informs me that when selecting a sales agent to manage the disposal of art works, the Agency adopted a tendering process. The tender was to dispose of 14 works of art, nine of which were by Irish artists and five which were by either British or American artists. Four auction houses were requested to tender, two of them Irish. Each tendering party had indicated that it would undertake the disposal process at no charge to NAMA. NAMA advises me that it was clear from the responses of the two Irish auction houses to the tender that they would not provide the full service sought, i.e. they had the capacity to sell some but not all of the paintings. In reviewing the tenders, NAMA selected the tenderer which, in its view, was likely to provide the most comprehensive service in the circumstances and thereby to maximise the proceeds from the sale of the art works. NAMA cannot, in law, discriminate on the basis of the nationality of a service provider.

Tax Collection

87. **Deputy Shane Ross** asked the Minister for Finance if he will intervene to allow those taxpayers struggling financially to be allowed to pay the Revenue an amount per month to the end of the year, in recognition of the fact that there are many people who simply cannot afford the lump sum payments demanded by the State at present; and if he will make a statement on the matter. [41248/11]

Minister for Finance (Deputy Michael Noonan): The Revenue Commissioners are charged with responsibility for the timely collection and recovery of taxes and duties due to the Exchequer. There is a clear requirement for every individual and business to pay the right amount of tax due and on time. Meeting this requirement is important in ensuring that tax revenues due to the Exchequer are paid on time and in maintaining a level playing field between businesses. Delay in payment or indeed non-payment impact on the level of Government borrowing and associated public debt interest. Those who delay payment secure unfair competitive advantage over compliant businesses. I fully endorse Revenue's approach in facilitating, supporting and expecting timely compliance by businesses and individuals. Individuals or businesses cannot take an approach of automatically or wilfully delaying payment of tax or treating Revenue as a bank or a lender of last resort. Revenue will rightly, not allow this. In particular, Revenue will take appropriate recovery and enforcement action where businesses continue to trade when there is no capacity or commitment to meet tax debts as they arise as the business trades into the future. I know that Revenue is conscious of the difficult economic and financial climate that prevails and how this can pose challenges for business and individuals in being timely compliant. Revenue has actively encouraged businesses and individuals experiencing particular payment difficulties to work proactively with them when such difficulties start to arise to find an agreed way through those difficulties and quickly restore voluntary timely compliance.

Revenue has published comprehensive material for businesses and individuals experiencing tax payment difficulties on its website at www.revenue.ie. Revenue's approach has received positive endorsement from tax practitioners bodies and trade representative bodies for the

[Deputy Michael Noonan.]

work that it has done in that regard and in the practical support and assistance it is providing to viable businesses.

Tax Code

88. **Deputy Brendan Griffin** asked the Minister for Finance his views on a matter (details supplied) regarding VAT; and if he will make a statement on the matter. [41263/11]

Minister for Finance (Deputy Michael Noonan): Passenger transport services are exempt from VAT. This means that VAT is not charged on the passenger service and the passenger transport provider cannot claim input deductibility on any VAT incurred on costs related to their business, including any VAT paid on fuel costs. As such, the supply of fuel is subject to VAT at the standard rate of 23%. The exemption from VAT on passenger transport services is the subject of a derogation from the normal VAT rules, where passenger transport is normally subject to VAT at either the standard or reduced rates. Under the EU VAT Directive it is not possible to allow persons who supply exempt services to claim VAT input deductibility, this would equate to zero-rated treatment and zero rated treatment can only apply to those goods and services that were subject to the zero rate on 1 January 1991. In this regard it is not possible to allow passenger transport providers to claim the VAT incurred on their fuel costs. It is only for historic reasons that Ireland can apply the current exemption from VAT.

Fiscal Policy

89. **Deputy Brendan Griffin** asked the Minister for Finance the action he will take to secure sustainable access to capital that would enable a comprehensive stimulus package to be provided for the economy here; and if he will make a statement on the matter. [41282/11]

Minister for Finance (Deputy Michael Noonan): I understand that the Deputy is referring to the possibility of securing private capital, both from home and abroad, to establish a fund which would help stimulate growth and provide jobs. One of the primary avenues the Government has used to explore such possibilities is through the Global Irish Economic Forum. The first Global Irish Economic Forum brought together 130 globally connected Irish business leaders to explore how the Irish at home and abroad, and those with a strong interest in Ireland, could work together and contribute to our economic recovery.

In early 2010, the Global Irish Network was launched and now comprises over 300 of the most influential Irish and Irish-connected individuals abroad. Members of the Network, who come from a diversity of fields and are based in almost 40 countries, provide Ireland with an invaluable resource of international expertise from which we can draw as we work towards economic recovery.

As the Deputy may be aware, the Government was determined that the Global Irish Economic Forum in 2011 would have concrete outcomes. I, along with the Taoiseach, Tánaiste and other Ministers participated fully in discussions. The report of the Forum confirms that there was an overwhelmingly positive response from Forum participants when requested to be part of the implementation of some of the initiatives identified at the forum. In particular, participants committed to providing internships for graduates in their companies, mentoring start-up companies, communicating positive messages about Ireland and using their influence to harness positive media coverage of Ireland, and participating in a financing project for Irish start-up companies. I am aware that the Department of Foreign Affairs & Trade is in contact with these participants to move this process along. An additional priority of this government has been to incentivise foreign-based entrepreneurs and venture capitalists to place their investments in

Ireland. With this in mind, Budget 2012 included an extension of the three year tax Relief for start-up companies and enhancements to Ireland's attractive R&D tax credit regime.

Finally, as the Deputy may be aware, the establishment of NewERA and the Strategic Investment Fund within the National Treasury Management Agency (NTMA), which the Government announced last September, is a major initiative in this sphere.

The Strategic Investment Fund, 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.

In November 2011, the NPRF announced a significant commitment of €250 million to a new Irish infrastructure fund (the "Irish Infrastructure Trust"). This fund will seek to invest in assets designated for disposal by the Government and commercial State enterprises and also in new infrastructure projects in Ireland. The new fund, which will be an important source of new capital for infrastructure investment in Ireland, has been established by Irish Life Investment Managers while AMP Capital, a leading global infrastructure manager, will be the fund's discretionary investment manager. The fund is seeking commitments of up to €1 billion from institutional investors in Ireland and overseas and has already received commitments of €300 million, including the NPRF's €250 million.

Public Sector Remuneration

90. **Deputy Gerry Adams** asked the Minister for Finance the number of persons in the public sector on salaries in excess of the Government pay cap of €200,000 and to include the names and the salaries of those earning more than the pay cap; if he will outline in detail the instances in which he has sanctioned a breach of the pay cap since he came to office including the salary he sanctioned, the name of the individual in question, the details of the position and the reasons he sanctioned such an exception or breach of the pay cap. [41289/11]

Minister for Finance (Deputy Michael Noonan): In my Department, no staff members are in receipt of a salary of more than €200,000 per annum. I understand that although the Secretary General's nominal salary is significantly higher than €200,000, he has gifted the excess to the state on a voluntary basis. I am advised by the Revenue Commissioners that, having taken salary sacrifice into account, there are no Revenue staff in receipt of a salary of more than €200,000 per annum.

As Minister for Finance I have no role in sanctioning conditions of employment of staff in the Central Bank. Under the Central Bank Act, 1942, the employment of staff at the Central Bank and their terms and conditions are matters for the Central Bank Commission.

The Central Bank of Ireland publishes details of the remuneration of its senior office holders in its annual report.

I have been informed by the Central Bank that the three office holders who are on salaries in excess of €200,000 are: Governor, Patrick Honohan (€213,000); Deputy Governor, Financial Regulation, Matthew Elderfield (€340,000); and Deputy Governor, Central Banking, Stefan Gerlach (€250,000).

[Deputy Michael Noonan.]

In addition, two other employees of the Central Bank, on fixed term contracts, are on salaries between €200,000 and €250,000. For contractual reasons, it is not possible to name those individuals.

Only one employee of the Central Bank has been appointed on a salary in excess of €200,000 since the introduction of the pay cap — the Deputy Governor, Central Banking. In this case the appointment was being finalised when the pay cap policy was announced. The appointment was made with my consent and the Minister for Public Expenditure and Reform was also consulted and it was confirmed that the appointment was not contrary to Government decisions on higher level pay in the public service.

The general policy that a salary ceiling of €200,000 will apply to persons serving in higher positions in the public service does not apply to either the Central Bank or the NTMA. In the case of the NTMA, its remuneration structure is such that there are no general pay grades and all staff are employed under individually-negotiated contracts, confidential to the individual concerned. This business model has allowed the NTMA to staff itself to date with the necessary technical expertise to successfully carry out the financial and risk management functions which have been assigned to it, including the recruitment of specialists in mid-career from the private sector.

I am informed by the NTMA that there are 16 employees of the NTMA with salaries in excess of €200,000. Details of the remuneration of the Chief Executives of the NTMA, National Asset Management Agency (NAMA) and the National Development Finance Agency (NDFA) have been published in the Annual Reports for 2010 for the respective bodies.

Tax Reliefs

91. **Deputy Olivia Mitchell** asked the Minister for Finance if the mortgage interest relief announced in the 2012 budget for those who bought their homes between 2004 and 2008 may be claimed by those who have been forced into rented accommodation themselves and who are renting out the mortgaged property to try and maintain mortgage payments; and if he will make a statement on the matter. [41340/11]

Minister for Finance (Deputy Michael Noonan): The legislation setting out the detail of the proposed new 30% rate of mortgage interest relief announced in my Budget speech will be published in the forthcoming Finance Bill. However, the new rate of relief will be available only to individuals who bought their homes between 2004 and 2008 where such homes are the sole or main residence of the individuals. The proposed new rate of relief will not be available to individuals who bought their homes between 2004 and 2008 and who are now renting out that property. An individual who rents out a residential property is allowed a deduction in computing the taxable rents from that letting of 75% of the interest accruing on money borrowed to purchase, improve or repair that property.

Ministerial Staff

92. **Deputy Catherine Murphy** asked the Minister for Finance the names and salaries of each person serving as a special adviser and or the names and salaries of each person directly appointed by him or a Minister of State to any other position in his Department or his predecessor's Department on each of the following dates; 1 December 2009, 1 December 2010 and 1 December 2011; and if he will make a statement on the matter. [41348/11]

Minister for Finance (Deputy Michael Noonan): Since my appointment as Minister for Finance on 9 March 2011 the relevant details are as follows:

Name	Title	Salary (per annum)	Duties
Mary Kenny	Special Adviser	€83,337	Any duties which may be assigned to her from time to time as appropriate to the position of Special Adviser as set out in Section 11 of the Public Service Management Act 1997.
Eoin Dorgan	Special Adviser	€83,337	Any duties which may be assigned to him from time to time as appropriate to the position of Special Adviser as set out in Section 11 of the Public Service Management Act 1997.

Since my appointment as Minister for Finance on 9 March 2011, the following staff have been appointed to my constituency office:

Grade	Salary Scale (per annum)	Wholetime Equivalent
Personal Assistant	€43,715 – €56,060	1.00

My predecessor, the late Brian Lenihan, appointed two special advisers as follows: Ms Cathy Herbert (appointed in May 2008): Salary €107,485. Ms Herbert was not a member of the civil service pension schemes. Payments not exceeding 11% of her salary were made on her behalf to a pension fund in respect of her superannuation contributions. Dr Alan Ahearne (appointed in March 2009): Salary €135,000. Dr Ahearne was a member of the pension scheme of NUI Galway, from which body he was on secondment to the Department of Finance. Payments not exceeding 11% of the difference between his NUI Galway salary and the additional amount he received in respect of his position were made on his behalf to a pension fund in respect of superannuation contributions.

In addition, in May 2008 he also appointed a Personal Assistant and Personal Secretary. The salary scales in each case are set out below.

Title	Salary Scale (per annum)	Wholetime Equivalent
Personal Assistant	€46,558 – €55,030	1.00
Personal Secretary	€23,181 – €44,726	1.00

Departmental Staff

93. **Deputy Denis Naughten** asked the Minister for Finance if his Department runs a graduate internship programme; and if he will make a statement on the matter. [41363/11]

Minister for Finance (Deputy Michael Noonan): The Government announced a new National Internship Scheme as part of its Jobs Initiative programme, which was published on 10 May 2011. The National Internship Scheme, known as JobBridge, provides at any one time up to 5,000 work experience placements of 6 or 9 months for unemployed individuals in organisations in the private, public and voluntary sectors.

It is a time-limited scheme for a maximum of 2 years and participants on the National Internship Scheme receive, through the Department of Social Protection, a single allowance (Internship Allowance) consisting of €50 per week on top of their equivalent existing social welfare entitlements. No employer top up contributions are allowed.

[Deputy Michael Noonan.]

In my Department, one placement (Tax Policy Research Assistant) has been advertised on the JobBridge website and my colleagues are currently examining the application.

Tax Reliefs

94. **Deputy Michael McGrath** asked the Minister for Finance if a person (details supplied) in County Cork will qualify for the enhanced mortgage interest relief for persons who bought between 2004 and 2008 [41426/11]

Minister for Finance (Deputy Michael Noonan): As I stated in my Budget speech, the Government has now fulfilled its commitment contained in the Programme for Government to increase the rate of mortgage interest relief to 30 per cent for first-time buyers who took out their first mortgage in the period 2004 to 2008. I will be looking at the technical detail of how this will operate in the preparation of the Finance Bill.

Question No. 95 answered with Question No. 76.

Economic and Monetary Union

96. **Deputy Michael Healy-Rae** asked the Minister for Finance the plans he has in place in the event of a break-up of the euro; if arrangements are in place to print a sovereign currency in the event of a break-up; and if he will make a statement on the matter. [1025/12]

Minister for Finance (Deputy Michael Noonan): As I have stated previously, there are many risks in the economic environment which are fully taken into account by me, in conjunction with my Department and the agencies that report to me. The euro is a firm and solid currency and there is no market expectation or Irish Government expectation of a collapse in the currency. The Central Bank continues to produce euro currency.

Illicit Trade in Tobacco

97. **Deputy Brendan Griffin** asked the Minister for Finance the measure being taken to target cigarette and tobacco smuggling; if there are new measures planned; and if he will make a statement on the matter. [1028/12]

Minister for Finance (Deputy Michael Noonan): I am informed by the Revenue Commissioners, who are responsible for the collection of tobacco products tax, and for tackling the illicit trade in cigarettes and tobacco, that the strategy employed by Revenue to tackle this illicit trade is multifaceted. It includes ongoing analysis of the nature and extent of the problem, developing and sharing intelligence on a national, EU and international basis, ongoing review of operational policies, development of analytics and detection technologies, and optimum deployment of resources at point of importation and inland, in order to intercept the contraband product and to prosecute those involved. Interception at the point of importation is achieved through a combination of risk analysis, profiling, intelligence, and the screening of cargo, vehicles, baggage and postal packages. Revenue enforcement officers also target this illicit trade at the post-importation level by carrying out intelligence-based operations and random checks at retail outlets, markets and private and commercial premises. Since mid-2010, Revenue has conducted a series of nationwide intensive tobacco “blitz”-type operations, which concentrated additional Revenue resources at ports, airports and at various inland retail points, including markets for the purpose of identifying illicit tobacco products. To date, Revenue has conducted nine such national tobacco “blitz” operations resulting in the seizure of over 34.6m

cigarettes and 1,715 kgs of tobacco. These intensive operations are of course additional to Revenue's ongoing day to day illicit tobacco operations.

Revenue also carries out regular multiagency operations, particularly in relation to large maritime importations. Revenue both provides and receives intelligence from other Customs Administrations and works closely with the European Anti-Fraud Office, OLAF, in its efforts to tackle the illicit sale of tobacco at an international level. This international cooperation and sharing of intelligence and expertise plays an important role in combating illegal tobacco smuggling on the global scale.

As regards new measures planned the Revenue Commissioners have established a high level internal group, chaired at Commissioner level, to examine the risks related to tobacco products tax evasion and to oversee and optimise the detection of contraband and counterfeit tobacco products. This group has promoted a number of initiatives aimed at counteracting the illicit trade in tobacco. These include the adoption of a comprehensive tobacco strategy, which is underpinned by annual action plans. This 3-year (2011-2013) strategy, which is published on Revenue's website *www.revenue.ie*, includes a number of programmes, which are designed to complement each other in targeting the supply and demand sides of the market for contraband tobacco in Ireland.

Revenue's strategic-level plans include the taking of steps to ensure that the legitimate trade remains compliant, delivering more effective and visible interventions through enhanced capability and better deployment of its resources, further development of cooperation and intelligence sharing at organisational, national and international level, a commitment to prosecute all serious cases of tobacco tax evasion and a focus, in partnership with other Government agencies, on reducing the demand for contraband tobacco.

In the course of 2011 Revenue enforcement officers seized 109 million cigarettes with a retail value of €46 million and 11,158 kgs of tobacco with a retail value of €4 million. In addition Revenue secured one hundred and one court convictions for cigarette smuggling, with thirty custodial sentences, of which twenty were suspended, and fines of €136,300 imposed. Another fifty-seven convictions were secured for the sale of unstamped tobacco products with thirteen custodial sentences, of which seven were suspended, and fines of €115,850 imposed.

European Stability Mechanism

98. **Deputy Peter Mathews** asked the Minister for Finance if, further to the communique issued after the recently agreed Fiscal Compact stating that a qualified majority voting of 85% will be required to approve funding from the European Stability Mechanism, ESM, to a member state, his attention has been drawn to the fact that this means that any country with 15% of the votes can veto Ireland accessing funding from the ESM; if his further attention has been drawn to the fact that this provides France and Germany with a veto vote over any future Irish access to the ESM; his views that France may veto future Irish access to funding from the ESM if the Irish Government refuses to raise corporation tax; and if he will make a statement on the matter. [1041/12]

Minister for Finance (Deputy Michael Noonan): As the Deputy will be aware, on 11 July 2011, the 17 Euro Area Finance Ministers signed the Treaty establishing the European Stability Mechanism (ESM), subject to the completion of the necessary national parliamentary procedure and subsequent ratification. The text of the ESM Treaty agreed on 11 July 2011 provides that the ESM shall have a Board of Governors, that each ESM Member shall appoint a Governor and that, in terms of voting rules, certain decisions must be made by mutual agreement of the Board of Governors that is, requiring the unanimity of members participating in the

[Deputy Michael Noonan.]

vote. Decisions requiring the mutual agreement of the Board of Governors include the granting of financial assistance to an ESM member. The Board of Governors may take other decisions, which are set out in Article 5 of the Treaty, by qualified majority. In such cases, the voting rights of each ESM Member is equal to the number of shares allocated to it in the authorised capital stock of the ESM as set out in Annex II of the Treaty. In Ireland's case, this amounts to just under 1.6% of the total votes.

On 21 July 2011, the Heads of State or Government (HoSG) decided to increase the flexibility and scope of the European Financial Stability Facility and also grant the ESM the same powers i.e. to:

- intervene in the primary market and secondary markets
- act on the basis of a precautionary programme and
- finance recapitalisations of financial institutions through loans to governments including in non-programme countries.

Discussions have been on going since July 2011 to incorporate these new powers into the ESM Treaty which has yet to be ratified and come into force.

As the Deputy will be aware, on 9 December 2011, the HoSG agreed on the acceleration of the entry into force of the ESM Treaty — aiming for the ESM to come into force in July 2012. The HoSG also agreed on adjustments to the ESM Treaty to make it more effective including an amendment to the voting rules to provide for an emergency procedure. This emergency procedure involves replacing the mutual agreement rule by a qualified majority of 85% in cases where the European Commission and the ECB conclude that an urgent decision related to financial assistance is needed when the financial and economic sustainability of the euro area is threatened. At the meeting on 9 December, the Finnish Prime Minister indicated that his agreement to the emergency voting procedure was subject to confirmation by the Finnish Parliament.

The proposed 85% voting rule is restricted to the emergency procedure and if such procedure is invoked then ESM members with 15% of the voting rights would have the ability to veto any decision on granting emergency financial assistance to an ESM member. All other decisions on granting financial assistance however will still require the mutual agreement of the ESM's Board of Governors. In such cases, each and every ESM member could potentially veto a decision to grant financial assistance. Different parliamentary procedures across the Euro Area can result in it taking considerable time to reach mutual agreement on decisions to grant assistance despite the financial and economic sustainability of the euro area being threatened. The emergency procedure will enable faster assistance to be provided where deemed necessary.

Ireland's Corporation Tax rate of 12.5% is critical to our economy. Tax issues are decided by unanimity. The issue of potential threat to our corporate tax rate in the context of discussions on the ESM Treaty does not arise.

Pension Provisions

99. **Deputy Nicky McFadden** asked the Minister for Finance if he will clarify the position regarding the payment of local authority pensions from the Paymaster General's Office (details supplied); and if he will make a statement on the matter. [1043/12]

Minister for Finance (Deputy Michael Noonan): As part of the move to the greater use of shared services in the public sector in order to drive efficiencies, the Paymaster General's

Office, which is part of my Department, is taking over the payment, on an agency basis, of pensions of the retired staff of the Vocation Education Committees. Payment of these pensions was previously made through the local authorities. The Paymaster General's Office pays all pensions fortnightly on relevant Thursdays for the previous two weeks in arrears. The local authorities also pay pensions fortnightly, but their period of payment is for the two calendar weeks and, therefore, would contain an element of advance at the point of payment. In transferring to the Paymaster General's system, this element of advance payment was eliminated in the first fortnightly payment of pension. Thereafter pensions are paid for two weeks in arrears. No pensioner loses out as a result. Deductions, made by the Paymaster General's Office, from occupational pension payments, include Public Service Pension Reduction (PSPR), Universal Social Contribution (USC) and Tax (PAYE).

As regards the matter of allowances, the Vocational Education Committee pensioners were transferred to the Paymaster General's system based on data supplied by the local authorities. The case mentioned by the Deputy has been investigated with the relevant local authority, and the pension payment rate in use by the Paymaster General's Office matches the rate previously payable by the Local Authority.

Redundancy Payments

100. **Deputy Jerry Buttimer** asked the Minister for Finance further to the ongoing refusal of the National Asset Management Agency, NAMA, to release funds to pay the former employees of a company (details supplied), the contact there has been between him and NAMA and, in particular, the dedicated unit within his Department which liaises on a daily basis with NAMA; and if he will make a statement on the matter. [1058/12]

101. **Deputy Jerry Buttimer** asked the Minister for Finance if he will make inquiries into any possible role he can play in facilitating a resolution of the dispute between the former employees of a company (details supplied), their employer and the National Asset Management Agency; if he will consider intervening in this matter to assist the former employees who are the innocent victims in this dispute; and if he will make a statement on the matter. [1059/12]

115. **Deputy Gerry Adams** asked the Minister for Finance if he will ensure that a forensic examination of the accounts of a group of companies (details supplied) is carried out to ensure that workers are paid the redundancy payments to which they are entitled and to ensure that money or assets were not moved between legally separate companies within the group to frustrate the creditors of the company including the 32 workers who have been made redundant. [1308/12]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 100, 101 and 115 together.

Every reasonable person sympathises with the employees arising from the failure of the company concerned and its shareholders to pay them their redundancy payments. While NAMA fully appreciates how difficult the situation is for the people who have lost their jobs, it advises me that it has no loans or relationship with the company which has failed to make the redundancy payments.

NAMA informs me that it was asked by the main shareholder to release funds from an unconnected company in which he is a shareholder. These funds are security for loans which a participating institution had lent to that company prior to NAMA being established and which later were transferred to NAMA. I am informed that the Agency carefully examined the request to release the funds. NAMA advises me that there is no legal basis for it using assets

[Deputy Michael Noonan.]

belonging to one company to make payments to another unrelated company with which it has no financial relationship, and that the sum of money which is the security for the loan must be used to help pay down that company's debt to the Irish taxpayer through NAMA. It would be inappropriate for me or my officials to attempt to interfere with the commercial decisions taken by the Board.

With regard to redundancy payments, it is the responsibility of an employer to pay statutory redundancy to all their eligible employees. An employer who pays statutory redundancy payments to their employees is then entitled to a rebate from the State of a percentage of the relevant amount. Responsibility for the processing of claims under the Redundancy Payments Scheme rests with the Department of Social Protection. Where an employer can prove to the satisfaction of the Department of Social Protection that they are unable to pay the statutory redundancy to their employees, the Department will make lump sum payments directly to the employees and will seek to recover the debt from the employer. To prove inability to pay the employer must submit documentary evidence to confirm that this is the position. It is therefore a matter for the Department of Social Protection to satisfy itself that this arises and that there are insufficient funds within that company to make redundancy payments.

Finally, with regard to the request for a forensic examination of the group of companies, NAMA informs me that there is no legal basis for the Agency to carry out any analysis of the accounts of a company with which it has no formal relationship.

National Asset Management Agency

102. **Deputy Terence Flanagan** asked the Minister for Finance his plans to reduce the salaries being paid by the National Asset Management Agency to property developers in view of the economic difficulties being experienced by most households; and if he will make a statement on the matter. [1082/12]

Minister for Finance (Deputy Michael Noonan): Both the Chairman of NAMA and I have separately explained on several occasions over the past few months that NAMA decides whether or not to work with any particular debtor on the basis of what will generate the maximum return for the taxpayer. NAMA only works with developers where it considers that this will provide the best return to the taxpayer. NAMA will continue to make its decisions on a case-by-case basis in line with its commercial mandate. I understand from NAMA that, as part of its business plan agreements with debtors, it normally looks for and obtains a reduction of 50% to 75% in overhead costs and that any remuneration paid to debtors is payable from this much-reduced budget. The fact that NAMA has had to take enforcement action in 99 cases so far shows that many developers are unwilling to work with NAMA because they consider the agency's terms and conditions to be too onerous.

NAMA has been established as a fully commercial agency to operate under the direction of a Board of Directors. As long as NAMA operates in accordance with statute, it would be inappropriate for me or my officials to attempt to interfere with the commercial decisions taken by the Board. On the basis of the information received from NAMA, I am satisfied that the Agency is acting appropriately in this matter and seeking to protect taxpayer's interests.

Revenue Operations

103. **Deputy Seán Kenny** asked the Minister for Finance the number of filling stations seized by Revenue Commissioners for selling illegal diesel and petrol for the years 2008 to 2011, inclusive; and if he will make a statement on the matter. [1090/12]

Minister for Finance (Deputy Michael Noonan): I am advised by the Revenue Commissioners that the information sought by the Deputy is set out in the following table:

Year	Number of seizures of “illegal fuel” from filling stations	Litres of “illegal fuel” seized
2008	9	45,500
2009	7	31,040
2010	14	130,100
2011	53	299,357

I would add that in 2011 a total of 32 filling stations were “shut down” by Revenue for unlicensed trading.

Tax Reliefs

104. **Deputy Dan Neville** asked the Minister for Finance the position regarding the legacy property based tax relief schemes for the high income earners, particularly section 23 type reliefs. [1118/12]

Minister for Finance (Deputy Michael Noonan): I announced two proposals in Budget 2012 relating to “legacy” property-based tax relief schemes in line with the Programme for Government commitment to reduce, cap or abolish such reliefs which benefit very high income earners. The Budget measures comprise: a property reliefs surcharge and a cap on Accelerated Capital Allowance Schemes.

Virtually all the area-based and property tax incentive schemes have ended. However, there is still a significant on-going legacy cost to the Exchequer as the various tax reliefs which were originally given, are gradually being used up by investors. The Budget 2012 measures are aimed at curtailing this legacy cost and bringing it to an end in a shorter time period.

The measures reflect the Government’s belief that large scale investors in property that attracts tax reliefs can and should make more of a contribution.

With effect from 1 January 2012, a USC surcharge will be introduced on all investors with annual gross incomes over €100,000. The surcharge will apply at a rate of 5% on the amount of income sheltered by property reliefs in a given year and will be in addition to any normal USC payable on this income. This USC surcharge will apply to all investors with this level of gross income regardless of whether they invested in Section 23 type investments or accelerated capital allowance schemes.

In addition, investors in accelerated capital allowance schemes will no longer be able to use any capital allowances beyond the tax life of the particular scheme where that tax life ends after 1 January 2015. Where the tax life of a scheme has ended before 1 January 2015 no carry forward of allowances into 2015 will be allowed. The delayed implementation of this measure is designed to give individuals time to adjust to the absence of the carry forward provision.

Full details of both measures will be contained in the Finance Bill 2012.

105. **Deputy Nicky McFadden** asked the Minister for Finance the estimated cost of the concession provided by section 76 of the Finance Act 1982 which provides for VAT relief in respect of the purchase of certain services; the reason this relief was introduced; and if those reasons continue to justify the provisions of the section. [1137/12]

Minister for Finance (Deputy Michael Noonan): I am advised by the Revenue Commissioners that Section 76 of the Finance Act 1982 inserted a new subsection in what is now Section 28(2) of the Value-Added Tax Consolidation Act 2010. The measure dealt with the VAT treatment of the supply of services by barristers. When a barrister supplies a service he or she is not legally entitled to receive a fee in respect of that supply, even though appropriate steps may be taken at the time to secure payment. Accordingly, for VAT purposes, no part of the fee charged to the client may be regarded as consideration, which the barrister “becomes entitled to receive” in accordance with section 37(1) of the Value-Added Tax Consolidation Act 2010, and no liability to tax arises by virtue only of the supply of the service. Thus, section 28(2) of the Value-Added Tax Consolidation Act 2010 provides that a barrister’s service is deemed to take place for VAT purposes when the consideration for the service is paid to him or her. Accordingly, a barrister will have no liability to VAT until he or she has both supplied a service and has been paid in respect of that supply. Also, the obligation to issue an invoice for the supply under section 66(1) of the VAT Consolidation Act does not arise until those two conditions have been fulfilled. In effect, the barrister operates VAT on a cash receipts basis. There is no cost, as such, to this measure, as the barrister must account for VAT when he or she has been paid in respect of a supply.

Tax Code

106. **Deputy John Lyons** asked the Minister for Finance if his attention has been drawn to the current difficulties faced by licensed bus owners, specifically those who operate school transport; if he will consider designating this service as zero rate VAT as opposed to the current exempt status in view of the fact that this would put operators on a par with UK and Northern Ireland counterparts who are gradually entering the market here; failing that, if he will introduce a mechanism to replace the fuel rebate to school transport operators which was discontinued two years ago. [1138/12]

Minister for Finance (Deputy Michael Noonan): I am advised by the Revenue Commissioners that the transport of passengers and their accompanying baggage is exempt from VAT under Paragraph 14(3) Schedule 1, Value-Added Tax Consolidation Act, 2010. All domestic VAT legislation must comply with EU legislation, in particular the EU VAT Directive. The exemption for passenger transport is provided by means of Article 371 of the VAT Directive which allows Member States to continue to exempt certain supplies which were exempt in the Member State at 1 January 1978, but only in accordance with the same conditions that applied on that date. References in the VAT Directive to “exempt” include both exempt without deductibility and exempt with deductibility. Exempt with deductibility is known as “zero-rated” in Irish VAT legislation. Passenger transport was exempt (without deductibility) in Ireland on 1 January 1978. The requirement that the exemption may continue, in accordance with the conditions that applied on 1 January 1978, means it would not now be possible to apply zero-rating (exemption with deductibility) to passenger transport.

The provision of a school transport service is exempt from VAT. A person who provides a school transport service does not register for VAT and cannot recover VAT incurred on goods and services used for the purposes of the person’s school transport service.

UK passenger transport operators who establish their businesses in Ireland are subject to the same VAT rules as Irish operators. They are exempt and not entitled to deductibility in respect of VAT incurred. UK passenger transport operators who are not established in the State are not entitled to any refund of VAT incurred in this State for the purposes of carrying out passenger transport activities. UK established operators may be entitled to deductibility in the UK in relation to VAT incurred in that jurisdiction but under the terms of the VAT

Directive that entitlement should only apply to the extent that the VAT is incurred for the purposes of making taxable (including zero-rated) supplies in the UK.

A derogation under EU Directive 2003/96 on Energy Taxation allowed the application of a reduced rate of Mineral Oil Tax to fuel used for the purposes of certain road passenger services. That derogation has expired and was terminated by the Finance Act 2008. It would not be possible, having regard to the relevant provisions of EU law, to re-introduce a scheme of that nature for those services.

107. **Deputy Simon Harris** asked the Minister for Finance if he is considering measures to increase the level of VAT compliance; and if he will make a statement on the matter. [1142/12]

Minister for Finance (Deputy Michael Noonan): I am advised by the Revenue Commissioners that the overall approach to tackling compliance is to examine all the risks to the Exchequer and to make the appropriate intervention in a carefully selected case. The appropriate intervention is the one considered to be the most effective in targeting the specific risk or risks identified, and to influence the compliance behaviour of the taxpayer. By carefully selecting the cases for intervention, and carefully choosing the type of intervention, Revenue maximise the use of resources, and minimise the compliance burden on compliant taxpayers. Accordingly the focus may vary from a comprehensive look at all the taxes and duties for which a taxpayer may be liable, to a detailed look at a single tax-head, such as VAT, or to a concentration on a single issue of concern. The targeted approach is greatly supported and enhanced with appropriate technology, including Risk Evaluation Analysis and Profiling — REAP, integrated capturing of information from multiple sources, and integrated case management systems that facilitate case selection, provide invaluable information for evaluating our programmes, track the progress of cases and record the risks identified and examined.

REAP, developed by Revenue, categorises taxpayers in accordance with defined risk criteria. Risk criteria in relation to VAT feature prominently in REAP. The system allows for the screening of all tax returns against sectorial and business norms and provides a selection basis for checks or audits. This effectively means that 100% of self-assessed taxpayers will be risk assessed at least once a year. REAP contains considerable information on all self-assessed taxpayers, including those registered for VAT.

Revenue's recently published Headline Results for 2011 show that they carried out 11,066 audits, yielding €414.9m across the taxheads. They also conducted 546,499 assurance checks yielding €67.9m. In 2011 Revenue intensified its efforts to tackle the shadow economy. This included a range of compliance programmes aimed at the riskiest sectors. These were predominantly cash businesses and included sectors such as the hospitality sector and white-collar businesses. The results from these programmes are included in the overall compliance results for the year.

Revenue implements a range of compliance programmes to ensure that tax revenues, including VAT, are collected on time, bearing in mind that a shortfall in revenue or delays in collection, impact on the level and timeliness of financial resources available to the Government and adds to the level of Government borrowing and public debt interest. A delay in collection also facilitates those who by withholding tax payments and using those monies to improve cash flow, attempt to secure unfair competitive advantage.

Revenue has a strong focus on making sure that everyone complies with their tax and duty responsibilities by filing the required tax return and paying the right amount of tax on time. Revenue expects businesses, notwithstanding the difficult economic circumstances in which they are operating, to maintain a clear focus and organise their financial affairs to ensure that

[Deputy Michael Noonan.]

tax debts are paid as they fall due. The majority of businesses meet their obligations in a timely fashion.

Revenue considers that the current rates of voluntary compliance by taxpayers with their obligations to file and pay their VAT 3 Returns are quite satisfactory, particularly in relation to the higher value payment cases. The following table provides details of the compliance rates achieved for 2011 (to end November 2011):

VAT Compliance Levels to November 2011

	Due Month	One Month after Due Month
Large	94%	99%
Medium	86%	97%
Other	62%	78%

In the table, “Large” represents businesses with an annual tax liability of greater than €500,000 and “Medium” represents businesses with an annual tax liability between €75,000 and €500,000. In this regard, annual tax liability is a weighted mixture of ‘fiduciary’ taxes (VAT, Employer PAYE/PRSI, RCT) and corporate/personal income tax.

Revenue’s debt collection programmes operate on an integrated cross-taxhead risk focused basis. A range of collection enforcement options, including referrals to sheriffs and external solicitors, and attachment of third party debt are available in order to recover tax debts from those who refuse to pay the correct amount of tax on a timely basis. Revenue also imposes interest charges on taxpayers who consistently pay their taxes late, in order to influence their payment behaviour and move them back to timely compliance.

Departmental Properties

108. **Deputy Dara Calleary** asked the Minister for Finance his view that he or any agency funded by him who own properties in office complexes in which a management company is in place, should take an active role in the running of such management companies including the appointment of a nominee to the board of the company in order to protect the investment of taxpayers’ money. [1153/12]

Minister for Finance (Deputy Michael Noonan): In response to the Deputy’s question my Department and agencies under the remit of my Department do not own properties in office complexes in which a management company is in place.

Tax Collection

109. **Deputy Peter Mathews** asked the Minister for Finance his plans to take consideration of small investors with high debts and low incomes who do not have any legacy relief shelter in the Finance Act; if he will amend the 25% interest deductibility restriction that applies since 7 April 2009 for these persons in view of the fact that it is forcing highly indebted investors towards insolvency; and if he will make a statement on the matter. [1215/12]

Minister for Finance (Deputy Michael Noonan): The interest restriction on residential landlords introduced in the April 2009 supplementary budget was part of an urgent revenue-raising package aimed at stabilising the public finances. The reduction in the level at which interest could be claimed significantly reduced the cost of this relief to the Exchequer. I am informed by the Revenue Commissioners that the amount of tax foregone in 2009 (the latest year

available) by allowing a deduction for interest on borrowings to be offset against all rental income assessable under Case V, Schedule D for both residential and commercial property was estimated at €745 million. This is a substantial outlay and increasing the relief for residential properties to 100% could result in an additional cost to the Exchequer of the order of €100 million per annum.

The context in which the 2009 measure was introduced, i.e. the need to stabilise public expenditure, still exists. Under the terms of the EU/IMF Programme of Financial Support for Ireland, the State is committed to further substantial decreases in public expenditure. Against a backdrop of significant reductions in tax expenditures in many areas to broaden the tax base, a 25% restriction on the allowable interest available to residential landlords does not seem an unreasonable measure and I have no plans to reverse the 2009 Act provision.

Tax Code

110. **Deputy Seán Kyne** asked the Minister for Finance if consideration will be given to extending the very welcome measure contained in budget 2012 on mortgage interest relief for those persons who purchased homes between 2004 and 2008 to those who purchased in 2009 and who now find themselves in financial difficulty, exacerbated by the decrease in the property value of their home. [1261/12]

Minister for Finance (Deputy Michael Noonan): As I stated in my Budget speech, the Government has now fulfilled its commitment contained in the Programme for Government to increase the rate of mortgage interest relief to 30 per cent for first-time buyers who took out their first mortgage in the period 2004 to 2008. I will be looking at the technical detail of how this will operate in the preparation of the Finance Bill.

Mortgage Arrears Working Group

111. **Deputy Simon Harris** asked the Minister for Finance the position regarding the action that has been taken to date to assist those in mortgage arrears following on from the publication of the report of the interdepartmental mortgage arrears working group; the timeline in which he expects recommendations from these reports to be acted upon, information on co-ordination of efforts between him and other Departments in an effort to enact some of the recommendations of this report; and if he will make a statement on the matter. [1266/12]

119. **Deputy Ciarán Lynch** asked the Minister for Finance the progress that has been made regarding the implementation of the strategic approach suggested by the interdepartmental mortgage arrears working group; and if he will make a statement on the matter. [1408/12]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 111 and 119 together.

Last October the Government published the Report of the Inter-Departmental Working Group on Mortgage Arrears and, as the Deputies are aware, the Report was subsequently the subject of an extensive Dáil debate.

The implementation of the report's recommendations is a key part of the Government's ongoing efforts to tackle mortgage difficulty.

A Steering Group, chaired by a Second Secretary General in my Department, has been established to oversee and drive the overall implementation of the report's recommendations and to report regularly to the Economic Management Council and to Government on this. In addition to the Department of Finance, the Steering Group also consists of senior representation from the Departments of the Environment, Community and Local Government, Justice

[Deputy Michael Noonan.]

and Equality, Social Protection and Public Expenditure and Reform. The Central Bank is also represented on the Group.

Separate working groups have also been established to progress the individual work streams of this broad work area and these groups report to the overall Steering Group. Additionally, a dedicated team is being established in my Department, with resources drawn from the relevant Government Departments, to progress the relevant initiatives. This will be supplemented, as necessary, with additional legal, financial and technical expertise as the implementation work proceeds.

Significant progress has already been achieved across a number of the individual work areas.

- The Minister for Justice, Equality and Defence has produced an initial General Scheme of a Personal Insolvency Bill. This is being finalized for consideration by Government this month before it is available for publication. The General Scheme will propose solutions to the sensitive issue of finding the right balance for resolving problems with secured debt.
- On “mortgage to rent”, the Minister for Environment, Community and Local Government has advanced work with a bank and social housing association to pilot a scheme in order to test the practicality associated with such a measure in advance of a wider roll out.
- Regarding the engagement with the banks, the Central Bank, as the regulator of credit institutions, has now received mortgage arrears resolution strategies and implementation plans from all mortgage lenders and these are being considered by the Central Bank.
- Finally, work has commenced on the necessary steps to put in place the mortgage advisory function as recommended by the Inter-Departmental group.

The Government has also indicated that, in its ongoing consideration of appropriate measures to address this problem, it will take careful note of the suggestions made by Deputies and also by outside groups.

It is the Government’s intention to continue to work intensively on this matter and to significantly further advance all these work measures in the early part of 2012.

Bank Drafts

112. **Deputy Billy Timmins** asked the Minister for Finance his plans to deal with bank drafts which have remained uncashed for an unacceptable time period; if his attention has been drawn to the amount of uncashed bank drafts that are five years or older. [1277/12]

Minister for Finance (Deputy Michael Noonan): I am advised by the Central Bank that it is a matter for the payee when he or she wishes to cash a bank draft. I have no knowledge of the number or amount of bank drafts that remain uncashed for five years or longer.

Departmental Expenditure

113. **Deputy Michael Healy-Rae** asked the Minister for Finance the total amount of money spent by the State on rental of buildings and lands and the rental of office equipment and leasing of office equipment; and his policy on the acquisition of lands, buildings and equipment as opposed to leasing them. [1294/12]

Minister for Finance (Deputy Michael Noonan): The Office of Public Works is involved in most purchases and leasing of buildings and lands by the State. In relation to any property occupied by the Department of Finance, this Department would always consult with the OPW before any agreements are entered into with landlords. My Department owns most equipment in use in this Department. However some equipment can only be leased. An example of this would be the landline phone system.

Tax Yield

114. **Deputy Michael Healy-Rae** asked the Minister for Finance the total amount of taxation in all forms taken from motorists in the years 2009, 2010 and 2011; and if he will make a statement on the matter. [1295/12]

Minister for Finance (Deputy Michael Noonan): I am informed by the Revenue Commissioners that the revenue accruing to the Exchequer through various motor taxes i.e. excise and carbon tax on petrol and auto-diesel, vehicle registration tax and VAT, from 2009 to date is shown in the following table. As VAT receipts are not disaggregated by sector, the figures shown for VAT are estimated. VAT figures for 2011 are not yet available. Please note that 2011 figures are provisional and subject to change.

Mineral Oil Tax	2009 €m	2010 €m	2011 Prov €m
Petrol	1,075	982	989
Auto Diesel	1,061	1,040	1,085
Total	2,136	2,022	2,074
VRT	375	383	387
VAT (estimate)	637	769	N/a
Carbon Tax on petrol and auto-diesel	—	164	158

In addition, I am advised by the Department of the Environment, Community and Local Government that gross receipts from motor tax (including driver licensing receipts) for 2009, 2010 and 2011 are as follows:

2009 — €1,057.8m

2010 — €1,023.8m

2011 — €1,010.4m.

Question No. 115 answered with Question No. 100.

116. **Deputy Joanna Tuffy** asked the Minister for Finance if he will provide a breakdown of income earned, according to information available to the Revenue Commissioners, in tabular form under the headings (details supplied); and if he will make a statement on the matter. [1328/12]

Minister for Finance (Deputy Michael Noonan): I am advised by the Revenue Commissioners that the information requested, estimated by reference to the income tax year 2011, is set out in the following table. However, because of the Revenue Commissioners' obligation to observe confidentiality in relation to the taxation affairs of individual taxpayers and small groups of taxpayers, the breakdown by income bands requested by the Deputy is not provided in relation to incomes exceeding €2 million due to the small numbers of income earners with incomes in

[Deputy Michael Noonan.]

excess of that level. The figures for numbers of income earners with incomes above €100,000 are distributed in income bands that are wider than €10,000 because of the relatively fewer numbers at the various income levels in that income category.

All income earners for Income Tax Year 2011 (provisional)

Income €	Number
0 — 10,000	394,931
10,001 — 20,000	384,388
20,001 — 30,000	385,744
30,001 — 40,000	293,428
40,001 — 50,000	204,850
50,001 — 60,000	137,311
60,001 — 70,000	94,466
70,001 — 80,000	68,362
80,001 — 90,000	47,247
90,001 — 100,000	32,818
100,001 — 125,000	47,941
125,001 — 150,000	22,950
150,001 — 175,000	11,746
175,001 — 200,000	6,910
200,001 — 250,000	7,942
250,001 — 300,000	4,226
300,001 — 350,000	2,563
350,001- 400,000	1,601
400,001 — 450,000	1,126
450,001 — 500,000	788
500,001 — 750,000	2,000
750,001 — 1,000,000	626
1,000,001 — 2,000,000	519
Over 2,000,000	117
Total	2,154,599

It should be noted that the income ranges shown in the above table relate to Gross Income as defined in Revenue Statistical Report 2010.

The figures are estimates from the Revenue tax-forecasting model using actual data for the year 2009 adjusted as necessary for income and employment trends in the interim. These are, therefore, provisional and likely to be revised. It should also be noted that a married couple who has elected or has been deemed to have elected for joint assessment is counted as one tax unit.

Departmental Agencies

117. **Deputy Maureen O’Sullivan** asked the Minister for Finance the number of State agencies currently financed by the Exchequer; the number of board members attending each State agency; the expenses issued for each meeting; if any review of the membership of board members is to be taken in order to monitor attendance levels or lack of attendance by any member; and if he will make a statement on the matter. [1363/12]

Minister for Finance (Deputy Michael Noonan): The information requested by the Deputy in relation to agencies under the remit of my department is as follows:

National Treasury Management Agency (NTMA)

There are 5 Boards coming under the NMTA as outlined in the following table.

Please note that, in line with paragraph 3.8 of the Code of Practice for the Governance of State Bodies, attendance at meetings of the National Treasury Management Agency Advisory Committee, the State Claims Agency Policy Committee, the National Development Finance Agency Board, the National Pensions Reserve Fund Commission and the National Asset Management Agency Board is published in the relevant Annual Report of the body concerned.

Board/Body Name	No of board members	Remuneration details in respect of board members and board chairpersons
National Treasury Management Agency Advisory Committee	Up to 7 Board members. Currently 1 vacancy	Chair €50,000. Agreed to make a gift of 10% of 2009 remuneration to the Minister for Finance under s483 of the Taxes Consolidation Act. Ordinary Members €25,000. Agreed to make a gift of 10% of remuneration to the Minister for Finance under s483 of the Taxes Consolidation Act from 1 January 2009. Secretary General Department of Finance receives no fee in respect of his membership. A total of €25,318 in expenses was paid to Advisory Committee members in 2010 reflecting travel and accommodation expenses incurred by non-Irish based members.
National Development Finance Agency (NDFA)	Up to 8 Board members.	Chairman, as an ex-officio member, receives no fee. Ordinary Members €12,600 p.a. 2 members (Chief Executive of the NTMA and the Chief Executive Officer of the NDFA) receive no fees in respect of their membership. A total of €2,104 in expenses was paid to board members in 2010 primarily reflecting travel expenses.
National Pensions Reserve Fund Commission	Up to 7 Board members	Chair €51,424. Ordinary members €34,283. One member (Chief Executive of the NTMA) receives no fee in respect of his membership. A total of €15,554 in expenses was paid to commissioners in 2010 reflecting travel and accommodation expenses incurred by non-Irish based members.
National Asset Management Agency	Up to 9 board members Currently 2 vacancies	The Chairman receives a fee of €150,000, six members receive fees of €60,000 each per annum while one member (also Chairman of the Credit Committee) receives a fee of €75,000 per annum. Each member of the NAMA Board also chairs or is a member of various NAMA Board committees. Their fees associated with these committees are included in the above. 2 ex-officio members (Chief Executive of the NTMA and the Chief Executive Officer of NAMA), receive no fees in respect of their membership. A total of €36,246 in expenses was paid to board and committee members in 2010 primarily reflecting travel and accommodation expenses of a member not based in Ireland.
State Claims Agency Policy Committee	Up to 7 Board members Currently 2 vacancies	Chair €13,713 p.a. Ordinary members €9,142 p.a. 2 members (serving civil servants) do not receive fees in respect of their membership. A total of €270 in expenses was paid to committee members in 2010 in respect of travel costs.

[Deputy Michael Noonan.]

Disabled Drivers Medical Board of Appeal

The Disabled Drivers Medical Board of Appeal comprises a Chairperson and a panel of members (doctors) who are appointed by the Minister for Finance on the nomination of the Minister for Health. The Chairperson is also a consultant in the NRH and the Department of Finance recoups her salary costs to the NRH.

Board/Body Name	No of board members	Remuneration details in respect of board members and board chairpersons
The Disabled Drivers Medical Board of Appeal	There are currently 5 panel members	In addition to the Chairperson, two doctors from the panel attend each Appeal Board sitting. Those two doctors receive a session rate of €660 per doctor per hearing since November 2007. This rate was reduced by 8% with effect from 1 March 2009 to €607.20 in line with the Government Decision of 3 February 2009. The overall amount paid to these doctors is reasonably low; for example in 2010 the total amount paid to those doctors combined was around €21,860 in session fees, €5,635 in locum payments and €1,691 in travel and expenses.

No review has been carried out, but panel members are only paid if they attend an appeal hearing.

Irish Bank Resolution Corporation Limited

Board/Body Name	No of board members	Remuneration details in respect of board members and board chairpersons
Irish Bank Resolution Corporation Limited	There are currently 8 board members of Irish Bank Resolution Corporation Limited.	2011 expenses in the amount of €1,758.21 have been incurred in respect of Directors attendance at meetings, including in some cases costs in respect for attendance via conference call. This relates to 2 board members.

Tax Code

118. **Deputy Terence Flanagan** asked the Minister for Finance the position regarding mortgage interest relief in respect of a person (details supplied) in Dublin 13; and if he will make a statement on the matter. [1407/12]

Minister for Finance (Deputy Michael Noonan): As I stated in my Budget speech, the Government has now fulfilled its commitment contained in the Programme for Government to increase the rate of mortgage interest relief to 30 per cent for first-time buyers who took out their first mortgage in the period 2004 to 2008. I will be looking at the technical detail of how this will operate in the preparation of the Finance Bill.

Question No. 119 answered with Question No. 111.

Liquor Licences

120. **Deputy Thomas P. Broughan** asked the Minister for Finance the number of pub licences that were refused in the years 2007 to 2011, inclusive; and if he will make a statement on the matter. [1424/12]

Minister for Finance (Deputy Michael Noonan): I am informed by the Revenue Commissioners that they are responsible for the administration of the issue or renewal of public house licences. The numbers of licences issued for each of the calendar years 2007, 2008, 2009, 2010 and 2011 to date are set out below. Please note that the licensing year runs from the 1st October to the 30th September.

	2007 No. Issued	2008 No. Issued	2009 No. Issued	2010 No. Issued	2011 No. Issued
Publicans:					
Full	9,402	8,857	9,067	8,393	8,509
Six-Day	7	2	13	10	11
Early-Closing	—	—	—	—	—
Six-Day and Early-Closing	9	8	2	2	3
Additional Duty — No. issued	—	—	—	—	—
Total	9,418	8,867	9,082	8,405	8,523

The Revenue Commissioners may only facilitate the issue of a licence when the appropriate certificate has been issued by a District Court and certain conditions, as set down in the legislation, are met. These include:

- Valid, Original Court Certificate (New Licensee)
- Valid Tax Clearance Certificate
- Short Certificate of Incorporation (if Licensee is a company)
- Certificate of Registration of Business Name

The Revenue Commissioners facilitate the issue of publican licences on the instruction of the Court Certificate and therefore the right of refusal to apply for a licence rests with the Court. Accordingly the Revenue Commissioners do not record the numbers of refusals in any particular period.

Banking Sector Regulation

121. **Deputy Peter Mathews** asked the Minister for Finance if his attention has been drawn to the fact that, despite passing on the recent ECB interest rate reductions, Permanent TSB charges the highest standard variable rate mortgage; if his further attention has been drawn to the fact that Permanent TSB increased its standard variable rate four times between July 2009 and February 2011 even though the ECB did not adjust interest rates in this period; if his attention has been further drawn to the fact that this high interest rate is forcing some customers to restructure their mortgages and forcing other customers into arrears on their mortgages; his plans to ensure that banks cannot charge excessive rates on standard variable mortgages; and if he will make a statement on the matter. [1428/12]

Minister for Finance (Deputy Michael Noonan): I am aware of the interest rates charged by Permanent TSB. However the lending institutions in Ireland, including those in which the State has a significant shareholding, are independent commercial entities. Ultimately the pricing of financial products, including standard variable mortgage interest rates, is a commercial decision for the management team and board of each lending institution, having due regard to their

[Deputy Michael Noonan.]

customers and the impact on profitability, particularly where the cost of funding to each lending institution, including deposit pricing, is under pressure.

I have no responsibility for any increases/decreases in the variable mortgage rates charged by Permanent TSB.

The Deputy will be aware of the report of the Inter-Departmental Group on Mortgage Arrears which was published last October. The report sets out a number of recommendations to address the situation of those in mortgage arrears. The report stated that the issue of mortgage difficulty can only be addressed in an efficient way on a case by case basis. Arising from the report, a number of developments are underway that will be of assistance to mortgage holders experiencing significant difficulty.

Personal Debt

122. **Deputy Peter Mathews** asked the Minister for Finance if his attention has been drawn to the difficulties faced by young couples who bought apartments in recent years that are now too small because they are now raising children; if his further attention has been drawn to the fact that these couples are unable to move to a larger property because they are in severe negative equity; his plans to allow families in this situation to carry their negative equity with them into their next mortgage on a larger property; and if he will make a statement on the matter. [1449/12]

Minister for Finance (Deputy Michael Noonan): I am aware of the difficulties that the Deputy refers to in his question. In that regard, 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. In response to the Central Bank's letter, only a small number of mortgage lenders said that they would consider offering such a facility. A trial period commenced in mid-2011 and was due to be assessed by the Central Bank and the institutions involved before the end of 2011. However, the low level of activity made it difficult to conduct a meaningful review at the end of 2011. Therefore, the proposed review will not take place until later this year.

Any institution offering such a mortgage facility may do so only in accordance with criteria agreed with the Central Bank. In the circumstances, any further consideration of introducing this facility may only be undertaken on completion of the Central Bank's review.

Tax Code

123. **Deputy Jack Wall** asked the Minister for Finance the entitlement of a person (details supplied) in County Kildare; if the person is entitled to claims through their partner for themselves and their children; and if he will make a statement on the matter. [1493/12]

Minister for Finance (Deputy Michael Noonan): The position is that the married person's tax credit is only available where the persons concerned are married, or are registered as civil partners under the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010 and are jointly assessed to tax. The Certain Rights and Obligations of Cohabitants Act 2010 only applies to same sex couples. Where the individuals concerned are cohabiting, without being married or being registered under the Certain Rights and Obligations of Cohabitants Act 2010 there is no entitlement to the married tax credit. The one-parent family tax credit is not available to cohabiting individuals, to a married couple jointly assessed to tax, or to individuals where their civil partnership is registered and they are jointly assessed to tax.

Tax relief is available to the person concerned through her partner for certain medical expenses incurred by the person concerned on her own and her children's behalf.

General Government Debt

124. **Deputy Michael McGrath** asked the Minister for Finance if he will provide the outstanding General Government Debt as at 31 December 2011 or most recent available date; its composition in terms of Exchequer Debt, Retail Debt, Promissory Notes and EU/IMF obligations; and if he will make a statement on the matter. [1504/12]

Minister for Finance (Deputy Michael Noonan): The latest data for which the General Government Debt can be disaggregated is **30/09/2011**. This estimate is produced by the Central Statistics Office using data from the NTMA and the Department of Finance. The CSO compiles quarterly estimates of General Government Debt one quarter in arrears. General Government Debt at 30 September 2011 is reported as EUR162 billion, of which EUR130 billion is Gross National Debt and EUR28 billion is debt outstanding on the promissory note.

The composition of the General Government Debt on 30 September is as follows:

	Euro Billion
Government bonds	90
State savings (retail debt) ¹	14
Promissory note obligation	28
Debt to EFSM/EFSF/IMF	26
Other ²	4
Total	162

¹State savings are defined on page 10 of the NTMA Annual Report 2010

²'Other' includes accruals and debts of other General Government bodies

The Department of Finance estimate of General Government Debt for the end of 2011 is EUR167 billion or 107% of GDP. This forecast was given in the Budget 2012 publication and is the latest official estimate of General Government Debt. The estimate is based on the available data from the NTMA, the CSO and from within the Department.

125. **Deputy Michael McGrath** asked the Minister for Finance the change in the General Government Debt from December 2007 to December 2011; the way this is broken down between the building up of cash balances, paying for Government goods and services, and recapitalisation of the banks; and if he will make a statement on the matter. [1505/12]

Minister for Finance (Deputy Michael Noonan): General Government Debt grew from 25% of GDP in 2007 to 107% of GDP in 2011. The change in nominal terms over the entire period is EUR119m. The official measures of General Government Debt for 2007 to 2010 are given in the table below, along with an estimate for 2011. These are based on data published by the CSO, the NTMA and Department of Finance. The estimate for 2011 is based on the Budget 2012 forecast of debt of 2011 at 107% of GDP and is based on the latest Department of Finance, CSO and NTMA data.

Table General Government Debt 2007-2011 (EURbn)

		2007	2008	2009	2010	2011
a	General government debt	47.4	79.8	104.8	144.3	166.6

[Deputy Michael Noonan.]

		2007	2008	2009	2010	2011
b	Change in gen gov debt		32.4	24.9	39.5	22.3
c	Change in cash balances		17.6	-0.2	-9.2*	-1.3
d	Net bank recapitalisation (direct from Exchequer)		0	4	0.7	6.6
e	Bank recapitalisation (promissory notes)		0	0	30.9	-2.5
f	Other net borrowing of General Govern [=b- (c+d+e)]		14.9	21.1	17.1	19.3

*In this table the change in cash balances in 2010 includes EUR3.6bn spent on the purchase of HFA commercial paper by the NTMA

Rounding may affect totals

The change in debt over the entire period can be broken down as follows:

(c) EUR7bn is due to a build-up of cash balances;

(d) EUR11bn is due to bank recapitalisation of certain banks;

(e) the obligation of the promissory notes (used for recapitalisation of Anglo Irish Bank, INBS and EBS) added EUR31bn to our debt in 2010, of which EUR3bn is paid off in 2011;

(f) other net borrowing including exchequer items, not already included in *d* and *e*, and payment for goods and services by other general government bodies added EUR73bn to the debt.

Please note that bank recapitalisations paid out of NPRF funds (amounting to EUR 20.7 billion over the period) does not add to General Government Debt, as no new liabilities are incurred.

Tax Yield

126. **Deputy Michael McGrath** asked the Minister for Finance the approximate number of litres of agricultural diesel which qualified for tax relief sold in the State in each of the past three years; the approximate number of litres of fully duty paid auto diesel and petrol sold in the State in the same period; and if he will make a statement on the matter. [1510/12]

Minister for Finance (Deputy Michael Noonan): I am informed by the Revenue Commissioners that it is not possible to identify agricultural diesel separately but the figures for Marked Gas Oil (MGO), which is mainly used for agriculture, industrial and heating purposes are given below. It should be noted that 2011 figures are provisional and subject to change.

	2009	2010	2011(Prov)
	Litres('000)	Litres('000)	Litres('000)
MGO	1,274,063	1,225,893	1,155,000
Petrol	2,117,045	1,930,180	1,829,000
Auto-diesel	2,714,350	2,559,664	2,560,000

127. **Deputy Michael McGrath** asked the Minister for Finance if he is concerned by reports that the laundering of agricultural diesel is resulting in a substantial loss of revenue to the Exchequer; if he has given consideration to introducing a rebate scheme to replace the current system; if he intends to bring forward alternative proposal; and if he will make a statement on the matter. [1511/12]

Minister for Finance (Deputy Michael Noonan): I am informed by the Revenue Commissioners, who are responsible for the collection of mineral oil tax and for tackling the illicit trade in mineral oil products, that they are acutely aware of the various illegal activities that lead to loss to the Exchequer of mineral oil tax. The most serious risk in this regard is the large scale laundering of markers from mineral oil which is subject to a reduced rate of mineral oil tax on

condition that it is not used in road vehicles. The Deputy will appreciate that, due to its nature, it is impossible to provide a reliably accurate estimate of the extent of any illegal activity. Revenue employs a broad range of compliance and enforcement strategies to detect and counteract illegal practices involving mineral oils. These include ongoing analysis of the nature and extent of the problem; development and sharing of intelligence with agencies on both sides of the border; the conduct of intelligence driven operations using covert surveillance to identify oil laundry locations; seizure of illicit product, laundering equipment and vehicles; physical sampling at road checkpoints; and prosecution of those involved in illegal activities in relation to mineral oils.

In 2010, Revenue enforcement staff detected four oil-laundering plants in this jurisdiction and seized 228,000 litres of laundered oil. In addition, nine retailers were found dealing in laundered oil and eight haulage companies were detected using it in their vehicles. There were four court convictions in 2010 for laundered oil offences.

In 2011 nine oil laundries and 327,000 litres of laundered fuel were seized, together with nine oil tankers and twenty-nine other vehicles. Sixteen persons were arrested in the course of these operations and files have been sent to the Director of Public Prosecutions, who has to date issued directions to prosecute on indictment in respect of two of the cases. In addition, a further 718,181 litres of illicit mineral oil has been seized, the large majority from retail outlets or in the course of delivery to such outlets.

Revenue is currently reviewing its enforcement options, to ensure that its action against this illegal activity continues to be as effective as possible. The matters being addressed include the potential development of an enhanced fuel marker. In this regard, close liaison has been established with HM Revenue & Customs. Consideration is being given also, in the context of the forthcoming Finance Bill, to possible changes in the law, particularly from the point of view of the control of the supply of oil, which would enhance the capacity to combat this illegality.

It is assumed that the Deputy's question envisages a movement away from the current system of marking of oil to which a reduced rate of tax applies to one in which certain users would be given refunds of part of the mineral oil tax paid by them in respect of fuel used for non-auto purposes. This would, however, involve the establishment of an extensive repayments system, which would give rise to a significant administrative burden and costs for oil traders, users and Revenue, as well as posing significant cash-flow costs for those who currently use marked oil. Moreover, repayment systems are vulnerable to abuse and would be likely to be targeted by criminal elements such as those currently involved in oil laundering. It has to be borne in mind also that, even if there were a move to a repayments system, those involved would still have the possibility of sourcing UK marked oil for laundering. A move away from marking could only be considered, therefore, if the UK were to do likewise.

For those reasons, it is not clear that a repayment system would be less susceptible to fraud. The intention, therefore, is to ensure that controls relating to the sale and distribution of oils, and enforcement action for combating laundering, are as effective as possible.

Electronic Payments

128. **Deputy Michael McGrath** asked the Minister for Finance his views on the way further progress can be made on reducing cash usage and increasing electronic payments; when the National Payments Implementation Plan will be launched; and if he will make a statement on the matter. [1512/12]

Minister for Finance (Deputy Michael Noonan): In June 2009 the National Payments Implementation Plan Advisory Group presented my predecessor with recommendations for a proposed new Payments Task Force to develop a strong, shared commitment to implementing a modern, efficient payments environment, driven by the requisite leadership and investment

[Deputy Michael Noonan.]

from key stakeholders. The Advisory Group also recommended that a national payments plan should be designed to secure a decisive shift to electronic payments resulting in a reduced usage of cash and cheques as well as a significant reduction in the level of financial exclusion. As the Deputy will be aware, Ireland has lagged significantly behind our European peers in the use of cheaper, more efficient electronic payment instruments. This is not only a competitiveness issue for Ireland, but our dependence on paper-based payments has social costs and also has implications for consumer choice and for financial inclusion. In addition, it has the potential to significantly impede Ireland's ability to take advantage of the foreign direct investment and indigenous growth opportunities that are likely to materialise from the advent of new technologies and from recent changes in the EU regulatory framework for payments.

Arising from the report of the Advisory Group, in June of last year, I asked the Central Bank to take a lead role in preparing a National Payments Plan for Government consideration and approval. I consider that the Central Bank is well placed for such a role given its existing role as overseer of Irish payment systems, including in this capacity its general obligation to promote the efficiency of the Irish payment system. I understand the Bank has appointed a project manager to drive the preparation of the Plan and has convened a high level steering group to oversee this work, comprising representatives of consumers, businesses, the banking sector and the public sector. The Bank has also, over the last number of months, been engaged in a process of consultation with a broad range of stakeholders as well as undertaking the research that will be required to underpin a National Payments Plan. I am informed by the Bank that it expects to submit a draft National Payments Plan to me before the end of this year.

Tax Yield

129. **Deputy Michael McGrath** asked the Minister for Finance if he has held discussions with his counterpart in the Northern Ireland Executive on the best way to tackle the problem of cross-Border fuel smuggling and the consequent loss of Exchequer revenue; and if he will make a statement on the matter. [1513/12]

Minister for Finance (Deputy Michael Noonan): This issue is under ongoing discussion with the Northern Ireland authorities. I am informed by the Revenue Commissioners, who are responsible for the collection of mineral oil tax and for tackling the illicit trade in fuel products, that they are aware of the threat to the Exchequer posed by laundered fuel. The predominant illicit activity in the mineral oil area in both Northern Ireland and the Republic is the laundering of marked diesel and its sale through illegal outlets. In both jurisdictions the respective difference in excise rates between marked (rebated) and normal diesel offers a considerable incentive for oil laundering and this illicit activity poses a serious threat to the Exchequer and the economy on both sides of the border. Revenue employs a broad range of compliance and enforcement strategies to detect and counteract illegal practices involving mineral oils. These include ongoing analysis of the nature and extent of the problem; development and sharing of intelligence with agencies on both sides of the border; the conduct of intelligence driven operations using covert surveillance to identify oil laundry locations; seizure of illicit product, laundering equipment and vehicles; physical sampling at road checkpoints; closure of unlicensed or improperly licensed outlets and seizure of stock and prosecution of those involved in illegal activities in relation to mineral oils.

Revenue is currently engaged in a vigorous campaign targeting specific locations nationwide, with the intention of immediate closure of unlicensed outlets and the challenging of other instances of non-compliance. As part of this drive, warning letters have been issued to unlicensed retail outlets and a number of these have been effectively closed down by the actions of Revenue enforcement teams. This campaign is ongoing and Revenue is in the process of

seizing illicit product and closing down a further number of unlicensed or otherwise illegal retail outlets.

Revenue continuously keeps under review the effectiveness of legislation and regulations in relation to combating the illicit trade in mineral oil. This includes reviewing powers, penalties, etc, and making recommendations to my Department where legislative amendments are required. The ongoing review of effectiveness includes consideration of alternative approaches, as referred to by the Deputy, to tackling the illicit removal of fuel marker. General consideration has been given, in this context, to a rebate system. However, Revenue advises me that such a system would pose different problems. It would involve the establishment of a very extensive repayment system, giving rise to a very significant administrative burden for oil traders, consumers and for Revenue and would pose significant cash-flow difficulties for those who currently use marked gas oil. Repayment regimes are vulnerable to abuse and liable to be exploited by criminal elements, such as those currently involved in fuel laundering.

Revenue is currently reviewing its enforcement options in the context of reductions in the sulphur content of some fuels that have been introduced under recent EU environment legislation. The matters being addressed include the potential development of an enhanced fuel marker. In this regard, close liaison has been established with HM Revenue & Customs. Revenue is also considering strengthening the Regulations governing the keeping for sale of fuel products and a renewed focus on links in the laundered fuel supply chain.

Banks Recapitalisation

130. **Deputy Michael McGrath** asked the Minister for Finance the gross cost to date of the bank recapitalisation; the breakdown of this between cash injections from the Exchequer and the National Pensions Reserve Fund to date; the outstanding balance on the promissory notes; the amount received to date by the Exchequer under the financial support scheme and the eligible institutions guarantee; and if he will make a statement on the matter. [1516/12]

Minister for Finance (Deputy Michael Noonan): The bank recapitalisation commitments made by the State to date are set out in the following table:

€bn	AIB/EBS	BOI	IL&P	IBRC (Anglo/INBS)	Total
Government preference Shares (2009) — NPRF	3.5	3.5*	—	—	7.0
Capital contributions (with Promissory Notes as consideration) /Special Investment Shares (2010) — Exchequer **	0.9	—	—	30.7	31.6
Ordinary Share Capital (2009) — Exchequer	—	—	—	4.0	4.0
Ordinary Share Capital (2010) — NPRF	3.7	—	—	—	3.7
Total pre-PCAR 2011 (A)	8.1	3.5	0	34.7	46.3
PCAR 2011	AIB/EBS	BOI	IL&P	Anglo/INBS	Total
Capital from Exchequer***	3.9	—	2.7	—	6.5
NPRF Capital	8.8	1.2	—	—	10.0
Total PCAR (B)	12.7	1.2	2.7	—	16.5
Total Cost of Recap for State (A) + (B)	20.7	4.7	2.7	34.7	62.8

*€1.7bn of BoI's government preference shares were converted to equity in May/June 2010 (€1.8bn still left in existence). The government also received €0.5bn from the warrants relating to BoI's preference shares (excluded from table above).

[Deputy Michael Noonan.]

**The IBRC amount is made up of a total capital contribution for Anglo / INBS of €30.6bn and a special investment share of €0.1bn (INBS). The Anglo / INBS capital contribution impacted in full on the GGB in 2010. The consideration for the Anglo / INBS capital contribution was €30.6bn of promissory notes. These Promissory Notes are an amount due from the State to IBRC. Each year, on 31 March, €3.06bn is paid by the Exchequer to Anglo / INBS as part of the scheduled repayments of the promissory notes. The first such repayment was made on 31 March 2010.
***The Exchequer cost of the 2011 BoI recap is shown net of share sale to private investors (Completed in October, 2011)

Please note that these figures only represent the capital committed to recapitalising these institutions and they do not take account of revenues received directly or indirectly from the banks.

It should also be noted that the total cost of the recapitalisations would have been significantly higher were it not for the burden sharing achieved with holders of subordinated debt in each of the institutions.

The legal amount due on the Promissory notes at this point is €28.1bn.

Fees received to date since the introduction of the Credit Institutions Financial Support Scheme (CIFS) in September 2008 and the Eligible Liabilities Guarantee Scheme (ELG) which supersedes CIFS amount in total to €2.58bn including accrued interest.

Pension Provisions

131. **Deputy Billy Timmins** asked the Minister for Finance when the issue of non-payment of tax on some private pensions came to light; and if he will make a statement on the matter. [1611/12]

Minister for Finance (Deputy Michael Noonan): I am advised by the Revenue Commissioners that there is no issue of non-payment of tax on private pensions. The issue which is currently topical relates to the payment of tax on Department of Social Protection Pensions. In September 2011, under the auspices of a High Level Group of officials charged with ensuring ever closer working between the Department of Social Protection and Revenue, work commenced on looking afresh at data holdings in both organisations which had not previously been exchanged and which, with improvements in technology, could now be exchanged.

Subsequently, under its existing data exchange arrangements with the Department of Social Protection (DSP), information relating to long-term social welfare recipients was received by the Commissioners in late November 2011. This consisted of some 560,000 records relating to the State Pension, the Transition Pension, Widows/Widowers/Surviving Civil Partner's Pension and Invalidity Pension.

At the end of November, Revenue advised my Department that the aggregate amount of additional tax likely to be collected from this and other compliance activities with DSP was material so that we could factor it into the Budget arithmetic. This is a normal part of the interaction between my Department and the Commissioners and what I expect from them.

Revenue analysed the records received from DSP and matched them with Revenue's own records. Following this exercise, it transpired that in approximately one quarter of the cases — 150,000 — the amounts on record did not match for a variety of reasons — some were paying too much tax, others were paying too little. A large proportion had not reported their DSP pension to Revenue as they are required to do, and advised to do, by the DSP when they are awarded the pension in question. In some 15,000 cases, and these are the cases which have caused the most confusion, the taxpayers involved had not reported their DSP pension to Revenue but it appeared to Revenue that they are most likely exempt from tax.

The Revenue Commissioners have accepted that the communications strategy could have been handled better in this instance, in particular if they had more time before the start of the

tax year. Their overarching objective was to ensure that the taxpayers involved pay the right amount of tax at the right time for 2012 and beyond, and I support that objective.

Revenue has a job to administer the tax system fairly and efficiently. Government policy encourages exchange of information to support smarter working and it also supports fairness in the tax system. In fairness to those who pay their taxes, including pensioners, this information had to be acted on by Revenue as soon as they could.

In accordance with their normal practice, I expect that Revenue will deal with the question of arrears on a risk basis. Some cases will be uneconomic to pursue having regard to the resources available to Revenue and the other jobs they have to do. Some cases are very recent pensioners so the question of arrears will not arise at all. I expect that the issue of arrears will not arise for a large proportion of the cases.

Revenue has a good track record in managing large projects in a sensible way while at the same time collecting the tax that the State needs and I am confident that they will in this case also.

Redundancy Payments

132. **Deputy Áine Collins** asked the Minister for Education and Skills if he will explain the way partial redundancy for special needs assistants is calculated. [40770/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The terms of the redundancy arrangements for Special Needs Assistants are outlined in my Department's circular 58/2006. A copy of the Circular is below for the information of the Deputy. The terms of the redundancy arrangements as outlined were agreed at the Labour Relations Commission. These arrangements provide that SNAs in primary and second level schools in approved posts with more than one year's continuous service whose posts are surplus to the approved allocation to the school are entitled to four weeks redundancy payment for every year of service, plus a bonus week. Where a redundancy situation arises due to a reduction in hours, i.e. 'partial redundancy', redundancy compensation is on a pro rata basis.

Circular 0058/2006

DEPARTMENT OF EDUCATION AND SCIENCE

PAYROLL DIVISION

TO: Boards of Management, Principal Teachers and Special Need Assistants in Primary and Second Level Schools.

Redundancy Arrangements for Special Need Assistants

1. Introduction

1.1 The Minister for Education and Science wishes to advise Boards of Management of the arrangements which have been agreed at national level in relation to redundancy compensation for special need assistants employed in primary and second level schools. The arrangements were agreed at the Labour Relations Commission.

2. Terms of the Redundancy Agreement at the Labour Relations Commission:

2.1 The arrangements agreed provided for redundancy compensation of twice the statutory terms to be applied to full time special need assistants employed in primary and second level schools in approved posts with more than one year's continuous service.

[Deputy Ruairí Quinn.]

2.2 The arrangement also provided for compensation to those losing full time status and associated benefits to be applied on a pro rata basis.

2.3 Under the Redundancy Payments Act, 2003 an eligible employee is entitled to two weeks statutory redundancy payment for every year of service, plus a bonus week.

2.4 The agreement referred to at Para.1 provides that *full-time* special need assistants with more than one year's continuous service whose posts are surplus to the approved allocation to the school shall be entitled to four weeks redundancy payment for every year of service, plus a bonus week, with *part-time* special need assistants with more than one year's continuous service having a pro rata entitlement.

Where a redundancy situation arises due to a reduction in hours as provided for in section 4.2 below, redundancy compensation will again be on a pro rata basis.

3. Review of the Special Need Assistant Posts Allocation in Schools:

3.1 The allocation of special need assistant posts to your school will be reviewed on an annual basis. The employment of special need assistants may be reduced from full-time to part-time or terminated by way of redundancy where the approved allocation to the school is reduced and it is necessary to compulsorily cease the employment of special need assistants. A redundancy situation arises where the post ceases to exist and the special need assistant is not replaced. Thus a special need assistant who is dismissed for any reason other than redundancy (e.g. misconduct, inefficiency) or who voluntarily leaves the employment is not entitled to a redundancy payment.

3.2 A redundancy situation may also arise in cases where the services of a special need assistant(s) is no longer required in your school e.g. where a special needs child terminates her/his attendance at your school for whatever reason and there are no other vacancies in the school.

4. Selection Criteria for Redundancy:

4.1 Termination of special need assistant posts

The selection criteria for redundancy will be on a last in first out (LIFO) basis subject to the contractual arrangements already in place. This means that, in the case of redundancy, unless the most junior special need assistant in the school has a written child specific contract that entitles her/him to remain in the school, her/his contract should be terminated on the basis that she/he is the most junior special need assistant in the school in terms of length of service (Circular Letters SNA 12/05 and 15/05 on contracts of employment refer).

4.2 Reduction of one full-time special need assistant post to a part-time post

Where a full-time special need assistant post within the school is reduced to a part-time post, the issue of a redundancy payment in respect of the loss of hours may arise. The entitlement to redundancy is subject to the special need assistant's eligibility in accordance with the terms of the redundancy agreement set out at section 1 above and the criteria outlined in Para. 3.1. Again, the selection criteria for redundancy in this scenario will be on a last in first out (LIFO) basis subject to the contractual arrangements already in place in the school.

5. Service Reckonable in the Calculation of Seniority and Redundancy:

5.1 The period of a special need assistant's absence on maternity leave, additional maternity leave, parental leave, paternity leave and force majeure leave is reckonable.

5.2 Absences on sick leave in excess of 26 weeks in the three year period prior to the date of the redundancy arising are not reckonable in the calculation of reckonable service for redundancy. Absences on sick leave up to 52 weeks are reckonable, if the absence is due to occupational accident or disease.

5.3 The arrangements that apply regarding the calculation of adoptive leave and carers leave are outlined in the "Guide to the Redundancy Payments Scheme" booklet issued by the Department of Enterprise, Trade and Employment.

5.4 In the event that a special need assistant was job-sharing the job-sharing rate of pay is the rate used for redundancy calculation purposes.

5.5 Where a special need assistant receives a redundancy lump sum payment, his/her continuity of employment is broken. The period of service reckonable for redundancy payment purposes will only consist of the period of the special need assistant's continuous service in the school in which she/he was last employed.

5.6 Please refer to Circular 0059/2006 for further information on determining the seniority of special need assistants.

6. Termination of Contract of Employment:

6.1 In terminating a special need assistant's contract of employment, the provisions of the Minimum Notice and Terms of Employment Act 1973 to 2001 should be applied. Adequate notice should be given in accordance with the terms of that Act as follows:—

- an SNA who is in service for a period of between thirteen weeks and two years should be given a minimum of one week's notice
- an SNA who has been in continuous service for more than two years but less than five years should be given two weeks notice
- an SNA who has been in continuous service for five years but less than ten years should be given four weeks notice
- an SNA who has been in continuous service for ten years but less than fifteen years should be given six weeks notice
- an SNA who has been in continuous service for more than fifteen years should be given eight weeks notice.

7. Applications for Payment of Redundancy:

7.1 There is a standard application form for payment of redundancy (Form RP50) which is attached as Appendix 1. An example of Form RP50 containing the information which must be completed, initially by school management and subsequently by the special need assistant, is attached at Appendix 2.

Details on the completion of the form are also outlined in the "Guide to the Redundancy Payments Scheme" booklet issued by the Department of Enterprise, Trade and Employment.

7.2 The time limit for submitting an application for payment of redundancy is 52 weeks after the date of termination of the contract of employment.

[Deputy Ruairí Quinn.]

7.3 Form RP50 should be completed by school management in the first instance and then submitted to the SNA Payroll Section, Payroll Division, Department of Education and Science, Athlone, Co. Westmeath for payment. The special need assistant should be given a copy at that stage for her/his information.

7.4 Where the Department deems that the special need assistant is entitled to a redundancy payment, this payment together with the original Form RP50 will issue directly to the special need assistant concerned. *The special need assistant must confirm on the original Form RP50 that payment has been received and she/he must return this form to the Department.*

8. Implications of Redundancy Payment on Unemployment Benefit:

8.1 A person under 55, who receives a redundancy payment in excess of €19,046.07, may be disqualified from receiving Unemployment Benefit for a period of up to 9 weeks. The disqualification is applied on a sliding scale, depending on the amount of redundancy received. Further information on the implications of redundancy payment on Unemployment Benefit is available directly from your local Department of Social, Community and Family Affairs Office.

9. Appeal Procedures:

9.1 In the event of a dispute arising between this Department and the special need assistant concerning her/his right to a lump sum, the special need assistant may decide to bring the matter to the Employment Appeals Tribunal (EAT) for adjudication. The Tribunal has its headquarters at Davitt House, Adelaide Road, Dublin 2 and further information on its role is available on the Department of Enterprise, Trade & Employment website <http://www.entemp.ie>.

10. Further Information on Redundancy:

10.1 Further information regarding redundancy payments is available from the Employment Rights Information Section, Department of Enterprise, Trade & Employment, Davitt House, Adelaide Road, Dublin 2. Tel (01) 6313131. Lo-call (if outside 01 area) 1890 220222 Website <http://www.entemp.ie>

11. Dissemination of Information:

11.1 Management authorities are requested to bring the contents of this Circular to the attention of all special need assistants in their schools, including those on maternity leave, sick leave etc. and also to the attention of the members of the Boards of Management.

12. Queries on this Circular:

12.1 If you have any query in relation to this circular please contact the SNA Payroll Section, Payroll Division at 090 648 4136 or e-mail your query to sna-pay@education.gov.ie.

An Irish version of this circular is available, on request.

P. Maloney,
Principal Officer,
Payroll Division.
May 2006.

View Forms

Appendix 1 — Notification of Redundancy Form (RP50)

Appendix 2 — Guide to completing Notification of Redundancy Form (RP50)

School Transport

133. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the extent to which school transport at a school (details supplied) can be continued to meet requirements in full; and if he will make a statement on the matter. [40792/11]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): One of the changes in the school transport scheme which took effect from the beginning of the 2011 school year was an increase from seven to ten in the minimum number of eligible pupils, residing in a distinct locality, required to establish or retain an individual school transport service.

Bus Éireann, which operates the school transport schemes on behalf of my Department, has advised that in this case, the number of applications from eligible pupils did not match the above requirement and consequently the service was withdrawn from the beginning of the current school year.

This minimum number requirement has been applied to all individual school transport services nationally from the commencement of the 2011/12 school year.

As is currently the position, families of eligible pupils, for whom there is no school transport service available, may apply for a remote area grant towards the cost of making private transport arrangements.

Departmental Bodies

134. **Deputy Eamonn Maloney** asked the Minister for Education and Skills in respect of the statutory Teaching Council, the current level of staffing of the council; the staffing complement as required and requested by the council in order to carry out its functions; the reason an employment control framework is being applied to the council in view of the fact that it is fully funded by the annual registration fees and other fees, paid by registered teachers and by applicants for registration; if he will seek to have the necessary staffing level reinstated, in view of the fact that there is no obvious cost to public funds in so doing and in view of the delays being experienced by applicants for registration and council services; and if he will make a statement on the matter. [40804/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The current authorised permanent staffing complement for the Teaching Council is 28.5. The Teaching Council has submitted a request for further staff which it considers necessary to carry out its functions. This request is under consideration at present, and my Department is in ongoing communication with both the Teaching Council and the Department of Public Expenditure and Reform regarding the Council's staffing issues.

The Employment Control Framework agreed for my Department covers the period 2010 to 2014 and comprehends staff working in a range of bodies and organisations across the education area. Regardless of funding status, agencies under the aegis of the Department, including the Teaching Council, are required to order and prioritise their work and working practices to take account of any limitations resulting from the application of the Employment Control Framework. This process of effectively managing staffing resources is ongoing and is regularly monitored with a view to ensuring continued effective delivery of key services.

Irish Language

135. **Deputy Simon Harris** asked the Minister for Education and Skills further to Parliamentary Question No. 179 of 20 September 2011, the progress that has been made by him on redesigning the criteria for Irish language exemptions in primary and secondary schools to

[Deputy Simon Harris.]

include children with diagnoses of aspergers syndrome; if parents will be consulted or invited to participate on this issue; and if he will make a statement on the matter. [40829/11]

Minister for Education and Skills (Deputy Ruairí Quinn): As the Deputy was informed previously in September, 2011 my Department has given some consideration to consolidating and updating the departmental circulars which deal with exemptions from the study of Irish in recognised primary (12/96) and post-primary schools (M10/94). My Department has established an expert working group to review the current Irish exemptions circulars. The working group has drafted a single consolidated circular to cover both primary and post-primary schools which will be considered by my Department's Standing Committee on the Curriculum. Among the issues which the Standing Committee will consider are revisions to the criteria for exemptions for students with special educational needs. Under the current departmental circulars, for recognised primary and post-primary schools, students with Asperger's Syndrome could be exempted from learning Irish if they meet the criteria for exemption as specified. However, the learning profiles of students with Asperger's Syndrome would not generally meet the criteria for general or specific learning disability as set out in the circulars, as a diagnosis of Asperger's Syndrome relates more to emotional and social communication needs. Many students with Asperger's Syndrome are high functioning and achieve well at school.

School Patronage

136. **Deputy Simon Harris** asked the Minister for Education and Skills if he has any plans to reverse the decision which mandates him to place minority faith secondary schools in the same category as fee-paying private Catholic secondary schools; if his attention has been drawn to the hardships that this designation is causing minority faith schools and families; and if he will make a statement on the matter. [40830/11]

138. **Deputy Simon Harris** asked the Minister for Education and Skills the rationale behind the withdrawal of support grants to Protestant faith schools in view of the impact of this on the pupil teacher ratio at such schools and the long standing safeguards in place to protect their viability; and if he will make a statement on the matter. [40846/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 136 and 138 together.

I refer the Deputy to the decision of the previous Government to remove certain funding from Protestant fee-charging schools in the Budget of October 2008. The previous Government also decided at that time make changes to how fee-charging schools should be treated in relation to the number of publicly funded teaching posts they are allowed. Teachers in fee-charging schools are currently allocated at a pupil teacher ratio of 20 to 1, which is a point higher than allocations in non fee-charging post-primary schools. As part of the Budget announced in December last, the pupil teacher ratio in fee-charging post-primary schools will be increased by 1 point to 21:1 with effect from the 2012/2013 school year. All schools will also be required to manage guidance provision from within their standard staffing schedule allocation.

The funding was withdrawn with effect from 1 January 2009 due to real concerns about the constitutionality of making grants available to fee-charging schools of one ethos and not to those of another. The Constitution specifically states that the State shall not discriminate against one religion in favour of another.

There are 26 distinctively Protestant schools, of which 20 charge fees. Many of the schools have a boarding facility, reflecting the dispersed nature of the communities across the country.

The six Protestant schools within the free education scheme receive the same funding as all other schools within the free education system.

This Government recognises the importance of ensuring that students from a Protestant or reformed church background can attend a school that reflects their denominational ethos while at the same time ensuring that funding arrangements are in accordance with the provisions of the Constitution.

With regard to the fee-charging Protestant schools, an arrangement exists whereby funding is paid to the Secondary Education Committee, an organisation run by the churches involved in managing the schools. The Secondary Education Committee then disburses funds to the Protestant fee-charging schools on behalf of pupils who would otherwise have difficulty with the cost of boarding fees and who, in the absence of such financial support, would be unable to attend a second level school of a reformed church or Protestant ethos. Funding amounts to €6.5 million annually.

In addition to this funding, teachers employed within the approved annual staffing allocation granted by my Department in fee-charging schools are paid by the State; an arrangement that pre-dates the introduction of free education arrangements and which has existed since the foundation of the state. The estimated cost of these posts is in the order of €100m. I am already on record as saying that this is not a simple matter as these arrangements, which are historic and of long standing, impact upon a substantial number of schools which cater for religious minorities.

137. **Deputy Simon Harris** asked the Minister for Education and Skills the measures undertaken by him to recognise the diversity of the school going population, and to ensure that parents can access schools whose ethos reflects their own faith, in view of changes to the funding provided to such schools; and if he will make a statement on the matter. [40845/11]

Minister for Education and Skills (Deputy Ruairí Quinn): In recognition of the increasing diversity of the school-going population and in order to improve the capacity of the school system to cater for that diversity, the measures I have undertaken since my appointment as Minister for Education and Skills include: The Forum on Patronage and Pluralism in the Primary Sector — a key objective of the Programme for a National Government 2011-2016, was officially launched on 19th April, 2011. The terms of reference of the Forum are to advise me on:

- how it can best be ensured that the education system can provide a sufficiently diverse number and range of primary schools catering for all religions and none;
- the practicalities of how transfer/divesting of patronage should operate for individual primary schools in communities where it is appropriate and necessary; and
- how such transfer/divesting can be advanced to ensure that demands for diversity of patronage (including from an Irish language perspective) can be identified and met on a widespread basis nationally.

An Advisory Group appointed to convene the Forum has held a number of meetings in public, during June and November 2011 and has sought and received submissions from the public as part of its work. The Group is currently finalising its report and I expect to receive it shortly.

I have also continued the piloting of the new Community National School model of primary school patronage and I will be considering the contribution which these schools can make to the patronage options at primary level in the context of the outcome of the Forum on Patronage and Pluralism in the Primary Sector.

[Deputy Ruairí Quinn.]

In June of last year I announced that over 20 new primary schools and over 20 new post-primary schools are to be established in the next 6 years. At that time I also announced the establishment of new arrangements for the recognition of new primary and second-level schools.

The new arrangements provide a balanced approach to allow for applications to be made from prospective patrons of schools for the establishment of schools where the Department has identified that there is a demographic need for the school. The new arrangements will result in applications for patronage of new schools being considered having regard to criteria. The criteria place a particular emphasis on parental demand for plurality and diversity of patronage. The new arrangements involve applications by patron bodies for the establishment of new schools in areas identified by the Department. Department officials will draft a report to be considered by the New Schools Establishment Group and it will submit a report with recommendations for my consideration. This Government recognises the importance of ensuring that students from a Protestant or reformed church background can attend a school that reflects their denominational ethos while at the same time ensuring that funding arrangements are in accordance with the provisions of the Constitution.

With regard to the fee-charging Protestant secondary schools, an arrangement exists whereby funding is paid to the Secondary Education Committee, an organisation run by the churches involved in managing the schools. The Secondary Education Committee then disburses funds to the Protestant fee-charging schools on behalf of pupils who would otherwise have difficulty with the cost of boarding fees and who, in the absence of such financial support, would be unable to attend a second level school of a reformed church or Protestant ethos. Funding amounts to €6.5 million annually.

Question No. 138 answered with Question No. 136.

Special Educational Needs

139. **Deputy Simon Harris** asked the Minister for Education and Skills if he sees there being a role for an educational model of speech therapy as well as a health model; and if he will make a statement on the matter. [40852/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I wish to advise the Deputy that the Health Service Executive is responsible for the provision of health supports including Speech and Language Therapy and Occupational Therapy to children. In some instances such therapy services are delivered in schools. An integrated approach is adopted by the education and health sectors to target resources to the areas of greatest need and to integrate services to the greatest extent possible.

Progress in this regard is kept under review by an Interdepartmental Cross Sectoral team, (comprising of representatives of: the Departments of Education and Skills, Health and Children, the National Council for Special Education and the Health Service Executive) which plans for co-ordinated service delivery across the disability sector.

School Curriculum

140. **Deputy Pearse Doherty** asked the Minister for Education and Skills with respect to the abolishment of the Modern Languages in Primary Schools Initiative Budget, if he will detail the basis for this decision; the total saving to the State arising from the decision; the number of teachers who will lose their jobs as a result of this and a breakdown of the numbers of schools affected by county; and if he will make a statement on the matter. [40863/11]

Minister for Education and Skills (Deputy Ruairí Quinn): As part of the Budget 2012 decisions that have been announced, the Modern Languages in Primary Schools Initiative will be cease at the end of the 2011/2012 school year. The €2.5million in savings from this measure will go towards the cost of implementing the new National Literacy and Numeracy Strategy, which is a key commitment in the Programme for Government.

Since becoming Minister for Education and Skills, I have spoken repeatedly about the need to raise educational standards. In terms of curriculum reform, the priorities in the period ahead are to strengthen achievement in literacy and numeracy, to implement reforms in maths, Irish and science, and to progress junior cycle reforms.

The Modern Languages Initiative was a pilot scheme involving approximately 550 schools and has been operating since 1998. There are over 270 part-time tutors employed by the primary schools to deliver language tuition. The tutors are paid by school Boards of Management from grants issued by my Department. The employment of tutors under the Modern Languages Initiative by these schools will cease at the end of the current school year.

The decision to end the scheme was based in part on policy advice from a 2008 Report by the National Council for Curriculum and Assessment (NCCA), which has identified serious issues with curricular overload at primary level. The NCCA's advice recommended that Modern languages should not be part of the Primary School Curriculum as an additional and separate subject at present.

The primary curriculum is currently being reviewed by the NCCA in the context of the National Literacy and Numeracy Strategy. The focus of the review will be on how best to enhance children's learning in these areas, provide a clearer delineation of the learning outcomes required, and integrate into the infant cycle the learning experiences from Aistear, the curriculum framework for early childhood education.

At post primary level, targeted support is provided to schools to enable them to diversify language provision with a particular focus on Spanish, Japanese, Russian and Italian. Other languages taught at second level include French, German and Arabic.

Participation in foreign languages, relative to other subjects, remains high. The vast majority of students are studying two languages and are therefore developing core skills which will serve them well in future language learning over the lifespan, and there are many opportunities outside the second level system for people to resume language learning.

It was not an easy decision to end this scheme, but I gave careful consideration to the concerns about the teaching of languages before taking it. The information requested by the Deputy in relation to participating schools, detailed by county, is set out in the following table:

School Name	Address	County	Language
Bigstone National School	Ballyraggan, Rathvilly,	Co. Carlow	French
Gaelscoil Eoghan Ní Thuairisc,	Bóthar Phollerton, Ceatharlach,	Co. Carlow	German
Bishop Foley National School	Station Road, Carlow	Co. Carlow	German
St. Patrick's National School	Ballymurphy, Borris,	Co. Carlow	German
Carlow National School	Green Road, Carlow.	Co. Carlow	German
Holy Family Girls National School	Askea, Carlow,	Co. Carlow	German
St. Columba's Boys National School	Tullow,	Co. Carlow.	French
Borris Mixed National School	Borris,	Co. Carlow.	German
Carlow Educate Together	Unit 5, Shamrock Bus. Park, Graiguecullen,	Co. Carlow.	German
Scoil Bhríde	Grange, Tullow,	Co. Carlow.	Spanish
St. Mary's National School	Arva,	Co. Cavan.	French

[Deputy Ruairí Quinn.]

School Name	Address	County	Language
Billis National School	New Inns, Ballyjamesduff,	Co. Cavan.	French
Dernakesh National School	Maudabawn, Cootehill,	Co. Cavan.	French
St. Kilian's National School	Mullagh, via Kells,	Co. Cavan.	French
Kill National School	Kill, Cootehill,	Co. Cavan.	French
Bodyke National School	Bodyke	Co. Clare	French
Sixmilebridge National School	Sixmilebridge,	Co. Clare	French
Kilmihil National School	Kilmihil, Kilrush,	Co. Clare	French
Clouna National School	Ennistymon	Co. Clare	French
Carrigaholt National School	Carrigaholt, Kilrush,	Co. Clare	French
St. Mochulla's National School	Ennis Road, Tulla,	Co. Clare	French
Dromindoorra National School	Dromindoorra, Caher,	Co. Clare	French
St. Tola's National School	Tullyglass Road, Shannon,	Co. Clare	French
Clarecastle National School	Clarecastle	Co. Clare	French
Scoil Chríost Rí	Cloughleigh Road, Ennis	Co. Clare	French
Toonagh National School	Fountain, Ennis,	Co. Clare.	French
Mullagh National School	Mullagh, Ennis,	Co. Clare.	French
Kilnaboy National School	Kilnaboy, Ennis,	Co. Clare.	French
St. Cronan's National School	Carron, Ennis,	Co. Clare.	French
McCreehy's National School	Liscannor,	Co. Clare.	French
Scoil Mhuire Ruan	Ruan,	Co. Clare.	French
Inchicronan Central National School	Crusheen,	Co. Clare.	French
St. Senan's Primary School	Convent of Mercy, Kilrush,	Co. Clare.	French
Rineen National School	Rineen, Miltown Malbay,	Co. Clare.	French
Scoil Iosef	Máigh, An Leacht,	Co. Clare.	French
Barefield National School	Barefield, Ennis,	Co. Clare.	French
Fanore National School	Fanore, Ballyvaughan,	Co. Clare.	German
Scoil Mhuire Náisiúnta	Cora Finne,	Co. Clare.	German
St. Conaire's National School	Tullyvarraga, Shannon,	Co. Clare.	German
S.N. na Maighdine Mhuire	Newmarket-on-Fergus,	Co. Clare.	German/French
Ballycar National School	Ballycar, Newmarket-on-Fergus,	Co. Clare.	Spanish
Boston National School	Ennis,	Co. Clare.	Spanish
Tubber National School	Tubber, Ennis,	Co. Clare.	Spanish
Scoil Padre Pio	Churchfield,	Cork	French
Sunday Wells National School	Blarney Road,	Cork	French
Ballintemple National School	Crab Lane, Ballintemple,	Cork	French
Scoil Phadraig Naofa	Bandon,	Cork	French
Scoil Ursula	Blackrock,	Cork	French
Scoil Mhuire na nGrás	Greenmount, Green Street,	Cork	French
St. Joseph's National School	Mardyke,	Cork	French
Scoil Croise Naofa	Avenue de Rennes, Mahon,	Cork	French
Scoil Chríost Rí	Crosaire Tuirnéir	Cork	French
Maria Assumpta Senior School	Pearse Road, Ballypnehane,	Cork	French
St. Catherine's National School	Bishopstown Avenue, Model Farm Road,	Cork	French
Scoil Bhríde	Eglantine, Douglas Road,	Cork	French
Scoil Iosagáin	Fearann Rí,	Cork	French
Gaelscoil Naomh Therese	Bishopstown Avenue,	Cork	French

School Name	Address	County	Language
Scoil an Spioraid Naoimh (B)	Curaheen Road, Bishopstown,	Cork	French
Scoil Mhuire Fatima	North Monastery Road,	Cork	French
Coachford National School	Coachford,	Cork	French
St. Joseph's C.B.S.	Turnpike Road, Doneraile,	Cork	French
St. Columba's BNS	Douglas,	Cork	French
Presentation Primary School	Doneraile,	Cork	French
St. Marie's of the Isle National School	Bishop Street,	Cork	German
Scoil an Spioraid Naomh C	Curragheen Road, Bishopstown,	Cork	German
Gaelscoil Mhachain	Ave. de Rennes, Mahon,	Cork	German
Scoil Náisiúnta Mhuire	Rathpeacon, Mallow Road	Cork	German
Scoil Mhuire ar Chnoc na hAoine	Cnoc na hAoine,	Cork	Italian
North Presentation Primary	Gerald Griffin Street,	Cork	Italian
Scoil Barra Noafa Cailíní	Beaumont,	Cork	Spanish
Cloghroe National School	Cloghroe,	Cork	Spanish
Togher Boy's National School	Togher,	Cork	Spanish
Scoil an Athair Maitiú	Togher,	Cork	Spanish
Gaelscoil Dr Uí Shuilleabháin	Gort na Cloiche, An Sciobhairín,	Co. Chorcaí.	French
Scoil Fhionnbarra	Béal Áthan Ghaorthaidh,	Co. Chorcaí.	Spanish
Union Hall National School	Union Hall,	Co. Cork	French
Cullen National School	Lislehane, Cullen, Mallow, Cork.	Co. Cork	French
Gaelscoil Charraig Uí Leighinn	Carraig Uí Leidhin, Co. Chorcaí.	Co. Cork	French
Gaelscoil Mhainis Din na Corann	Ionad an Phobail, Mainistir na Corann,	Co. Cork	French
St. Patrick's National School	Whitechurch,	Co. Cork	French
Kilbrittain National School	Kilbrittain,	Co. Cork	French
Mallow (No.1) National School	Shortcastle, Mallow,	Co. Cork	French
South Abbey National School	Youghal	Co. Cork	French
Gaelscoil Mhuscraí	Shean Lower, Blarney,	Co. Cork	French
Dromahane National School	Dromahane, Mallow,	Co. Cork	French
Newcestown National School	Newcestown Village, Bandon,	Co. Cork	French
Rylane National School	Rylane,	Co. Cork	French
Presentation Primary School	Bandon,	Co. Cork	French
Scoil Naomh Eoin	Ballincurrag, Leamlara,	Co. Cork	German
Inch National School	Killeagh,	Co. Cork	German
Beaumont Boys School	Woodvale Road, Beaumont,	Co. Cork	Italian
St. Luke's National School	Douglas,	Co. Cork	Spanish
Ballinadee National School	Ballinadee, Bandon,	Co. Cork	Spanish
S.N. Inis Chleire	Oileán Chleire, Sciobhairin,	Co. Cork.	French
Scoil Barra Noafa	Baile an Mhanaigh,	Co. Cork.	French
Gaelscoil Choráin	Sráid na Trá, Eochail,	Co. Cork.	French
Gaelscoil de hÍde	Mainistir Fhearmai,	Co. Cork.	French
Scoil Mhuire B	Caraigh Thuaitail,	Co. Cork.	French
Kilbehenny National School	Kilbehenny, Mitchelstown,	Co. Cork.	French
Gaelscoil an Teaghlaigh Naofa	Bothar na nBuaircíní, Baile Fletheán,	Co. Cork.	French
Scoil an Athar Tadhg O'Murchu	Bóthar Theas na Dughlaise,	Co. Cork.	French

[Deputy Ruairí Quinn.]

School Name	Address	County	Language
Convent of Mercy, St. Joseph's Primary,	Clonakilty,	Co. Cork.	French
Fermoy Adair School	Greenhill, Fermoy,	Co. Cork.	French
St. John the Baptist	Midleton,	Co. Cork.	French
Goggin's Hill National School	Goggin's Hill, Ballinhassig,	Co. Cork.	French
Sherkin Island National School	Baltimore, Skibbereen,	Co. Cork.	French
Scoil Mhuire Banrion	Mayfield,	Co. Cork.	French
Ballygarvan National School	Ballygarvan,	Co. Cork.	French
Scoil Chlochair Mhuire	Main Street, Carrigtwohill,	Co. Cork.	French
Rahan National School	Lavally, Mallow,	Co. Cork.	French
Scoil Dhairbhre	Cruary, Clonakilty,	Co. Cork.	German
St. Brigid's Presentation Primary School	Midleton,	Co. Cork.	German
Rushbrooke Convent Primary School	Rushbrooke, Cobh,	Co. Cork.	German
Scoil Mhuire Lourdes	Carrigaline,	Co. Cork.	German
Scoil Bhríde	Crosshaven,	Co. Cork.	German
Bishop Murphy Memorial School	Fermoy,	Co. Cork.	German
Gaelscoil Sheáin UíÉaigeartaigh	Carraig an Fhia, An Cóbh,	Co. Cork.	German
Scoil Mhuire na Trócaire	Castle Orchard, Buttevant,	Co. Cork.	French
Vicarstown National School	Vicarstown,	Co. Cork.	German
Scoil Náisiúnta Chúil-Aodha	Cúil-Aodha, Maighchromtha,	Co. Cork.	Italian
Gaelscoil an Ghoirt Álainn	Aibhinne Murmont, Gort Álainn,	Co. Cork.	Italian
Inchiclough National School	Inchiclough, Bantry,	Co. Cork.	Italian
St. Mary's National School	Cobh,	Co. Cork.	Italian
Bunscoil Mhuire	O'Brien's Place, Youghal,	Co. Cork.	Italian
S.N. Garrán an Easaigh	Kilbrittain	Co. Cork.	Spanish
Scoil an Chroí Ró Naofa	St. Anne's Rd., Blarney,	Co. Cork.	Spanish
Scoil Mhuire	Doire Beaga,	Co. Dhún na nGall	French
Scoil Náisiúnta Gort a Choirce	Goirt a Choirce, Leitir Ceanain,	Co. Dhún na nGall	French
Scoil Phádraig	Dobhar, Leitir Ceanann, Co. Dhún na nGall	Co. Donegal	French
St. Francis National School	Barnesmore, Donegal Town	Co. Donegal	French
Scoil Mhuire	Dristernan, Gleneely, Inishowen,	Co. Donegal	French
Scoil Naomh Fionán	Whitecastle, Quigley's Point, Inishowen,	Co. Donegal	French
Scoil Naomh Iósaf	Illies, Buncrana,	Co. Donegal	Spanish
St. Mura's National School	St. Mary's Road, Buncrana,	Co. Donegal.	French
Scoil Naomh Bríd	Muff	Co. Donegal.	French
St. Ernan's National School	Ballintra,	Co. Donegal	French
Robertson National School	Main Street, Ballintra,	Co. Donegal.	French
S.N. Mhín Tine Dé	Meentinadea, Ardara,	Co. Donegal.	French
S.N. an Bhreacaigh	Brackey, Ardara,	Co. Donegal.	French
Ardara Mixed National School	Hillhead, Ardara,	Co. Donegal.	French
St. Mary's National School	Hillhead, Ardara,	Co. Donegal.	French
Crannóg Buí National School	Crannóg Buí, Ardara,	Co. Donegal.	French
Gortnacart National School	Gortnacart, Ardara,	Co. Donegal.	French

School Name	Address	County	Language
St. Baithin's National School	St. Johnston, Lifford,	Co. Donegal.	French
Scoil Mhuire	Ramelton,	Co. Donegal.	French
Scoil Cholmcille	Drumman, Ramelton P.O.,	Co. Donegal.	French
Ayr Hill National School	Tank Road, Ramelton,	Co. Donegal.	French
Scoil Cholmcille	Glengad, Malin, Lifford,	Co. Donegal.	French
Cranford National School	Letterkenny,	Co. Donegal.	German
Scoil Cholmcille	Kerrykeel, Letterkenny,	Co. Donegal.	German
Scoil Mhuire	Caiseal, Ceandroma, Fánaid,	Co. Donegal.	German
St. Colmcille National School	Kilmacrennan, Letterkenny,	Co. Donegal.	German
Scoil Naomh Bríd	Downings,	Co. Donegal.	German
Scoil Mhuire	Milford, Letterkenny,	Co. Donegal.	German
St. Joseph's National School	Rathmullan,	Co. Donegal.	German
Scoil Eoin Baiste	Carraig Airt,	Co. Donegal.	Spanish
Gleneely National School	Crossroads. Killygordon,	Co. Donegal.	Spanish
Scoil Mhuire	Stranorlar,	Co. Donegal.	Spanish
Glencovitt National School	Glencovitt, Ballybofey,	Co. Donegal.	Spanish
Dromore National School	Dromore, Killygordon,	Co. Donegal.	Spanish
Clonmany National School	Clonmany,	Co. Donegal.	Spanish
St. Patrick's National School	Rasheeny, Clonmany,	Co. Donegal.	Spanish
St. Patrick's Girls National School	Convent Road, Carndonagh,	Co. Donegal.	Spanish
St. Laurence O'Tooles, Senior Girls School	Seville Place,	Dublin 1 (N)	French
Rutland Street National School	Lower Rutland Street,	Dublin 1 (N)	Italian
St. Michael's National School	Dominican Campus, Kylemore Road, Ballyfermot,	Dublin 10 (S)	Spanish
St. Gabriel's National School	Dominican Campus, Ballyfermot,	Dublin 10 (S)	Spanish
St. Raphael's National School	Dominican Campus, Ballyfermot,	Dublin 10 (S)	Spanish
St. Brigid's National School	Old Finglas Road, Glasnevin,	Dublin 11 (N)	French
St. Vincent's Primary School	St. Philomena's Road, Glasnevin,	Dublin 11 (N)	Spanish
Scoil Cholmcille SNS	Newbrook Road, Donaghmede,	Dublin 13 (N)	French
Rathfarnham Educate Together	Loreto Avenue, Rathfarnham	Dublin 14 (S)	French
Our Ladys Grove Primary School	Goatstown Road, Goatstown,	Dublin 14 (S)	French
Holy Cross National School	Upper Kilmacud Road, Dundrum,	Dublin 14 (S)	Spanish
St. Patrick's National School	Diswellstown Road, Castleknock,	Dublin 15 (N)	French
Scoil Bhríde G.N.S.	Blanchardstown,	Dublin 15 (N)	French
St. Philip the Apostle S.N.S.	Mountview, Clonsilla,	Dublin 15 (N)	French
St. Mochta's National School	Porterstown Road, Clonsilla,	Dublin 15 (N)	Spanish
Gaelscoil Chnoc Liamhna	Seanbhóthar Chnoc Liamhna,	Dublin 16 (S)	French
Scoil Naomh Padraig	Ballyroan,	Dublin 16 (S)	Italian
Ballyroan Boys National School	Ballyroan Road, Rathfarnham,	Dublin 16 (S)	Spanish
Our Ladys' Girls' National School	Ballinteer Avenue,	Dublin 16 (S)	Spanish
Divine Word National School	Marley Grange, Rathfarnham,	Dublin 16 (S)	Spanish
St. Francis Senior National School	Priorswood,	Dublin 17 (N)	French
Our Lady Immaculate S.N.S.	Darndale,	Dublin 17 (N)	Spanish
Holy Trinity National School	Glencairn Drive, Leopardstown,	Dublin 18 (S)	French
St. Brigid's B.N.S.	Mart Lane, Foxrock,	Dublin 18 (S)	French
St. Patrick's G.N.S.	Foxrock Avenue,	Dublin 18 (S)	French
St. Mary's National School	Lamb's Cross, Sandyford,	Dublin 18 (S)	French
Talbot Senior N.S.	Bawnogue, Clondalkin,	Dublin 22 (S)	French

[Deputy Ruairí Quinn.]

School Name	Address	County	Language
St. Ronan's National School	Deansrath, Clondalkin,	Dublin 22 (S)	French
Gaelscoil na Camoige	Bóthar an Úlloird, Cluain Dolcáin,	Dublin 22 (S)	French
Scoil Naomh Caoimhin	Kilnamanagh, Tallaght,	Dublin 24 (S)	French
St. Mary's National School	Bancroft Avenue, Greenhills Road, Tallaght,	Dublin 24 (S)	German
Scoil Santain	Bothar na Labhann Mor, Tamhlact,	Dublin 24 (S)	German
St. Kevin's Girls National School	Kilnamanagh,	Dublin 24 (S)	German
St. Killian's Senior Primary School	Kingswood Heights, Castleview,	Dublin 24 (S)	Italian
Ballycragh National School	Firhouse	Dublin 24 (S)	Italian
St. Mary's National School	Windsor Avenue, Fairview,	Dublin 3 (N)	French
Scoil Mhuire	15, Gilford Road, Sandymount,	Dublin 4 (S)	French
Star of the Sea B.N.S.	Leahy's Terrace, Sandymount,	Dublin 4 (S)	French
St. Mary's National School	Belmont Avenue, Donnybrook,	Dublin 4 (S)	French
St. Patrick's Boys National School	Cambridge Road, Ringsend,	Dublin 4 (S)	Spanish
St. Brigid's National School	Haddington Road, Ballsbridge,	Dublin 4 (S)	Spanish
St. Brigid's National School	Howth Road, Killester,	Dublin 5 (N)	French
St. John of God Primary School	Kilmore Road, Artane,	Dublin 5 (N)	German
Scoil Chattriona Cailini	Measc Avenue, Coolock,	Dublin 5 (N)	Italian
St. Brendan's National School	McAuley Road, Artane,	Dublin 5 (N)	Spanish
Scoil Mologa	Clareville Road, Harolds Cross,	Dublin 6W (S)	German
St. Clares Convent National School	Harolds Cross Road,	Dublin 6W (S)	German
St. Pius X NS Boys N.S.	Fortfield Park, Terenure,	Dublin 6W (S)	Spanish
Scoil Mhuire Gan Smál	Tyrconnell Road, Inchicore,	Dublin 8 (S)	French
Inchicore National School	Sarsfield Road, Inchicore,	Dublin 8 (S)	French
Griffith Barracks National School	South Circular Road,	Dublin 8 (S)	Spanish
St. Patrick's Cathedral National School	St. Patrick's Close,	Dublin 8 (S)	Spanish
Drumcondra National School	Church Avenue, Drumcondra,	Dublin 9 (N)	Italian
Scoil Mhuire Marino	Griffith Avenue,	Dublin 9 (N)	Spanish
Gaelscoil An Duinninigh	Draighnean, Féiltrim, Swords,	Co. Áth Cliath	Spanish
St. Andrew's National School	Church Road, Malahide,	Co. Dublin (N)	French
Holy Family S.N.S.	River Valley, Swords,	Co. Dublin (N)	French
St. George's National School	Naul Road, Balbriggan,	Co. Dublin (N)	French
Balbriggan Educate Together N.S.	Moylaragh, Balbriggan,	Co. Dublin (N)	French
Balscadden National School	Balscadden, Balbriggan,	Co. Dublin (N)	Spanish
Balrothery National School	Balrothery, Balbriggan,	Co. Dublin (N)	Spanish
Our Lady of Good Counsel G.N.S.	Johnstown, Dun Laoghaire,	Co. Dublin (S)	French
Archbishop Ryan Senior National School	Balgaddy, Lucan,	Co. Dublin (S)	French
Carysfort National School	Convent Road, Blackrock,	Co. Dublin (S)	French
Harold Convent Girls School	Glasthule,	Co. Dublin (S)	French
Dominican Convent National School	Convent Road, Dún Laoghaire,	Co. Dublin (S)	French
Scoil Lorcáin	Cearnóg Eaton, Baile na Manach	Co. Dublin (S)	French
Our Lady of Good Counsel B.N.S.	Johnstown, Dún Laoghaire,	Co. Dublin (S)	French
St. Patrick's Boys National School	Hollypark, Blackrock,	Co. Dublin (S)	German
Griffeen Valley Educate Together NS	Griffeen Glen Boulevard, Lucan,	Co. Dublin (S)	German
St. Patrick's National School	Harbour Road, Dalkey,	Co. Dublin (S)	Italian

School Name	Address	County	Language
Lucan Educate Together N.S.	Mount Bellew, Willsbrook, Lucan	Co. Dublin (S)	Spanish
Glenageary Killiney National School	Killiney Road,	Co. Dublin (S)	Spanish
All Saint's National School	Carysfort Avenue, Blackrock,	Co. Dublin (S)	Spanish
Guardian Angel's N.S.	Newtownpark Avenue, Blackrock,	Co. Dublin (S)	Spanish
Kill O The Grange National School	Deansgrange,	Co. Dublin (S)	Spanish
SN Cholmcille N.S.,	School Road, Castlegar,	Galway.	French
Scoil Bhríde	Shantalla,	Galway.	Spanish
St. Nicholas' National School	The Claddagh,	Galway.	French
St. James National School	Circular Road, Bushypark,	Galway.	French
Scoil Einde	Dr. Mannix Road, Salthill,	Galway.	French
St. Patrick's B.N.S.	Lombard Street,	Galway.	German
Scoil Chaitriona Senior	Renmore,	Galway.	German
Scoil an Trinoide Naofa	Mervue,	Galway.	German
Scoil an Linbh Iosa	St. Francis Street	Galway.	Spanish
Castleblakeney National School	Castleblakeney, Ballinasloe,	Co. Galway	French
St. Patrick's National School	Fohenagh, Ahascragh, Ballinasloe,	Co. Galway	French
S.N. Naomh Treasa	An Caiseal, Connamara,	Co. Galway	French
Clydagh National School	Clydagh, Headford,	Co. Galway	French
St. Colman's National School	Corofin, Tuam,	Co. Galway	French
Scoil Einne	An Spideal, Spiddal,	Co. Galway	French
St. Joseph's National School	Carrabane, Athenry,	Co. Galway.	French
Scoil an Chroi Naofa	Ballinasloe,	Co. Galway.	French
Kilglass National School	Kilglass, Ahascragh, Ballinasloe,	Co. Galway.	French
Bawnmore National School	Bawnmore, Claregalway,	Co. Galway.	French
Scoil Pádraig Naofa	Cregmore, Claregalway,	Co. Galway.	French
Scoil Mhuire	Clarinbridge	Co. Galway.	French
St. Annin's National School	Roscahill	Co. Galway.	German
Ballyglass National School	Ardrahan,	Co. Galway.	German
Scoil Chiaráin Naofa	Newtownlynch, Doorus, Kinvara,	Co. Galway.	German
St. Brendan's National School	Eyrecourt,	Co. Galway.	Italian
Scoil Mhuire	Moycullen,	Co. Galway.	Spanish
St. Patrick's Primary School	Dublin Road, Tuam,	Co. Galway.	Spanish
Scoil Iósaif Naofa	Oranmore,	Co. Galway.	Spanish
Scoil Mhuire	Oranmore,	Co. Galway.	Spanish
Scoil Náisiúnta Cheann Trá	Ceann Trá, Trá-lí,	Co. Chiarraí.	Spanish
Scoil an Ghleanna	Na Gleannta, Daingean Uí Chúis,	Co. Chiarraí.	Spanish
Scoil Mhaolchéadair,	Baile na nGall, Trá-Lí,	Co. Chiarraí.	Spanish
Scoil Mhuire	Knocknagoshel, Abbeyfeale,	Co. Kerry	French
Scoil Naomh Erc	Glenderry, Ballyheigue,	Co. Kerry	French
Scoil Mhuire na Mainistreach	New Road, Killarney,	Co. Kerry	French
Fossa National School	Fossa, Killarney,	Co. Kerry	Spanish
Scoil Íde,	Curranes, Castleisland,	Co. Kerry.	French
Gaelscoil Lios Tuathail	Lios Thuathail,	Co. Kerry.	French
St. Teresa's National School	Kilflynn, Tralee,	Co. Kerry.	French
Derryquay National School	Tralee,	Co. Kerry.	French
Scoil Mhuire National School	Kilmurry National School, Cordal, Castleisland.	Co. Kerry.	French
Scoil Mhic Easmainn	Rath Ronain, Trá Li,	Co. Kerry.	French

[Deputy Ruairí Quinn.]

School Name	Address	County	Language
Convent Primary School	Listowel,	Co. Kerry.	French
St. Brigid's National School	Duagh, Listowel,	Co. Kerry.	French
Dromclough National School	Listowel,	Co. Kerry.	French
Scoil Mhuire gan Smál	Lixnaw,	Co. Kerry.	French
Ballyduff Central National School	Ballyduff, Tralee,	Co. Kerry.	French
St. Joseph's National School	Bouleenshere, Ballyheigue, Tralee,	Co. Kerry.	French
St. Brendan's National School	Blennerville, Tralee,	Co. Kerry.	French
Ballincrossig National School	Ballyduff, Tralee,	Co. Kerry.	French
Scoil Naomh Gobnait	Dún Chaoin, Baile an Fheirtéaraigh, Trá Lí,	Co. Kerry.	French
Scoil Mhuire National School	Killorglin,	Co. Kerry.	French
St. Oliver's National School	Killarney,	Co. Kerry.	French
Glenflesk National School	Killarney,	Co. Kerry.	French
Sen. Phrionnsias Naofa	An Neidin,	Co. Kerry.	French
Kilcummin National School	Kilcummin, Killarney,	Co. Kerry.	French
Scoil Nuachabháil	Gort a Tsleibhe, Baile Mhic Ealgóid, Trá Lí,	Co. Kerry.	German
Sacred Heart Primary School	Castle Street, Tralee,	Co. Kerry.	German
Aghatubrid National School	Cahirciveen,	Co. Kerry.	German
St. Joseph's Primary School	Cahirciveen,	Co. Kerry.	German
Scoil Dar Earca	Valentia,	Co. Kerry.	German
An Fhail Mhor	Filemore, Cahirciveen,	Co. Kerry.	German
Scoil Mhuire Ráithín	Raheen, Headford, Killarney,	Co. Kerry.	German
Scoil Bhríde Loreto National School	Loreto Road, Scartlea.	Co. Kerry.	German
Tiernaboul National School	Killarney,	Co. Kerry.	German
Cahooreigh National School	Two Mile School, Killarney,	Co. Kerry.	German
Curraheen Mixed National School	Curraheen, Glenbeigh,	Co. Kerry.	Spanish
Glenbeigh National School	Glenbeigh,	Co. Kerry.	Spanish
Scoil an Fhirtearaigh	Baile a Fhirtearaigh, Tra Lí,	Co. Kerry.	Spanish
Scoil Iognáid Rís	Daingean Uí Chúis	Co. Kerry.	Spanish
Scoil Cháitlín Naofa	Cillmhicadomhnaigh, Fionntrá, Trá Lí,	Co. Kerry.	Spanish
Scoil Eoin	Balloonagh, Tralee,	Co. Kerry.	Spanish
Douglas National School	Killorglin,	Co. Kerry.	Spanish
Scoil Realt na Mara	Cromane, Killorglin,	Co. Kerry.	Spanish
Coolick National School	Kilcummin, Killarney,	Co. Kerry.	Spanish
Anabla National School	Kilcummin, Killarney,	Co. Kerry.	Spanish
Knockanes National School	Knockanes, Headford, Killarney,	Co. Kerry.	Spanish
Faha National School	Faha, Killarney,	Co. Kerry.	Spanish
Holy Cross National School	New Road, Killarney,	Co. Kerry.	Spanish
Scoil an Chuileannaigh	Lios a Phúca, Cill Airne,	Co. Kerry.	Spanish
Kilgobnet National School	Kilgobnet, Beaufort, Killarney,	Co. Kerry.	Spanish
Coars National School	Caherciveen	Co. Kerry.	Spanish
Gaelscoil Uí Fhiaich	Bóthar Chill Droichid, Maigh Nuad	Co. Chill Dara	Spanish
Scoil Uí Riada	An Chearnóg, Cill Choca,	Co. Cill Dara.	French
Scoil Eimhín Naofa	Monasterevin,	Co. Kildare	French
Scoil Chóca Naofa	Kilcock,	Co. Kildare	French

School Name	Address	County	Language
Caragh National School	Caragh, Naas,	Co. Kildare	French
Robertstown National School	Robertstown, Naas,	Co. Kildare	French
Monasterevin No. 2 School	Monasterevin,	Co. Kildare.	French
St. Peter's National School	Drogheda Street, Monasterevin,	Co. Kildare.	French
St. David's National School	Dublin Road, Naas,	Co. Kildare.	French
Scoil Bhríde National School	Milltown, Newbridge,	Co. Kildare.	French
St. Joseph's B.N.S.	Kilcock,	Co. Kildare.	French
St. Conleth's National School	Derrinturn, Carbury,	Co. Kildare.	French
Straffan National School	Straffan,	Co. Kildare.	French
Scoil Bhríde	Kilcullen,	Co. Kildare.	German
Killashee Multi-Demon. N.S.	Kilcullen Road, Naas,	Co. Kildare.	German
Scoil Naomh Bhríd	Main Street, Celbridge,	Co. Kildare.	Spanish
Scoil Bhríde	Prosperous Road, Clane,	Co. Kildare.	Spanish
St. Brigid's National School	Ballysax, The Curragh,	Co. Kildare.	Spanish
Scoil Mhuire Presentation Primary School	Parnell Street,	Co. Kilkenny.	French
St. Brendan's National School	Newmarket, Hugginstown,	Co. Kilkenny.	French
Owning National School	Piltown,	Co. Kilkenny.	German
Marymount National School	The Rower, via Thomastown,	Co. Kilkenny.	Spanish
Kilkenny School Project N.S.	Springfields, Waterford Road,	Co. Kilkenny.	Spanish
No. 2 National School	Sandylane, Portarlinton,	Co. Laois.	French
St. Patrick's B.N.S.	Davitt Road, Mountmellick,	Co. Laois.	French
St. Pius X National School	Ballacolla, Portlaoise	Co. Laois.	French
Scoil Mhuire	Ballyroan, Abbeylex,	Co. Laois.	French
Scoil Bhríde	Rathdowney,	Co. Laois.	French
Scoil Iosaif Naofa	Mountmellick,	Co. Laois.	French
Leitrim Mixed N.S.	Leitrim, Carrick-On-Shannon,	Co. Leitrim	French
Largy National School	Largy, Kinlough,	Co. Leitrim.	French
Scoil na Maighdine Muire	Dublin Road, Carrick-On-Shannon,	Co. Leitrim.	French
An Mhodhscoil	Bealach Uí Chonail	Limerick	Spanish
Gaelscoil Chaladh an Treoigh	Móin a Lin, Caladh an Treoigh,	Co. Luimnigh	Spanish
S.N. Ailbhé	Killinure, Brittas,	Co. Limerick	French
Crecora National School	Crecora, Patrickswell, Co. Limerick.	Co. Limerick	Spanish
Athea National School	Athea,	Co. Limerick.	French
Effin National School	Effin, Kilmallock,	Co. Limerick.	French
Milford National School	Milford-Grange, Castletroy,	Co. Limerick.	French
Bilboa National School	Cappamore,	Co. Limerick.	French
Oola National School	Oola,	Co. Limerick.	German
Gaelscoil O Doghair	Caisleanin Nua Thiar,	Co. Limerick.	German
St. Senan's National School	Foynes,	Co. Limerick.	German
Croom National School	Croom,	Co. Limerick.	German
St. Jame's School	Cappagh, Askeaton,	Co. Limerick.	German
Galbally National School	Galbally,	Co. Limerick.	German
Convent National School	Doon,	Co. Limerick.	German
Knockea National School	Knockea, Ballyneety,	Co. Limerick.	German
Scoil Naomh Iosaf	Adare,	Co. Limerick.	German
Anglesboro National School	Anglesboro, Kilmallock,	Co. Limerick.	German
Roxborough National School	Roxborough, Ballysheedy,	Co. Limerick.	Spanish

[Deputy Ruairí Quinn.]

School Name	Address	County	Language
Scoil Ide	Corbally,	Co. Limerick.	Spanish
Kildimo National School	Kildimo,	Co. Limerick.	Spanish
St. Paul's National School	Dooradoyle,	Co. Limerick.	Spanish
St. Nessan's National School	Mungret,	Co. Limerick.	Spanish
St. Patrick's Girls National School	Dublin Road, Limerick.	Co. Limerick.	Spanish
St. Theresa's National School	Clontumper, Ballinalee,	Co. Longford	French
Scoil Eimear	Templemichael, Longford,	Co. Longford	French
Scoil Bhríde	Glen, Edgeworthstown,	Co. Longford	French
Scoil Bhríde	Killasonna, Granard,	Co. Longford	French
St. Bernard's National School	Abbeylara	Co. Longford	French
Sacred Heart Primary School	Granard	Co. Longford.	French
Ballycloghan National School	Carrickboy,	Co. Longford.	French
St. Colmcille's National School	Aughnacliffe,	Co. Longford.	French
Castletown G.N.S.	Castletown Road, Dundalk,	Co. Louth	French
Lechéile E.T.N.S.	Mornington Road, Drogheda,	Co. Louth	French
St. Peter's National School	Dromiskin, Co. Louth.	Co. Louth	French
Scoil Mhuire Gan Smál	Kilsaran, Castlebellingham,	Co. Louth	French
Ballapousta National School	Smarmore, Drogheda,	Co. Louth	French
St. Peter's National School	Bolton Street, Drogheda,	Co. Louth.	French
St. Niochlas National School	Nicholas' Street, Dundalk,	Co. Louth.	French
Redeemer Girls National School	Ard Easmuinn, Dundalk	Co. Louth.	French
Gaelscoil Dhún Dealgan	Muirtheimhne Mór, Dún Dealgan,	Co. Louth.	French
Marymount National School	Ballsgrave, Drogheda,	Co. Louth.	Spanish
St. Paul's National School	Rathmullen, Drogheda,	Co. Louth.	Spanish
Scoil Aonghusa	Geata an Domhnaigh, Droichead Atha,	Co. Lú.	German
Knock National School	Knock, Claremorris,	Co. Mayo	French
Behymore National School	Behy, Ballina,	Co. Mayo	French
S.N. Gob a'Choire	Achill Sound, Westport,	Co. Mayo	French
Crimlin National School	Crimlin, Castlebar,	Co. Mayo	French
Scoil Mhuire	Glencorrib, Shrule,	Co. Mayo	French
Scoil Naomh Aingeal	The Lawn, Castlebar,	Co. Mayo	French
Glenmore National School	Crossmolina,	Co. Mayo	French
St. Colmcille's National School	The Quay, Westport,	Co. Mayo	French
St. Joseph's National School	Derrywash, Castlebar	Co. Mayo	French
Bangor Erris	Bangor Erris,	Co. Mayo	French
St. John's National School	Breaffy, Castlebar,	Co. Mayo	French
St. Attracta's National School	Lowpark, Charlestown,	Co. Mayo	French
Gaelscoil Uileog de Búrca	Lochán na mBan, Claremorris,	Co. Mayo	French
Kilmovee National School	Kilmovee, Ballaghadereen,	Co. Mayo	French
Scoil Íosa	Abbeyquarter, Ballyhaunis, .	Co. Mayo	French
Gaelscoil na Cruaiche	Bothar na Lóistín, Westport,	Co. Mayo	French
Brackloon National School	Brackloon, Wesport,	Co. Mayo	French
St. Peter's National School	Snugboro, Castlebar,	Co. Mayo	French/German
Scoil Raifteirí	Faiche an Aonaigh, Caislean an Bharcaigh,	Co. Mayo	Italian
Scoil Uí Ghramhnaigh	Ráth Cairn, Áth Buí,	Co. Na Mí.	French
St. Peter & Pauls' N.S.	Drumconrath, Navan,	Co. Meath	French

School Name	Address	County	Language
Clonmellon National School	Clonmellon, via Navan,	Co. Meath	French
Scoil Mhuire	Coolroonan, Ballivor	Co. Meath	French
St. Columbanus National School	Ballivor, Co. Meath	Co. Meath	German
St. Patrick's National School	Loman Street, Trim,	Co. Meath	German
St. Joseph's National School	Boyerstown, Navan,	Co. Meath	German
St. Oliver Plunkett N.S.	Proudstown Road, Navan,	Co. Meath	German
S.N. Mhuire, Moynalvey	Moynalvey, Summerhill,	Co. Meath	German
Mulhussey National School	Mulhussey, Kilcock, .	Co. Meath	Spanish
Knockcommon National School	Beauparc, Navan,	Co. Meath.	French
Scoil Oilibhéir Naofa	Kilcloon,	Co. Meath.	French
Scoil Naomh Treasa	Bellewstown,	Co. Meath.	French
Scoil Cholmcille	Mount Hanover, Duleek,	Co. Meath.	French
Dangan National School	Clonmahon, Summerhill,	Co. Meath.	French
Scoil an Spioaid Naoimh	Laytown,	Co. Meath.	French
Dunboyne National School	Dunboyne,	Co. Meath.	French
Duleek Boys National School	Duleek,	Co. Meath.	French
St. Bennin's National School	Trim Road, Duleek,	Co. Meath.	French
St. Dympna's National School	Kildalkey,	Co. Meath.	French
St. Michael's National School	Patrick Street, Trim,	Co. Meath.	French
Rathmore National School	Rathmore, Athboy,	Co. Meath.	French
Kilbride National School	Trim,	Co. Meath.	French
St. Paul's National School	Abbeylands, Navan,	Co. Meath.	French
Yellow Furze National School	Beauparc, Navan,	Co. Meath.	French
Kentstown National School	Kentstown, Navan,	Co. Meath.	French
Robinstown National School	Robinstown, Navan,	Co. Meath.	French
St. Declan's National School	Ashbourne,	Co. Meath.	Spanish
St. Finian's National School	Clonalvy,	Co. Meath.	Spanish
St. Michael's N.S.	Rackwallace, Castleshane,	Co. Monaghan	French
St. Joseph's N.S.	Carrickmacross,	Co. Monaghan	French
Scoil Bhride	Mullaghrafferty, Carrickmacross,	Co. Monaghan	French
Edenmore National School	Emyvale,	Co. Monaghan	French
St. Tiarnach's Primary School	Roslea Road, Clones,	Co. Monaghan	German
Deravoy National School	Deravoy, Emyvale,	Co. Monaghan.	French
Doohamlet National School	Castleblaney,	Co. Monaghan.	French
Knockconan National School	Ballyoisin, Emyvale,	Co. Monaghan.	French
St. Patrick's National School	Clara, Kilbrone P.O., Monaghan.	Co. Monaghan.	French
Ballybay Central School	Castleblaney Road, Ballybay,	Co. Monaghan.	French
S.N. Mhuire, Coolanarney	Coolanarney, Blueball, Tullamore,	Co. Offaly	French
Scoil Muire Banrion	Gilroy Avenue, Edenderry,	Co. Offaly	French
St. Cronan's National School	Lusmagh, Banagher,	Co. Offaly	French
Edenderry No 2 School	Edenderry,	Co. Offaly	French
Clonaghadoo National School	Geashill,	Co. Offaly	German
Mercy Primary School	Birr,	Co. Offaly	Spanish
Ballybryan National School	Ballybryan, Rhode,	Co. Offaly.	French
Shinrone Mixed National School	Main Street, Shinrone,	Co. Offaly.	French
St. Colman's National School	Cappagh, Croghan, Tullamore,	Co. Offaly.	French
St. John's National School	Rath, Thomastown, Birr,	Co. Offaly.	French

[Deputy Ruairí Quinn.]

School Name	Address	County	Language
Gaelscoil de hÍde	Cnoc na Crúibe, Bóthar na Gaillimhe, Roscomáin	Co. Ros Comáin	German
Castlesampson National School	Castlesampson, Bealnamulla, Athlone,	Co. Roscommon.	French
Carrick National School	Carrick, Ballinlough, Roscommon,	Co. Roscommon.	French
Attyrory National School	Attyrory, Ballinasloe,	Co. Roscommon.	French
Cornafulla National School	Cornafulla, Athlone,	Co. Roscommon.	French
Tibohine National School	Tibohine, Castlerea,	Co. Roscommon.	French
Scoil Mhuire Convent Primary	Convent Road	Co. Roscommon.	French
St. Mary's Primary School	Strokestown	Co. Roscommon.	French
St. Joseph's Primary School	Summerhill, Athlone,	Co. Roscommon.	Italian
S.N. Réalt na Mara	Rosses Point,	Co. Sligo	French
Killavil National School	Ballymote,	Co. Sligo	French
St. John's National School	Ballisadare,	Co. Sligo	French
St. Brendan's National School	Cartron,	Co. Sligo	French
Mary Immaculate Girls National School	Collooney,	Co. Sligo	French
Scoil Asicus Naofa	Strandhill,	Co. Sligo	French
Grange National School	Grange,	Co. Sligo	French
St. Lassra's National School	Ballinacarrow, Ballymote,	Co. Sligo	French
Moylough National School	Moylough, Tubbercurry,	Co. Sligo	French
St. John's National School	Temple Street,	Co. Sligo	German
Scoil Padraig Naofa	Ballyweelin, Ballinfull	Co. Sligo	German
Scoil Mhuire Gan Smal	Droimban, Curry,	Co. Sligo	Spanish
Srs. Of Charity N.S.	Mary Street, Clonmel,	Co. Tipperary	French
Newtown Upper N.S.	Carrick-On-Suir,	Co. Tipperary	French
Birdhill National School	Birdhill, Killaloe,	Co. Tipperary	French
Templederry National School	Templederry, Nenagh,	Co. Tipperary	German
Convent of Mercy National School	Newport,	Co. Tipperary.	French
Moyne National School	Thurles,	Co. Tipperary.	French
Grange National School	Clonmel,	Co. Tipperary.	French
Gaelscoil Aonach Urmhumhan	Plás Eoin, Nenagh,	Co. Tipperary.	French
Christian Brothers Primary School	The Monastery, Tipperary Town,	Co. Tipperary.	German
Scoil Mhuire SNS	Caisleain Nua na Suir, Cluin Meala,	Co. Tipperary.	German
Lisvernane National School	Lisvernane, Aherlow,	Co. Tipperary.	German
Kilross National School	Kilross,	Co. Tipperary.	German
Presentation Primary School	Clonmel,	Co. Tipperary.	Spanish
St. Mary's B.N.S.	Ferrybank,	Co. Waterford	French
Passage East National School	Crooke, Passage East,	Co. Waterford	French
Christ Church National School	Lower Newtown, Waterford,	Co. Waterford	German
Killea Boys' National School	Dunmore East,	Co. Waterford	German
Gaelscoil Philib Barún	An Trá Mhór,	Co. Waterford	Spanish
Faithlegg National School	Faithlegg,	Co. Waterford	French
Glór na Mara	Convent Hill, Tramore,	Co. Waterford.	French
Our Lady of Mercy National School	Military Road, Waterford	Co. Waterford.	French
Holy Cross National School	Ballycarnane, Tramore,	Co. Waterford.	French
Bunscoil Gleann Sidheáin	Cappoquin,	Co. Waterford.	French
Liosmór Mochuda	Lismore,	Co. Waterford.	French

School Name	Address	County	Language
Kilmacthomas Boys National School	Kilmacthomas,	Co. Waterford.	French
Villierstown National School	Villierstown, Cappaquin,	Co. Waterford.	French
Bunscoil Bhothar na Naomh	Lismore,	Co. Waterford.	French
Gaelscoil Phortlairge	Baile Mhic Gonair,	Co. Waterford.	German
St. Mary's Primary School	Youghal Road, Dungarvan	Co. Waterford.	German
Presentation Primary School	Slievekeale Road,	Co. Waterford.	German
Light of Christ National School	Dunmore East,	Co. Waterford.	Italian
Glenbeg National School	Dungarvan,	Co. Waterford.	German
Taghmon National School	Mullingar,	Co. Westmeath	French
Scoil Naomh Clár	Tubberclare, Glasson, Athlone,	Co. Westmeath.	French
St. Colman's National School	Delvin Road, Bellview, Mullingar,	Co. Westmeath.	French
Scoil na gCaithe Maistri	Discart Mhuire, Bothar na Dithreibhe, Ath Luain,	Co. Westmeath.	French
Presentation Senior School	Harbour Street, Mullingar,	Co. Westmeath.	French
Scoil Náisiúnta na Scríne	Screen, Enniscorthy	Co. Wexford	French
St. Patrick's National School	Craanford, Gorey,	Co. Wexford	French
Monaseed National School	Monaseed, Gorey,	Co. Wexford	French
Ballycullane National School	Ballycullane, New Ross,	Co. Wexford	French
Scoil Mhuire	Horeswood, Campile, New Ross,	Co. Wexford	Italian
Ballyfad National School	Ballyfad, Inch,	Co. Wexford.	French
Loreto Primary School	Gorey,	Co. Wexford.	French
Boolavogue National School	Boolavogue, Ferns,	Co. Wexford.	French
Arklow Boys National School	Coolgreaney Road, Arklow,	Co. Wicklow.	French
Kilcoole Primary School	Kilcoole,	Co. Wicklow.	French
Powerscourt National School	Enniskerry,	Co. Wicklow.	French
Wicklow Educate Together	Marine House, The Murrough, Wicklow Town,	Co. Wicklow.	French
Scoil Mhuire Fatima	Grangecon	Co. Wicklow.	French
Scoil Chualann	Bothar Vevay, Bre,	Co. Wicklow.	German
St. Patrick's National School	Curtlestown, Enniskerry,	Co. Wicklow.	German
St. Fergal's Senior National School	Boghall Road, Bray,	Co. Wicklow.	German
St. Mary's Senior National School	Blessington,	Co. Wicklow.	German
St. Cronan's Boys National School	Vevay Crescent, Vevay Road, Bray,	Co. Wicklow.	Spanish
St. Laurence's School	Greystones,	Co. Wicklow.	Spanish
St. Brigid's National School	Trafalgar Road, Greystones,	Co. Wicklow.	Spanish
Jonathan Swift National School	Dunlavin	Co. Wicklow.	Spanish
Scoil Nioclais Naofa	Dunlavin	Co. Wicklow.	Spanish
Donard National School	Donard	Co. Wicklow.	Spanish

Schools Building Projects

141. **Deputy Seamus Kirk** asked the Minister for Education and Skills if he will advise on the criteria for deciding between applications from catholic ethos, educate together and vocational education committees for applications being considered in post primary school building sites for the north Drogheda area, County Louth; and if he will make a statement on the matter.

[40890/11]

Minister for Education and Skills (Deputy Ruairí Quinn): Applications for patronage of the new second level schools to be established in 2013 and 2014 have recently been sought by my Department from prospective patrons. The closing date for receipt of applications is 24th February 2012. Details of the new arrangements for patronage of new schools and the criteria for deciding on patronage of these new schools are available on my Department's website, *www.education.ie*.

142. **Deputy Seamus Kirk** asked the Minister for Education and Skills if there is an application being considered for an extension or refurbishment for a school (details supplied) in County Louth; and if he will make a statement on the matter. [40891/11]

Minister for Education and Skills (Deputy Ruairí Quinn): My Department has no record of having received an application for capital works from the school referred to by the Deputy. It is open to the school authority to submit an application for such works and the relevant application form can be downloaded from my Department's website *www.education.ie*.

Higher Education Grants

143. **Deputy Brian Walsh** asked the Minister for Education and Skills if an application for a higher education grant will be approved in respect of a person (details supplied) in County Galway. [40895/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The decision on eligibility for a student grant is a matter for the relevant grant awarding authority. However, I understand that a decision has issued from the grant awarding authority and that the student has appealed this decision to the grant awarding authority's appeals officer. A decision on the appeal will issue in due course.

If the student is not satisfied with the appeals officer's decision, he may appeal this to the Department or the independent Appeals Board as appropriate to his circumstances.

Teachers' Remuneration

144. **Deputy Michelle Mulherin** asked the Minister for Education and Skills the reason a person (details supplied) is still being paid the unqualified teacher rate of pay despite being qualified and registered since October 2011 and being a member of the Teaching Council since 12 October 2011; when may they expect to be paid the correct salary and have outstanding amounts backdated; and if he will make a statement on the matter. [40904/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The person referred to by the Deputy is a new appointee to teaching in 2011. Her salary has been adjusted to pay her correctly with effect from the 9th January 2012. It is proposed to pay any arrears owed to substitute teachers who are new appointees at the end of February.

School Staffing

145. **Deputy Brian Walsh** asked the Minister for Education and Skills if provision will be made for teachers currently engaged in the modern languages in primary schools initiative to be redeployed within the education system; and if he will make a statement on the matter. [40912/11]

Minister for Education and Skills (Deputy Ruairí Quinn): There are over 270 part-time tutors employed by primary schools to deliver language tuition under the Modern Languages in Primary Schools Initiative (MLPSI).

Under the terms of the Public Service Agreement 2010-2014, the Government gave a commitment that compulsory redundancy will not apply in the public service, save where existing exit provisions apply. Redeployment arrangements exist in order to ensure that surplus public servants covered by that commitment are redeployed into vacancies. Where a tutor employed by a school solely to deliver the MLPSI, the post is not regarded as a public service post for the purposes of the Public Service Agreement. The commitment against compulsory redundancy therefore does not apply.

146. **Deputy Dan Neville** asked the Minister for Education and Skills the position regarding the redeployment of staff who are disengaging from a creche facility (details supplied). [40915/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The employment of staff in Co. Limerick Vocational Education Committee is a matter for that VEC. I understand that the crèche run by the VEC in Shanagolden closed with effect from 31 December 2011.

Under the terms of paragraph 1.6 of the Public Service (Croke Park) Agreement, the Government has given a commitment that compulsory redundancy will not apply to permanent staff within the public service, save where existing exit provisions apply. To that end, redeployment arrangements have been developed in the public service to re-assign staff to comparable roles in the wider public service.

There were 7 permanent members of staff employed by Co. Limerick VEC in the crèche in Shanagolden. I understand that upon the closure of the crèche five of the permanent crèche staff opted for voluntary redundancy.

Co. Limerick VEC are working closely with officials in my Department to identify suitable vacancies within the wider public service to facilitate the permanent redeployment of the remaining 2 permanent staff of the crèche subject to the arrangements for redeployment of staff as detailed in the appendix to the Public Service Agreement which deals with redeployment arrangements for staff in the Education sector.

These 2 staff remain in employment with Co. Limerick VEC and are working in the VEC Head Offices since 3 January 2012 pending their redeployment to a permanent public sector position in line with the terms of the Public Service Agreement.

Redundancy Payments

147. **Deputy Denis Naughten** asked the Minister for Education and Skills when a person (details supplied) in County Roscommon will receive their redundancy payment; the reason for the delay; the total payment due to the person; and if he will make a statement on the matter. [40947/11]

Minister for Education and Skills (Deputy Ruairí Quinn): A redundancy application in respect of the person referred to by the Deputy has been received by my Department and is currently being processed. The person will be contacted directly by the Redundancy Section of my Department as soon as the payment is finalised and ready to issue.

Redundancy applications from Special Needs Assistants are processed by my Department in date order of receipt and every effort is being made to process these applications as quickly as possible. Extra resources have been assigned to the Redundancy Unit to ensure that Special Needs Assistants that have been made redundant will have their claims for payment processed as quickly as possible. My Department is also prioritising the processing of redundancy applications from those SNAs who have not obtained alternative employment in a non teaching

[Deputy Ruairí Quinn.]

capacity in primary, secondary or community / comprehensive schools in the current school year.

Higher Education Grants

148. **Deputy Billy Timmins** asked the Minister for Education and Skills the position regarding a third level grant in respect of a person (details supplied) in County Wicklow; and if he will make a statement on the matter. [40950/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The decision on eligibility for a student grant is a matter for the relevant grant awarding authority.

An applicant may appeal the decision of the grant awarding authority to its appeals officer.

Where the appeals officer decides to reject the appeal, the applicant may appeal this decision to my Department or the independent Appeals Board, as appropriate.

It is open to the student in question to invoke this procedure if she is not satisfied with the grant awarding authority's decision on her application.

School Staffing

149. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills if he will respond to correspondence (details supplied) regarding guidance counselling. [40955/11]

154. **Deputy Gerry Adams** asked the Minister for Education and Skills the impact on County Louth in cuts to guidance teachers or counsellors in schools including a list of any schools in which posts will be cut; and if he will make a statement on the matter. [40974/11]

159. **Deputy Billy Timmins** asked the Minister for Education and Skills the position regarding the guidance counsellors hours (details supplied). [41048/11]

168. **Deputy Finian McGrath** asked the Minister for Education and Skills if he will review the decision to cut the guidance counsellors service (details supplied) in Dublin 5. [41119/11]

188. **Deputy Patrick Nulty** asked the Minister for Education and Skills if he will review the decision to cut the allocation for guidance counsellors in second level schools; his views that this will have a acutely detrimental effect on the educational and personal development of second level pupils, particularly those in disadvantaged areas; and if he will make a statement on the matter. [41292/11]

190. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills if he will review a matter (details supplied) regarding career guidance hours; and if he will make a statement on the matter. [41297/11]

242. **Deputy Simon Harris** asked the Minister for Education and Skills his plans to introduce a staffing circular instructing all post-primary principals to ensure that effective and sufficient guidance counselling services are offered in individual post-primary schools; and if he will make a statement on the matter. [1080/12]

249. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills his views on a matter regarding guidance counsellors (details supplied); and if he will make a statement on the matter. [1331/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 149, 154, 159, 168, 188, 190, 242 and 249 together.

The change that has been announced gives schools greater autonomy in how they allocate staff resources to best meet the needs of their students, including how they provide for guidance and counselling. It is a change to how resources are allocated to schools not a policy decision to terminate guidance provision as some may chose to present it.

Until now, a specific resource was provided for guidance in addition to the standard teacher allocation to post primary schools. In future, schools must meet their guidance requirements from within the overall resource provided by that normal staffing schedule. Individually schools can continue to make provision for guidance and counselling. Decisions on how this will be done will be taken at school level in the best interests of students and to ensure the best use of resources available.

In this way, the main teacher allocation can be maintained at 19:1 for schools generally, while schools will have discretion to balance what they allocate for guidance against the competing demands of providing subject choice.

I have also provided for the filling of 300 Assistant Principal posts in second-level schools over the level originally planned. This will ensure that schools have sufficient management positions to ensure appropriate supports are available for all students.

A key priority for me is to continue to prioritise and target available funding at schools with the most concentrated levels of educational disadvantage. All 195 second-level school in DEIS will be given targeted support by a more favourable staffing schedule of 18.25:1. This is a 0.75 point reduction compared to the existing PTR of 19:1 that applies in non fee-paying second-level schools. The budget measures, including those relating to guidance, come into effect from September 2012. Schools will be notified in the normal manner in relation to these changes. My Department will be issuing a Circular this month that will outline the staffing arrangements in schools for the 2012/13 school year. The Department will set out the position clearly and this should dispel any potential for misunderstanding the budget measure.

Higher Education Grants

150. **Deputy Michael Creed** asked the Minister for Education and Skills the process used by him when considering higher education grant appeals; if he does in fact adjudicate on the merits of appeals or merely refer them back to the awarding authority; and if he will make a statement on the matter. [40963/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The decision on eligibility for a student grant is a matter for the relevant grant awarding authority in the first instance.

An applicant may appeal the decision of the grant awarding authority to its appeals officer.

Where the appeals officer decides to reject the appeal, the applicant may appeal this decision to my Department or the independent Appeals Board, as appropriate.

All student grant applications made under the 2011 student grant scheme and subsequent schemes are appropriate to the independent Appeals Board. This is provided for under the Student Support Act 2011.

Student grant applications under all previous schemes are appropriate to my Department.

A full review of a student grant application is carried out in both processes to ensure that the terms and conditions of the student grant scheme and governing legislation are properly applied in the cases involved. A decision in this regard subsequently issues from the

[Deputy Ruairí Quinn.]

Department/independent Appeals Board to the appellant and the grant awarding authority as appropriate.

151. **Deputy Michael Creed** asked the Minister for Education and Skills if he is in receipt of an appeal from a person (details supplied) in County Cork regarding the decision by Cork County Vocational Education Committee to refuse them a higher education grant; and if he will make a statement on the matter. [40964/11]

Minister for Education and Skills (Deputy Ruairí Quinn): No appeal has been received in my Department to date from the candidate referred to by the Deputy.

Teachers' Remuneration

152. **Deputy Ray Butler** asked the Minister for Education and Skills if the changes announced by the Department of Public Expenditure and Reform on 5 December 2011 regarding payment of qualification allowances will have effect on teachers who are currently studying but have not yet graduated; and if he will make a statement on the matter. [40971/11]

165. **Deputy Maureen O'Sullivan** asked the Minister for Education and Skills his reasons for establishing the maximum amount payable to new entrants in qualification allowances not to exceed the amount payable for an honours degree €4,426, when those with higher qualifications are not being financially recognised such as new entrants with a Masters Degree; the reason those with lower qualifications are financially recognised and those with higher qualifications are not; and if he will make a statement on the matter. [41094/11]

182. **Deputy Michael McGrath** asked the Minister for Education and Skills the position regarding the decision to remove the masters degree allowance for teachers; and if he will make a statement on the matter. [41252/11]

185. **Deputy Denis Naughten** asked the Minister for Education and Skills if he will review the decision to cut the masters allowance; and if he will make a statement on the matter. [41266/11]

231. **Deputy Tom Fleming** asked the Minister for Education and Skills if he will retain the teachers qualification allowance for persons who have already committed to the time and expense of undertaking a master's degree and who have done so on the understanding that the traditional automatic allowance accorded to all previous masters' graduates would be payable to them; and if he will make a statement on the matter. [1003/12]

246. **Deputy Pat Breen** asked the Minister for Education and Skills if a person (details supplied) qualifies for a masters qualification allowance; and if he will make a statement on the matter. [1227/12]

255. **Deputy Seán Ó Feargháil** asked the Minister for Education and Skills if he will ensure that his Department gives recognition to an additional academic qualification secured by a person (details supplied) in County Kildare; and if he will make a statement on the matter. [1409/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 152, 165, 182, 185, 231, 246 and 255 together.

The Government announced as part of Budget 2012 that, pending completion of the public service-wide review of allowances, changes to teacher qualification allowances were being made with immediate effect. These changes affect both existing teachers and new appointees in the future.

Circular 70/2011, which clarified the position on qualification allowances for teachers, schools and the public, was published on my Department's website on Friday, 16 December 2011. This Circular outlines the position in relation to existing teachers and those entering the profession on or after 5 December 2011.

Individual teachers who have been engaged in a public sector teaching post on or before 4 December 2011 are eligible to retain the allowances they were in receipt of on that date. Existing teachers will not be paid any additional allowance where they acquire any further qualification on or after 5 December 2011.

The position of existing teachers who, on 5 December 2011, were undertaking courses will be considered in the context of the public service-wide review of allowances announced in Budget 2012 which is to be led by the Department of Public Expenditure and Reform.

Teachers who enter public sector teaching on or after 5 December 2011 are eligible to receive combined qualification allowances up to a maximum value equivalent to that of the honours primary degree allowance. Where a teacher on first appointment is eligible for payment of an allowance below that equivalent to honours primary degree level he or she will, in common with existing teachers, not be paid any additional allowance should he or she acquire a further qualification.

This basis for this decision was the upward pressure on the cost of teacher allowances. Without any changes, the cost of qualification allowances are expected to result in an additional €150 million increase in the cost of teacher salaries by 2020.

To put this in context, the other reductions in education expenditure announced in Budget 2012 amount to €76 million. Without immediate action, this upward pressure would have cancelled out the savings made elsewhere in the education system and would bring about even harsher adjustments to schools and services.

153. **Deputy Gerry Adams** asked the Minister for Education and Skills if he will outline in detail which schools in County Louth will be affected by the education cuts introduced in Budget 2012; if these cuts are as a result of the cuts to legacy programmes in place prior to the roll out of the DÉIS initiative in 2005 which are due to be phased out or other cuts; the number of teaching posts in each school in County Louth in the years 2007, 2008, 2009, 2010, 2011 and 2012; and if he will make a statement on the matter. [40973/11]

166. **Deputy Finian McGrath** asked the Minister for Education and Skills the position regarding a teaching post in respect of a school (details supplied) in Dublin 17. [41117/11]

167. **Deputy Finian McGrath** asked the Minister for Education and Skills the position regarding staff cuts at a school (details supplied) in Dublin 7. [41118/11]

183. **Deputy Gerry Adams** asked the Minister for Education and Skills if he has carried out an impact assessment of the budget cuts he has introduced which affect designated disadvantaged schools; and if he will make a statement on the matter. [41257/11]

184. **Deputy Gerry Adams** asked the Minister for Education and Skills further to Parliamentary Question No. 114 of 13 December 2011 if he will provide a list of all the schools affected

[Deputy Gerry Adams.]

by the decision to withdraw 428 posts from disadvantaged or DEIS schools and if he will outline the number of posts that each school will lose. [41258/11]

187. **Deputy Finian McGrath** asked the Minister for Education and Skills the position regarding staff cuts at a school (details supplied) in Dublin 17. [41274/11]

226. **Deputy Aengus Ó Snodaigh** asked the Minister for Education and Skills the schools in the Dublin 8, 10 and 12 areas which are DEIS schools, and to explain for each the likely effects on teaching hours, resource teaching, language teaching and career guidance in each of the schools and if a change from the announced changes in the education budget is likely to take place before the end of January in view of the distress this is causing for disadvantaged communities. [41432/11]

227. **Deputy Maureen O'Sullivan** asked the Minister for Education and Skills if he has confirmed that certain DEIS schools have been told they will not be experiencing those cuts imposed on them in Budget 2012. [41440/11]

239. **Deputy Seán Ó Fearghail** asked the Minister for Education and Skills if he will mitigate the impacts of budgetary adjustments on a school (details supplied) which anticipates losing 12 teachers and €74,000 per annum arising from the loss of DEIS band 2 status in addition to other financial losses arising out of the reduction to capitation and other grants; and if he will make a statement on the matter. [1064/12]

252. **Deputy Mary Lou McDonald** asked the Minister for Education and Skills the number of teaching posts that will be lost in each of the following DEIS schools (details supplied) in the Dublin central constituency. [1371/12]

257. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the criteria by which exemptions for schools due to lose staff as a result of the removal of concessionary posts announced in Budget 2012 will be considered; and if he will make a statement on the matter. [1491/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 153, 166, 167, 183, 184, 187, 226, 227, 239, 252 and 257 together.

It is important to note that a key aspect of the EU/IMF Programme of Support and Ireland's overall budgetary strategy is a requirement to reduce the public sector payroll. In the Education sector finding savings and controlling the increase in public sector numbers is particularly difficult given that one third of all public sector employees work in the education sector.

A significant challenge in our school sector, unlike other countries, is the rapidly rising school going population. Places have to be provided for the extra 70,000 pupils arriving in our schools in the next six years. Teachers have to be appointed to teach them. Providing for increased enrolments is a key priority but making some adjustment to teacher numbers is unavoidable given the budgetary constraints. The net impact on overall teacher numbers in our schools has been minimised to the greatest extent possible. Achieving savings in my Department's budget has required very difficult decisions to be made. Despite the pressures on spending, the Government has shielded, to the greatest extent possible, frontline services in schools.

Conscious of the concerns of some schools that will be adversely affected by the withdrawal of certain posts under previous disadvantage schemes, I have met with school principals, teachers, parents and communities in recent weeks, to hear their concerns and clarify the posi-

tion in relation to changes announced under Budget 2012 to posts allocated to schools under previous schemes to tackle educational disadvantage.

Consequently, I have asked my Department for a report within the coming weeks on the position of DEIS Band 1 and Band 2 schools who currently have posts under older schemes, in the context of the staffing allocations due to issue to all schools in the coming weeks.

My Department is currently working on the staffing allocation for all schools and is not in a position at the present time to give details of staffing measures for individual schools.

Schools will be notified in the coming weeks of their staffing entitlements under the new arrangements for 2012/13.

Question No. 154 answered with Question No. 149.

155. **Deputy Pádraig Mac Lochlainn** asked the Minister for Education and Skills the number of teachers, school support and assistant posts that have been lost in schools across County Donegal over the past two years; and if he will outline the schools affected. [41006/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The Statistics Section of my Department's website contains extensive data at individual school level in county order. The most recent information available relates to the 2010/2011 school year. Statistical information in respect of the current school year is currently being compiled in my Department and is due for publication in September 2012.

Schools Building Projects

156. **Deputy Clare Daly** asked the Minister for Education and Skills if the new second level school for Lusk, County Dublin will be delivered in its entirety or in phases; and if in phases, the phases that will be delivered initially in terms of number of classes and specialist facilities. [41024/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The new second level school for Lusk is one of 20 new schools, announced by the Minister in June 2011, to be established in the next 6 years. It will be a post primary school for 1000 pupils and it is anticipated that the first intake of pupils will be in September 2013.

The construction of the new school will be delivered in phases. It is intended to deliver the first phase by September 2013. This phase of accommodation will be capable of catering for a minimum of 350 pupils and comprise of circa 2,400m². Along with general classroom accommodation, phase one will include specialist accommodation such as music/drama area, business/computer room, science laboratory, art/craft room, home economics, technical graphics and construction studies/engineering/technology rooms.

Higher Education Grants

157. **Deputy Michael McGrath** asked the Minister for Education and Skills if he will provide details of his plans to introduce a capital asset test as part of the qualifying criteria for maintenance grants at third level from 2013 and, specifically, if agricultural land and other business assets will be included; and if he will make a statement on the matter. [41028/11]

Minister for Education and Skills (Deputy Ruairí Quinn): As I announced last December, the means test for student grants will be amended to take account of the value of certain capital assets as well as income for the 2013/14 academic year. A dedicated Capital Asset Test implementation group has been established. The group has been charged with bringing forward

[Deputy Ruairí Quinn.]

detailed implementation proposals on new means testing arrangements for student grants, to include the value of assets, for new applicants from the 2013/14 academic year. In the circumstances, I am not in a position to say at this time what assets may be included. However, any proposals will require further Government agreement and necessitate legislative amendment.

School Staffing

158. **Deputy Billy Timmins** asked the Minister for Education and Skills the position regarding staffing levels at a school (details supplied) in County Wicklow; and if he will make a statement on the matter. [41047/11]

164. **Deputy Charlie McConalogue** asked the Minister for Education and Skills his strategy for ensuring that the tradition of providing education in denominational schools for the Protestant community will be protected in view of cuts to pupil teacher ratios in one, two, three and four teacher schools in Budget 2012 as well as suggestions that smaller schools should look at amalgamating; and if he will make a statement on the matter. [41091/11]

172. **Deputy Finian McGrath** asked the Minister for Education and Skills his plans for the closure of small schools (details supplied). [41158/11]

174. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills the position regarding staffing levels at a school (details supplied); and if he will make a statement on the matter. [41178/11]

178. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills the position regarding the closure of small schools (details supplied); and if he will make a statement on the matter. [41228/11]

179. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills the position regarding a school (details supplied) that will be directly affected by the changes announced in Budget 2012 with regard to the appointment retention figure for small schools; and if he will make a statement on the matter. [41231/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 158, 164, 172, 174, 178 and 179 together.

There is no increase in the staffing schedule general average of 28:1 for the allocation of classroom teachers at primary level. However, there is a phased increase in the pupil threshold for the allocation of classroom teachers in small primary schools. As part of the Budget decisions announced, the number of pupils required to gain and retain a teaching post in small primary schools will be gradually increased between September 2012 and September 2014. The schools concerned are those with four or less classroom teachers. It is important to emphasise that no small schools will be closed due to the changes that have been announced.

The phased adjustment is estimated to yield a saving of 250 teaching posts over the next three years, with 100 of these posts being removed in 2012/13 school year. The resulting surplus teachers will be redeployed to vacancies in other neighbouring schools in accordance with the redeployment arrangements.

The phasing of these measures provides the schools concerned with time to consider the potential for amalgamation with other schools where this is feasible. We have a very significant number of small schools across the country. The changes that we are introducing will mean that in September 2012 a minimum of 14 pupils will be required for the appointment of the

second teacher in the 2 teacher school. The subsequent increases in September 2013 and September 2014 will increase this minimum pupil threshold to 20 pupils. Even when all of these phased increases are implemented the threshold will still be significantly lower than the minimum of 28 pupils that were required for the appointment of the second teacher in schools prior to the mid 1990's. The existing staffing schedule also acts as a disincentive for small schools to consider amalgamation. We have to ensure that the very valuable but limited resources we have available in the system are used in the best and fairest way across the whole system.

A value for money review on small primary schools is currently underway in my Department. This review is part of the normal review processes undertaken by all Departments on an annual basis on selected areas of expenditure and is being conducted in line with the standard procedure for value for money reviews. Work on the review is well advanced and I expect that the report of the review should be available to me early this year. I will then have to consider its outcomes and proposals.

Question No. 159 answered with Question No. 149.

Schools Recognition

160. **Deputy John O'Mahony** asked the Minister for Education and Skills when he will make an announcement on the designation of new primary schools for September 2012 and September 2013; and if he will make a statement on the matter. [41068/11]

Minister for Education and Skills (Deputy Ruairí Quinn): In June of last year I announced that 20 new primary schools and 20 new post-primary schools would be established up to 2017. My Department recently informed patron bodies of the locations of new primary schools to be established in 2012 and 2013 and invited applications for patronage of same. My Department has prepared a report on these applications for the consideration of the New Schools Establishment Group who will submit a report to me in due course for final consideration and decision.

School Enrolments

161. **Deputy Stephen S. Donnelly** asked the Minister for Education and Skills with regard to the operation of section 29 appeals, on school enrolment, if it is his position that section 19(3) of the Education (Welfare) Act, 2000, cannot be used as a reason for upholding section 29 appeals; if this has always been the position, or if this is a new or revised position; if all institutional stakeholders, that is schools, boards of management, parents' associations and so on, in section 29 appeals have been advised of this position; and if it is common practice for him to issue instructions to members of section 29 committees that section 19(3) cannot be used. [41075/11]

Minister for Education and Skills (Deputy Ruairí Quinn): Section 29 of the Education Act, 1998 provides for an appeal by a parent or guardian to the Secretary General of my Department, or in the case of a Vocational Educational Committee (VEC) school to the VEC in the first instance, where a Board of Management of a school, or a person acting on behalf of the Board, refuses to enrol a student in a school, expels a student or suspends a student for 20 or more days in any school year. My Department is responsible for administering appeals, including clarifying for appeal members their legal jurisdiction to hear and determine appeals. My Department liaises with the Office of the Attorney General in relation to all legal advice in this area.

The applicability of Section 19(3) of the Education (Welfare) Act, 2000 in relation to Section 29 appeals arose in the context of the appeals before Section 29 committees during 2011, on

[Deputy Ruairí Quinn.]

foot of which my Department sought legal advice. Committees were subsequently briefed on the advice received, to the effect that section 19(3) of the Education (Welfare) Act, 2000 cannot be used as a reason for upholding appeals. My Department is currently making the appropriate arrangements to standardise the provision of this advice to all parties of Section 29 appeals in relation to refused enrolments.

The Deputy will be aware that in 2011, I launched a “Discussion Paper on a Regulatory Framework for School Enrolment”. My officials are co-ordinating the submissions received. The feedback from this consultation will help inform the nature and scope of a new regulatory framework for school enrolment, to make the process of enrolling in schools more open, equitable and consistent. I will be reviewing the purpose and scope of Section 19(3) of the Education (Welfare) Act, 2000 as part of this work.

School Accommodation

162. **Deputy Brendan Ryan** asked the Minister for Education and Skills if his attention has been drawn to the situation in a school (details supplied) in County Dublin whereby students in fourth and fifth class are sent home when the weather gets too cold in view of the fact that the prefabs they are educated in are insufficiently insulated; his plans to improve the facilities in this school; and if he will make a statement on the matter. [41076/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I can confirm that the school, to which the Deputy refers, has applied to my Department seeking funding to replace temporary accommodation in the school. The current status of all projects on the school building programme, including the school referred to by the Deputy, may be viewed on my Department’s website at www.education.ie and this will be updated regularly throughout the year.

The temporary accommodation to which the Deputy refers is the property of the school. The responsibility for its maintenance therefore rests with the school authority. My Department has no record of receiving correspondence from the school relating to the matters to which he refers. However it is open to the school authority to prioritise the use of the funds that it recently received under the Minor Works Grant towards improvement works, it considers appropriate.

As the Deputy will be aware, the Government’s Medium Term Infrastructure and Capital Investment Framework, which was published on 10th November 2011, sets out the demographic challenge facing the education system in the coming years. In view of the need to ensure that every child has access to a school place, the delivery of major school projects and smaller projects devolved to schools to meet the demographic demands will be the main focus for capital investment in schools in the coming years. On that basis, it is not possible to give an indicative timeframe for the progression of the project, referred to by the Deputy, at this time

School Evaluations

163. **Deputy Michael Colreavy** asked the Minister for Education and Skills if he will urgently arrange for a whole-school evaluation to be carried out on a school (details supplied) in County Sligo; and if he will ensure the evaluation incorporates a detailed examination of the issue which he commented on in Dáil Éireann on 16 November 2011. [41079/11]

Minister for Education and Skills (Deputy Ruairí Quinn): All primary and post-primary schools are subject to external evaluation by my Department’s Inspectorate. Evaluations are carried out under published procedures and provide schools and the public with an assessment of the quality of school management, teaching, learning and support for students. These pro-

cedures are not intended to encompass individual complaints. For obvious reasons it is not possible to give advance notice of when any particular school may be scheduled for an inspection.

In accordance with my Department's role, I wish to advise the Deputy that my officials have provided clarity to the parent of the pupil in question on how the complaint against the school can be progressed. My officials also wrote to the HSE seeking their advice on the matter.

The National Educational Welfare Board (NEWB) is the statutory agency which can assist parents who are experiencing difficulty in securing a school place for their child. I also understand from my officials that the NEWB recently wrote to the parents of the pupil in question with a view to meeting them to discuss the case.

Question No. 164 answered with Question No. 158.

Question No. 165 answered with Question No. 152.

Questions Nos. 166 and 167 answered with Question No. 153.

Question No. 168 answered with Question No. 149.

School Staffing

169. **Deputy Seán Crowe** asked the Minister for Education and Skills if he plans to redeploy FÁS staff to fulfil the role of school guidance counsellors in secondary schools. [41121/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I have no specific plans in this regard. However the Deputy may wish to be aware of related activity in the activation area. The Government is in the process of establishing SOLAS — the new Further Education and Training Authority — with a new remit in this area. FÁS is being disbanded. As part of that process, over 700 former FÁS community employment staff have recently joined the Department of Social Protection to work alongside staff in the employments and benefits service. The new National Employment and Entitlements Service (NEES) of the Department of Social Protection will have a role which includes the provision of an appropriate career guidance support as part of the jobseekers engagement and referral system.

Teacher allocations to secondary school are approved annually by my Department in accordance with established rules based on recognised pupil enrolment. Until now, a specific resource was provided for guidance in addition to the standard teacher allocation to post primary schools. In future, schools must meet their guidance requirements from within the overall resource provided by that normal staffing schedule. As part of the budget measures all 195 second-level schools in DEIS will be given targeted support by a more favourable staffing schedule of 18.25:1. This is a 0.75 point reduction compared to the existing PTR of 19:1 that applies in non fee-paying second-level schools.

Schools will, of course, continue to make provision for guidance and counselling. Decisions on how this will be done will be taken by principals in the best interests of students and the best use of resources available. My Department has also provided as part of Budget 2012 for the filling of 300 Assistant Principal posts as additional alleviation for second-level schools. This will ensure that schools have sufficient management positions to ensure appropriate supports are available for all students including the important role of Yearheads etc.

The budget measures, including those relating to guidance, come into effect from September 2012. Schools will be notified in the normal manner in relation to these changes. My Depart-

[Deputy Ruairí Quinn.]

ment will be issuing a Circular later this month that will outline the detailed staffing arrangements in schools for the 2012/13 school year.

Third Level Review

170. **Deputy Seán Crowe** asked the Minister for Education and Skills the actions that have resulted from the 2009 North West Gateway Strategic Alliance, NWGSA, scoping study prepared for Letterkenny Institute of Technology and the University of Ulster by a company (details supplied) in association with London Economics. [41126/11]

Minister for Education and Skills (Deputy Ruairí Quinn): As the Deputy will be aware, the Department provided funding to Letterkenny Institute of Technology (LKIT) under the Strategic Innovation Fund to examine the potential for a strategic alliance with the University of Ulster (UU) and to identify areas where additional higher education capacity could be delivered in the north west region.

As part of the project, a scoping study was undertaken by Indecon International Economic Consultants and London Economics and this identified a need to augment higher education provision in the region, the potential offered by a strategic collaboration between LYIT and the University of Ulster, and specific opportunities for collaboration between the two institutions.

While a formal alliance has not been entered into, both institutions are continuing to work together on a number of collaborative projects. An example of this is an application to the INTERREG programme, in conjunction with the Urban Regeneration Company for Derry, for the establishment of a North West Regional Science Park. The Park would be co-located in Derry and Letterkenny and aims to provide a platform for joint developments in research and business incubating activities supported by both higher education institutions. A decision on the application is expected in early 2012.

It should also be noted that the National Strategy for Higher Education published last year also identified the potential for institutional collaboration on a North-South basis and the benefits it would have for cross-border regional development. In this regard, my Department will continue to support as appropriate the further development of collaborative links between LKIT and the University of Ulster.

School Curriculum

171. **Deputy Michael McGrath** asked the Minister for Education and Skills his plans to review the decision to abolish the modern languages in primary schools initiative; and if he will make a statement on the matter. [41149/11]

220. **Deputy Tom Fleming** asked the Minister for Education and Skills if he will reverse the decision to abolish the modern languages in primary schools initiative; and if he will make a statement on the matter. [41403/11]

221. **Deputy Tom Fleming** asked the Minister for Education and Skills his reasons for abolishing the modern languages in primary schools initiative; and if he will make a statement on the matter. [41404/11]

230. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills if he will review the €2 million cuts to the language support in primary schools (details supplied); and if he will make a statement on the matter. [1000/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 171, 220, 221 and 230 together.

As part of the Budget 2012 decisions that have been announced, the Modern Languages in Primary Schools Initiative will be cease at the end of the 2011/2012 school year. The savings from this measure will go towards the cost of implementing the new National Literacy and Numeracy Strategy, which is a key commitment in the Programme for Government. Since becoming Minister for Education and Skills, I have spoken repeatedly about the need to raise educational standards. In terms of curriculum reform, the priorities in the period ahead are to strengthen achievement in literacy and numeracy, to implement reforms in maths, Irish and science, and to progress junior cycle reforms.

The Modern Languages Initiative was a pilot scheme involving approximately 550 schools and has been operating since 1998. It has not been possible for other schools to join the pilot project for a number of years and the way in which it operated was not capable of being rolled out to all 3,200 primary schools. The decision to end the scheme was based in part on policy advice from a 2008 Report by the National Council for Curriculum and Assessment (NCCA), which has identified serious issues with curricular overload at primary level. The NCCA's advice recommended that Modern languages should not be part of the Primary School Curriculum as an additional and separate subject at present.

The primary curriculum is currently being reviewed by the NCCA in the context of the National Literacy and Numeracy Strategy. The focus of the review will be on how best to enhance children's learning in these areas, provide a clearer delineation of the learning outcomes required, and integrate into the infant cycle the learning experiences from Aistear, the curriculum framework for early childhood education.

At post primary level, targeted support is provided to schools to enable them to diversify language provision with a particular focus on Spanish, Japanese, Russian and Italian. Other languages taught at second level include French, German and Arabic. Participation in foreign languages, relative to other subjects, remains high. The vast majority of students are studying two languages and are therefore developing core skills which will serve them well in future language learning over the lifespan, and there are many opportunities outside the second level system for people to resume language learning.

It was not an easy decision to end this scheme, but I gave careful consideration to the concerns about the teaching of languages before taking it.

Question No. 172 answered with Question No. 158.

Education Sector Staffing

173. **Deputy Arthur Spring** asked the Minister for Education and Skills the percentage of staff that earn more than €100,000 per annum in the each of the following; primary and secondary level education sector; third level education sector; in his Department; and in vocational education committees. [41164/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The overall percentage of staff that earn more than €100,000 per annum in the sectors mentioned is 1.9%. The individual percentages for each of the sectors are as follows: — Primary and secondary level education = 0.6% — Third level education = 6.9% — Vocational Education Committees (non-teaching staff) = 2.1% — Department = 2.6%

Question No. 174 answered with Question No. 158.

European Globalisation Fund

175. **Deputy Pearse Doherty** asked the Minister for Education and Skills the amount of money returned to the European globalisation fund from the funds secured for Dell workers in Limerick as contained in his report to the European Commission of 28 December 2011 on the EGF Dell programme; and if he will make a statement on the matter. [41183/11]

234. **Deputy Pearse Doherty** asked the Minister for Education and Skills if he will publish the European globalisation fund final report and statement of expenditure that was submitted to the European Commission on 28 December 2011; and if he will make a statement on the matter. [1031/12]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): I propose to take Questions Nos. 175 and 234 together.

My Department as the EGF Managing Authority in relation to the Dell EGF Programme, submitted the Final Report and accompanying statement of expenditure to the European Commission on 23 December 2011 as required in compliance with the EGF Regulations and the specific European Commission decision awarding a financial contribution from the EGF to finance active labour market measures following the redundancies in Dell and its suppliers in Ireland. The total certified expenditure representing the contributions of the EGF and national funding included in the statement was Euros 13,619,598 in relation to measures carried out after 3 February 2009 and before 29 June 2011.

Until the European Commission has duly considered these documents and responded formally to the Department, no monies have been, or will be, returned from those received in respect of this EGF programme. Under Article 15.2 of the EGF Regulations, the European Commission shall wind up the financial contribution from the EGF no later than six months after it has received all the information required in relation to the final report and statement of expenditure. Similarly, as the final report and statement of expenditure submitted to the European Commission are the subject of ongoing discussions between the parties, I will not be in a position to make them available until that process is complete.

The Department circulated an EGF review consultation document to relevant worker representative bodies and to service providers on 22 December 2011. This review exercise should be very useful to my Department in delivering on future EGF programmes in Ireland.

Higher Education Grants

176. **Deputy Nicky McFadden** asked the Minister for Education and Skills if the higher education grant application will be approved in respect of a person (details supplied) in County Westmeath. [41184/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The decision on eligibility for a student grant is a matter for the relevant grant awarding authority. The Deputy will appreciate that in the absence of all of the relevant details that would be contained in an individual's application form and supporting documentation, it would not be possible for me to say whether or not a student should qualify for a grant. However, an applicant may appeal the decision of the grant awarding authority to its appeals officer. Where the appeals officer decides to reject the appeal, the applicant may appeal this decision to my Department or the independent appeals board, as appropriate.

Enterprise Support Services

177. **Deputy Michael McCarthy** asked the Minister for Education and Skills the financial

supports available from him for persons seeking to establish English language schools here; if there are any structures in place which would facilitate contact with language schools in the Middle East; and if he will make a statement on the matter. [41192/11]

Minister for Education and Skills (Deputy Ruairí Quinn): There are no financial supports available from my Department to fund the establishment of English language schools.

Fáilte Ireland is responsible for the marketing and promotion of English language schools which are recognised under the Accreditation and Co-ordination of English Language Services (ACELS) function of the National Qualifications Authority of Ireland.

Questions Nos. 178 and 179 answered with Question No. 158.

Special Educational Needs

180. **Deputy Clare Daly** asked the Minister for Education and Skills the names of the experts who provided him with his working definition of ABA, as outlined in a previous reply on 24 November 2011; and if he will provide one peer-reviewed research paper which finds the eclectic model of intervention for a child with autism, to be more effective than a model based on the principles of the science of ABA. [41245/11]

181. **Deputy Clare Daly** asked the Minister for Education and Skills the reason no average cost per pupil has been evaluated in the State's special schools in view of the variance in costs across the different schools; and the reason the proposals submitted by Achieve ABA at less than 20% of the average on similar places was not considered. [41246/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 180 and 181 together.

A proposal for an academy for children with autism was submitted to my Department for consideration last year by Achieve ABA. This was one of a number of proposals which were submitted to my department and which were not approved for a variety of reasons, including the ready availability of placements for children with autism in state funded schools locally. My Department had no direct funding arrangements with the group in question.

Consideration of this proposal took account of my Department's policy in this regard which is focused on ensuring that all children, including those with autism, can have access to an education appropriate to their needs, preferably in school settings through the primary and post primary school network. This facilitates access to individualised education programmes, fully qualified professional teachers who may draw from a range of autism-specific interventions, including ABA, special needs assistants, and the appropriate school curriculum with the option where possible of full/partial integration and interaction with other pupils. As each child with autism is unique it is important that children have access to a range of interventions so their broader needs can be met.

The Deputy will be aware that the National Council for Special Education (NCSE) is responsible for the provision of a range of educational services at local and national level for students with special educational needs. In particular, its network of Special Education Needs Organisers (SENOS) co-ordinates special needs education provision at local level and arranges for the delivery of special educational services. The SENOS act as single points of contact for parents of students with special educational needs. Another specific function of the SENO is to identify appropriate educational placements for children with special educational needs. SENOS are a valuable source of support to parents who are actively sourcing a placement for their children.

[Deputy Ruairí Quinn.]

The NCSE have been fully engaged in securing placements for the eight children who formally attended Achieve. The NCSE has advised my Department that four of the children in question have enrolled in their new schools and placements remain available for the other children. The NCSE continues to be available to the parents of these children for assistance with regard to available placements and the National Educational Psychological Service (NEPS) have also offered their services to assist in this regard.

I have already clarified for the Deputy that my Department has considered published research, including the Report of the Task Force on Autism (2001) and the Evaluation of Educational Provision for Children with Autistic Spectrum Disorders (2006), both of which are available on my Department's website. The report of the Taskforce includes a comprehensive list of contributions.

As already advised, it is not possible to exhaustively list all of the contributions and contributors who have informed and influenced the Department of Education and Skills position on educational provision for children with autism.

I wish to advise the Deputy that the staffing of special schools is determined by reference to the recommendations outlined in the Report of the Special Education Review Committee, 1993, also known as the SERC Report. The pupil to teacher staffing ratios in Special Schools range from 6:1 to 11:1, depending on the category of disability. The allocation of Special Needs Assistants per special school class also varies, depending on the disability categorisation of the class, and the individual needs of pupils. The staffing ratios for special schools in respect of the various disability categorisations, based on SERC recommendations, are set out in my Departments Circular 0038/2010.

Given the different supports involved it is difficult to estimate a definitive average cost per pupil of pupils attending special schools. The approximate cost per pupil attending Special Schools in respect of teaching, Special Needs Assistant and capitation costs is €22,185 per pupil per annum. Additional costs relating to school buildings, transport, the July Programme, the National Educational Psychological Society (Neps) the Special Education Support Service (SESS) and assistive technology support also arise and are not included in this figure.

Question No. 182 answered with Question No. 152.

Questions Nos. 183 and 184 answered with Question No. 153.

Question No. 185 answered with Question No. 152.

State Examinations

186. **Deputy Finian McGrath** asked the Minister for Education and Skills the position regarding an exam re-check in respect of a person (details supplied) in Dublin 5. [41273/11]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): This issue relates to a Post Leaving Certificate (PLC) course undertaken in a further education college managed by City of Dublin Vocational Education Committee (CDVEC). The person referred to by the Deputy should contact the Principal of the college in which they took the course and formally request a recheck of the exam in question. The paper will be checked and marked by someone other than the person who initially marked the exam and who is independent of the college.

Question No. 187 answered with Question No. 153.

Question No. 188 answered with Question No. 149.

Higher Education Grants

189. **Deputy Nicky McFadden** asked the Minister for Education and Skills if the application for a higher education grant in respect of a person (details supplied) in County Westmeath will be granted in view of current financial difficulties. [41294/11]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): The decision on eligibility for a student grant is a matter for the relevant grant awarding authority. The Deputy will appreciate that in the absence of all of the relevant details that would be contained in an individual's application form and supporting documentation, it would not be possible for me to say whether or not a student should qualify for a grant. An applicant may appeal the decision of the grant awarding authority to its appeals officer. Where the appeals officer decides to reject the appeal, the applicant may appeal this decision to my Department or the independent appeals board, as appropriate.

Question No. 190 answered with Question No. 149.

Third Level Courses

191. **Deputy Michael Creed** asked the Minister for Education and Skills the level of State support, if any, provided to third level colleges providing the course in contemporary living for young adults with intellectual disabilities; the number of students pursuing this course at third level institutions; if he will consider extending the scope of the third level grant scheme to cover this course; and if he will make a statement on the matter. [41312/11]

Minister for Education and Skills (Deputy Ruairí Quinn): Under the Strategic Innovation Fund operated by the Higher Education Authority, the state provided €705,054 to Trinity College Dublin (TCD) during the period 2008-2011 in respect of the Centre for Contemporary Living. This funding award ended in 2011 and given the current budgetary situation, there are no plans for any new funding awards under this Fund.

At present, there are 34 students enrolled on the Certificate for Contemporary Living in TCD (15 in Year 1; 19 in Year 2). The full programme is only available in TCD. However, pilot modules from the Certificate were rolled out to other higher education institutions including UCC, DKIT, MIC & WIT with SIF support. In all over recent years, approximately 95 students benefited from these modules.

Unfortunately, this course does not meet the criteria for my Department's maintenance grants schemes and therefore cannot be considered for inclusion at this time.

Disadvantaged Status

192. **Deputy Brendan Smith** asked the Minister for Education and Skills the impact on schools in County Carlow on a school-by-school basis of the decision to withdraw supports from earlier disadvantage programmes and schemes that predate DEIS in tabular form. [41316/11]

193. **Deputy Brendan Smith** asked the Minister for Education and Skills the impact on schools in County Kilkenny on a school-by-school basis of the decision to withdraw supports from earlier disadvantage programmes and schemes that predate DEIS in tabular form. [41317/11]

194. **Deputy Brendan Smith** asked the Minister for Education and Skills the impact on schools in County Cavan on a school-by-school basis of the decision to withdraw supports from earlier disadvantage programmes and schemes that predate DEIS in tabular form. [41318/11]

195. **Deputy Brendan Smith** asked the Minister for Education and Skills the impact on schools in County Monaghan on a school-by-school basis of the decision to withdraw supports from earlier disadvantage programmes and schemes that predate DEIS in tabular form. [41319/11]

196. **Deputy Brendan Smith** asked the Minister for Education and Skills the impact on schools in County Clare on a school-by-school basis of the decision to withdraw supports from earlier disadvantage programmes and schemes that predate DEIS in tabular form. [41320/11]

197. **Deputy Brendan Smith** asked the Minister for Education and Skills the impact on schools in County Cork on a school-by-school basis of the decision to withdraw supports from earlier disadvantage programmes and schemes that predate DEIS in tabular form. [41321/11]

198. **Deputy Brendan Smith** asked the Minister for Education and Skills the impact on schools in County Donegal on a school-by-school basis of the decision to withdraw supports from earlier disadvantage programmes and schemes that predate DEIS in tabular form. [41322/11]

199. **Deputy Brendan Smith** asked the Minister for Education and Skills the impact on schools in County Dublin on a school-by-school basis of the decision to withdraw supports from earlier disadvantage programmes and schemes that predate DEIS in tabular form. [41323/11]

200. **Deputy Brendan Smith** asked the Minister for Education and Skills the impact on schools in County Galway on a school-by-school basis of the decision to withdraw supports from earlier disadvantage programmes and schemes that predate DEIS in tabular form. [41324/11]

201. **Deputy Brendan Smith** asked the Minister for Education and Skills the impact on schools in County Kerry on a school-by-school basis of the decision to withdraw supports from earlier disadvantage programmes and schemes that predate DEIS in tabular form. [41325/11]

202. **Deputy Brendan Smith** asked the Minister for Education and Skills the impact on schools in County Kildare on a school-by-school basis of the decision to withdraw supports from earlier disadvantage programmes and schemes that predate DEIS in tabular form. [41326/11]

203. **Deputy Brendan Smith** asked the Minister for Education and Skills the impact on schools in County Laois on a school-by-school basis of the decision to withdraw supports from earlier disadvantage programmes and schemes that predate DEIS in tabular form. [41327/11]

204. **Deputy Brendan Smith** asked the Minister for Education and Skills the impact on schools in County Offaly on a school-by-school basis of the decision to withdraw supports from earlier disadvantage programmes and schemes that predate DEIS in tabular form. [41328/11]

205. **Deputy Brendan Smith** asked the Minister for Education and Skills the impact on schools in County Limerick on a school-by-school basis of the decision to withdraw supports from earlier disadvantage programmes and schemes that predate DEIS in tabular form. [41329/11]

206. **Deputy Brendan Smith** asked the Minister for Education and Skills the impact on schools in County Longford on a school-by-school basis of the decision to withdraw supports from earlier disadvantage programmes and schemes that predate DEIS in tabular form. [41330/11]

207. **Deputy Brendan Smith** asked the Minister for Education and Skills the impact on schools in County Westmeath on a school-by-school basis of the decision to withdraw supports from earlier disadvantage programmes and schemes that predate DEIS in tabular form. [41331/11]

208. **Deputy Brendan Smith** asked the Minister for Education and Skills the impact on schools in County Louth on a school-by-school basis of the decision to withdraw supports from earlier disadvantage programmes and schemes that predate DEIS in tabular form. [41332/11]

209. **Deputy Brendan Smith** asked the Minister for Education and Skills the impact on schools in County Meath on a school-by-school basis of the decision to withdraw supports from earlier disadvantage programmes and schemes that predate DEIS in tabular form. [41333/11]

210. **Deputy Brendan Smith** asked the Minister for Education and Skills the impact on schools in County Roscommon on a school-by-school basis of the decision to withdraw supports from earlier disadvantage programmes and schemes that predate DEIS in tabular form. [41334/11]

211. **Deputy Brendan Smith** asked the Minister for Education and Skills the impact on schools in County Leitrim on a school-by-school basis of the decision to withdraw supports from earlier disadvantage programmes and schemes that predate DEIS in tabular form. [41335/11]

212. **Deputy Brendan Smith** asked the Minister for Education and Skills the impact on schools in County Tipperary on a school-by-school basis of the decision to withdraw supports from earlier disadvantage programmes and schemes that predate DEIS in tabular form. [41336/11]

213. **Deputy Brendan Smith** asked the Minister for Education and Skills the impact on schools in County Waterford on a school-by-school basis of the decision to withdraw supports from earlier disadvantage programmes and schemes that predate DEIS in tabular form. [41337/11]

214. **Deputy Brendan Smith** asked the Minister for Education and Skills the impact on schools in County Wexford on a school-by-school basis of the decision to withdraw supports from earlier disadvantage programmes and schemes that predate DEIS in tabular form. [41338/11]

215. **Deputy Brendan Smith** asked the Minister for Education and Skills the impact on schools in County Wicklow on a school-by-school basis of the decision to withdraw supports from earlier disadvantage programmes and schemes that predate DEIS in tabular form. [41339/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 192 to 215, inclusive, together.

It is important to note that a key aspect of the EU/IMF Programme of Support and Ireland's overall budgetary strategy is a requirement to reduce the public sector payroll. In the Education

[Deputy Ruairí Quinn.]

sector finding savings and controlling the increase in public sector numbers is particularly difficult given that one third of all public sector employees work in the education sector. A significant challenge in our school sector, unlike other countries, is the rapidly rising school going population. Places have to be provided for the extra 70,000 pupils arriving in our schools in the next six years. Teachers have to be appointed to teach them. Providing for increased enrolments is a key priority but making some adjustment to teacher numbers is unavoidable given the budgetary constraints. The net impact on overall teacher numbers in our schools has been minimised to the greatest extent possible.

Achieving savings in my Department's budget has required very difficult decisions to be made. Despite the pressures on spending, the Government has shielded, to the greatest extent possible, frontline services in schools. Conscious of the concerns of some schools that will be adversely affected by the withdrawal of certain posts under previous disadvantage schemes, I have met with school principals, teachers, parents and communities in recent weeks, to hear their concerns and clarify the position in relation to changes announced under Budget 2012 to posts allocated to schools under previous schemes to tackle educational disadvantage. Consequently, I have asked my Department for a report within the coming weeks on the position of DEIS Band 1 and Band 2 schools who currently have posts under older schemes, in the context of the staffing allocations due to issue to all schools in the coming weeks.

My Department is currently working on the staffing allocation for all schools and is not in a position at the present time to give details of staffing measures for individual schools. Schools will be notified in the coming weeks of their staffing entitlements under the new arrangements for 2012/13.

Ministerial Staff

216. **Deputy Catherine Murphy** asked the Minister for Education and Skills the names and salaries of each person serving as a special adviser and/or the names and salaries of each person directly appointed by him or a Minister of State to any other position within his Department or predecessors' Department on each of the following dates; 1 December 2009, 1 December 2010 and 1 December 2011; and if he will make a statement on the matter. [41346/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The names and salaries of each special advisor and other staff directly appointed by me, a Minister of State or those appointed by my Ministerial predecessors serving in this Department on 1 December 2009, 1 December 2010 and 1 December 2011 is set out in the following table.

Minister Batt O'Keeffe T.D.

1st December 2009

Name	Grade	Annual Salary
Mr. Bernard Mallee	Special Adviser	€89,819
Ms. Deirdre McDonnell	Special Adviser	€107,485
Ms. Katherine Woods	Personal Assistant	€55,030
Ms. Mary O' Keeffe	Personal Secretary	€49,848

Minister of State Seán Haughey T.D.

1st December 2009

Name	Grade	Annual Salary
Ms. Catherine Ward	Personal Assistant	€54,035
Mr. Niall Haughey	Personal Secretary	€46,959
Mr. Joe Ryan	Civilian Driver	€34,826
Mr. Martin Vaughan	Civilian Driver	€34,826

Minister and Tánaiste Mary Coughlan T.D.

1st December 2010

Name	Grade	Annual Salary
Mr. Seán Perry	Special Adviser	€80,051
Mr. Dermot Murphy	Special Adviser	€99,236
Mr. Michael Shovlin	Special Adviser	€92,583
Ms. Paula O'Brien	Personal Assistant	€49,035
Ms. Bridget Byrne	Personal Secretary	€44,471
Ms. Marina Gaffney	Temporary Clerical Officer	€29,193

Minister of State Seán Haughey T.D.

1st December 2010

Name	Grade	Annual Salary
Ms. Catherine Ward	Personal Assistant	€51,069
Mr. Niall Haughey	Personal Secretary	€45,251
Mr. Joe Ryan	Civilian Driver	€32,965
Mr. Martin Vaughan	Civilian Driver	€32,965

Minister Ruairí Quinn T.D.

1st December 2011

Name	Grade	Annual Salary
Mr. John Walshe	Special Adviser	€92,672
Ms. Deirdre Grant	Special Adviser	€86,604
Mr. Ian O'Mara	Personal Assistant	€48,520
Mr. Neil Ward	Personal Secretary	€45,160
Mr. Seamus Cosgrove	Civilian Driver	€32,965
Mr. Nashie Grady	Civilian Driver	€32,965

[Deputy Ruairí Quinn.]

Minister of State Ciaran Cannon T.D.

1st December 2011

Name	Grade	Annual Salary
Ms. Martina Forde	Personal Assistant	€49,790
Ms. Niamh Lawless	Personal Secretary	€36,799
Mr. Brendan Glynn	Civilian Driver	€32,965
Mr. Liam Lawless	Civilian Driver	€32,965

Departmental Staff

217. **Deputy Denis Naughten** asked the Minister for Education and Skills if he runs a graduate internship programme; and if he will make a statement on the matter. [41361/11]

Minister for Education and Skills (Deputy Ruairí Quinn): While my Department does not run a graduate internship programme it does support and participate in various graduate internship programmes such as the FÁS Work Placement Programme, JobBridge — the National Internship Programme also run by FÁS and the Willing Able and Mentoring (WAM) programme run by the Association for Higher Education Access and Disability (AHEAD). We currently have one individual working in the Department under the FÁS Work Placement Programme and three individuals working under the Jobbridge scheme. One individual recently completed their six month placement on the WAM Programme and my Department is currently making preparations for participation in the 2012 Programme.

Higher Education Grants

218. **Deputy Catherine Byrne** asked the Minister for Education and Skills if he provides any funding to students on the George Mitchell Scholarship in Ireland; and if he will make a statement on the matter. [41374/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The funding of the George Mitchell Scholarship Programme is a reflection of the Government's gratitude for the significant contribution made by Senator Mitchell to the promotion of peace and reconciliation on the island of Ireland. An Agreement was signed with the US-Ireland Alliance in March 1999. An Irish Government endowment of IR£2 million was subsequently paid into the Fund. The endowment was to fund 2 scholarships of US\$11,000 per year and to meet the administrative costs associated with running the programme. A further 10 scholarships were funded annually under the George Mitchell Scholarship Programme. The costs of these scholarships were met through an endowment made by the British Government (2 scholarships per year) and other private contributions and/or sponsorship (including the US Government) secured by the US-Ireland Alliance.

In 2003 a decision was made to rest the Fund for a period by not making any disbursements in respect of scholarships from the income generated from the Fund. Since 2003 the only charge against the income from the Irish Government's endowment has been in respect of audit and investment advisory fees. The costs of the scholarships and administration including salaries have been borne by the US-Ireland Alliance from funds it has raised from other sources. This includes several million dollars from the US Government.

In 2007 a decision was taken to secure the long term viability of the George Mitchell Scholarship Programme by increasing Ireland's contribution to the Fund for the programme by €20 million to be paid over a number of years, conditional on matching funding being raised by the US-Ireland Alliance. Such matching funding must not include funding from public funds in Ireland or Northern Ireland.

The George Mitchell Scholarship Fund (Amendment) Act 2010 was brought into operation on 1st June 2010. Pursuant to the terms of the amending legislation and new agreement, my Department paid €1,493,507 into the George Mitchell Scholarship Fund on 30 July 2010. To date this is the only payment made by my Department into this Fund since the initial endowment of IR£2 million in 1999. The Mitchell scholars receive an allowance of about \$12,700 towards living expenses and a travel allowance of up to \$2,300. Their fees and accommodation costs are met by the colleges they attend.

Special Educational Needs

219. **Deputy Terence Flanagan** asked the Minister for Education and Skills further to Parliamentary Question No. 98 of 6 December 2011, if he will respond to queries (details supplied); and if he will make a statement on the matter. [41376/11]

Minister for Education and Skills (Deputy Ruairí Quinn): As I have previously clarified for the Deputy, the Board of Management of the school in question has advised that the recommendations of the HSE report have been implemented in full.

My Department remains in regular contact with the school and is satisfied that significant progress has been made. Officials in my Department continue to monitor the position and my Department's Inspectorate is scheduled to visit the school later this month.

Questions Nos. 220 and 221 answered with Question No. 171.

Multidenominational Schools

222. **Deputy John Lyons** asked the Minister for Education and Skills if there is a protocol in place in schools to facilitate students of the Muslim faith; specifically if there is a protocol in place on pupils wearing a hijab or abaya in schools; if schools are required to make an area available for students to pray; and if such students are required to participate in religious instruction along with their classmates. [41411/11]

Minister for Education and Skills (Deputy Ruairí Quinn): My Department published a Report on the Need for a Guidance Note to Schools when reviewing their policies on School Uniforms in 2008. The report is available on the Department's website at www.education.ie.

The report acknowledges that the current system, whereby schools decide their uniform policy at a local level, is reasonable, works and should be maintained. The report indicates that where schools have permitted the wearing of the hijab, in a colour which is similar to the ordinary school uniform, no problems have been encountered. The recommendations provide that no school uniform policy should act in such a way that it, in effect, excludes students of a particular religious background from seeking enrolment or continuing their enrolment in a school. However, this statement does not recommend the wearing of clothing in the classroom, such as a niqab or burka, which obscures a facial view and creates an artificial barrier between pupil and teacher. Such clothing hinders proper communication.

There is no obligation on schools to provide an area for students to pray and it is a matter for individual schools to decide whether they wish to do so. Under Section 15 of the Education Act 1998, school boards of management are required to uphold the ethos of their school

[Deputy Ruairí Quinn.]

(section 15.2(b)) but also to have respect and promote respect for the diversity of values, beliefs, traditions, languages and ways of life in society (Section 15.2(h)). Under Section 30 of the Education Act 1998, no student can be required to attend instruction in any subject which is contrary to the conscience of the parent of the student, and students have the right of withdrawal from religious instruction where it is sought. Article 44.2.4 of the Constitution provides for the right of any child to attend a State funded school without attending religious instruction in that school.

School Staffing

223. **Deputy Michael McGrath** asked the Minister for Education and Skills if he will provide details of the number of teachers, including principals, currently suspended on full pay across the primary and secondary school system; and if he will make a statement on the matter.

[41416/11]

Minister for Education and Skills (Deputy Ruairí Quinn): There are approximately 50,000 teachers employed in primary, voluntary, secondary, community and comprehensive schools who are paid on my Department's payroll. This figure does not include teachers in the vocational education sector. Where issues such as child protection arise, a teacher may be placed on administrative leave whilst the matter is being investigated. Currently 22 teachers on my Department's payroll are on administrative leave.

224. **Deputy Maureen O'Sullivan** asked the Minister for Education and Skills if he will secure a decision that is currently pending for the appointment of a special needs assistant for four primary school students (details supplied) with learning and emotional difficulties. [41425/11]

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 SNA allocations on a county by county and school by school basis on its website www.ncse.ie.

I have arranged for Deputy's question regarding an individual application for SNA support to be forwarded to the NCSE for their attention and direct reply.

225. **Deputy Michael McGrath** asked the Minister for Education and Skills the position regarding an application for a reader and scribe on behalf of a student (details supplied) in County Cork. [41431/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The State Examinations Commission has statutory responsibility for operational matters relating to the certificate examinations including organising the holding of examinations and determining procedures in places where examinations are conducted including the supervision of examinations.

In view of the above I have forwarded your query to the State Examinations Commission for direct reply to you.

Questions Nos. 226 and 227 answered with Question No. 153.

School Management

228. **Deputy Billy Timmins** asked the Minister for Education and Skills his views regarding school crests on school uniforms (details supplied); and if he will make a statement on the matter. [41448/11]

Minister for Education and Skills (Deputy Ruairí Quinn): In accordance with the provisions of the Education Act 1998, the Board of Management is the body charged with the direct governance of a school.

Individual school authorities are responsible for the drawing up of a school policy in relation to the wearing of school uniforms. However, my Department recommends that the formulation of such a school policy should allow for prior consultation with teachers, parents and pupils where appropriate and enable any concerns about the issue of cost to be raised and considered.

Decisions regarding school uniforms are a matter for the Board of Management of each individual school.

School Staffing

229. **Deputy Billy Timmins** asked the Minister for Education and Skills the position regarding teaching posts in respect of a school (details supplied) in County Wicklow; and if he will make a statement on the matter. [41461/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The new simplified approach to the General Allocation Model of support for schools will make it easier to automatically update it annually in line with the changes in the number of classroom teachers in each school. Schools will also have autonomy on how to deploy the resource between language support and learning support depending on their specific needs. The arrangements for the staffing allocation under the General Allocation Model (GAM) are specifically designed to facilitate GAM hours being clustered into full-time posts — either entirely within their own school or with a nearby neighbouring school.

The new GAM allocations are being done in 5-hour blocks which is the equivalent of the tuition time for a full school day. Teachers that are in shared posts between schools can therefore operate local arrangements that enable their travel to a neighbouring school to be done, where possible, from the start of the school day thus avoiding loss of tuition time.

As part of the reforms to the teacher allocation process existing posts will be used to put in place a network of about 2,450 full-time resource posts in over 1,600 base schools throughout the country that will be allocated on a permanent basis.

This approach builds on the interim arrangements that operated in 2011 but in a more structured and transparent manner. The annual changes in resource hours at individual school level will only affect where the teacher is working on any one day — not whether the base school continues to host the full-time post. This approach will introduce a greater constancy in the context of the annual allocations and redeployment process.

The teachers in these full-time resource posts will undertake NCSE approved (low incidence) resource hours in the base schools or in neighbouring schools. Schools are typically notified of their NCSE approved resource hours in the late Spring/early Summer period but also throughout the school year.

Through his/her role in allocating resources the local SENO will have an oversight role in relation to the sharing arrangements between schools so that they can operate as efficiently as

[Deputy Ruairí Quinn.]

possible and any time loss due to travel between schools can be kept to a minimum. Schools that are unable to access their NCSE approved resource hours from this network of full-time resource posts will be allocated mainly part-time temporary posts.

Question No. 230 answered with Question No. 171.

Question No. 231 answered with Question No. 152.

EU Funding

232. **Deputy Pearse Doherty** asked the Minister for Education and Skills if he will provide an explanation for the variance of the figures relating to the numbers of persons eligible for the European globalisation fund application for redundant construction workers (details supplied); if he will confirm the number of redundant construction workers who are actually eligible to access interventions funded under this programme; and if he will make a statement on the matter. [1029/12]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): On 9 June 2011 Ireland submitted three applications for combined EGF co-financing of €35.7m in respect of an affected population of 9,089 former workers who, based on evidence of statutory redundancy payments and on apprenticeship information held by FÁS, had been recorded as having been made redundant in the relevant NACE 41, 43 and 71 construction sub-sectors between 1 July 2009 and 31 March 2010.

Of the affected population of 9,089 workers, it was estimated that a total of 5,987 clients would access services. This estimate constitutes the targeted population figure required as part of the EGF application process and is sometimes quoted by the European Commission. However, all persons within the wider affected population are potentially eligible for EGF supports.

Extensive analysis and amalgamation of data from all relevant sources took place in November 2011 which yielded a number of duplicate entries. The affected population was subsequently revised downwards to 8,925. A subsequent control identified one ineligible person bringing the affected population total to 8,924.

Of this number, 8,779 EGF eligible clients were recorded as having a home address in this jurisdiction and letters of notification of EGF services subsequently issued on 19 December 2011 to all these persons. The other persons do not have a recorded address in the State, such as would indicate their availability to take up offers of retraining or upskilling in the State.

233. **Deputy Pearse Doherty** asked the Minister for Education and Skills further to Parliamentary Question No. 166 of 29 November 2011, the reason he can state that 4,500 interventions have been commenced for some of the redundant construction workers eligible for European globalisation fund support when at the time of replying to the Parliamentary Question none of the eligible construction workers had been contacted by him; and if he will make a statement on the matter. [1030/12]

236. **Deputy Pearse Doherty** asked the Minister for Education and Skills if, with respect to the EU regulations governing the operation of the European globalisation fund, he has an operational definition of the requirement for EGF funded interventions to be complimentary to actions of member states at national, regional and local level as detailed in Article 6 of the regulations; his views that active labour market interventions available to workers from existing

state bodies such as FÁS can be considered as complimentary under the terms of the EGF regulations; and if he will make a statement on the matter. [1033/12]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): I propose to take Questions Nos. 233 and 236 together.

My Department estimated in late November 2011 that at least 4,500 interventions had been commenced in the areas of guidance, training and third level education for relevant redundant workers included in the three separate EGF construction sector applications submitted to the European Commission and subsequently approved. This estimate was based on data supplied by, inter alia, FÁS and the Department of Social Protection.

These interventions were provided through exclusively national funding prior to the recent receipt of EU monies under the EGF. A significant element of these interventions related to redundant apprentices. They were included in the applications for EGF support to the EU and so may be co-financed with those funds. There is no requirement to inform each individual in advance of approval for EGF support from the EU, of the potential of EU co-financing under the EGF. Moreover, the reimbursement of up to 65% of validated expenditure on these measures, allows for greater national funding to be targeted at the generality of activation measures at a time of significant constraints on the public finances.

There is no definition, either in the EGF Regulations or otherwise, of what constitutes a complementary action in the context of the EGF.

My Department has been very flexible in its interpretation of this term in its implementation of EGF programmes to date. The European Commission has approved all of the measures included in the three Irish applications for EGF co-financing for the relevant cohort of redundant construction workers and has to date raised no issue as regards the complementary nature of such measures.

In all EGF programmes to date, efforts have been made, where possible and appropriate, to design specific tailored interventions as well as providing more mainstream, established interventions. For example, a system of EGF training grants has been operated whereby EGF eligible persons may avail of privately provided training and education opportunities subject to relevant scheme requirements in addition to, or in lieu of, training and education provided through publicly funded training bodies and educational institutions. The provision of extra places in FÁS or VEC training or upskilling programmes is complementary to existing provision, as is the provision of places on other training and education programmes that are relevant to labour market needs and which are recognised through accreditation or other recognition by relevant industry sectors.

Question No. 234 answered with Question No. 175.

European Globalisation Fund

235. **Deputy Pearse Doherty** asked the Minister for Education and Skills further to Parliamentary Questions No 110 and 111 of 14 December 2011, if he has home addresses for these workers; if these workers have been contacted by him since the replies to these Parliamentary Questions were issued; the date on which contact was made; the number of replies received by him; the number of persons as of the end of December 2011 who have accessed personalised services designed to re-integrate them into the labour market since the date of contact; if he will provide a breakdown by county for each of the answers provided in response to this question; and if he will make a statement on the matter. [1032/12]

237. **Deputy Pearse Doherty** asked the Minister for Education and Skills the number of redundant construction workers eligible for support under the European Globalisation Fund funding programme that have contacted the EGF website since it went live in December 2011; the number of these workers who have accessed personalised services designed to re-integrate them into the labour market since the date of contact; if he will provide breakdown by county of both figures; and if he will make a statement on the matter. [1034/12]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): I propose to take Questions Nos. 235 and 237 together.

Of the 8,924 persons on the Department's database deemed eligible for EGF-related services, 8,779 were recorded as having a home address in this jurisdiction. Letters of notification of relevant EGF services issued to these persons on 19 December 2011. The other 145 persons do not have a recorded address in this State such as would indicate their availability to take up offers of retraining or upskilling in this State. A county breakdown by home address of the 8,779 persons notified is set out in Table 1 under.

A dedicated EGF Construction Contact Centre has been established to provide phone and on-line information and support, facilitate access to professional career and occupational guidance, make onwards referrals to other service providers and to administer EGF Training Grants.

In addition, WRC Social and Economic Consultants Ltd have been contracted by my Department to collate management information data on the three EGF construction programmes in cooperation with the EGF Construction Contact Centre. Monthly reports on uptake of personalised services and other relevant statistical information are required to be submitted to this Department. The first such report will cover the period to end January 2012.

By 9 January 2012, a total of 553 queries had been received by the EGF Construction Contact Centre and a total of 73 clients had been referred to the national VEC Coordinator for tailored VEC career guidance courses. A county-by-county breakdown of this data is not currently to hand but is being compiled as part of the monthly reporting to the Department.

Between the date that the EGF website *www.egf.ie* went live (also on 19 December 2011) and 9 January 2012, a total of 1,123 unique visits to the site were recorded. A county breakdown of these website visits is set out in Table 2 under.

For the same period, a total of 76 on-line applications on the website were made for EGF training grants. A county breakdown of these website applications is set out in Table 3.

Table 1: Notifications issued 19/12/11 to EGF construction clients by county

County	Number
Carlow	196
Cavan	162
Clare	179
Cork	1,238
Donegal	190
Dublin	2,056
Galway	391
Kerry	274
Kildare	483
Kilkenny	256
Laois	179

County	Number
Leitrim	52
Limerick	374
Longford	45
Louth	254
Mayo	239
Meath	422
Monaghan	88
Offaly	125
Roscommon	94
Sligo	85
Tipperary	356
Waterford	258
Westmeath	150
Wexford	373
Wicklow	260
Total	8,779

Table 2: Unique visits to *www.egf.ie* by county 19/12/11-9/1/12

County	Unique Website Visits
Dublin	829
Cork	76
Limerick	73
Galway	14
Kerry	14
Sligo	14
Kildare	12
Waterford	12
Kilkenny	8
Carlow	7
Tipperary	6
Westmeath	6
Donegal	3
Wexford	3
Clare	2
Cavan	2
Louth	1
Laois	1
Mayo	1
Wicklow	1
Outside Ireland	38
Total	1,123

[Deputy Ciarán Cannon.]

Table 3: Applications for EGF Training Grants via *www.egf.ie* by county 19/12/11-9/1/12

County	Number
Dublin	23
Cork	15
Laois	5
Wicklow	5
Kildare	4
Kilkenny	3
Tipperary	3
Waterford	3
Limerick	2
Mayo	2
Meath	2
Roscommon	2
Wexford	2
Galway	1
Kerry	1
Leitrim	1
Louth	1
Sligo	1
Total	76

Question No. 236 answered with Question No. 233.

Question No. 237 answered with Question No. 235.

Schools Building Projects

238. **Deputy John Paul Phelan** asked the Minister for Education and Skills the position regarding an application for an extension by a school (details supplied) in County Wexford; and if he will make a statement on the matter. [1040/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The current status of all projects on the school building programme, including the school referred to by the Deputy, may be viewed on my Department's website at *www.education.ie* and this will be updated regularly throughout the year. The Government's Medium Term Infrastructure and Capital Investment Framework, which was published on 10th November 2011, sets out the demographic challenge facing the education system in the coming years. In view of the need to ensure that every child has access to a school place, the delivery of major school projects and smaller projects devolved to schools to meet the demographic demands nationally as well as the demands in the area to which the Deputy refers, will be the main focus for capital investment in schools in the coming years. I have previously committed to publishing shortly a five year plan outlining the school building projects to be constructed in that time.

Question No. 239 answered with Question No. 153.

Departmental Bodies

240. **Deputy Simon Harris** asked the Minister for Education and Skills his views on the work

of the National Council on Special Education within the remit of the Ombudsman for Children; the discussions that he has had with the Ombudsman's office or the Department of Children and Youth Affairs on this issue; if he is considering legislation to bring about this change; and if he will make a statement on the matter. [1067/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The Office of the Ombudsman for Children was established under the Ombudsman for Children Act 2002 by the Minister for Health and Children.

From June 2011, responsibility for the Ombudsman for Children Act 2002 was transferred to the Minister for Children and Youth Affairs. I understand that the Office of the Ombudsman for Children has been in contact with the Department of Children and Youth Affairs regarding this matter. I also understand that under this Act the inclusion of the National Council for Special Education within the remit of the Ombudsman for Children requires a draft Order to be laid before each House of the Oireachtas and a resolution approving this order approved by each such House.

The Department of Children and Youth Affairs have advised that they intend to consult with my Department and with the Ombudsman for Children before finalising a proposal on this matter.

Pending the making of any order by the Government to include the NCSE within the complaints and investigation remit of the Office of the Ombudsman for Children, the Office and the NCSE have agreed an interim process through which the concerns which had been brought to the attention of the Office would be brought to the direct attention of NCSE for response.

School Absenteeism

241. **Deputy Simon Harris** asked the Minister for Education and Skills his plans to put in place a database of primary school children here; his views that the lack of such a database limits the effectiveness of monitoring absenteeism, transition to second level, and so on; if he has had any discussions with the National Education Welfare Board on this issue; and if he will make a statement on the matter. [1078/12]

Minister for Education and Skills (Deputy Ruairí Quinn): My Department continues to seek to enhance the quality and timeliness of datasets which are required for resource planning purposes, most notably in providing online facilities to streamline the collection of data. In recent years a number of initiatives have been developed in the area of online interaction with schools the esinet portal through which these online services are delivered already has a number of applications in place, including an On-Line Claim system for teacher absences, online application for certain support services, and a facility to upload post-primary pupil data returns.

The development of a database for all schools and colleges aided by my Department is vital to the provision of evidence-based data on progression of students through the system and, especially, to identify those at risk of dropping out or under-achieving. My Department has committed to the development of such a database in its Data Strategy 2008-2010. As part of the development of the Data Strategy consultations were carried out with many of my Department's agencies to discuss how data could best be collected and shared in a manner which reduces the overall administrative burden for the school and allows for the most efficient operation and provision of services to the pupil.

There have been a number of developments in recent years in the area of pupil data collection from post-primary schools. My Department is currently in the process of streamlining the post-primary returns process to allow for a live online system allowing for easy exchange of

[Deputy Ruairí Quinn.]

information that reflects the up-to-date situation in regard to enrolment at any one time and to cut down on administrative burden and the scale of paper-based information flows across the Department and its associated agencies. It is intended to pilot this development in the 2012\2013 academic year.

My Department intends to proceed, as soon as timing and resources permit, to extend this development to primary level schools. Once this is done, my Department will have access to an integrated live Learners database covering primary and post-primary level, which will allow for the effective monitoring of progression, and for enhanced policy planning using real-time data.

Question No. 242 answered with Question No. 149.

Higher Education Grants

243. **Deputy John O'Mahony** asked the Minister for Education and Skills when a person (details supplied) in County Mayo will receive their higher education grant; and if he will make a statement on the matter. [1121/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The decision on eligibility for a student grant is a matter for the relevant grant awarding authority.

However, I understand from the grant awarding authority concerned that documentary evidence to support the student's grant application is outstanding. The student should provide this to the grant awarding authority as soon as possible to enable the grant awarding authority to take a decision on his application.

Departmental Offices

244. **Deputy Dara Calleary** asked the Minister for Education and Skills his view that he or any agency funded by him which owns properties in office complexes in which a management company is in place should take an active role in the running of such management companies including the appointment of a nominee to the board of the company in order to protect the investment of taxpayers' money. [1151/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The Office of Public Works (OPW) acts as an agent for all Government Departments and is responsible for the provision of Government offices from the State portfolio or by lease agreement. The terms of the leases are a matter for the OPW. Accordingly my Department does not own any office properties.

In addition none of the non commercial bodies under the aegis of my Department are owners of office properties and, accordingly, the issue of their role with regard to the running of management companies does not arise.

School Fees

245. **Deputy Terence Flanagan** asked the Minister for Education and Skills his views on correspondence (details supplied) regarding fee paying schools; and if he will make a statement on the matter. [1209/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I have asked my officials to conduct an analysis of the potential extent and nature of the Exchequer investment, including funding for teacher posts, in the fee-charging schools.

The specific analysis to be conducted by my Department will involve looking at the level of the tuition fee income based on fee rates and pupil numbers. It will take account of Exchequer investment foregone (in teacher allocations and recurrent grants) because the school is charging fees. In this way the additional or discretionary income available to fee charging schools relative to other schools can be assessed. It will then involve some dialogue with schools to confirm the information and each fee charging school will have the opportunity to identify if there are certain individual factors which may limit their freedom to use this discretionary income — e.g. mortgages entered into for capital developments or other verifiable liabilities. This process will apply to all fee charging schools.

Question No. 246 answered with Question No. 152.

Higher Education Grants

247. **Deputy Ciarán Lynch** asked the Minister for Education and Skills when a decision on a higher education grant appeal will issue in respect of a person (details supplied) in County Cork; if consideration will be given to meeting the student contribution costs; and if he will make a statement on the matter. [1243/12]

Minister for Education and Skills (Deputy Ruairí Quinn): An appeal was received from the student concerned on 30 December 2011.

The appeal is appropriate to the independent Student Grant Appeals Board and a decision will issue from the Board as soon as possible but within the timeframe set out in the Student Support Act 2011, which is 60 days from the making of the appeal. All aspects of the grant application will be considered by the Board.

Pupil-Teacher Ratio

248. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the effect the budget cuts will have on staff resources in schools; the plans, if any, he has to reverse any budgetary measures that will impact on pupil teacher ratio in view of the fact that this will seriously impact on the schools ability to continue the level of teaching it has provided to children up until now; and if he will make a statement on the matter. [1283/12]

Minister for Education and Skills (Deputy Ruairí Quinn): While difficult choices had to be made to identify savings across my Department's remit, the Government has gone as far as it could to protect front line services in 2012. The Government has protected the pupil-teacher ratio at primary level, prioritised targeted support for the most disadvantaged schools and maintained the overall number of resource teachers and SNAs to support children with special needs.

However, the staffing arrangements in schools for the 2012/13 school year can also be affected by changes in their enrolment, the impact of other budget measures and the reforms to the teacher allocation process. The reform of the allocation process is designed to bring a more equitable distribution of existing posts between schools so there will inevitably be some schools that will lose posts and some schools that will gain posts.

My Department will be notifying schools in the coming weeks of the new staffing arrangements for 2012/13 school year.

Question No. 249 answered with Question No. 149.

Special Educational Needs

250. **Deputy Gerry Adams** asked the Minister for Education and Skills his policy regarding the teaching of children with autism; if he has a specific policy approach to this issue; if it is available to the public; and if he will make a statement on the matter. [1334/12]

251. **Deputy Gerry Adams** asked the Minister for Education and Skills his policy in relation to ABA education for children with autism; the level of funding given by to ABA education; the amount given in 2007, 2008, 2009, 2010, 2011; the amount that will be given in 2012; his views in relation to the reasons behind the closure of ACHIEVE ABA; the steps put in place to cater for children who formerly attended Achieve ABA following its closure; and if he will make a statement on the matter. [1335/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 250 and 251 together.

A proposal for an academy for children with autism was submitted to my Department for consideration last year by Achieve ABA. This was one of a number of proposals which were submitted to my department and which were not approved for a variety of reasons, including the ready availability of placements for children with autism in state funded schools locally. My Department had no direct funding arrangements with the group in question.

Consideration of this proposal took account of my Department's policy in this regard which is focused on ensuring that all children, including those with autism, can have access to an education appropriate to their needs, preferably in school settings through the primary and post primary school network. This facilitates access to individualised education programmes, fully qualified professional teachers who may draw from a range of autism-specific interventions, including ABA, special needs assistants, and the appropriate school curriculum with the option where possible of full/partial integration and interaction with other pupils. As each child with autism is unique it is important that children have access to a range of interventions so their broader needs can be met.

The Deputy will be aware that the National Council for Special Education (NCSE) is responsible for the provision of a range of educational services at local and national level for students with special educational needs. In particular, its network of Special Education Needs Organisers (SENOS) co-ordinates special needs education provision at local level and arranges for the delivery of special educational services. The SENOS act as single points of contact for parents of students with special educational needs.

Another specific function of the SENO is to identify appropriate educational placements for children with special educational needs. SENOs are a valuable source of support to parents who are actively sourcing a placement for their children.

The NCSE have been fully engaged in securing placements for the eight children who formally attended Achieve. The NCSE has advised my Department that four of the children in question have enrolled in their new schools and placements remain available for the other children. The NCSE continues to be available to the parents of these children for assistance with regard to available placements and the National Educational Psychological Service (NEPS) have also offered their services to assist in this regard.

My Department's policy on autism strives to ensure that a continuum of special education provision is available as required for children with special educational needs. The policy is to promote a child-centred approach to education of all children with special educational needs including those with autism. As each child with autism is unique they should have access to a range of different approaches to meet their individual needs.

Children with autism present with a wide range of needs. Some children are capable of being fully integrated into mainstream schools without additional teaching or care supports. Others are able to attend mainstream schools but need additional teaching and/or care assistance. Many are best enrolled in autism-specific classes where more intensive and supportive interventions are required. Some may move from one setting to another as they get older and differing needs/strengths/abilities emerge.

The preferred policy of my Department is that children with autism are educated in school settings where children may have access to individualised education programmes (IEPs), fully-qualified professional teachers, special needs assistants, the appropriate school curriculum with the option, where possible and appropriate, of full or partial integration and interaction with other pupils. This approach promotes the maximum level of inclusion which accords with the intent of the EPSEN Act. While some children may be able to attend a mainstream class, for others the most appropriate provision may be in a special class or unit in the school or in a special school.

This policy is based on advice received from international experts on autism, NEPS, the Inspectorate and the report of the Irish Task Force on Autism. In arriving at the preferred policy which is currently in place, my Department has considered published research, including the Report of the Task Force on Autism (2001) and the Evaluation of Educational Provision for Children with Autistic Spectrum Disorders (2006), both of which are available on my Department's website. My Department was also mindful of contributions of many others experts at international conferences/visits.

Children in special classes have the benefit of fully-qualified teachers who are trained in educating and developing children generally and who have access to additional training in autism-specific approaches, including ABA. The level of such training available to teachers has improved dramatically in recent years and has been a major priority for the Government. However, my Department does not accept — based on research, advice and best practice — that ABA should be the only intervention used. It is important that children have access to a range of approaches so that their broader needs can be met. By enabling children in special classes to have access to a range of methods, including ABA, the Government is doing what we are advised is in the best interests of such children.

My Department supports some 450 special classes for autism attached to mainstream and special schools and 18 special schools for children with autism throughout the State. Reflective of the important role of continuing professional development my Department has put in place a training programme for teachers in autism-specific interventions including Treatment and Education of Autistic Communication Handicapped Children (TEACCH), Picture Exchange Communications System (PECS) and ABA through the Special Education Support Service. The cost of continuing professional development for ABA exclusively is not readily available. The Deputy will be aware that an ABA pilot scheme was funded by my Department for the past decade. In the last full year of the scheme, prior to the grant of recognition of the schools, the full cost of the scheme was approximately €11m which covered the costs of the 13 centres. The pilot scheme was established in the absence of a network of school-based special classes for children with autism which is now available. The establishment of this network of autism-specific special classes in schools across the country to cater for children with autism has been a key educational priority in recent years. All 13 of the centres which participated in the pilot scheme have been granted recognition as special schools for children with autism. These schools are operating in line with my Department's policy.

Question No. 252 answered with Question No. 153.

Schools Building Projects

253. **Deputy Brendan Smith** asked the Minister for Education and Skills if a building project was approved for a school (details supplied) in County Kerry; when the approval issued; the details of the new or refurbished accommodation to be provided; when the project will proceed to the next stage; and if he will make a statement on the matter. [1384/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I am pleased to inform the Deputy that approval for a building project to cater for a projected long-term pupil enrolment of 600 pupils issued to the Patron of the school in question in November 2011.

I announced late last year that arrangements are now being put in place for the Office of Public Works (OPW) and the National Development Finance Agency (NDFA) to assist my Department by delivering some of the new schools and extensions required from 2013. This is in addition to the projects that are being managed by individual Vocational Education Committees around the country.

The school in question is being delivered under these new arrangements and the school authority will be informed as quickly as possible.

School Accommodation

254. **Deputy Brendan Smith** asked the Minister for Education and Skills when new accommodation will be provided for a school (details supplied); when the project is likely to proceed to construction stage; and if he will make a statement on the matter. [1385/12]

Minister for Education and Skills (Deputy Ruairí Quinn): My Department has recently confirmed the need for a building project at the school, to which he refers, to meet the demographic demand that has been identified in the area in question. My Department will be making further contact with the school regarding progression of the project concerned.

As the Deputy may be aware, I have already indicated in the context of the announcement on 10th November 2011 last of the Government's Medium Term Infrastructure and Capital Investment Framework, which sets out the demographic challenge facing the education system in the coming years, that I intend to publish shortly a five year plan outlining the projects to be constructed in that time.

Question No. 255 answered with Question No. 152.

Vocational Educational Committees

256. **Deputy John McGuinness** asked the Minister for Education and Skills the rent being paid each year for office accommodation by Longford Vocational Educational Committee relative to their headquarters in Longford; the rent being paid by Westmeath VEC for their headquarters; and if he will make a statement on the matter. [1434/12]

Minister for Education and Skills (Deputy Ruairí Quinn): County Westmeath VEC has advised my Department that the annual rent payable on its headquarters premises is €118,300 while Co. Longford VEC has advised that the annual rent payable on its headquarter premises is €13.33.

On 29th June last, the Government decided to reduce the overall number of VECs from 33 to 16, to merge particular VECs, including the VECs covering the counties of Longford and Westmeath, and to approve in principle the consolidation of the existing VEC legislation. The merged VECs will become Education and Training Boards.

At the core of the Government decision to restructure the VECs is the need to address the current low scale and size of operations in particular VECs in order to position the sector for future development. This major structural change in the sector 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 and for a broadening of its remit. For example, in July 2011, the Government decided that a new further education and training authority, to be called SOLAS, should be established. SOLAS will operate under the aegis of this Department and will co-ordinate and fund the wide range of further education and training programmes around the country. The new authority will initially take responsibility for all those FAS staff and premises not being transferred to the Department of Social Protection.

In time, FAS Training Centre staff and premises will be transferred to the new Education and Training Boards which will replace the VECs, (or, if deemed appropriate, the Institutes of Technology regarding apprentice instructors), so that they will be responsible for the delivery to the public of both further education and training services. This will ultimately mean that potential learners will access a form of 'one stop shop' as regards further education and training services, which will respond in an integrated way to their needs.

The restructuring will also facilitate the reductions that will be required in the number of administrative staff employed in the Education and Training Boards while protecting the services provided by VECs.

Last October, I decided on the headquarter locations for the new Education and Training Boards. In relation to the merger of Co. Longford VEC with Co. Westmeath VEC, I decided that the headquarters for the new VEC body will be in Mullingar. In arriving at this decision, I considered a range of factors including the need to ensure that the location of a VEC headquarters will, to the greatest extent possible, facilitate staff redeployment under a redeployment scheme within the context of the Croke Park Agreement and the need to operate at lowest cost having regard to the accommodation available in existing locations. In terms of these criteria, I was aware that redeployment of staff from Longford to Mullingar is possible under the Croke Park agreement. However, I expect that the offices in Longford will remain open for some time and that the approach to redeployment will be measured and considered.

Question No. 257 answered with Question No. 153.

School Patronage

258. **Deputy Billy Timmins** asked the Minister for Education and Skills the number of primary schools under the patronage of the Catholic church for the years 1931, 1971, 2011; and the number of primary schools under the patronage of the Church of Ireland for the years 1931, 1971, 2011. [1610/12]

Minister for Education and Skills (Deputy Ruairí Quinn): In the 2010/11 school year, a total of 2,841 ordinary primary schools were under Catholic patronage and 174 ordinary primary schools were under Church of Ireland patronage.

Information on the number of primary schools under the patronage of the Catholic Church and the Church of Ireland for the years 1931 and 1971 is not available as it was not collected at that time.

However, my Department's statistical records show that in 1931 a total of 95.6% of primary pupils (486,116 pupils) were recorded as being Catholics while 3.3% of primary pupils (16,879

[Deputy Ruairí Quinn.]

pupils) were recorded as members of the Church of Ireland. In 1970 a total of 97.4% of primary pupils (504,223 pupils) were recorded as being Catholics while 2% of primary pupils (10,340 pupils) were recorded as members of the Church of Ireland. This level of information ceased to be collected in 1970 and is therefore not available for 1971.

Departmental Bodies

259. **Deputy Maureen O’Sullivan** asked the Minister for Education and Skills the number of State agencies currently financed by the Exchequer; the number of board members attending each State agency; the expenses issued for each meeting; if any review of the membership of board members is to be taken in order to monitor attendance levels or lack of attendance by any member; and if he will make a statement on the matter.; and if he will make a statement on the matter. [2050/12]

Minister for Education and Skills (Deputy Ruairí Quinn): There are currently 20 non commercial bodies under the aegis of my Department. The table provides a breakdown of (a) the number of Board members and (b) remuneration fees due in respect of each of these bodies.

Bodies are required to comply with the Code of Practice for the Governance of State Bodies, which was revised and updated in May 2009, and the Foreign Travel Guidelines 2009 issued by the Department of Finance.

In accordance with Section 3.8 of the revised Code of Practice for the Governance of State Bodies the attendance of each Board member at Board meetings is reported in the relevant Body’s Annual Report. Issues in relation to travel and subsistence expenses for attendance at meetings are a matter for the bodies concerned. Bodies are aware of the need to ensure efficiency and effectiveness in respect of expenditure of public funds generally and in particular in relation to travel and subsistence expenditure.

Agency Name	Total Board Members (including Vacancies)	Fees Paid (2011)
An Chomhairle um Oideachas Gaeltachta agus Gaelscolaíochta	21	Not Applicable
Commission to Inquire Into Child Abuse (CICA)	6	See Note 1
Education Finance Board (EFB)	9	Not Applicable
FÁS	11	Chairperson: €20,520 Member: €11,790
Further Education and Training Awards Council (FETAC)	17	Not Applicable
Grangegorman Development Agency	15	Chairperson: €8,978
Higher Education and Training Awards Council (HETAC)	15	Not Applicable
Higher Education Authority (HEA)	19	Chairperson: €11,970 Member: €7,695
Irish Research Council for Science, Engineering & Technology	12	Not Applicable
Irish Research Council for the Humanities & Social Sciences	15	Not Applicable
Léargas — The Exchange Bureau	9	Not Applicable
National Centre for Guidance in Education (NCGE)	11	Not Applicable
National Council for Curriculum and Assessment (NCCA)	25	Not Applicable

Agency Name	Total Board Members (including Vacancies)	Fees Paid (2011)
National Council for Special Education (NCSE)	13	Not Applicable
National Qualifications Authority of Ireland (NQAI)	14	Not Applicable
Residential Institutions Redress Board (RIRB)	11	See Note 2
Residential Institutions Review Committee (RIRC)	7	See Note 2
Skillnets Ltd	13	Chairperson: €8,978 Member: €5,985
State Examinations Commission (SEC)	5	Chairperson: €11,970 Member: €7,695
The Teaching Council	37	Not Applicable

Note 1: The Chairperson of the CICA is a member of the judiciary who is not paid by the CICA. The ordinary members of the Commission, who were all salaried, are not currently on the payroll.

Note 2: The Chairperson of the RIRB is a member of the judiciary who is not paid by the RIRB. The Chairperson of the RIRC is paid an annual salary for a Supreme Court judge subject to abatement to take account of his pension.

The other board members of both the RIRB and the RIRC are paid a per diem rate and pension abatement applies in the case of members receiving a pension from the State. The per diem rate from 1st January 2011 is €668 per day.

Departmental Contracts

260. **Deputy Tom Fleming** asked the Minister for Public Expenditure and Reform if his attention has been drawn to the fact that a number of contractors who were awarded Government contracts did not pay or only part paid moneys owed to subcontractors for works carried out; and if he will make a statement on the matter. [41174/11]

261. **Deputy Tom Fleming** asked the Minister for Public Expenditure and Reform the action he will take to address the fact that a number of contractors who were awarded Government contracts did not pay or only part paid moneys owed to subcontractors for works carried out; and if he will make a statement on the matter. [41175/11]

262. **Deputy Tom Fleming** asked the Minister for Public Expenditure and Reform the number of complaints received in 2009, 2010 and 2011 in relation to a number of contractors who were awarded Government contracts and did not pay or only part paid moneys owed to subcontractors for works carried out; the total amount of moneys involved; and if he will make a statement on the matter. [41176/11]

263. **Deputy Tom Fleming** asked the Minister for Public Expenditure and Reform if he will assist subcontractors who now find themselves out of pocket due to the fact that a number of contractors who were awarded Government contracts did not pay or only part paid moneys owed to them for works carried out; and if he will make a statement on the matter. [41177/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I propose to take Questions Nos. 260 to 263, inclusive, together.

Under a public works contract the contractual relationship is between the public body and the main contractor. A public body has no contractual ties with a subcontractor engaged by a main contractor. Any contractual relationship is exclusively a matter between the main contractor and its sub-contractor. Most private sector construction contracts operate in the same manner.

[Deputy Brendan Howlin.]

I am conscious of the difficulties being experienced by sub-contractors in this current economic climate. However the Deputy may be aware that the Programme for Government contains a commitment to introduce new legislation to protect small building subcontractors that have been denied payments from bigger companies. In this regard, my colleague Minister of State Mr Brian Hayes has been working with Senator Quinn to develop the Construction Contracts Bill, which is now before the Dáil, into a robust piece of legislation.

The main purpose of the Bill is to help address the issue of non-payment to construction sector subcontractors who have satisfactorily completed work on construction projects. Minister Hayes is now examining the Bill and will decide how best to proceed. It is important that a solution to the problem of non-payment must not place an unnecessary regulatory or cost burden on the parties to the dispute, other parties involved in the project, or the State.

Oireachtas Officeholders' Remuneration

264. **Deputy Pearse Doherty** asked the Minister for Public Expenditure and Reform the Oireachtas office holders who took a voluntary pay cut in March 2011; the value of these pay cuts and the salaries paid after the reduction; and if he will make a statement on the matter. [41240/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): Pay reductions for 2 Oireachtas Office holders were implemented on a voluntary basis with effect from 10 March 2011 by the Houses of the Oireachtas Commission. Legislation to implement pay reductions for Office holders was enacted in December 2011 effective from 1 January 2012 under the Financial Emergency Measures in the Public Interest (Amendment) Act, 2011 and provides for reductions in remuneration for Oireachtas Office holders, including the President, as follows:

	Former Rate	Revised Rate
President	€325,507	€249,014
Ceann Comhairle	€191,417	€169,275
Leas-Cheann Comhairle	€139,266	€130,042

The remuneration of the current President is protected under the Constitution by virtue of Article 12.11.3 which provides that the emoluments and allowances of the President shall not be reduced while in Office. However, the current President has voluntarily waived sums due in respect of his entitlements under the legislation.

Flood Relief

265. **Deputy Terence Flanagan** asked the Minister for Public Expenditure and Reform the position regarding a flood defence wall (details supplied); and if he will make a statement on the matter. [41381/11]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes): The area concerned was assessed under the Fingal — East Meath Catchment Flood Risk Assessment and Management (CFRAM) Study which is ongoing. As part of the Study process, a draft Flood Risk Management Plan was published in October, 2011 which is currently out to public consultation until 30th January, 2012.

The draft plan identifies a preferred option to address the flood risk at Strand Road, Portmarnock, which proposes the strengthening and raising of existing coastal defences at this location, together with the construction of a flood defence embankment on the Sluice River.

The outcome of the study process will determine the measures to be implemented to address flood risk at the location concerned. An application submitted by Fingal County Council under the Minor Works Scheme for funding for works at Golf Links Road will be considered in this context, and having due regard to the availability of resources for flood risk management and any relevant environmental concerns.

Oireachtas Members' Remuneration

266. **Deputy Brendan Ryan** asked the Minister for Public Expenditure and Reform the number of members of the 31st Dáil and 24th Seanad that have requested, through the Department of Finance, to receive only the average industrial wage; and if he will make a statement on the matter. [41387/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): No members of the current Oireachtas have made a request through my Department to reduce their remuneration to that of the average industrial wage.

Flood Relief

267. **Deputy Tom Fleming** asked the Minister for Public Expenditure and Reform if funding will be made available for coastal protection works at Rossbeigh Beach, County Kerry in 2012; and if he will make a statement on the matter. [41470/11]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes): The Office of Public Works (OPW) is currently reviewing the eligibility criteria for coastal protection works under the Minor Works Scheme. As a result, no decision has been made to date in relation to the application for funding in relation to Rossbeigh Beach.

On completion of the review process, the OPW will be in a position to assess and adjudicate on the application.

Departmental Properties

268. **Deputy John O'Mahony** asked the Minister for Public Expenditure and Reform when a development committee (details supplied) in County Mayo will receive their deeds of title; and if he will make a statement on the matter. [1124/12]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes): The Commissioners of Public Works on behalf of the Minister for Public Expenditure and Reform are responsible for the management of property under Sections 28, 29, 30 and 31 of the State Property Act.

Under the Act, when companies are dissolved either voluntarily or as a result of being struck off the Companies Register, the assets of the company become vested in the Minister for Public Expenditure and Reform. The Minister may, following advice from the Commissioners of Public Works and the Chief State Solicitor, waive his interest in these assets under Section 28 of the Act.

In this particular instance the applicant has requested that the Minister waive his interest in Barnacarroll & Cuiltibo Enterprises Ltd. In this regard the Chief State Solicitor is in correspondence with the applicant's solicitor.

Departmental Contracts

269. **Deputy Noel Grealish** asked the Minister for Public Expenditure and Reform the value a contract must be before the contract has to go to public tender; the value contracts, particularly small civil engineering works contracts, that can be awarded by local authorities without going to public tender; and if he will make a statement on the matter. [1132/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): It is a core principle of Government policy that a competitive process should always be used in the award of public works contracts. The advertising requirements for public works contracts are determined by the value of the contract under national guidelines and EU Directives.

All public works contracts above 50,000 euro must be advertised on the national public procurement website *www.etenders.gov.ie* (eTenders). EU rules require that public works contracts above 5 euro million must also be advertised on the Official Journal of the EU. In relation to public works projects below 50,000 euro the EU Treaty principles of transparency and non-discrimination still need to be satisfied and contracting authorities are encouraged to advertise public works contracts below this value where the response would not be disproportionate to the contract value. Where a contracting authority does not advertise for projects below 50,000 euro, at least five firms should be invited to tender.

National Monuments

270. **Deputy Seán Kyne** asked the Minister for Public Expenditure and Reform if there are any plans to alter the opening hours of the visitor centre located on Dun Aonghasa which is under the remit of the Office of Public Works on Inis Mór in view of the importance of the visitor centre in ensuring visitor safety and in enhancing overall visitor experience to the heritage site. [1259/12]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes): Dún Aonghusa Visitor Centre is open to visitors daily on a year round basis. The Visitor Centre is currently operating on a six day week due to staff shortages. The Centre will return to a seven day opening when staff resources allow. The site itself is freely accessible to visitors at all times.

Any plans to alter the opening hours of the Visitor Centre are reviewed annually in light of visitor numbers to the site and budgetary constraints.

Semi-State Bodies

271. **Deputy Michael Healy-Rae** asked the Minister for Public Expenditure and Reform the semi-State companies or their services which he has identified or considered suitable for a strategic alliance with another company; and if he will make a statement on the matter. [1293/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): As the Deputy may be aware, the NewERA unit was established within the National Treasury Management Agency in July 2011 to reform the manner in which Government manages the commercial semi-State companies. NewERA will initially undertake the corporate governance function, from a shareholder perspective and reporting to relevant ministers, of ESB, Bord Gáis Éireann, EirGrid, Bord na Móna and Coillte. NewERA's role is also to advise on, and if appropriate, oversee any restructuring of these companies, including along the lines suggested in the Deputy's question. At this early stage, no specific proposals have arisen.

Public Sector Remuneration

272. **Deputy Joanna Tuffy** asked the Minister for Public Expenditure and Reform the gross pay of a public servant on €40,000 after the pension levy has been deducted; the gross pay of a public servant on €50,000 after the pension levy has been deducted; the gross pay of a public servant on €60,000 after the pension levy has been deducted; and if he will make a statement on the matter. [1330/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The Pension-Related Deduction (PRD) was introduced with effect from 1 March 2009 via the Financial Emergency Measures in the Public Interest Act 2009. The Act was introduced in the context of the priority to be given to the stabilization of the public finances. The Act provided that savings accruing be remitted to the benefit of the Exchequer.

The PRD rates and bands are:

- First €15,000 of earnings — exempt
- Between €15,000 and €20,000 — 5%
- Between €20,000 and €60,000 — 10%
- Above €60,000 — 10.5%

The PRD liability on a gross salary of €40,000, €50,000 and €60,000 are:

Salary	PRD	Salary post PRD reduction
€40,000	€2,250	€37,750
€50,000	€3,250	€46,750
€60,000	€4,250	€55,750

Of course a public servant's remuneration is also subject to other statutory reductions such as income tax, PRSI, pension contributions and the universal social charge.

Exchequer Statements

273. **Deputy Michael McGrath** asked the Minister for Public Expenditure and Reform if he has given consideration to producing the monthly Exchequer statements on a gross expenditure basis rather than the current method which is net of appropriations as a means of improving transparency and comparability; and if he will make a statement on the matter. [1514/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The monthly Exchequer Statement presents the cumulative receipts into and issues from the Exchequer Account for the year to date. The expenditure issues for voted expenditure are based on the estimated requirements of Departments and Offices from the Supply Account of the Paymaster General and are net of appropriations-in-aid and thus funded on a net basis from the Exchequer Account. These figures represent the cost of supply services, the ordinary services of Government Departments and Offices in respect of which the Dáil votes money annually.

Gross expenditure, as presented in Budget and Revised Estimates Volume, includes all expenditure by Departments, the Social Insurance Fund and the National Training Fund. As non-Exchequer Funds are included in the calculation of gross expenditure, it would not be appropriate to include them in the presentation of the Exchequer Statement.

[Deputy Brendan Howlin.]

However, I take on board the general point raised by the Deputy and will examine the possibility of separately publishing the monthly expenditure returns figures, which are submitted by Departments on a gross and net basis.

Public Sector Remuneration

274. **Deputy Alan Farrell** asked the Minister for Public Expenditure and Reform the reasons he does not collate complete data on increments across the public service; and if he will make a statement on the matter. [40820/11]

288. **Deputy Simon Harris** asked the Minister for Public Expenditure and Reform the costs of public sector pay increments for 2012; the projected cost for each of the years 2013, 2014 and 2015; and if he will make a statement on the matter. [1075/12]

289. **Deputy Simon Harris** asked the Minister for Public Expenditure and Reform the number of persons on a salary in excess of €50,000 per year who are due to receive a pay increment this year; the number on a salary above €60,000 per year; the number on a salary above €70,000 per year; the cost of pay increments for each of these salary levels; and if he will make a statement on the matter. [1076/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I propose to take Questions Nos. 274, 288 and 289 together.

No specific financial provision is made to public service bodies in respect of increments as they are required to meet the cost within their overall pay allocations. Accordingly, as it is a matter for each public service body to manage the cost of increments on an individual basis within their individual pay allocations, details were not sought previously for expenditure planning purposes, nor is the detailed data sought by the Deputy in relation to cost of increments across pay ranges in the public service available. As the Deputy may be aware, the availability of specific data on increments varies across public service bodies. For example, detailed data on the cost of increments in the Local Authority sector is not currently available to the Department of the Environment, Community and Local Government as it covers 34 individual local authorities.

Significantly reduced recruitment, the ongoing substantial fall in numbers of public servants, and higher numbers reaching the maxima of scales has reduced the cost of increments. Based on more detailed information recently requested by my Department on the total cost of increments in a full year in the various sectors, the estimated full year cost of increments in the public service (excluding the Local Authority sector) is now estimated at no more than 180 million euro per annum and less than half that sum in 2012. This cost will continue to fall over the coming years.

Pension Provisions

275. **Deputy Gerald Nash** asked the Minister for Public Expenditure and Reform the total amount of pension lump sums paid to retiring public servants and included in the public pay and pensions bill in the years 2006, 2007, 2008, 2009 and 2010. [40823/11]

276. **Deputy Gerald Nash** asked the Minister for Public Expenditure and Reform the estimated total amount of pension lump sums paid or payable to retiring public servants and included in the public pay and pensions bill in the year 2011. [40824/11]

277. **Deputy Gerald Nash** asked the Minister for Public Expenditure and Reform the estimated total amount of pension lump sums payable to retiring public servants and included in the public pay and pensions bill in the year 2012. [40825/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I propose to take Questions Nos. 275 to 277, inclusive, together.

The provisional outturn data for lump sums for 2011 is €600 million and the initial estimate of cost for 2012 is just over €600 million. Lump sum payments account for approximately 20% of the total pensions bill for these years. Data for earlier years is not available centrally. The cost of lump sums and the figures for Civil Service pensioners for the period 2006-2012 are in the table.

Year (Outturn)	Lump Sums Total from Superannuation and Retired Allowances Vote €m
2006	€46.662m
2007	€56.693m
2008	€52.565m
2009	€104.711m
2010	€92.029m
2011 (Provisional Outturn)	€84.435m
2012 (Preliminary Estimate)	€115.850m

Oireachtas Allowances

278. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform if he will provide the annual allowances provided to Oireachtas committee chairpersons, vice-chairpersons and whip of all Oireachtas committees, and to all chairpersons of sub-committees in tabular form. [40859/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): Provision is made for the payment of an annual allowance of 9,500 euro to the chairpersons of each of fourteen Oireachtas Committees and an annual allowance of 3,100 euro to a chairperson of one further committee. The Committees are listed in the Oireachtas (Allowances) (Chairpersons of Oireachtas Committees) Order 2011, Statutory Instrument No. 530 of 2011. The Government has made no provision under the legislation for the payment of allowances to vice-chairpersons and whips of Oireachtas committees or to the chairpersons of sub-committees.

Voluntary Redundancy Schemes

279. **Deputy Brian Walsh** asked the Minister for Public Expenditure and Reform if he has any plans to consider the introduction of a voluntary redundancy scheme at the Office of Public Works as part of the initiative to reduce the number of workers within the public service. [40860/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): There are no plans at this time for a voluntary redundancy scheme at the Office of Public Works.

Departmental Properties

280. **Deputy Peadar Tóibín** asked the Minister for Public Expenditure and Reform, further to Parliamentary Question No. 29 of 7 December 2011 regarding unallocated offices, if he will

[Deputy Peadar Tóibín.]

identify the start and end date agreed for each of the leases; and the cost of any penalties incurred from the surrender of the relevant leases. [40940/11]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes): Further to my reply to Parliamentary Question No. 29 of 7 December 2011, the Office of Public Works (OPW) will be surrendering the leases on Westward Town Centre and the Irish Life Centre in 2012. No surrender penalties arise with regard to these leases.

OPW advises, having regard to the management and ongoing rationalisation of the lease portfolio, particular dates pertinent to leases including expiry dates and lease break dates are considered commercially sensitive and thereby specific date information is not released.

Local Loans Fund

281. **Deputy Peter Mathews** asked the Minister for Public Expenditure and Reform, further to parliamentary Question No. 178 of 13 December 2011, if the Exchequer funded the local loans fund through the use of 30 year bonds and, if not, his views on this Deputy's calculations (details supplied) showing that the local loans fund is making a large profit from local authorities; and if he will make a statement on the matter. [40952/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The Local Loans Fund was created as a mechanism to provide loans to local authorities for various purposes including on-lending to individual house purchasers under the Small Dwellings Acts. Funds were made available to the Local Loans Fund from general Exchequer sources, which would include general Exchequer borrowing. There is no direct link between particular Government bonds and long term loans made available to local authorities by the Exchequer.

In 1982, the interest rate for loans provided from the Local Loans Fund to local authorities for on-lending to individuals under the Small Dwellings Acts was fixed at 12% for the life of the loan. Since 1989, individuals who have mortgages from local authorities have been permitted to redeem their loans early without penalty. This has allowed individuals to freely exit from local authority mortgages, thus giving them the opportunity to access any other funding options available.

Local authorities are permitted, in turn, to redeem without penalty Local Loans Fund loans of matching amounts and at matching interest rates to the individual loans redeemed.

The Local Loans Fund is no longer used as a mechanism to provide loans to local authorities. Other funding arrangements have been put in place. All repayments by local authorities to the Local Loans Fund flow into the Exchequer.

Departmental Expenditure

282. **Deputy Tom Hayes** asked the Minister for Public Expenditure and Reform the amount that Seanad Éireann costs the Exchequer, that is the amount the State can expect to save if the Seanad were to be abolished; and if he will make a statement on the matter. [40998/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I am informed by the Houses of the Oireachtas Commission that the direct costs of the Seanad (Senators' pay and allowances, senators' staff pay, and pay of the Seanad Office officials) come to approximately 9.2 million euro in 2012. In addition to these costs, account has to be taken of the shared indirect costs of the Oireachtas which support the Seanad (such as broadcasting, printing, translation, utilities, the relevant portion of the Houses of the Oireachtas Service staff, admini-

stration costs, pensions, travel, etc). In total, both the direct and indirect costs of the Seanad are estimated by the Commission to amount to approximately 21 million euro in 2012.

283. **Deputy Clare Daly** asked the Minister for Public Expenditure and Reform the amount being spent on the leasing of car parking for persons working in Leinster House; if he will provide a breakdown of the numbers involved; and the area of work in which they are involved [41023/11]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes): The Commissioners of Public Works have provided 254 parking spaces to the Houses of the Oireachtas, of these, 43 are leased at an annual cost, rounded, of €146,000. The allocation of these spaces to individuals working in any of the buildings occupied by the Oireachtas is a matter for the Houses of the Oireachtas Commission.

Pension Provisions

284. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform his plans to award added years and a special severance gratuity payment to the current Secretary General of the Department of Finance, Mr. Kevin Cardiff, on his retirement. [41204/11]

293. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform the pension arrangements for Mr Kevin Cardiff, current Secretary General of the Department of Finance, when he takes up his position in the European Court of Auditors; if he will be awarded added years and-or a special severance gratuity payment on retirement from the Department of Finance; and if not will the awarding of a special severance gratuity payment and or added years be deferred to his retirement from the European Court of Auditors. [1206/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I propose to take Questions Nos. 284 and 293 together.

TLAC retirement terms do not apply where the Secretary General has been appointed to an appropriate position elsewhere in the Civil Service or in another area of the Public Service, or is nominated to a post in an international institution. Given the Secretary General's appointment to the Court of Auditors, no enhanced superannuation terms will apply to him in regard to his Civil Service benefits. The Secretary General will be entitled to a preserved Civil Service pension at 60 years of age.

Ministerial Staff

285. **Deputy Catherine Murphy** asked the Minister for Public Expenditure and Reform the names and salaries of each person serving as a special adviser and-or the names and salaries of each person directly appointed by him or a Minister of State to any other position within his Department or predecessors Department on each of the following dates; 1 December 2009, 1 December 2010 and 1 December 2011; and if he will make a statement on the matter. [41353/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): As legislation was enacted in July 2011 to establish my Department, I am not in a position to provide relevant details for the period prior to then. Since my appointment as Minister for Public Expenditure and Reform on 9 March 2011 the following staff members have been appointed as Special Advisers:

[Deputy Brendan Howlin.]

Name	Title	Salary (per annum)	Duties
Anne Byrne	Special Adviser	€83,337	Any duties which may be assigned to her from time to time as appropriate to the position of Special Adviser as set out in Section 11 of the Public Service Management Act 1997.
Ronan O'Brien	Special Adviser	€114,000	Any duties which may be assigned to him from time to time as appropriate to the position of Special Adviser as set out in Section 11 of the Public Service Management Act 1997.

Since my appointment as Minister for Public Expenditure and Reform on 9 March 2011, the following staff have been appointed to my constituency office:

Grade	Salary Scale (per annum)	Wholetime Equivalent
Personal Secretary	23,820 euro — 47,755 euro	1.00
Personal Assistant	43,715 euro — 56,060 euro	1.00

Departmental Staff

286. **Deputy Denis Naughten** asked the Minister for Public Expenditure and Reform if he runs a graduate internship programme; and if he will make a statement on the matter. [41368/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The Government announced a new National Internship Scheme as part of its Jobs Initiative programme, which was published on 10 May 2011.

The National Internship Scheme, known as JobBridge, provides at any one time up to 5,000 work experience placements of 6 or 9 months for unemployed individuals in organisations in the private, public and voluntary sectors.

It is a time-limited scheme for a maximum of 2 years and participants on the National Internship Scheme receive, through the Department of Social Protection, a single allowance (Internship Allowance) consisting of €50 per week on top of their equivalent existing social welfare entitlements. No employer top up contributions are allowed.

In my Department, two placements (Research Assistant and Legal Assistant) have been advertised on the JobBridge website and my colleagues are currently examining the applications.

Pension Provisions

287. **Deputy Michael McGrath** asked the Minister for Public Expenditure and Reform if section 51 of the Public Service Pensions (Single Scheme) and Remuneration Bill 2011, as presently drafted, will have implications for current public service pensioners who may also be currently employed by a public service body; and if he will make a statement on the matter. [41427/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): Section 51 of the Bill, as is made clear by the title of Chapter 4 of the Bill in which it appears, applies to all public service pension schemes. The section provides for abatement and for a public service-

wide 'cap' of forty years pensionable service. These are standard public service pension provisions in individual schemes but may not, at present, always consistently apply on an aggregate basis with respect to different public service schemes. The provision will address this aspect.

Abatement means that where a pension is payable by a public service body to a public service pensioner and the pensioner receives subsequent remuneration from any public service body, then during this time no more of the pension shall be paid than so much as, with that remuneration, equals the pensionable remuneration which the pensioner would have received if he or she had continued working in the position which he or she served in the public service. The Minister may waive the abatement provision if persons with particular training and experience are required for particular work in the public service body concerned and it is not practicable to meet that requirement otherwise than by the employment of the pensioner.

The 'forty year rule' will, in future, be applied in calculating all pensions or lump sums payable under any public service schemes. This will provide a cap on the qualifying pensionable service across the public service, subject to a person who has already accrued more than 40 years service in different public service schemes keeping what they had at the time the Act is passed.

Questions Nos. 288 and 289 answered with Question No. 274.

Public Service Recruitment

290. **Deputy Simon Harris** asked the Minister for Public Expenditure and Reform the criteria he will apply when deciding on the areas in the public sector to undertake recruitment in 2012; and if he will make a statement on the matter. [1077/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The criteria for recruitment of staff to the public service are determined in the context of the Government's budgetary and policy framework. While the primary focus of public service numbers policy will remain the reduction in the public service pay bill, there must also be an opportunity for selective recruitment in the coming years to reinforce the upskilling and reforming of the public service. It will be important that longer term workforce planning needs are also addressed with (initially very small scale) recruitment of staff at various levels across the different parts of the public service. In general it will be a matter for local and departmental management to identify emerging skills gaps whether arising from staff turnover or from changes in the external environment which require new responses and new skill sets. In relation to the civil service, the sector for which I have specific responsibility, my Department is currently working in conjunction with Departments and Offices on the development of a Workforce Planning Framework for the civil service. On the basis of this overarching framework each Department/Office will be required to adapt the framework to its individual requirements and devise a Workforce Action Plan for its organisation. The target is that Workforce Action Plans should be progressed by all Departments/Offices by June 2012.

In addition sectoral workforce planning groups have been tasked with addressing emerging workforce planning issues in the Health, Education, Local Authority, Justice and Defence sectors. Given that current and emerging business pressures, as well as staff turnover rates, will vary sectorally the precise recruitment criteria that will apply will necessarily have to be adjusted from sector to sector. However the overall context will remain to reduce the costs of the public service while maintaining more focused levels of service to the public.

Garda Stations

291. **Deputy Seán Kenny** asked the Minister for Public Expenditure and Reform if he will

[Deputy Seán Kenny.]

allocate funding for the refurbishment of a Garda station (details supplied) in Dublin 5; and if he will make a statement on the matter. [1094/12]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes): The Commissioners of Public Works have awarded a contract for the full refurbishment of the cell block at this Station to bring it up to modern standards and works are scheduled to be completed by the end of February 2012.

The Commissioners of Public Works undertake refurbishment works at Garda Stations when requested by An Garda Síochana, subject to available funds. Coolock Garda station has not been prioritised or identified for refurbishment works by An Garda Síochana, other than as above.

Departmental Offices

292. **Deputy Dara Calleary** asked the Minister for Public Expenditure and Reform his view that he or any agency funded by him who own properties in office complexes in which a management company is in place, should take an active role in the running of such management companies including the appointment of a nominee to the board of the company in order to protect the investment of taxpayers' money. [1158/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): In response to the Deputy's question, The Office of Public Works is the property manager for the civil service.

The Office Public Works have informed me that while it would be normal practice to have a management company involved in the maintenance/management of facilities such as apartment blocks, the position in multi occupancy commercial office buildings is different. If the OPW, or any other tenant, takes a lease in such an office building, the responsibilities of both the landlord and the tenant are clearly set out in the lease.

Service charges are paid in respect of the maintenance of common areas, cleaning, etc., and these are also set out in the lease. The lease is the legal contract between the tenant and the landlord and the rights and responsibilities of both parties are clearly set out in the lease. There are clearly defined and understood remedies for both parties in the event of a breach of any lease covenant by either party. In OPW's experience, it would be most unusual to have a management company involved in a multi occupancy office building.

Question No. 293 answered with Question No. 284.

Freedom of Information

294. **Deputy Seán Kyne** asked the Minister for Public Expenditure and Reform if he will report on the progress to reverse the restrictive amendments placed, in 2003, on the Freedom of Information Act. [1267/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): My Department is at an advanced stage in the preparation of the General Scheme of a Bill to give effect to the commitments in the Programme for Government in relation to Freedom of Information. Subject to Government approval I expect to be in a position to introduce the necessary legislative measures to give effect to these commitments over the first half of the year.

Public Service Remuneration

295. **Deputy Joanna Tuffy** asked the Minister for Public Expenditure and Reform the number

of public servants who earn amounts (details supplied); and if he will make a statement on the matter. [1329/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): Contemporary data on earnings for public servants is not available to my Department. The closest data currently available within the Department to that sought by the Deputy relates to salary ranges. The estimated breakdown of employee numbers on a whole time equivalent basis (based on a whole time equivalent figure of 300,000) by salary range within the public service (excluding Commercial State Companies) in 2011 is set out in the Table below:

Pay Parameters	Numbers
€0—€20,000	19,442
€20,001—€30,000	26,749
€30,001—€40,000	66,504
€40,001—€50,000	68,935
€50,001—€60,000	44,019
€60,001—€70,000	30,315
€70,001—€80,000	22,285
€80,001—€90,000	10,814
€90,001—€100,000	4,146
€100,001—€125,000	3,043
€125,001—€150,000	1,212
Over €150,000	2,536
Total	300,000

The above salary figures include the reduction imposed on the remuneration rates of public servants under the Financial Emergency Measures in the Public Interest (No 2) Act 2009 effective from 1 January 2010. However, the salary ranges exclude the impact on gross salaries of the Financial Emergency Measures in the Public Interest Act 2009 which imposed a pension related deduction on the salary of public servants of an average of some 7% effective from March 2009.

From the information available to my Department there are (i) seven posts in the public service where current incumbents currently have approved annual salary rates in excess of €250,000 and (ii) eleven posts in Commercial State Companies where current incumbents have annual salary rates in excess of €250,000 — with the salary of the Chief Executive Officer of An Post attracting the highest salary of €386,204.

However, it should be noted that the above figures are not reflective of any voluntary arrangement that the individuals concerned may have entered into following the Government decision in June 2011 to seek voluntary waivers of salary of 15%, or by a lesser amount if the application of the full 15% reduction would bring the salary levels of such individuals to below the pay ceiling of €200,000 p.a. across the public service and of €250,000 within Commercial State Companies.

Finally, my colleague the Minister for Finance has outlined the remuneration rates in respect of the Central Bank and the National Treasury Management Agency (NTMA) in his replies to Question Nos. 17682/11, 17686/11, 17690/11 and 17691/11, and to Nos. 1768/11, 17685/11, 1788/11 and 17692/11 on 29 June last. I am currently in correspondence with the Minister for Finance, concerning the pay arrangements in those bodies, including in relation to greater transparency with regard to remuneration.

Departmental Agencies

296. **Deputy Maureen O’Sullivan** asked the Minister for Public Expenditure and Reform the number of State agencies currently financed by the Exchequer; the number of board members attending each State agency; the expenses issued for each meeting; if any review of the membership of board members is to be taken in order to monitor attendance levels or lack of attendance by any member; and if he will make a statement on the matter; and if he will make a statement on the matter. [2054/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): In relation to my Department the only State agency is An Post National Lottery. This is a Commercial Semi State Body and as such is not financed by the Exchequer. The office of the Ombudsman, State Laboratory, Public Appointments Service, the Office of Public Works, the Valuation Office and the Commission for Public Service Agency have their own individual voted expenditure and are not considered as State agencies.

Departmental Reports

297. **Deputy Maureen O’Sullivan** asked the Minister for Jobs, Enterprise and Innovation his views on the findings of the Deloitte report regarding a case (details supplied); if he will ask Deloitte to repay the family’s fees; and if he will make a statement on the matter. [41095/11]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The Deputy’s correspondent made allegations against Enterprise Ireland and its predecessor organisations (Forbairt / Industrial Development Authority). The matter was considered by Enterprise Ireland in the past and the Agency was satisfied that there was no impropriety. Nonetheless, in light of the continuing concerns expressed by the Deputy’s correspondent, my Department asked Enterprise Ireland to investigate the matter further in October 2010. The Deputy’s correspondent also brought the matter in question to the Public Accounts Committee in November, 2010. Following a tendering process, Enterprise Ireland engaged a firm of consultants (Deloitte) to investigate the allegations. Seven areas of complaint were investigated independently. The Report was completed in May 2011, at a cost to Enterprise Ireland of €10,527. The Report found that the evidence put forward by the correspondent did not support the allegations.

The Board of Enterprise Ireland considered the matter at its meeting on 14th September, 2011, and a copy of the Deloitte Report was forwarded to the Public Accounts Committee, by my Department, for its consideration.

While Mr Russell has reiterated his allegations and does not accept the findings of the independent report, he has not provided any new information. In the circumstances, my Department does not intend to take further action.

Departmental Statistics

298. **Deputy Billy Timmins** asked the Minister for Jobs, Enterprise and Innovation the balance of trade between the Republic of Ireland and its top 100 trading countries for 2010 and 2011 in order of financial importance; and if he will make a statement on the matter. [1273/12]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): Trade data for the full year 2011 is not yet available from the Central Statistics Office. For the calendar year 2010, Ireland’s total exports (Merchandise and Services) totalled €163.03bn and total imports totalled €126.70bn, giving an overall surplus of €36.33bn, the highest annual figure on record.

The requested data in respect of 2010 is set out in the table below, with the top 100 countries ranked in order of our total trade (exports plus imports) and showing the relevant surplus (or deficit) in each case. NB. Country-specific Services trade data in respect of some countries is suppressed by the CSO, on confidentiality grounds and these cases are marked with an *. Relevant totals in those cases are, accordingly, incomplete.

[Deputy Richard Bruton.]

Ranking in order of Total Trade	Country	Merchandise Exports 2010 (€m)	Services Exports 2010 (€m)	Total Exports 2010 (€m)	Merchandise Imports 2010 (€m)	Services Imports 2010 (€m)	Total Imports 2010 (€m)	Total Trade (Merchandise & Services) 2010 (€m)	Total Trade Balance 2010 (€m)
1	USA	20,763.79	5,234.00	25,997.79	6,426.62	24,644.00	31,070.62	57,068.41	-5,072.83
2	Great Britain & NI	13,799.51	14,395.00	28,194.51	14,718.63	10,466.00	25,184.63	53,379.13	3,009.88
3	Germany	6,353.26	7,760.00	14,113.26	3,497.18	3,482.00	6,979.18	21,092.44	7,134.08
4	Netherlands	3,091.87	3,422.00	6,513.87	2,218.00	10,243.00	12,461.00	18,974.86	-5,947.13
5	Belgium	13,509.67	1,342.00	14,851.67	1,083.78	1,123.00	2,206.78	17,058.45	12,644.89
6	France	4,483.08	5,109.00	9,592.08	1,841.63	3,364.00	5,205.63	14,797.72	4,386.45
7	Italy	2,707.94	4,204.00	6,911.94	779.25	2,335.00	3,114.25	10,026.19	3,797.70
8	Spain	3,358.49	2,350.00	5,708.49	665.87	1,834.00	2,499.87	8,208.36	3,208.62
9	Switzerland	3,557.24	1,752.00	5,309.24	846.71	1,575.00	2,421.71	7,730.95	2,887.54
10	Luxembourg	76.04	1,081.00	1,157.04	27.40	5,818.00	5,845.40	7,002.45	-4,688.36
11	China	1,672.30	1,790.00	3,462.30	2,523.62	302.00	2,825.62	6,287.92	636.68
12	Japan	1,754.16	1,323.00	3,077.16	796.70	615.00	1,411.70	4,488.85	1,665.46
13	Bermuda	0.49	960.00	960.49	0.034	3,131.00	3,131.03	4,091.52	-2,170.55
14	Norway	418.69	738.00	1,156.69	1,291.08	220.00	1,511.08	2,667.78	-354.39
15	Sweden	672.21	1,252.00	1,924.21	341.22	369.00	710.22	2,634.43	1,213.99
16	Denmark	414.11	805.00	1,219.11	778.70	301.00	1,079.70	2,298.81	139.41
17	Australia	775.30	941.00	1,716.30	118.92	405.00	523.92	2,240.22	1,192.39
18	Russia	372.83	1,300.00	1,672.83	159.74	196.00	355.74	2,028.57	1,317.09
19	Poland	591.99	702.00	1,293.99	319.85	275.00	594.85	1,888.84	699.14
20	Canada	570.69	555.00	1,125.69	241.78	494.00	735.78	1,861.47	389.91
21	Singapore	549.98	579.00	1,128.98	508.20	148.00	656.20	1,785.18	472.79
22	Portugal	424.38	570.00	994.38	99.21	452.00	551.21	1,545.60	443.17
23	India	161.69	788.00	949.69	301.14	113.00	414.14	1,363.83	535.55
24	Finland	290.70	683.00	973.70	190.11	176.00	366.11	1,339.81	607.59
25	Hong Kong	819.46	140.00	959.46	234.92	112.00	346.92	1,306.38	612.55

Ranking in order of Total Trade	Country	Merchandise Exports 2010 (€m)	Services Exports 2010 (€m)	Total Exports 2010 (€m)	Merchandise Imports 2010 (€m)	Services Imports 2010 (€m)	Total Imports 2010 (€m)	Total Trade (Merchandise & Services) 2010 (€m)	Total Trade Balance 2010 (€m)
26	Austria	311.72	497.00	808.72	165.38	315.00	480.38	1,289.10	328.34
27	South Africa	283.49	654.00	937.49	86.73	209.00	295.73	1,233.22	641.76
28	Turkey	429.89	374.00	803.89	256.05	156.00	412.05	1,215.94	391.84
29	UAE	269.84	514.00	783.84	109.51	179.00	288.51	1,072.35	495.32
30	Czech Republic	434.09	303.00	737.09	192.58	142.00	334.58	1,071.67	402.52
31	Hungary	162.29	490.00	652.29	201.95	90.00	291.95	944.24	360.34
32	Malaysia*	692.95	*	*692.95	205.25	*	* 205.25	* 898.20	* 487.70
33	South Korea	356.77	210.00	566.77	244.29	40.00	284.29	851.06	282.48
34	Mexico	466.39	64.00	530.39	231.25	27.00	258.25	788.64	272.15
35	Saudi Arabia	498.97	235.00	733.97	11.33	42.00	53.33	787.30	680.65
36	Israel	251.05	360.00	611.05	71.30	96.00	167.30	778.35	443.76
37	Taiwan	190.23	323.00	513.23	163.17	64.00	227.17	740.39	286.06
38	Greece	306.67	203.00	509.67	29.23	128.00	157.23	666.90	352.43
39	Brazil	259.56	180.00	439.56	166.35	49.00	215.35	654.91	224.20
40	Cayman Islands*	0.66	627.00	627.66	0.08	*	* 0.08	* 627.74	* 627.59
41	Egypt	117.96	361.00	478.96	30.96	55.00	85.96	564.92	393.00
42	Romania	251.59	144.00	395.59	106.55	36.00	142.55	538.15	253.04
43	Thailand	144.32	16.00	160.32	238.55	22.00	260.55	420.88	-100.23
44	Libya	38.77	13.00	51.77	340.08	0	340.08	391.84	-288.31
45	Philippines	213.97	89.00	302.97	29.82	16.00	45.82	348.79	257.16
46	Nigeria	205.82	71.00	276.82	0.39	21.00	21.39	298.22	255.43
47	Indonesia	55.91	129.00	184.91	66.92	11.00	77.92	262.83	106.99
48	New Zealand	72.88	93.00	165.88	44.12	19.00	63.12	229.00	102.76
49	Argentina	64.43	37.00	101.43	100.85	14.00	114.85	216.27	-13.42
50	Slovakia	59.03	84.00	143.03	50.84	20.00	70.84	213.88	72.19
51	Jersey	0	148.00	148.00	0	32.00	32.00	180.00	116.00
52	Maldives	0.07	102.00	102.07	0.25	75.00	75.25	177.32	26.83
53	Chile	39.16	72.00	111.16	55.36	9.00	64.36	175.52	46.80

Ranking in order of Total Trade	Country	Merchandise Exports 2010 (€m)	Services Exports 2010 (€m)	Total Exports 2010 (€m)	Merchandise Imports 2010 (€m)	Services Imports 2010 (€m)	Total Imports 2010 (€m)	Total Trade (Merchandise & Services) 2010 (€m)	Total Trade Balance 2010 (€m)
54	Cyprus*	31.19	*	* 31.19	3.37	125.00	128.37	* 159.56	*-97.19
55	Bulgaria	43.28	82.00	125.28	10.85	23.00	33.85	159.13	91.42
56	Latvia	41.31	61.00	102.31	25.24	10.00	35.24	137.54	67.07
57	Croatia	33.14	43.00	76.14	13.94	46.00	59.94	136.08	16.19
58	Morocco	64.92	44.00	108.92	16.77	10.00	26.77	135.69	82.16
59	Ukraine	29.35	77.00	106.35	4.77	22.00	26.77	133.12	79.58
60	Lithuania	31.56	44.00	75.56	42.43	10.00	52.43	127.99	23.13
61	Vietnam*	46.35	*	* 46.35	76.39	*	* 76.39	* 122.74	*-30.04
62	Kenya	15.19	79.00	94.19	13.67	14.00	27.67	121.86	66.52
63	Colombia	29.68	74.00	103.68	6.52	6.00	12.52	116.20	91.16
64	Bangladesh*	3.17	13.00	16.17	99.15	*	* 99.15	* 115.32	*-82.98
65	Costa Rica	56.44	0	56.44	56.43	0	56.43	112.86	0.01
66	Guinea	0.58	0	0.58	99.80	0	99.80	100.38	-99.22
67	Pakistan	21.95	34.00	55.95	41.71	2.00	43.71	99.66	12.24
68	Serbia	45.86	38.00	83.86	2.59	10.00	12.59	96.44	71.27
69	Lebanon*	58.03	36.00	94.03	1.22	*	* 1.22	* 95.26	* 92.81
70	Kazakhstan	21.13	61.00	82.13	0.12	10.00	10.12	92.25	72.01
71	Iran	81.75	0	81.75	5.19	0	5.19	86.94	76.56
72	Qatar	32.23	49.00	81.23	4.16	1.00	5.16	86.38	76.07
73	Barbados *	1.05	78.00	79.05	0.01	*	* 0.01	* 79.06	*79.04
74	Tunisia	11.27	27.00	38.27	20.88	13.00	33.88	72.15	4.38
75	Algeria *	56.85	12.00	68.85	2.86	*	* 2.86	*71.71	* 65.99
76	Bahrain	31.23	34.00	65.23	0.10	1.00	1.10	66.33	64.13
77	Kuwait*	63.45	*	* 63.45	0.51	0	0.51	* 63.96	* 62.94
78	Estonia	21.05	17.00	38.05	3.35	20.00	23.35	61.41	14.70
79	Slovenia*	47.09	*	* 47.09	12.99	*	* 12.99	* 60.09	* 34.10
80	Jordan*	59.27	*	* 59.27	0.66	*	* 0.66	* 59.92	*58.61
81	Sri Lanka	6.92	0	6.92	48.20	0	48.20	55.12	-41.28

Ranking in order of Total Trade	Country	Merchandise Exports 2010 (€m)	Services Exports 2010 (€m)	Total Exports 2010 (€m)	Merchandise Imports 2010 (€m)	Services Imports 2010 (€m)	Total Imports 2010 (€m)	Total Trade (Merchandise & Services) 2010 (€m)	Total Trade Balance 2010 (€m)
82	Iraq	47.43	0	47.43	0.10	0	0.10	47.52	47.33
83	Venezuela	46.21	0	46.21	1.21	0	1.21	47.42	45.00
84	Ghana	32.33	0	32.33	13.93	0	13.93	46.26	18.40
85	Oman	38.44	0	38.44	6.69	0	6.69	45.14	31.75
86	Malta*	30.29	*	* 30.29	11.10	*	* 11.10	*41.39	*19.19
87	Ethiopia	20.82	18.00	38.82	0.35	0	0.35	39.17	38.47
88	Guernsey	0	12.00	12.00	0	27.00	27.00	39.00	-15.00
89	Jamaica*	2.34	27.00	29.34	3.57	*	* 3.57	* 32.91	* 25.77
90	Senegal	31.19	0	31.19	0.08	0	0.08	31.27	31.12
91	El Salvador*	6.88	22.00	28.88	1.46	*	* 1.46	* 30.34	* 27.43
92	Syria	28.50	0	28.50	0.32	0	0.32	28.83	28.18
93	Congo (Dem Rep)	25.87	0	25.87	0.10	0	0.10	25.97	25.76
94	Iceland*	15.34	*	* 15.34	9.89	*	*9.89	* 25.23	* 5.45
95	Peru	15.50	0	15.50	9.67	0	9.67	25.17	5.84
96	Cameroon	16.58	0	16.58	8.08	0	8.08	24.67	8.50
97	Cambodia	3.56	0	3.56	18.12	0	18.12	21.68	-14.57
98	Panama	13.21	5.00	18.21	0.67	1.00	1.67	19.88	16.54
99	British Virgin Is*	0.16	19.00	19.16	0.02	*	* 0.02	* 19.18	* 19.14
100	Sudan	16.35	0	16.35	0.62	0	0.62	16.97	15.74

Industrial Development

299. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation the status each county has regarding grant funding for foreign direct investment; the amount and the type of supports that each county can provide; and when will he negotiate a change in current system as it pertains to each county. [40807/11]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The Regional Aid Guidelines govern the areas in which the enterprise and industrial development agencies in Member States may grant regional aid, more commonly known as investment aid. Under Ireland's current Regional Aid Map, regions covering 50% of the population are entitled to grant Regional Aid. The details of the support in terms of aid intensity for each county are available on my Departments website, and are also listed in the chart at the end of this answer.

Under the Regional Aid Map, the highest rates were afforded to the Border, Midlands and West (BMW) region. For the period of 2007 to the end of 2010, the region qualified for a rate of 30% for large firms; for medium and small firms the rates were 40% and 50% respectively.

In accordance with the Guidelines, a reduced rate of aid for the BMW region is applicable from 1 January 2011: 15% for large companies, 25% and 35% for medium and small firms respectively. The maximum aid rates for eligible regions within the Southern and Eastern Region remain at 10% for large companies, 20% and 30% for medium and small firms respectively.

No scope exists to renegotiate aid rates within the current Guidelines, which are due to expire on 31 December 2013.

To launch the work on the new Guidelines beyond 2013, the European Commission hosted a workshop for Member States in Brussels last March. The purpose of the workshop was to gather information on the operation of the current Guidelines and the experiences of Member States and to give Member States the opportunity to express preliminary views on the issues that should be reviewed in the future framework.

Following consultation with stakeholders, my Department made preliminary submissions to the Commission both in advance and after the workshop. In late December, the European Commission sent my Department its initial thoughts on 2014-2020 Regional Aid Guidelines. These will be discussed at a multilateral meeting of Member States and the Commission on 8-9 February. My Department will continue to liaise with the relevant stakeholders throughout the process with a view to ensuring that Ireland's strategic interests are fully represented at EU level and are reflected in the new Guidelines.

Regional Aid Map 2007-2013 — IRELAND (as reviewed by Commission Decision N130/2010 — Official Journal c 226/5 21.8.2010)

Border, Midlands and West Region

Period	Large Firms		Medium Firms		Small Firms	
	2007-2010	2011-2013	2007-2010	2011-'13	2007-'10	2011-'13
Aid Rate (Gross Grant Equivalent)	30%	15%	40%	25%	50%	35%

Southern & Eastern Region

Designated Areas	Large Firms 2007-2013	Medium Firms 2007-2013	Small Firms 2007-2013
<i>South East sub-Region</i> (Carlow, Kilkenny, Wexford, Waterford, South Tipperary) and designated islands ¹	10%	20%	30%
	2007-2008 2009-2013	2007-2013	2007-2013
<i>Mid West</i> (Clare, Limerick, North Tipperary ²) Kerry	10%	20%	30%

1 Bear, Cleire, Dursey, Heir, Long, Sherkin, Whiddy

2 As a result of Commission Decision N 130/2010, large investment aid and aid for investment projects with eligible expenditure exceeding EUR 25 million is once again permitted for these three counties. Prior to the decision, such aid had only been allowed up until the end of 2008.

Copyright Protection

300. **Deputy Charles Flanagan** asked the Minister for Jobs, Enterprise and Innovation if his attention has been drawn to the fact that Ireland has become a safe haven for the unrestricted and unlawful appropriation of copyright works, including digital versions of music, film, game software and books; the steps he will take to deal with the legislative deficiency; and if he will make a statement on the matter. [40811/11]

Minister of State at the Department of Jobs, Enterprise and Innovation (Deputy Sean Sherlock): I would point out that Ireland has a strong and robust regime for dealing with copyright infringements whether in the digital environment or otherwise. The Copyright and Related Rights Act 2000 provides a technology-neutral exclusive right for copyright owners to communicate their works through any mode. The Act also contains extensive provisions dealing with infringement of that right or others, whether civil or criminal.

The rights holder may proceed against those who infringe their copyright in a number of ways. For example, in the digital environment, it is an infringement for the person providing facilities (such as an internet service provider) not to remove infringing material when notified by the rights holder. Another remedy allows the rights holder to obtain the identities of alleged infringers, including those involved in illegal file-sharing, from an internet society service provider by means of judicial process. These can then be pursued in the same manner as any other infringers. It should also be borne in mind that the Copyright Act provides for secondary and contributory liability.

In relation to one of the remedies available to rights holders, a High Court judgment has held that, by reason of provisions of the Copyright and Related Rights Act 2000, an injunction is not available in cases of transient communications, and suggested that Ireland did not fully comply with EU law. For the avoidance of doubt, a legislative instrument is being finalised to restate the position that was considered to exist prior to this judgment.

In granting such injunctions the courts must take account of Court of Justice of the European Union judgements. These require that a fair balance be struck between the various fundamental rights protected by the Community legal order and the principle of proportionality. That would include, inter alia, the protection of the fundamental rights of individuals who are affected by such measures, the freedom to conduct a business enjoyed by operators such as Internet Service Providers, the protection of private data and right of freedom of expression and information.

[Deputy Sean Sherlock.]

It is expected that this measure will be introduced this month.

Job Creation

301. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation the number of Industrial Development Agency and Enterprise Ireland jobs that were provided and supported in each of the 26 counties for the past five years; the euro investment in each of the 26 counties by the IDA, Enterprise Ireland, the county enterprise boards and Science Foundation Ireland in the past five years; and the number of IDA client company visit that have been made in each county in the past three years. [40812/11]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): This is a day-to-day operational matter for the agencies and enterprise boards concerned and one in which I have no role or function. I have asked the relevant agencies and enterprise boards to respond directly to the Deputy.

Work Permits

302. **Deputy Jack Wall** asked the Minister for Jobs, Enterprise and Innovation if a person (details supplied) in County Kildare can renew their work permit based on the information attached; and if he will make a statement on the matter. [40930/11]

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 the Employment Permits Section has no record of a current employment permit in respect of the named individual and, in these circumstances, a renewal employment permit cannot be considered.

Furthermore, it is current Government policy to issue new employment permits only in respect of:

- highly skilled, highly paid positions or;
- non-EEA nationals who are already legally resident in the State on valid employment permits or;
- positions requiring specialist or scarce skills, expertise or qualifications which cannot be filled otherwise.

Enterprise Support Services

303. **Deputy Billy Timmins** asked the Minister for Jobs, Enterprise and Innovation the start-up finance available to a person (details supplied) in County Wicklow; and if he will make a statement on the matter. [40942/11]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): My Department does not provide direct funding or grants to businesses but provides funding to a number of State Agencies, including the County and City Enterprise Boards (CEBs) and Enterprise Ireland, through whom assistance is delivered directly to businesses. The CEB's unique role positions them as a first point of contact for persons wishing to set up in business.

I would advise the promoter to contact their most appropriate CEB in the first instance to discuss what options may be available to them and their proposed business venture. Contact details for individual CEBs can be obtained through their network website address *www.enterpriseboards.ie*

To be eligible for CEB grant support an enterprise must be in the commercial sphere, must demonstrate a market for the proposed product/service, must have a capacity for growth and new job creation and must not employ more than 10 people. CEBs can provide both financial and non-financial assistance to a project promoter. The forms of financial assistance, which are available, subject to certain restrictions and conditions, include Priming Grants, Business Expansion/Development Grants, and Feasibility/Innovation Study Grants. The CEBs give priority to enterprises in the manufacturing or internationally traded services sector and must always give consideration to any potential for deadweight and displacement arising from a proposed enterprise.

Whilst not all businesses will be eligible for financial assistance the CEBs also deliver a range of non-financial supports to improve management capability development within micro-enterprises designed to help new and existing enterprises to operate effectively and efficiently so as to last and grow.

Proposed Legislation

304. **Deputy Gerry Adams** asked the Minister for Jobs, Enterprise and Innovation if the draft statutory instrument he published in June 2011 to tackle the issue of digital piracy has been signed into law or when he plans to sign it into law; and if he will provide details of the consultation process which was undertaken. [40975/11]

307. **Deputy Patrick O'Donovan** asked the Minister for Jobs, Enterprise and Innovation his plans to sign a draft statutory instrument dealing with online digital piracy; and if he will make a statement on the matter. [41173/11]

Minister of State at the Department of Education and Skills (Deputy Sean Sherlock): I propose to take Questions Nos. 304 and 307 together.

The Statutory Instrument is being finalised with a view to introduction this month.

I would point out that Ireland has a strong and robust regime for dealing with copyright infringements whether in the digital environment or otherwise. The Copyright and Related Rights Act 2000 provides a technology-neutral exclusive right for copyright owners to communicate their works through any mode. The Act also contains extensive provisions dealing with infringement of that right or others, whether civil or criminal.

In relation to one of the remedies available to rights holders, a High Court judgment has held that, by reason of provisions of the Copyright and Related Rights Act 2000, an injunction is not available in cases of transient communications, and suggested that Ireland did not fully comply with EU law. For the avoidance of doubt, a legislative instrument is being finalised to restate the position that was considered to exist prior to this judgment.

In granting such injunctions the courts must take account of Court of Justice of the European Union judgements. These require that a fair balance be struck between the various fundamental rights protected by the Community legal order and the principle of proportionality. That would include, inter alia, the protection of the fundamental rights of individuals who are affected by such measures, the freedom to conduct a business enjoyed by operators such as Internet Service Providers, the protection of private data and right of freedom of expression and information.”

[Deputy Sean Sherlock.]

A consultation process seeking comments from interested parties on the content of a proposed legislative amendment to the Copyright and Related Rights Act, by means of a Statutory Instrument, was conducted over last June and July.

More than 50 submissions were received. I am extremely grateful to those interested parties and groups who responded. Their submissions have proved very valuable in providing a comprehensive understanding of the differing views on the many issues involved. Broadly speaking, individual copyright holders and rights holders organisations supported the amendment in principle, with some arguing for stricter measures. The various elements of the communications industry who responded were mostly opposed. Other contributors were concerned with the protection of fundamental rights in the digital environment and some feared for the freedom of the net.

Legal opinion and closely argued legal positions which were submitted in the course of this process were referred to the Office of the Attorney General for consideration.

EU Directives

305. **Deputy Gerry Adams** asked the Minister for Jobs, Enterprise and Innovation the steps he has taken to implement EU Directive 2001/29/EC. [40976/11]

Minister of State at the Department of Jobs, Enterprise and Innovation (Deputy Sean Sherlock): The EU Directive 2001/29/EC was transposed into Irish law by means of the Copyright and Related Rights Act 2000. While the Act preceded the Directive, most of the Directive's provisions were known at the time and incorporated into the legislation.

The outstanding provisions were transposed by S.I. No. 16 of 2004 European Communities (Copyright and Related Rights) Regulations 2004.

For the avoidance of any doubt as to the transposition of one of the provisions of the directive, i.e. injunctions against intermediaries as set out in Article 8(3) of the directive, a further Statutory Instrument is planned to restate Irish law in this regard.

Work Permits

306. **Deputy Michael McCarthy** asked the Minister for Jobs, Enterprise and Innovation the reason a person (details supplied) was refused a work permit; the circumstances in which this person would be eligible for a permit; the options open to them; and if he will make a statement on the matter. [40978/11]

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, following completion of the appeals process, a Spousal/Dependant Permit has now issued in this case.

Question No. 307 answered with Question No. 304.

Industrial Development

308. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation if he will provide details of the spend by the Industrial Development Agency across regions and the number of jobs promoted by region. [41200/11]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): This is a day-to-day operational matter for IDA Ireland. I have asked IDA Ireland to respond directly to the Deputy.

Work Permits

309. **Deputy Michael Healy-Rae** asked the Minister for Jobs, Enterprise and Innovation the position regarding a work permit in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [41286/11]

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 Work Permit application was refused on the grounds that it is current Government policy to issue new employment permits only in respect of:

- highly skilled, highly paid positions or;
- non-EEA nationals who are already legally resident in the State on valid employment permits or;
- positions requiring specialist or scarce skills, expertise or qualifications which cannot be filled otherwise.

Furthermore, new Work Permit applications can only be considered where it is established that a minimum salary of €30,000 per annum is on offer, based on a 39 hour week. In addition, it appeared from the information supplied that the company is trading under a Business Name that is not currently registered with the Companies Registration Office.

Having examined the appeal, the Appeals Officer upheld the original refusal decision in this case on the 5 January 2012.

Ministerial Staff

310. **Deputy Catherine Murphy** asked the Minister for Jobs, Enterprise and Innovation the names and salaries of each person serving as a special adviser and or the names and salaries of each person directly appointed by him or a Minister of State to any other position within his Department or predecessors Department on each of the following dates; 1 December 2009, 1 December 2010 and 1 December 2011; and if he will make a statement on the matter. [41351/11]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The information sought by the Deputy is set out in the tables.

1st December 2009

Tánaiste and Minister Mary Coughlan's Office

Name	Title	Salary
Mr. Dermot Murphy	Special Adviser	€100,191
Mr. Sean Perry	Press Adviser	€68,656
Mr. chael Shovlin	Special Adviser	€97,109
Ms. Paula O'Brien	Personal Assistant	€46,558 — €59,057
Ms. Brid Byrne	Personal Secretary	€23,181 — €44,726

[Deputy Richard Bruton.]

Minister of State Billy Kelleher's Office

Name	Title	Salary
Ms Barbara Ann O'Brien	Personal Assistant	€41,092 — €52,200Parliamentary Assistant payscale
Ms. riam Dwyer	Personal Secretary	€23,181 — €44,726Secretarial Assistant payscale
Mr. Aidan Barry	Personal Secretary	€23,181 — €44,726Secretarial Assistant payscale
Mr. Billy Hegarty	Civilian Driver	€34,826
Mr. John O'Sullivan	Civilian Driver	€34,826

Minister of State Conor Lenihan's Office

Name	Title	Salary
Ms. Barbara Lawlor	Personal Assistant	€52,200 — €61,082
Mr. Paddy Banks	Personal Secretary	€30,516 — €49,837
Mr. John Fogarty	Civilian Driver	€34,826
Mr. Tom Collins	Civilian Driver	€34,826

Minister of State Dara Calleary's Office

Name	Title	Salary
Mr. Liam Francis Henry	Personal Assistant	€41,092 — €52,200Parliamentary Assistant payscale
Ms. Angela O'Hara	Personal Secretary	€23,181 — €44,726Secretarial Assistant payscale
Mr. Patrick Murphy	Civilian Driver	€34,826
Mr. Padraic Durcan,	Civilian Driver	€34,826

1st December 2010

Minister Batt O'Keefe's Office

Name	Title	Salary Payscale
Mr. Bernard Malee	Special Adviser	€86,604
Ms. Deirdre McDonnell	Special Adviser	€94,496
Ms. Katherine Woods	Personal Assistant	€43,816 — €51,653
Ms. Mary O'Keefe	Personal Secretary	€29,024 — €42,760

Minister of State Billy Kelleher's Office

Name	Title	Salary
Ms. Barbara Ann O'Brien	Personal Assistant	€38,760—€49,035 Parliamentary Assistant payscale

Name	Title	Salary
Ms. riam Dwyer	Personal Secretary	€22,022 — €42,122 Secretarial Assistant Payscale
Mr. Aidan Barry	Personal Secretary	€22,022 — €42,122 Secretarial Assistant Payscale
Mr. Billy Hegarty	Civilian Driver	€32,965
Mr. John O'Sullivan	Civilian Driver	€32,965

Minister of State Conor Lenihan's Office

Name	Title	Salary
Ms. Barbara Lawlor	Personal Assistant	€43,816 — €51,653
Mr. Joe Neville	Personal Secretary	€29,024 — €45,616
Mr. John Fogarty	Civilian Driver	€32,965
Mr. Tom Collins	Civilian Driver	€32,965

Minister of State Dara Calleary's Office

Name	Title	Salary
Mr. Liam Francis Henry	Personal Assistant	€38,760 — €49,035 Parliamentary Assistant payscale
Ms Angela O'Hara	Personal Secretary	€22,022 — €42,122 Secretarial Assistant Payscale
Mr. Patrick Murphy	Civilian Driver	€32,965
Mr. Padraic Durcan,	Civilian Driver	€32,965

1st December 2011

Minister Richard Bruton's Office

Name	Title	Salary Scale
Mr. Ciaran Conlon	Special Adviser	€127,000
Mr. Conor Quinn	Special Adviser	€80,051
Mr. Patrick Cluskey	Personal Assistant	€43,715 — €52,925
Ms. Gabrielle Noble	Personal Secretary	€23,820 — €47,755
Mr. Sean Divilly	Civilian Driver	€631.75 per week
Mr. John Murray	Civilian Driver	€631.75 per week

Minister Sean Sherlock's Office

Name	Title	Salary Scale
Ms. Davina Hickey	Personal Assistant	€43,715 — €52,925
Ms. Úna Willis	Personal Secretary	€23,820 — €47,755
Mr. Liam Carroll	Civilian Driver	€631.75 per week
Mr. Dan Ryan	Civilian Driver	€631.75 per week

[Deputy Richard Bruton.]

Minister John Perry's Office

Name	Title	Salary Scale
Mr. Francis Brennan	Personal Assistant	€43,715 — €52,925
Mr. Peter Gerard Mullin(.5 work/sharing)	Personal Secretary	€23,820 — €47,755
Mr. Christopher Murphy(.5 work/sharing)	Personal Secretary	€23,820 — €47,755
Mr. Dermot Browne	Civilian Driver	€631.75 per week
Mr. Thomas Walsh	Civilian Driver	€631.75 per week

Departmental Staff

311. **Deputy Denis Naughten** asked the Minister for Jobs, Enterprise and Innovation if he runs a graduate internship programme; and if he will make a statement on the matter. [41366/11]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): My Department participates in the “JobBridge National Internship Scheme” which provides work experience placements for interns for a 6 or 9 month period. Currently, the Department has one intern on a nine month placement in the National Employment Rights Authority.

This Department will continue to advertise on *jobbridge@fas.ie* in line with business demands.

EU Funding

312. **Deputy Tom Fleming** asked the Minister for Jobs, Enterprise and Innovation if he will meet with Kerry County Council at an early date to commence the process of having Kerry categorised with the mid-west region from the point of view of securing EU regional grant aid; and if he will make a statement on the matter. [1053/12]

313. **Deputy Tom Fleming** asked the Minister for Jobs, Enterprise and Innovation if he will immediately commence the process of having Kerry categorised with the mid-west region from the point of view of securing EU regional grant aid; and if he will make a statement on the matter. [1054/12]

314. **Deputy Tom Fleming** asked the Minister for Jobs, Enterprise and Innovation the EU regional grant aid, support, capital and employment grants that are available to companies who wish to locate in County Kerry; and if he will make a statement on the matter. [1055/12]

315. **Deputy Tom Fleming** asked the Minister for Jobs, Enterprise and Innovation the way EU regional grant aid, support, capital and employment grants that are available to companies who locate to other regions compare to what is available to companies who wish to locate in County Kerry; and if he will make a statement on the matter. [1056/12]

318. **Deputy Michael Healy-Rae** asked the Minister for Jobs, Enterprise and Innovation if he will review a matter (details supplied) regarding EU aid grants; and if he will make a statement on the matter. [1268/12]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): I propose to take Questions Nos. 312, 313, 314, 315 and 318 together.

The position in relation to State aid is that aid for investment in companies in the various regions of Ireland must be in accordance with the Regional Aid Map 2007-13 approved by the European Commission. This Map was drawn up in accordance with the Commission's Regional Aid Guidelines. The details of the support in terms of aid intensity for each county are available on my Departments website, and are also listed in the chart at the end of this answer.

Under the approved Map, Kerry does not currently qualify for regional aid for large investment projects, following the expiry of transitional arrangements at the end of 2008. However, it does continue to qualify for regional investment aid to SMEs at a rate of 20% for medium sized companies (50 to 249 employees) and 30% for small companies (under 50 employees).

In selecting the areas within the overall Southern and Eastern Nomenclature of Territorial Units for Statistics (NUTS) Level II Region that could, in addition to the BMW Region, be designated for the new Regional Aid Map, Ireland had to observe a strict EU requirement that the areas selected be relatively more in need of economic development. Accordingly, the Southern & Eastern Regional Assembly was consulted for its views. The Assembly accepted the findings of an independent report, which it commissioned from the National Institute for Spatial and Regional Analysis at NUI Maynooth. The Assembly's proposals were included in the proposed Regional Aid Map that the European Commission approved in 2006.

Under the approved map, Kerry, Limerick, Clare, North Tipperary and the Cork Urban Regeneration Area retained entitlement to Regional Aid from 2007-2013 for small and medium sized firms at the higher aid rates permitted for such firms under the Regional Aid Guidelines.

Ireland also benefited from transitional arrangements in the Guidelines, which allowed regional aid at 10% for large firms for the period from 1 January 2007 to 31 December 2008 in designated regions that were losing their eligibility for regional investment aid. The result of this was that Kerry, Limerick, Clare, Cork, and Cork City and North Tipperary were eligible for regional aid at 10% for large firms for this two-year period.

The Commission's Regional Aid Guidelines affords the possibility to Member States to amend the list of regions eligible for regional aid or the applicable aid intensities in a mid-term review provided there is no increase in population coverage.

In 2010, Ireland successfully made a submission to the Commission in the context of the mid-term review, and sought the restoration of the ability to grant aid to large investment projects in the Mid-West Region.

Ireland's 2010 submission relied heavily on the impact of the jobs losses in Dell on unemployment in the region. Emerging negative unemployment data for the Mid West NUTS III region was also used. Unemployment in the corresponding South West NUTS III region, which contains Kerry, was actually lower than both the State average and Mid-West NUTS III sub-region average in 2009 overall, and for Quarter 4 of 2009.

In addition, while the Mid West NUTS III Gross Domestic Product (GDP) per capita was below the national average and other regions of the overall Southern and Eastern NUTS III region, GDP per capita in the South West region containing Kerry was higher than both the State average, and that of the Mid West region.

The current configuration of regional authorities is set-out in the Local Government Act 1991 (Regional Authorities)(Establishment) Order 1993. My colleague, Mr Phil Hogan, Minister for the Environment, Community and Local Government intends to bring comprehensive policy proposals to Government shortly in relation to local government structures generally at regional, county, and sub-county levels.

Regional Aid Map 2007-2013 — IRELAND (as reviewed by Commission Decision N130/2010 — Official Journal c 226/5 21.8.2010)

Period	Large Firms		Medium Firms		Small Firms	
	2007-2010	2011-2013	2007-2010	2011-'13	2007-'10	2011-'13
Aid Rate (Gross Grant Equivalent)	30%	15%	40%	25%	50%	35%

Southern & Eastern Region

Designated Areas	Large Firms 2007-2013		Medium Firms 2007-2013		Small Firms 2007-2013	
<i>South East sub-Region</i> (Carlow, Kilkenny, Wexford, Waterford, South Tipperary) and designated islands ¹	10%		20%		30%	
	2007 — 2008 2009 — 2013		2007 — 2013		2007 — 2013	
<i>Mid West</i> (Clare, Limerick, North Tipperary ²)Kerry, Cork Urban, Regeneration Area	10%		20%		30%	
	10%	0%	20% ³ 2007 — 2008 2009 — 2013		30% ³ 2007 — 2008 2009 — 2013	
Cork (apart from Urban Regeneration Area)	10%	0%	20%	0%	30%	0%

Lower aid rates apply to Large Investment Projects (i.e. > €50 million)

¹Bear, Cleire, Durse, Heir, Long, Sherkin, Whiddy

²As a result of Commission Decision N 130/2010, large investment aid and aid for investment projects with eligible expenditure exceeding EUR 25 million is once again permitted for these three counties. Prior to the decision, such aid had only been allowed up until the end of 2008.

³From 2009-2013 no aid may be awarded in these counties for investment projects with eligible expenditure exceeding EUR 25 million.

Departmental Offices

316. **Deputy Dara Calleary** asked the Minister for Jobs, Enterprise and Innovation his view that he or any agency funded by him who own properties in office complexes in which a management company is in place, should take an active role in the running of such management companies including the appointment of a nominee to the board of the company in order to protect the investment of tax payers' money. [1156/12]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): My Department and the eight Offices of my Department do not own or lease any properties and therefore have no role in regard to management companies in office complexes. All the properties occupied by the Department and its Offices are provided by the Office of Public Works (OPW).

With reference to the concerns of the Deputy in regard to the management of office complexes of any Agency funded by my Department, this is a day to day matter for the Agencies concerned and is not an area in which I have any function.

Industrial Disputes

317. **Deputy Gerry Adams** asked the Minister for Jobs, Enterprise and Innovation the steps he has taken to resolve the ongoing dispute at a company (details supplied) in County Cork; and if he will make a statement on the matter. [1204/12]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): I am concerned at the continuing situation at the Vita Cortex factory in Cork which has involved workers at the plant engaging in a sit-in since 16 December last, arising from a dispute with their employer over redundancy payments.

In the interest of achieving a resolution in this dispute, I have urged both parties to avail of the State's industrial relations machinery as soon as possible with a view to exploring ways of resolving the issues in dispute. My Office was in contact with the worker's union representatives over the holiday period in efforts to clarify the issues involved and to make them aware that the industrial relations machinery of the State is available to them to help them resolve the dispute.

In this context, I understand that the Labour Relations Commission has today invited both parties to meet in Cork next Tuesday to clarify the facts of the situation and, against that background, to explore with the parties the potential for moving forward.

I welcome the initiative by the LRC and would urge both parties to engage constructively in the process. In my opinion, engagement with the State's industrial relations machinery offers the best way whereby the parties involved in this dispute can hope to resolve their differences.

In relation to the issue of statutory redundancy payments, this is a matter for the Department of Social Protection. I understand that applications have been made to that Department for payment of statutory redundancy to the workers concerned from the Social Insurance Fund.

Question No. 318 answered with Question No. 312.

Credit Facilities

319. **Deputy Michael Healy-Rae** asked the Minister for Jobs, Enterprise and Innovation the steps he has taken to ensure that capital is available to medium and small industries to retain jobs and expand production when the opportunity arises; and if he will make a statement on the matter. [1287/12]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The initiatives taken by the Minister for Finance in March 2011 to reorganise, recapitalise and deleverage the domestic financial system is the principal response to restore the banks to health and provide credit to business.

This latest restructuring created capacity for the pillar banks to lend in excess of €30 billion over three years in SME and other important sectors. This is in excess of Central Bank estimates of the likely demand for SME and mortgage credit over this period. Government has imposed lending targets on the two domestic pillar banks for the three calendar years, 2011 to 2013. Both banks were required to sanction lending of at least €3 billion in 2011, €3.5 billion this year and €4 billion in 2013 for new or increased credit facilities to SMEs. Each bank has informed the Department of Finance that they expect to have met their lending targets for 2011. In addition to the initiatives of the Minister for Finance, work is underway within my Department on a Temporary Partial Credit Guarantee to address two specific market failures which act as barriers to lending to viable enterprises. These market failures are inadequacy of collateral and inadequacy of understanding of the novelty of a business model, market, sector or technology. Eligible companies will be commercially viable, well performing companies that

[Deputy Richard Bruton.]

have a solid business plan and a defined market for their products or services, thereby demonstrating their ability to repay the loan. The scheme will be demand-led, and for every €100 million guaranteed will benefit over 1200 businesses, and provide at least €15 million in net benefit to the Exchequer.

In line with the commitment in the Programme for Government, a Microfinance Fund to provide loans to small businesses is also being developed within my Department for establishment early this year. It is anticipated the Micro Finance Loan Fund will generate up to €100 million in additional micro-enterprise lending which will benefit over 5,000 businesses over a ten year period.

These initiatives are not designed to replace current lending through the banking system but to provide additional lending where specific measures are warranted. They are intended to complement existing supports, including provision of capital funding, to SMEs delivered by the enterprise agencies.

Job Losses

320. **Deputy Brendan Smith** asked the Minister for Jobs, Enterprise and Innovation the efforts he has made to secure the employment of the existing work force at a factory (details supplied); and if he will make a statement on the matter. [1392/12]

321. **Deputy Brendan Smith** asked the Minister for Jobs, Enterprise and Innovation the efforts made by the State's industrial development agencies to support the retention of employment at a factory (details supplied); and if he will make a statement on the matter. [1393/12]

322. **Deputy Brendan Smith** asked the Minister for Jobs, Enterprise and Innovation if all the State's labour relations agencies are assisting in the resolution of a dispute at a factory (details supplied) in view of the need to secure existing employment at this facility; and if he will make a statement on the matter. [1394/12]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): I propose to take Questions Nos. 320 to 322, inclusive, together.

Workers at the Lagan Brick factory, Kingscourt, Co Cavan have been involved in a protest outside the company's premises following a decision by the company to close the operation on 15 December last with the loss of up to 30 jobs. I understand from IDA Ireland that, according to the company, its operation in Kingscourt, Co. Cavan (Kingscourt Brick Ltd.) had become unviable due to the continuing downturn in the construction sector and subsequent lack of demand for its products. The company stated that it tried every avenue possible over the course of the last number of months to retain the viability of the business before its decision to close.

I understand that the workers have taken issue with the manner in which the job losses were announced, claiming the company has contravened the 30-day notice period contained in the Protection of Employment Acts. The union wants to retain maximum employment at the plant and secure satisfactory redundancy terms for any workers that lose their jobs.

Representatives of the company and the trade union SIPTU attended talks at the Labour Relations Commission yesterday (Tuesday, 10 January). I understand that the conciliation conference was adjourned to allow both parties to reflect on their positions and that they will reconvene at the LRC on Monday next 16 January.

The announcement by Lagan Bricks to close their facility in Kingscourt was disappointing and I am very conscious of the implications of job losses in Cavan and the North East Region.

Globally the outlook for FDI continues to be challenging, but there are still investment opportunities in global markets and IDA will continue to compete vigorously for these projects for Ireland and will continue to promote the North East region in line with its strategy “Horizon 2020”.

Employment Appeals Tribunal

323. **Deputy John McGuinness** asked the Minister for Jobs, Enterprise and Innovation if he operates a fund to pay employees the amount awarded by the Employment Appeals Tribunal relative to unfair dismissal cases in instances where employers have left the State or simply cannot pay the award; the options open to the employee or the tribunal in such cases to insist that payment be made; his plans to support employees in such cases; and if he will make a statement on the matter. [1444/12]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): My Department does not operate a fund from which compensation for non-payment by employers of awards arising from determinations of the Employment Appeals Tribunal (EAT) may be claimed.

Generally, where the Employment Appeals Tribunal makes an award in favour of an employee, an employer has six weeks in which to comply. If the employer fails to do so within this period, the employee or the employee’s trade union may make an application to the Circuit Court for an order directing the employer to comply with the determination. Where an employee is not in a position to do so, (e.g. for reasons of cost) the matter can be referred to NERA Enforcement Services Unit, which may, in certain circumstances, make an application to the Courts for an order on his/her behalf.

In deciding whether or not to intervene in the Minister’s name, NERA would have regard to the amount of the award, the potential for achieving a favourable outcome for the claimant and the scale of the costs likely to be incurred in doing so. The enforcement of a Circuit Court order in these circumstances is the responsibility of the relevant County Sheriff and my Department has no capacity to intervene.

Redundancy Payments

324. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Jobs, Enterprise and Innovation if he will investigate the circumstances surrounding the closure of a company (details supplied) in County Cavan to ascertain if the company adhered to legalisation governing the implementation of compulsory redundancies. [1500/12]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): In general, matters relating to compulsory redundancy are a matter for the Minister for Social Protection. However, as Minister for Jobs, Enterprise and Innovation, I have certain functions in relation to collective redundancy situations, whether voluntary or compulsory.

The Protection of Employment Act 1977 Act (as amended) makes it mandatory on employers proposing a collective redundancy to engage in an information and consultation process with employees’ representatives and to notify the Minister for Jobs, Enterprise and Innovation of the proposed collective redundancy. An employer is prohibited from issuing any notice of redundancy during the mandatory employee information and consultation period and until 30 days have elapsed from the date on which the Minister has been notified. In the case of the company referred to, I received a notification under the Act on 15 December 2011.

The Protection of Employment Act 1977 Act (as amended) also makes provision for an employee, or a trade union, staff association or excepted body on behalf of an employee, to

[Deputy Richard Bruton.]

present a complaint to a rights commissioner that an employer has not complied with the requirements of the Act in relation to information and consultation of employees. The rights commissioner investigation of a complaint may involve the presentation of both oral and written evidence by both the complainant and the employer at a hearing. After considering the matter, the rights commissioner will issue a written decision. Complaint forms are available from the National Employment Rights Authority (NERA) or on the internet at www.workplacerelations.ie.

Job Creation

325. **Deputy Charlie McConalogue** asked the Minister for Jobs, Enterprise and Innovation if he will provide a breakdown by county of the number of new jobs created by the Industrial Development Agency client companies in the north west region in 2011; if he will provide a breakdown by county of the number of IDA client company jobs lost in the region for the same period; and if he will make a statement on the matter. [1587/12]

326. **Deputy Charlie McConalogue** asked the Minister for Jobs, Enterprise and Innovation if he will provide a list of the Industrial Development Agency client companies in County Donegal where jobs were created or lost in 2011 as well as the number of jobs which were created or lost in each case; and if he will make a statement on the matter. [1588/12]

327. **Deputy Charlie McConalogue** asked the Minister for Jobs, Enterprise and Innovation if he will provide a list of all Industrial Development Agency client companies in County Donegal together with the number of persons employed by each company; and if he will make a statement on the matter. [1589/12]

328. **Deputy Charlie McConalogue** asked the Minister for Jobs, Enterprise and Innovation the number of the 61 Industrial Development Agency client firms that invested here for the first time in 2011 made their investment in the IDA north west region and specifically the number of them that were made in each of counties Donegal, Sligo and Leitrim; and if he will make a statement on the matter. [1590/12]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): I propose to take Questions Nos. 325 to 328, inclusive, together.

Details of employment figures, jobs created and jobs lost in individual companies is received by IDA Ireland on a confidential basis from such companies and, accordingly, cannot be disclosed at individual company level.

The tables outline the number of jobs created and lost in IDA supported companies in 2011 in the North West Region, which comprises counties Donegal, Leitrim and Sligo.

North West Region

Donegal	No. of Companies	12
Donegal	Permanent Employment	1,870
Donegal	Gross Gains (New Jobs)	271
Donegal	Net Change in Other Jobs	3
Donegal	Job Losses	-22
Leitrim	No. of Companies	4
Leitrim	Permanent Employment	780

North West Region

Leitrim	Gross Gains (New Jobs)	7
Leitrim	Job Losses	-199
Leitrim	Net Change in Other Jobs	19
Sligo	No. of Companies	20
Sligo	Permanent Employment	2,041
Sligo	Gross Gains (New Jobs)	93
Sligo	Job Losses	-51
Sligo	Net Change in Other Jobs	84

There are 12 IDA client companies in County Donegal as listed in the table below with total permanent employment of 1,870 at the end of 2011.

Company Name	Sector	Nationality
MEDISIZE IRELAND LTD	Medical and dental instruments and supplies	Finland
KIRCHHOFF IRELAND LIMITED	Transport Equipment	Germany
A & M BELTING COMPANY LTD	Rubber and Plastics	Germany
READYMIX	Non-Metallic Minerals	Mexico
SITA PTS	Computer consultancy activities	Switzerland
PRAMERICA SYSTEMS IRELAND LIMITED	Computer programming activities	United States
UNITEDHEALTH GROUP	Computer facilities management activities	United States
ABBOTT IRELAND DIABETES CARE	Computer, Electronic and Optical Equipment	United States
ZEUS INDUSTRIAL PRODUCTS (IRELAND) LTD	Rubber and Plastics	United States
ASSET INTERTECH	Other information technology and computer service activities	United States
CLADDAGH RESOURCES	Other information technology and computer service activities	United States
HEALEX SYSTEMS IRELAND LIMITED	Computer programming activities	United States
Total Employment		1,870

IDA Ireland has indicated that none of the 61 new first time investments that have been announced in 2011 are located in counties Donegal, Leitrim or Sligo.

329. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation the number of the 13,000 jobs created by international companies operating here last year that were created in each of the 26 counties; and the number of the 7,000 jobs that were shed by the Industrial Development Agency supported companies were shed in each of the 26 counties. [1594/12]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): I have asked IDA Ireland to respond directly to the Deputy with the details required.

Departmental Agencies

330. **Deputy Maureen O'Sullivan** asked the Minister for Jobs, Enterprise and Innovation the

[Deputy Maureen O’Sullivan.]

number of State agencies currently financed by the Exchequer; the number of board members attending each State agency; the expenses issued for each meeting; if any review of the membership of board members is to be taken in order to monitor attendance levels or lack of attendance by any member; and if he will make a statement on the matter.; and if he will make a statement on the matter. [2053/12]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): My Department currently has 13 State Agencies supporting us in our work. These are:

1. Enterprise Ireland (www.enterprise-ireland.com)
2. IDA Ireland (www.idaireland.com)
3. Science Foundation Ireland (www.sfi.ie)
4. Shannon Development (www.shannondevelopment.ie)
5. County & City Enterprise Boards (35) (www.enterpriseboards.ie)
6. National Standards Authority of Ireland (www.nsai.ie)
7. InterTradeIreland (the North / South Business Development Body) (www.intertradeireland.com)
8. Forfás (www.forfas.ie)
9. National Consumer Agency (www.nca.ie)
10. The Competition Authority (www.tca.ie)
11. Irish Auditing and Accounting Standards Authority (www.iaasa.ie)
12. Personal Injuries Assessment Board (PIAB) (www.injuriesboard.ie), and
13. The Health and Safety Authority (www.hsa.ie)

The Deputy should note that the PIAB is self-funded and receives only a small amount of funding from the Exchequer for pensions, which is more than offset by pension receipts. Inter-TradeIreland, as one of the six North/South Implementation Bodies established under the Belfast Agreement (the ‘Good Friday Agreement’) in 1998, is jointly funded on a 2:1 ratio, respectively, by the Department of Jobs, Enterprise and Innovation in Dublin and the Department of Jobs, Enterprise and Investment in Northern Ireland. Its Board is made up of 6 representatives each from the South and the North of Ireland.

In line with the requirements of the Code of Practice for the Governance of State Bodies, details of the number of Board members, including remuneration and expenses paid, are provided in the Annual Reports of the Agencies, which are available on the Agency websites.

The issue raised by the Deputy of attendance by Members at Board meetings would be a matter for the Chairperson of each Board.

Question No. 331 withdrawn.

Redundancy Payments

332. **Deputy Brendan Griffin** asked the Minister for Social Protection her views on a matter

regarding the reduction in redundancy payments (details supplied); and if she will make a statement on the matter. [41089/11]

Minister for Social Protection (Deputy Joan Burton): The primary purpose of the redundancy payments scheme is to compensate workers, under the Redundancy Payments Acts, 1967 to 2007, for the loss of their jobs by reason of redundancy. Compensation is based on the worker's length of reckonable service and reckonable weekly remuneration, subject to a ceiling of €600 per week.

It is the responsibility of the employer to pay statutory redundancy to all their eligible employees. An employer who pays statutory redundancy payments to their employees is then entitled to a rebate from the State. Rebates to employers and lump sums paid directly to employees are paid from the Social Insurance Fund (SIF).

As part of the deliberations on Budget 2012 it was decided that the 60% level of rebate is not sustainable in the current economic climate. While this may cause difficulties for employers it should be noted that redundancy rebate payments to employers are not common in many EU and other jurisdictions.

While I acknowledge that this change may cause difficulties for employers it must be recognised that in the current economic climate, the 60% level of rebate is not sustainable.

Social Welfare Benefits

333. **Deputy Pádraig Mac Lochlainn** asked the Minister for Social Protection the reason a person who receives lone parent supplement is not eligible for the national internship scheme. [41290/11]

Minister for Social Protection (Deputy Joan Burton): The National Internship Scheme provides internship opportunities of either 6 or 9 months for unemployed individuals on the Live Register, in organisations in the private, public and community voluntary sectors. The scheme is limited to individuals who are currently on the Live Register and have been in receipt of Jobseekers Allowance/Benefit or are signing on for credits for at least three of the last six months.

My Department continues to monitor and review the operation of the JobBridge scheme including its eligibility criteria on an ongoing basis.

The eligibility to access the National Internship Scheme is based on the overall objective of labour market policy in ensuring a pathway to appropriate employment, training and education opportunities for those on the Live Register. It is important that as employment opportunities become available they are taken up by those on the Live Register. The structure for achieving this objective is through a reinvigorated National Employment Action Plan (NEAP) which currently provides the framework for engaging with the unemployed.

Given the scale of the unemployment crisis, the key objective of labour market policy and of the NEAP will be to keep those on the Live Register close to the Labour Market and prevent the drift into long-term unemployment. This will ensure that Live Register members availing of activation measures such as the National Internship Scheme will, while retaining social welfare unemployment payments and a top up allowance of €50, get an opportunity to engage in the workplace, get work experience and so be in a position to avail of employment opportunities as the economy improves.

For these reasons, it has been proposed as a matter of public policy that eligibility for the scheme be confined to those on the Live Register and in receipt of unemployment payments or signing for credits for three of the last six months. As such, the policy objective is to prioritise

[Deputy Joan Burton.]

scarce resources on those on the Live Register so as to increase their chances of leaving it thereby ensuring a reduction in Exchequer costs over time.

Individuals in receipt of a One Parent Family Payment may access a wide range of activation supports including the Work Placement Programme, which is designed to provide participants with valuable work experience, thereby improving their prospects of securing employment.

Redundancy Payments

334. **Deputy Michael Healy-Rae** asked the Minister for Social Protection if she will review the change in redundancy terms (details supplied); and if she will make a statement on the matter. [1001/12]

336. **Deputy Michael Healy-Rae** asked the Minister for Social Protection her views on a matter (details supplied) regarding redundancy terms; and if she will make a statement on the matter. [1269/12]

Minister for Social Protection (Deputy Joan Burton): I propose to take Questions Nos. 334 and 336 together.

The primary purpose of the redundancy payments scheme is to compensate workers, under the Redundancy Payments Acts, 1967 to 2007, for the loss of their jobs by reason of redundancy. Compensation is based on the worker's length of reckonable service and reckonable weekly remuneration, subject to a ceiling of €600 per week.

It is the responsibility of the employer to pay statutory redundancy to all their eligible employees. An employer who pays statutory redundancy payments to their employees is then entitled to a rebate from the State. Rebates to employers and lump sums paid directly to employees are paid from the Social Insurance Fund (SIF).

As part of the deliberations on Budget 2012 it was decided that the 60% level of rebate is not sustainable in the current economic climate. While this may cause difficulties for employers it should be noted that redundancy rebate payments to employers are not common in many EU and other jurisdictions.

While I acknowledge that this change may cause difficulties for employers it must be recognised that in the current economic climate, the 60% level of rebate is not sustainable.

Social Welfare Benefits

335. **Deputy Charlie McConalogue** asked the Minister for Social Protection if childcare providers will be required to pay sick pay for the first four weeks of an employee's absence through illness in 2012; and if she will make a statement on the matter. [1012/12]

Minister for Social Protection (Deputy Joan Burton): The range of complex issues associated with the possible introduction of a system of Statutory Sick Pay will be the subject of a consultation process with stakeholders with a view to assessing the feasibility and potential impacts of such a scheme. No decisions in relation to this matter will be taken by Government before this consultation process, which will commence in February of this year, is concluded.

In the interim, the arrangements governing entitlement to Illness Benefit for employees, including employees working in childcare provision, are unchanged.

Question No. 336 answered with Question No. 334.

Redundancy Payments

337. **Deputy Clare Daly** asked the Minister for Social Protection the basis upon which she expects the reduction in the employer's rebate for statutory redundancy to produce €81 million in savings in 2012 and €104 million savings in 2013 as it follows from these estimated savings that she has estimated the number of redundancies this year and next year; and the number of redundancies that she anticipates for these years and the methodology for arriving at these estimates. [1332/12]

Minister for Social Protection (Deputy Joan Burton): The saving of €81 million is based on an average claim value of €6,600 and an estimate of 45,600 claims being processed in 2012, of which some rebates will be at the 60% rate and some at the new 15% rate.

The expected full year savings in 2013 are €121 million, based on an anticipated processing level of 35,000 claims per annum. €104 million is the expected rate of savings based on an anticipated claim processing level of 30,000 claims per annum, for 2014 and 2015.

These figures are based on expected processing levels in the years concerned, and also assume that the ratio of lump sums to rebates will remain constant.

338. **Deputy Joanna Tuffy** asked the Minister for Social Protection the steps that she is taking to ensure that employees of Vita Cortex Plant in Cork get their full redundancy entitlements; and if she will make a statement on the matter. [1336/12]

407. **Deputy Jerry Buttimer** asked the Minister for Social Protection if she has or will examine any possible role she can play in resolving the dispute between the former employees of a company (details supplied) their employer and the National Assets Management Agency, if she would consider facilitating payment to the workers of their statutory redundancy payments from the social insurance fund as a matter of urgency in view of the fact that they are the innocent victims in this dispute; and if she will make a statement on the matter. [1060/12]

419. **Deputy Gerry Adams** asked the Minister for Social Protection the contact she has had with a company (details supplied) in County Cork regarding the payment of redundancy to workers; if the company has applied to the State's social insurance fund to enable payment of statutory redundancy; and if she will make a statement on the matter. [1205/12]

Minister for Social Protection (Deputy Joan Burton): I propose to take Questions Nos. 338, 407 and 419 together.

Responsibility for the processing of claims under the Redundancy Payments Scheme transferred from the Department of Jobs, Enterprise and Innovation to the Department of Social Protection in January 2011.

The purpose of the Redundancy Payments Scheme is to compensate workers, under the Redundancy Payments Acts 1967 to 2007, for the loss of their jobs by reason of redundancy.

Under the Redundancy Payments Acts an eligible employee is entitled to two weeks statutory redundancy payment for every year of service, plus a bonus week. Compensation is based on the worker's length of reckonable service and reckonable weekly remuneration, subject to a ceiling of €600 per week. Employees must have at least two years' service to be eligible for a redundancy payment. Rebates to employers and lump sums paid directly to employees are paid from the Social Insurance Fund (SIF).

It is the responsibility of the employer to pay statutory redundancy to all eligible employees. An employer who pays statutory redundancy payments to employees is then entitled to a rebate from the State of a percentage of the relevant amount.

[Deputy Joan Burton.]

Where an employer can prove to the satisfaction of the Department that he/she is unable to pay the statutory redundancy to his/her employees the Department will make lump sum payments directly to the employees and will seek to recover the debt from the employer. To prove inability to pay the employer must submit documentary evidence to confirm that this is the position.

Where the lump sum is paid to the employees the Department will seek to recover the relevant amount from the company. Where the employer has proven to my satisfaction that it was unable to pay the statutory redundancy the we will seek to recover the amount paid less the amount of the rebate that would have been payable to the employer if the employer had paid the statutory redundancy payment to the employees. Where it appears that the refusal or failure of the employer to pay the statutory redundancy was without reasonable excuse, we may either withhold any rebate to which the employer would otherwise have been entitled or reduce the amount of that rebate to such extent as is considered appropriate and in either such case the amount of the claim against the employer may be increased accordingly.

An official from my Department contacted the company concerned to establish the position in relation to redundancy claims and to ensure that the workers of the company are in a position to access any redundancy payments to which they may be entitled.

The company submitted 34 applications on-line on 22 December 2011 and hard copies/associated papers were received on 4 January 2012.

Straightforward redundancy claims submitted since October 2011 are generally processed for payment within six to eight weeks but this can vary considerably depending on the complexity of the claims.

In relation to NAMA, this body has been established as a fully commercial agency to operate under the direction of a Board of Directors. As long as NAMA operates in accordance with statute, it would be inappropriate for me or my officials to attempt to interfere with the commercial decisions taken by the Board.

Question No. 339 withdrawn.

Social Welfare Appeals

340. **Deputy John Lyons** asked the Minister for Social Protection the position regarding a disability pension appeal in respect of a person (details supplied) in Dublin 11. [40780/11]

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 26 August 2011. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. These papers were received in the Social Welfare Appeals Office on 13 December 2011 and the appeal will be assigned, in due course, to an Appeals Officer who will decide whether the case can be decided on a summary basis or whether to list it for oral hearing.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

341. **Deputy Pat Breen** asked the Minister for Social Protection when a decision on a domiciliary allowance review will issue to a person (details supplied) in County Clare; and if she will make a statement on the matter. [40786/11]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that the appeals from the person concerned were referred to an Appeals Officer who proposes to hold an oral hearing in these cases.

There has been a very significant increase in the number of appeals received by the Social Welfare Appeals Office since 2007 when the intake was 14,070 to 2010 when the intake rose to 32,432. This has significantly impacted on the processing time for appeals which require oral hearings and, in order to be fair to all appellants, they are dealt with in strict chronological order.

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.

342. **Deputy Michael McGrath** asked the Minister for Social Protection the position regarding a domiciliary care allowance appeal in respect of a person (details supplied) in County Cork. [40788/11]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that office on 15 December 2011. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by the Social Welfare Services on the grounds of appeal be sought. When received, the appeal in question will be referred to an Appeals Officer for consideration.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Social Welfare Benefits

343. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if and when rent allowance will issue to a person (details supplied) in County Kildare; and if she will make a statement on the matter. [40793/11]

Minister for Social Protection (Deputy Joan Burton): There is no record of a rent supplement application in respect of the person concerned. If the person concerned wishes to apply for rent supplement he should complete an application form and return it to the Central Rents Unit, PO Box 11758, Dublin 24.

344. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if she will indicate the basis for refusal of mortgage interest supplement in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [40794/11]

Minister for Social Protection (Deputy Joan Burton): The person concerned was refused mortgage interest supplement as it was decided that he has sufficient income to meet his mortgage interest costs. The decision was upheld on appeal.

Social Welfare Appeals

345. **Deputy Pearse Doherty** asked the Minister for Social Protection the reason a person

[Deputy Pearse Doherty.]

(details supplied) in County Donegal is still waiting for their appeal decision even though it was first registered in July 2010; and if she will make a statement on the matter. [40795/11]

Minister for Social Protection (Deputy Joan Burton): I am advised by the Social Welfare Appeals Office that an Appeals Officer having fully considered all the available evidence disallowed the appeal of the person concerned by way of a summary decision. Under Social Welfare legislation, the decision of the Appeals Officer is final and conclusive and may only be reviewed by the Appeals Officer in the light of new evidence or new facts. Following the submission of additional evidence the Appeals Officer has agreed to review the case. The person concerned will be contacted when the review of his appeal has been finalised. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Social Welfare Benefits

346. **Deputy Brian Walsh** asked the Minister for Social Protection the position regarding family income supplement in respect of persons (details supplied) in County Galway. [40803/11]

Minister for Social Protection (Deputy Joan Burton): One of the measures introduced as part of Budget 2012 is that income from weekly carer's payments will be included for the purposes of calculating entitlement to family income supplement (FIS) in line with other welfare payments, with effect from January 2012.

Entitlement to FIS is based on the level of a family's income including net income from employment and the value of any social welfare payments they might have. However, income from carer's allowance and carer's benefit was an exception and was not taken into account in assessing family income for FIS purposes prior to January 2012.

From January 2012, for new applicants and upon renewal for existing claimants, income from carer's allowance and carer's benefit payments will be included in the (FIS) income assessment. The measure will be implemented over 3 years with 1/3rd of the income from carer's allowance and carer's benefit payments assessed in 2012, 2/3rds in 2013 and full assessment in 2014.

This provides for a more consistent approach to the concurrent payment of FIS with other social welfare benefits through the standardisation of the treatment of social welfare income for this purpose. The reform reduces a person's secondary payment (FIS) without affecting their primary payment, therefore targeting available scarce resources at those in most need.

The FIS entitlement of the family in question will not be affected by this budget change until August 2012 when their claim falls for renewal. If an application for renewal of FIS is made by the family at that stage, their entitlement will be reviewed and any income from the carer's payment will be included in the assessment as set out above i.e 1/3rd at 2012 renewal, increasing to 2/3rds in 2013 and to full assessment from their 2014 renewal date.

Departmental Staff

347. **Deputy Willie O'Dea** asked the Minister for Social Protection her plans to allocate further staff to a local social welfare office (details supplied) in County Limerick in order to alleviate the misery being endured by those most vulnerable; and if she will make a statement on the matter. [40813/11]

Minister for Social Protection (Deputy Joan Burton): The staffing needs for all areas within the Department, including Limerick Local Office, are continuously reviewed, having regard to

workloads, management priorities and the competing demands arising, to ensure that the best use is made of all available resources with a view to providing an efficient service to those who rely on the schemes operated by the Department.

I can assure the Deputy that the Department will continue to source available staff to fill critical vacancies by way of redeployment, or transfer from within the Department and other Government Departments, taking account of the employment control framework (ECF) target, as determined by the Minister for Public Expenditure and Reform.

Community Employment Schemes

348. **Deputy Pat Breen** asked the Minister for Social Protection if she will clarify the situation for a group (details supplied); and if she will make a statement on the matter. [40822/11]

Minister for Social Protection (Deputy Joan Burton): Following changes to Community Employment schemes announced in Budget 2012, the Government is fully committed to the protection and development of community and social employment initiatives. Community Employment schemes provide a very important and valued contribution to social employment, training and progression for unemployed people. Furthermore, many Community Employment schemes provide vital community services right across the country.

A financial review of CE schemes will commence immediately. No Community Employment scheme will close pending the outcome of this financial review. The purpose of the review will be to establish the on-going viability of each scheme in the context of the overall CE program and recognising in particular the community and social value of each CE scheme. In the event that the reduction in the training and material grant announced in the Budget creates financial difficulties for schemes that would otherwise be viable, the Department will explore the options in relation continued funding for such schemes.

349. **Deputy Maureen O'Sullivan** asked the Minister for Social Protection, while the review of community employment schemes is taking place, will she make concessions to lone parents participating in community employment schemes who now cannot, due to the budget 2012, claim other social welfare payments while in a community employment scheme and who make up a large number of community employment scheme participants; and if she will make a statement on the matter. [40838/11]

Minister for Social Protection (Deputy Joan Burton): The changes to the payment of concurrent allowances to Lone Parents and Persons with a Disability will only apply to new entrants after 16 January. A new entrant is a person who has not participated on Community Employment in the preceding 12 months. The Department of Social Protection income-maintenance payment will cease for new entrants in receipt of the following payments:

- One Parent Family Payment
- Deserted Wife's Benefit
- Widow/Widowers contribution Pension
- Disability Allowance
- Blind Pension
- Illness Benefit
- Invalidity Pension

[Deputy Joan Burton.]

The payment of concurrent allowances for a Qualified Child Dependent will end from January 16th 2012 for all existing and new entrants. Participants with such an entitlement will continue to receive this payment from the Department of Social Protection. Existing participants will continue to receive all other current payments and allowances.

Social Welfare Benefits

350. **Deputy Paudie Coffey** asked the Minister for Social Protection if her attention has been drawn to the fact that retained fire fighters are being refused jobseeker's benefit; her views on the matter; and if she will make a statement on the matter. [40844/11]

373. **Deputy Gerry Adams** asked the Minister for Social Protection if her Department has completed a report to advise her on appropriate steps to deal with the general issue of social welfare payments to retained fire fighters; if she will publish the report; and if she will make a statement on the matter. [41122/11]

426. **Deputy Gerry Adams** asked the Minister for Social Protection if the group established in her Department to examine the position of part-time fire fighters in relation to unemployment payments has concluded its work; and if she will make a statement on the matter. [1396/12]

Minister for Social Protection (Deputy Joan Burton): I propose to take Questions Nos. 350, 373 and 426 together.

Social welfare legislation provides that a person must satisfy the conditions of being available for and genuinely seeking work in order to be entitled to jobseeker's benefit or jobseeker's allowance. Any person who fails to satisfy these conditions is not entitled to a jobseeker's payment.

Part-time fire-fighters are entitled to a jobseeker's payment in respect of days that they are engaged in fire-fighting or training. They are, however, required to satisfy the statutory conditions for the receipt of a jobseeker's payment of being available for and genuinely seeking work. In this respect, Deciding Officers do not treat them differently to any other jobseeker's benefit or allowance claimant.

While the importance of retained fire brigade personnel is fully recognised, the introduction of special arrangements exempting them from the requirement to fulfil the statutory conditions for entitlement to jobseeker's benefit or allowance would raise equity issues vis-a-vis other claimants to jobseeker's payments. However, taking account of the unusual circumstances of these workers and general efforts to develop and standardise our jobseeker schemes, a group has been established in the Department to examine the position of part-time fire-fighters.

Deliberations on this issue are currently being finalised. My officials will be in touch with relevant deputies in this regard in due course.

Departmental Staff

351. **Deputy Pearse Doherty** asked the Minister for Social Protection the number of social welfare deciding officers and administrative staff working in the Donegal Town and Ballybofey offices in County Donegal; and the training facilities in place for staff members. [40866/11]

Minister for Social Protection (Deputy Joan Burton): There is a total of 18 staff serving in the Department's Local Office in Donegal Town. All of the staff have been officially appointed

as deciding officers. The Department provides staff training through local trainers and the Department's Staff Development Unit on an ongoing basis.

The office in Ballybofey is a Branch Office which is operated under a contract for services by a Branch Manager who employs his own staff. Of the 6 staff working in this office, 2 have been officially appointed as deciding officers to make decisions in respect of certain categories of jobseekers' allowance and jobseekers' benefit claims and are fully trained in this regard.

Social Welfare Appeals

352. **Deputy Brendan Griffin** asked the Minister for Social Protection if a decision has been made on the application for invalidity pension in respect of a person (details supplied) in County Kerry; and if she will make a statement on the matter. [40869/11]

Minister for Social Protection (Deputy Joan Burton): I am advised by the Social Welfare Appeals Office that an oral hearing of this case took place on 5 January 2012. The Appeals Officer is now considering the appeal in the light of all the evidence submitted, including that adduced at the hearing. The person concerned will be notified of the Appeals Officer's decision when the appeal has been determined. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

353. **Deputy Michelle Mulherin** asked the Minister for Social Protection the reasons an appeal to the social welfare appeals office for jobseeker's benefit was turned down in respect of a person (details supplied) in County Mayo; and if she will make a statement on the matter. [40896/11]

Minister for Social Protection (Deputy Joan Burton): I am advised by the Social Welfare Appeals Office that an Appeals Officer having fully considered all the available evidence disallowed the appeal of the person concerned by way of a summary decision. A note on the reasons for the Appeals Officers decision was conveyed to the appellant by letter dated 20 December 2011. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Question No. 354 withdrawn.

Social Welfare Benefits

355. **Deputy Pearse Doherty** asked the Minister for Social Protection the number of claimants currently in receipt of rent supplement, mortgage interest supplement and the household benefit package benefits in County Donegal, in nominal terms and as a percentage of persons on the live register in County Donegal; and if she will make a statement on the matter. [40922/11]

Minister for Social Protection (Deputy Joan Burton): At the end of December 2011 there were 2,977 people in receipt of Rent Supplement in County Donegal, a fall of over 6% from the end of December 2010, when there were 3,194 people in receipt of Rent Supplement in County Donegal. 47% or 1,413 of the 2,977 people currently on Rent Supplement in County Donegal are on either Jobseeker's Allowance or Jobseeker's Benefit. These represent less than 7% of the numbers on the Live Register in Donegal.

At the end of December 2011 there were 434 people in receipt of Mortgage Interest Supplement in County Donegal, an increase of 18% from the end of December 2010, when there

[Deputy Joan Burton.]

were 367 people in receipt of Mortgage Interest Supplement in County Donegal. 74% or 320 of the 434 people currently on Mortgage Interest Supplement in County Donegal are on either Jobseeker's Allowance or Jobseeker's Benefit. These represent less than 2% of the numbers on the Live Register in Donegal.

The number of persons in County Donegal in receipt of payments under the Household Benefits scheme is 18,099. The number of Household Benefits recipients includes persons whose primary income is derived from sources other than schemes included on the live register. It would therefore be inappropriate to express these figures as a percentage of persons on the live register.

The table sets out by scheme the number of persons currently on the live register in County Donegal.

Office	Jobseeker's Allowance	Jobseeker's Benefit	Credits	Totals
Ballybofey	2,118	445	86	2,649
Ballyshannon	1,126	321	100	1,547
Buncrana	3,711	697	240	4,648
Donegal	832	485	86	1,402
Dunfanaghy	1,234	272	146	1,652
Dungloe	1,571	457	232	2,260
Killybegs	595	511	102	1,208
Letterkenny	4,662	946	286	5,894
Total	15,849	4,134	1,278	21,261

356. **Deputy Pearse Doherty** asked the Minister for Social Protection the number of persons currently on the live register in County Donegal who receive less than the maximum personal weekly rate, who receive no payment at all, who receive payment for part of the week and who receive jobseeker's allowance or jobseeker's benefit at less than the maximum personal rate, and to detail these figures in nominal terms and as a percentage of the total number of persons currently on the live register for County Donegal. [40923/11]

Minister for Social Protection (Deputy Joan Burton): The information requested by the Deputy is not routinely collated by my Department and for that reason, it is not possible in the time available to provide the requested information specifically in relation to County Donegal. However on a national basis, the following is the position:

Just over half (51%) of the people on the Live Register receive less than the maximum personal weekly rate:

- 17% receive no payment. This includes people signing on for PRSI credits only, people whose claims have been suspended for any reason and people who have recently lodged new claims which have not yet been decided.
- 18% receive payment for part of the week only
- A further 16% receive Jobseekers' Allowance or Jobseeker's Benefit of less than the maximum personal rate of €188.00

The table sets out by scheme and local office the number of persons currently signing on the live register at local offices in County Donegal. It should be kept in mind that a local office may serve customers from adjacent counties as well as the county in which the local office is located, particularly if the office is located close to the border between two counties.

Office	Jobseeker's Allowance	Jobseeker's Benefit	Credits	Totals
Ballybofey	2,118	445	86	2,649
Ballyshannon	1,126	321	100	1,547
Buncrana	3,711	697	240	4,648
Donegal	832	485	86	1,402
Dunfanaghy	1,234	272	146	1,652
Dungloe	1,571	457	232	2,260
Killybegs	595	511	102	1,208
Letterkenny	4,662	946	286	5,894
Total	15,849	4,134	1,278	21,261

Community Employment Schemes

357. **Deputy Dara Calleary** asked the Minister for Social Protection her plans to implement the recommendations of the Labour Court which state that FÁS should provide an agreed pension scheme for community employment scheme supervisors and assistant supervisors; and if she will make a statement on the matter. [40934/11]

Minister for Social Protection (Deputy Joan Burton): I would refer the Deputy to my reply to question numbers 99, 89 & 102 on 1st December 2011. The position remains unchanged.

Redundancy Payments

358. **Deputy Patrick O'Donovan** asked the Minister for Social Protection when a redundancy payment will issue to a person (details supplied) in County Mayo. [40944/11]

Minister for Social Protection (Deputy Joan Burton): A redundancy lump sum claim in respect of the person concerned was received on 20 July 2011. Redundancy lump sum claims received at the start of May 2011 are currently being processed.

Social Welfare Appeals

359. **Deputy Michael P. Kitt** asked the Minister for Social Protection when domiciliary care allowance will issue in respect of a person (details supplied) in County Westmeath. [40948/11]

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 27 October 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 3 January 2012 and the appeal will be assigned, in due course, to an Appeals Officer who will decide whether the case can be decided on a summary basis or whether to list it for oral hearing.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

360. **Deputy Michael McCarthy** asked the Minister for Social Protection the reason a person (details supplied) in County Cork has been asked to submit a form when it has already been supplied; when a decision on the case will be forthcoming; and if she will make a statement on the matter. [40980/11]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that the person concerned submitted a letter to Carrigaline Local Office appealing the decision of the Deciding Officer in this case. This letter was received in that office on 10 October 2011 and the case was referred to Social Welfare Inspector on 26 October 2011 for further investigation who upheld the decision of the Deciding Officer.

Following this, the person's correspondence was then forwarded to the Social Welfare Appeal Office who sent a form to the appellant in order to fully outline the up to date grounds of her appeal.

Pension Provisions

361. **Deputy Patrick O'Donovan** asked the Minister for Social Protection if a person (details supplied) in County Limerick will still be eligible to receive their widowers pension in view of the recent budget changes in regard to community employment schemes. [40988/11]

Minister for Social Protection (Deputy Joan Burton): The changes to the payment of concurrent allowances to participants with a Widow/Widowers contribution pension will only apply to new entrants after 16 January. A new entrant is a person who has not participated on Community Employment in the preceding 12 months. Existing participants will retain this payment. The payment of concurrent allowances for a Qualified Child Dependent will end from 16 January 2012 for all existing and new entrants. Participants with such an entitlement will continue to receive this payment from the Department of Social Protection. Existing participants will continue to receive all other current payments and allowances.

362. **Deputy Robert Troy** asked the Minister for Social Protection with regard to the changes proposed in budget 2012 in relation to contributory old age pensions, will the proposals affect and or reduce the pension of existing pension holders; will the proposals affect someone qualifying for pension in July of next year; if so, in what way; when will the proposed new bands come into force; and will they affect existing pension holders. [40992/11]

Minister for Social Protection (Deputy Joan Burton): The recently announced changes to the rates of payment for State pension are necessary if we are to ensure the sustainability of pension provision into the future. People are living longer and healthier lives and growing numbers of people want to work, or may need to work beyond State pension age. The challenges facing the Irish pension system are significant. There are currently six people of working age for every pensioner and this ratio is expected to decrease to approximately two to one by 2050. The period for which an average pension will be paid will be greater than the period for which a pension is paid at present. In addition, those aged over 65 will account for a greater proportion of the population while the proportion who are of working age is expected to decline. So the task of financing increasing pensions will fall to a diminishing share of the population. This has obvious and significant implications in relation to the future costs of State pension provision.

The amount of pension paid has always been calculated based on the person's contribution to the PRSI system over a working life. This needs to be adhered to if we are to be able to fund pensions into the future. The upcoming change to the rate bands supports this policy objective. Currently a person with an average of 20-47 PRSI contributions per year over their

working life receives a weekly State pension of only €4.50 less than a person with a yearly average of 48 or more PRSI contributions. This situation is neither fair nor sustainable.

With effect from September 2012, the rate band of between 20 and 47 yearly average contributions will be replaced with new rate bands of between:

- (i) 40 and 47 yearly average contributions
- (ii) 30 and 39 yearly average contribution and
- (iii) 20 and 29 yearly average contributions.

The rate of State pension paid to new applicants will be appropriate to the average number of contributions paid. Those who have fewer contributions will receive a lower rate of pension. The maximum rate is unchanged as is the rate for those with yearly average contributions between 40 and 47.

Existing pension recipients are unaffected and any changes only apply to new claimants from September 2012. A person qualifying for State pension in July 2013 will be assessed using the new rate bands.

Details of the current and new rates bands for both State pension (transition) and State pension (contributory) are set out in the tables.

Current State Pension (Contributory) Rates

Yearly Average Contributions	Personal Rate Per Week €
48 or over	230.30
20-47	225.80
15-19	172.70
10-14	115.20

Current State Pension (Transition) Rates

Yearly Average Contributions	Personal Rate Per Week €
48 or over	230.30
24-47	225.80

New State Pension (Contributory) Rates

Yearly Average Contributions	Personal Rate Per Week €
48 or over	230.30
40-47	225.80
30-39	207.00
20-29	196.00
15-19	150.00
10-14	92.00

[Deputy Joan Burton.]

New State Pension (Transition) Rates

Yearly Average Contributions	Personal Rate Per Week €
48 or over	230.30
40-47	225.80
30-39	207.00
24-29	196.00

Social Welfare Benefits

363. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection the reason when assessing maintenance as means for the one parent family allowance that the remainder is then assessed as means for the purposes of assessing family income supplement even though the payment for a qualified child is only €29 and that in many cases not only is this amount fully deducted but more if the maintenance payment is more than €60 and that the payment available for FIS is reduced based on the second half being assessed as means; and that the child gains no benefit from the maintenance paid by the absent parent . [41022/11]

Minister for Social Protection (Deputy Joan Burton): One parent family payment (OFP) is a means tested social assistance payment. The amount of the payment depends on the weekly means of the parent. In assessing means, account is taken of all cash income which the person is receiving including maintenance payments.

Currently, earnings of less than €130 per week are excluded from the assessment of means, with the result that people earning up to €130 per week are entitled to the full rate of payment. Earnings above this limit are assessed at 50%, up to a maximum of €425.00 per week. A reduced rate of OFP is payable in these cases.

With regard to the assessment of maintenance, personal and child maintenance are assessed as means. Housing costs if any, of up to €95.23 per week are initially disregarded for those who pay rent or a mortgage. Maintenance above this level is assessed at 50%. As a result of this approach, a recipient will always retain at least half of any maintenance paid.

The family income supplement (FIS) is designed to provide further income support for employees on lower earnings who have children.

To qualify for payment of FIS, a person must be engaged in full-time insurable employment which is expected to last for at least 3 months and be working for a minimum of 38 hours per fortnight or 19 hours per week. The applicant must also have at least one qualified child who normally resides with him/her or is supported by him/her.

The assessment of FIS is based on the total net income, including weekly social welfare income, of a person after income tax, superannuation and social insurance contributions are deducted. Where the total net average weekly family income is below the threshold for the family size, 60% of the difference between the prescribed threshold and total net average weekly family income is paid. Maintenance payments are, accordingly, assessed in full, in line with the treatment of other income. It is important to note, however, that this does not result in the entire benefit of the maintenance payment being lost to the recipient. A person in the circumstances described by the Deputy, who receives both Family Income Supplement and One-Parent Family Payment, will still be better off for having received a maintenance payment after the application of the means tests in the two schemes as described above.

FIS is one of the family and child income supports currently being examined by the Advisory Group on Tax and Social Welfare, which was established in June last year. The Group has been tasked with recommending cost-effective solutions as to how employment disincentives can be improved and better poverty outcomes achieved, particularly child poverty outcomes.

364. **Deputy Mary Lou McDonald** asked the Minister for Social Protection the number of domiciliary care allowance applicants; and the number of domiciliary care allowance applicants refused year-on-year since 2009 broken down by constituency. [41029/11]

Minister for Social Protection (Deputy Joan Burton): The Department has been accepting new claims for domiciliary care allowance (DCA) since 1 April 2009. Statistics relating to the allowance for the period prior to April 2009 are a matter for the HSE, the previous administrators of the scheme.

The number of applicants for DCA that were received, awarded and refused in each year to date is detailed in the table. A breakdown of the applications received and applications refused by constituency is not available.

Domiciliary Care Allowance applications, April 2009 to date

	Applications received	Applications fully processed in year	Applications allowed incl. on review	Applications refused
2009 (From 1st April)	3,389	2,823	1,220	1,603
2010	5,457	5,333	2,576	2,757
2011 (to 30th November)	5,226	5,118	2,347	2,771

Social Welfare Appeals

365. **Deputy Michael Healy-Rae** asked the Minister for Social Protection the position regarding an appeal in respect of a person (details supplied) in County Kerry; and if she will make a statement on the matter. [41032/11]

Minister for Social Protection (Deputy Joan Burton): I am informed by the Social Welfare Appeals Office that an appeal for the person concerned has not been registered. However, because of the large number of appeals currently being lodged, there is a backlog in the office in registering appeals. If the appeal has been submitted in recent weeks the appeal will be registered and acknowledged in due course. The Chief Appeals Officer has assured me that all appropriate measures are being taken to address this situation.

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

366. **Deputy Gerry Adams** asked the Minister for Social Protection if she will outline in detail the impact the Government cuts in community employment schemes will have on community employment schemes in County Louth; if she will provide a breakdown of the funding given to each of the community employment schemes in County Louth in 2009, 2010, 2011; and the amount that will be allocated in 2012. [41058/11]

Minister for Social Protection (Deputy Joan Burton): It would take some time to retrieve the funding breakdown for each of the Community Employment Schemes in County Louth for each of the three years. The overall expenditure on Community Employment Programmes administered by the FAS Offices in Dundalk and Drogheda over the three year period in question is as follows:

Year	Dundalk	Drogheda
2009	€7,861,376	€6,346,664
2010	€7,751,245	€6,402,594
2011	€7,510,831	€6,274,464

At this point the budget for 2012 has not been finalised.

A review of Community Employment is currently underway to establish the on-going viability of each scheme in the context of the overall objectives of the CE programme and recognising in particular the community and social value of each CE scheme. Services provided by Community Employment Schemes will not be adversely affected pending the completion of this review.

Question No. 367 withdrawn.

Social Welfare Appeals

368. **Deputy Patrick Nulty** asked the Minister for Social Protection if she will expedite an application for domiciliary care allowance in respect of a person (details supplied) in County Dublin; when the claim will go into payment and arrears will issue; the reason for the delay; and if she will make a statement on the matter. [41085/11]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that office on 21 September 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 5 January 2012 and the appeal will be assigned, in due course, to an Appeals Officer who will decide whether the case can be decided on a summary basis or whether to list it for oral hearing.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Community Employment Schemes

369. **Deputy Maureen O'Sullivan** asked the Minister for Social Protection if she will reverse the cuts imposed on the FÁS special community employment drug rehab projects which will see their operational and training budget cut by 66%; the reasons for such targeting of cuts to vital services; and if she will make a statement on the matter. [41096/11]

Minister for Social Protection (Deputy Joan Burton): The announced changes to the allowances and grants payable to Community Employment programmes and participants were not restricted to the special Community Employment drug rehabilitation projects. Such projects continue to maintain the favourable criteria enjoyed by them in relation to supervisor ratios, support workers, duration and eligibility criteria.

Following changes to Community Employment schemes announced in Budget 2012, the Government is fully committed to the protection and development of community and social employment initiatives. A financial review of CE schemes will commence immediately. No Community Employment scheme will close pending the outcome of this financial review.

The purpose of the review will be to establish the on-going viability of each scheme in the context of the overall CE program and recognising in particular the community and social value of each CE scheme.

In the event that the reduction in the training and material grant announced in the Budget creates financial difficulties for schemes that would otherwise be viable, the Department will explore the options in relation continued funding for such schemes.

370. **Deputy Maureen O'Sullivan** asked the Minister for Social Protection if she recognises the full scope of effects due to the cuts to community employment programmes in working class communities, including creches and community projects which rely on community employment workers to provide these services; the action she will take to prevent the closing down of such programmes due to the inability of community employment workers to continue working without the social welfare support; and if she will make a statement on the matter. [41097/11]

Minister for Social Protection (Deputy Joan Burton): Following changes to Community Employment schemes announced in Budget 2012, the Government is fully committed to the protection and development of community and social employment initiatives. A financial review of CE schemes will commence immediately. No Community Employment scheme will close pending the outcome of this financial review.

The purpose of the review will be to establish the on-going viability of each scheme in the context of the overall CE program and recognising in particular the community and social value of each CE scheme. In the event that the reduction in the training and material grant announced in the Budget creates financial difficulties for schemes that would otherwise be viable, the Department will explore the options in relation continued funding for such schemes. Existing participants will maintain their existing Social Welfare supports. The only change for existing participants will be the non-payment of the concurrent Child Dependent allowance from Community Employment. They will continue to receive this allowance from Social Welfare.

It is important to note that irrespective of the changes announced, all participants, both existing and new, will be financially better off while participating on Community Employment.

371. **Deputy Maureen O'Sullivan** asked the Minister for Social Protection that when undertaking a review of community employment schemes, that persons from those community employment schemes will be invited to speak on their behalf regarding the situation of cuts to CE schemes; and if she will make a statement on the matter. [41098/11]

Minister for Social Protection (Deputy Joan Burton): This financial review of Community Employment schemes announced will in the first instance be carried at local level between regional Department of Social Protection staff with each Sponsor. This will involve a meeting with each Sponsor and the gathering of information relating to the operation and the services delivered by each project.

In addition, during the financial review process Department staff will undertake consultations with the main stakeholders including other government department and agencies on whose behalf services are delivered to local communities with the support of Community Employment.

Universal Social Charge

372. **Deputy Mattie McGrath** asked the Minister for Social Protection the reason the universal social charge is not discounted from gross income in the assessment of means for social welfare payments when it results in a significant difference in the take home pay; her views that this is extremely unfair and is having a negative effect on social welfare applicants; her plans to review this matter; and if she will make a statement on the matter. [41107/11]

Minister for Social Protection (Deputy Joan Burton): The earnings assessed for social assistance means testing purposes generally is based on earnings net of PRSI contributions, superannuation/PRSA contributions and trade union subscriptions. No account is taken in the calculation of any income taxes payable on earnings i.e. the assessment is based on gross earnings before tax. Given that the universal social charge is a tax, the impact of this charge is, therefore, not taken into account when means testing welfare entitlements.

The one exception to this arrangement relates to entitlement to Family Income Supplement. This has been, for many years, assessed net of all statutory charges including income tax. This approach has been continued and the universal social charge is taken account of for the purposes of entitlement to this scheme.

The programme for government contained a commitment to review the universal social charge. This review was completed by the Department of Finance, and Budget 2012 contained a number of changes to the USC that will help low paid, part-time and seasonal workers. From 1 January 2012, the exemption level has been raised from €4,004 to €10,036 (€193 per week). This measure will benefit nearly 330,000 people including part-time workers in receipt of primary weekly welfare payments.

Question No. 373 answered with Question No. 350.

Social Welfare Benefits

374. **Deputy Jack Wall** asked the Minister for Social Protection the position regarding an application for domiciliary care in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [41128/11]

Minister for Social Protection (Deputy Joan Burton): An application for domiciliary care allowance was received on 18th November 2011. This application has been forwarded to one of the Department's Medical Assessors for their medical opinion. Upon receipt of this opinion, a decision will issue to the customer. The Deputy should note that it currently takes up to nine weeks to process an application.

Pension Provisions

375. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if and when State contributory pension will be paid in respect of a person (details supplied) in County Kildare who has paid the sufficient amount of contributions in this instance; and if she will make a statement on the matter. [41130/11]

Minister for Social Protection (Deputy Joan Burton): The qualifying conditions for State pension (contributory) require the applicant to:

- have entered insurable employment before attaining the age of 56 years.
- have at least 260 paid contribution weeks, since entry into insurance, from employment or self-employment.

- have a yearly average of at least 10 paid/credited contributions.

According to the records of the Department, the person concerned has only 250 paid PRSI contributions in total from October 1952 to 1996, giving her a yearly average of 4 contributions over that period. Therefore, she does not satisfy the qualifying conditions for State pension (contributory). If she has an income need, she should apply for the means-tested State pension (non-contributory).

Social Welfare Benefits

376. **Deputy Jack Wall** asked the Minister for Social Protection the position regarding a rent allowance transfer in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [41132/11]

Minister for Social Protection (Deputy Joan Burton): There is no record of a rent supplement application in respect of the person concerned. If the person concerned wishes to apply for rent supplement he should complete an application form and return it to the Central Rents Unit, PO Box 11758, Dublin 24.

Social Welfare Appeals

377. **Deputy Michael Healy-Rae** asked the Minister for Social Protection the number of appeals to the social welfare appeals office that were successful; and if she will make a statement on the matter. [41133/11]

390. **Deputy Charles Flanagan** asked the Minister for Social Protection the position regarding appeals for disability allowance and other subjects; the average length of time for such appeals; the reason for the delays; and if her attention has been drawn to the hardship to applicants as a consequence of these delays; and if she will make a statement on the matter. [41247/11]

Minister for Social Protection (Deputy Joan Burton): I propose to take Questions Nos. 377 and 390 together.

I am informed by the Social Welfare Appeals Office that 34,027 appeals were processed during 2011 of which 6,035 were revised in favour of the appellant by the Deciding Officer without the necessity for ultimate referral to an Appeals Officer for determination. A further 2,602 appeals were withdrawn. Of the 25,390 appeals determined by Appeals Officers, 8,331 (32.8%) were successful or partly successful.

The table shows the position regarding the number of appeals for disability allowance and other schemes on hands at the end of 2011 and the average length of time to process such appeals which were finalised in 2011. Overall, the average processing time for all appeals in 2011 was 25.1 weeks in cases dealt with by way of summary decisions and 52.5 weeks where an oral hearing was required.

These processing times are calculated from the registration date of the appeal to the date of its finalisation and include all activities during this period including time spent in the Department for comments by the Deciding Officer on the grounds of appeal put forward by the appellant and any further investigation, examination or assessment by the Department's Inspectors and Medical Assessors that is deemed necessary. A considerable period of time is added to the process when an oral hearing is required because of the logistics involved in this process.

I am assured by the Chief Appeals Officer that she is keeping the methods of operation by which the Social Welfare Appeals Office conducts its business under constant review, and that

[Deputy Joan Burton.]

the processes are continuously being enhanced to reduce the backlogs in the Office and, overall, to reduce the processing times for dealing with appeals.

	On Hands 1 January 2012	Average processing times (weeks) Summary Decisions	Average processingtimes (weeks) Oral Hearings
Adoptive Benefit	2	27.9	—
Blind Pension	14	20.4	69.8
Carers Allowance	1,147	31.3	57.9
Carers Benefit	61	21.8	59.4
Child Benefit	603	47.6	66.0
Disability Allowance	2,958	27.4	55.6
Illness Benefit	2,021	38.2	59.8
Domiciliary Care	1,385	25.4	55.8
Deserted Wives Allowance	4	—	—
Deserted Wives Benefit	12	19.2	46.0
Farm Assist	121	20.9	57.9
Bereavement Grant	35	22.1	—
Family Income Supplement	104	19.9	31.8
Invalidity Pension	1,582	36.4	58.9
Liable Relatives	31	31.6	84.1
One Parent Family Payment	618	24.3	57.5
Maternity Benefit	20	25.1	62.1
State Pension (Contributory)	91	24.9	55.3
State Pension (Non-Cont)	165	20.6	54.6
State Pension (Transition)	22	24.4	66.0
Occupational Injury Benefit	9	30.7	54.8
Occupational Injury Ben (Med)	27	77.8	65.0
Disablement Pension	278	48.0	59.7
Incapacity Supplement	14	—	48.3
Guardian's Payment (Con)	32	36.2	62.7
Guardian's Payment (Non-Con)	10	23.9	59.0
Pre-Retirement Allowance	2	—	—
Jobseeker's Allow (Means)	1,866	18.0	54.8
Jobseeker's Allowance	1,494	23.8	47.9
Jobseeker's Benefit	583	15.1	34.0
JA/JB Fraud Control	4	13.7	24.9
Respite Care Grant	166	23.4	60.8
Insurability of Employment	136	34.0	72.1
Supplementary Welfare All	1,833	6.3	17.6
Treatment Benefits	1	28.8	—
Survivor's Pension (Con)	14	27.5	55.3
Survivor's Pension (NonCon)	18	18.1	53.1
Widows Parent Grant	5	22.0	—
All Appeals	17,488	25.1	52.5

378. **Deputy Pat Deering** asked the Minister for Social Protection when a person (details supplied) in County Carlow will have a decision on their appeal for a non-contributory pension; and if she will expedite a response. [41136/11]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that the appeal by the person concerned was registered in that office on 1 June 2011. The case was referred to an Appeals Officer for consideration and the Appeals Officer has referred this case back to the Social Welfare Services Office for clarification on certain issues. On receipt of their response, the case will be further considered by the Appeals Officer. 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.

379. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the progress to date in the determination of an appeal in respect of an application for invalidity pension in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [41137/11]

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 9 August 2011. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. These papers were received in the Social Welfare Appeals Office on 30 November 2011 and the appeal will be assigned, in due course, to an Appeals Officer who will decide whether the case can be decided on a summary basis or whether to list it for oral hearing.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Social Welfare Benefits

380. **Deputy Billy Timmins** asked the Minister for Social Protection if there are systems in place to deal with carer's allowance applications for those who are caring for persons with terminal illness and need to have the process speeded up; and if she will make a statement on the matter. [41147/11]

Minister for Social Protection (Deputy Joan Burton): Entitlement to carer's allowance is based on satisfying means, residency, full-time care provision and medical suitability criteria. In the interests of fairness and equity, applications for carer's allowance are generally processed in order of the date the applications are received. However, individual cases may be given priority where exceptional circumstances exist.

In determining entitlement to the allowance, unavoidable time lags may occur while the necessary investigations and inquiries are made. Delays may also arise if those applying are not in a position to supply all the necessary information in support of their claim.

381. **Deputy Billy Timmins** asked the Minister for Social Protection the position regarding a rent allowance application in respect of a person (details supplied) in County Wicklow; and if she will make a statement on the matter. [41148/11]

Minister for Social Protection (Deputy Joan Burton): The person concerned made an application for rent supplement on 14 November 2011 and is seeking a higher rent limit than is

[Deputy Joan Burton.]

relevant to a single person. The person concerned has been living in the family home of his parents and has not provided verification of having access to his child/ maintenance payments/ previous rented family accommodation. The single rate of €529 per month limit for Wicklow therefore applies to his claim. If the person concerned submits verification of previous involvement with his child, his application will be reassessed.

Health Service Staff

382. **Deputy Maureen O'Sullivan** asked the Minister for Social Protection the reason a number of permanent community welfare officers were told in April/May 2011 there will be no transfers to her Department; the reason other permanent staff were subsequently transferred to her Department; the reason a number of workers (details supplied) cannot be granted a transfer to her Department; and if she will make a statement on the matter. [41152/11]

Minister for Social Protection (Deputy Joan Burton): The people concerned were not permanent Community Welfare Officers but were assigned by the Health Service Executive on a temporary basis to posts in the Community Welfare Service. Contracts of this nature were not comprehended by the protocols governing the transfer of the Community Welfare Service to my Department and accordingly these individuals could not be considered for transfer.

Social Welfare Benefits

383. **Deputy Finian McGrath** asked the Minister for Social Protection her plans for further cuts to the carer's allowance (details supplied). [41160/11]

Minister for Social Protection (Deputy Joan Burton): Carers play a particularly important role in society which the Government acknowledges through a range of supports, including carer's allowance, half-rate carer's allowance, carer's benefit, the respite care grant, free travel and household benefits.

The means test for carer's allowance is 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. A couple with two children can earn up to €35,400 and qualify for the maximum rate of carer's allowance while a couple earning €59,300 will still qualify for the minimum rate of carer's allowance.

One of the measures introduced as part of Budget 2012 is that income from weekly carer's payments will be included for the purposes of calculating entitlement to Family Income Supplement (FIS) in line with other welfare payments, on a phased basis with effect from January 2012.

Entitlement to FIS is based on the level of a family's income including net income from employment and the value of any social welfare payments they might have. However, income from carer's allowance and carer's benefit was an exception and was not taken into account in assessing family income for FIS purposes prior to January 2012.

From January 2012, for new applicants and upon renewal for existing claimants, income from carer's allowance and carer's benefit payments will be included in the (FIS) income assessment. The measure will be implemented over 3 years with 1/3 of the income from carer's allowance and carer's benefit payments assessed in 2012, 2/3 in 2013 and full assessment in 2014.

This provides for a more consistent approach to the concurrent payment of FIS with other social welfare benefits through the standardisation of the treatment of social welfare income

for this purpose. The reform reduces a person's secondary payment (FIS) without affecting their primary payment, therefore targeting available scarce resources at those in most need.

Social Welfare Code

384. **Deputy Michael Healy-Rae** asked the Minister for Social Protection further to Parliamentary Question No. 209 of 13 December 2011 if she will issue a once off grant for the necessary material and equipment to the rural social scheme in North and East Kerry Development to carry out this work. [41205/11]

Minister for Social Protection (Deputy Joan Burton): The Deputy will be aware that a very wide range of community services and works can be delivered with the support of the programmes and schemes that are funded by my Department. However, the Department of Social Protection does not provide the form of grant suggested by the Deputy and has no proposals to do so. My information is that funding for this type of work is likely to be more appropriate to other statutory bodies or Kerry County Council. I would draw the Deputy's attention to the requirements outlined in my previous reply that work undertaken by the various programmes and schemes must not displace works that are the proper responsibility of statutory bodies or local authorities.

Question No. 385 withdrawn.

Community Employment Schemes

386. **Deputy Gerry Adams** asked the Minister for Social Protection the impact the cuts to community employment schemes announced in Budget 2012 will have on the Dundalk ICTU centre; the level of funding that was allocated to the centre in 2009, 2010, 2011 and the amount that will be allocated in 2012; and if she will make a statement on the matter. [41209/11]

Minister for Social Protection (Deputy Joan Burton): The level of funding which was allocated to the Dundalk ICTU centre under Community Employment over the past three years is as follows:—

Year	€
Mar 2009 — Mar 2010	€686,119.85
Mar 2010 — Mar 2011	€628,228.70
Mar 2011 — Mar 2012	€495,789.47 (to date)

At this point the budget for 2012 has not been finalised.

A financial review of Community Employment is currently underway to establish the ongoing viability of each scheme in the context of the overall objectives of the CE programme and recognising in particular the community and social value of each CE scheme. Services provided by Community Employment Schemes will not be adversely affected pending the completion of this review.

387. **Deputy Gerry Adams** asked the Minister for Social Protection the impact the cuts to community employment schemes announced in Budget 2012 will have on a group (details supplied) in County Louth; the level of funding that was allocated to the centre in 2009, 2010, 2011 and the amount that will be allocated in 2012; and if she will make a statement on the matter. [41210/11]

Minister for Social Protection (Deputy Joan Burton): The Ages and Stages Creche at Mul-lagharlin Park, Dundalk is not a direct recipient of funding under Community Employment. They are, however, one of a number of sub-sponsors on the Dundalk ICTU Centre CE Scheme. The Dundalk ICTU Centre received the following funding during the period in question:—

Year	€
Mar 2009 — Mar 2010	€686,119.85
Mar 2010 — Mar 2011	€628,228.70
Mar 2011 — Mar 2012	€495,789.47 (to date)

At this point the budget for 2012 has not been finalised. It is a matter for the management of the Dundalk ICTU to decide how the funding is disbursed among the sub sponsors in consultation with Department staff.

A financial review of Community Employment is currently underway to establish the on-going viability of each scheme in the context of the overall objectives of the CE programme and recognising in particular the community and social value of each CE scheme. Services provided by Community Employment Schemes will not be adversely affected pending the completion of this review.

Tax and Social Welfare Codes

388. **Deputy Patrick Nulty** asked the Minister for Social Protection when the advisory group on tax and social welfare will publish its report looking at child and family income supports; and if she will make a statement on the matter. [41219/11]

408. **Deputy Simon Harris** asked the Minister for Social Protection when she expects to receive a report from the Chairperson of the Commission on Social Welfare and Taxation on payments to persons with disabilities; the terms of reference of this report; her plans to publish this report; if there will be an opportunity for consultation with and input from persons with disabilities into any review in this area; and if she will make a statement on the matter. [1069/12]

Minister for Social Protection (Deputy Joan Burton): I propose to take Questions Nos. 388 and 408 together.

Creating jobs and tackling poverty are two of the key challenges that we face. It is essential that our tax and social protection systems play their part in addressing these issues and ensure that work is worthwhile. To this end, I established an Advisory Group on Tax and Social Welfare in June of last year with the aim of harnessing expert opinion and experience in order to address a number of specific issues. These include making cost-effective proposals for improving employment incentives and achieving better poverty outcomes, particularly child poverty outcomes.

The Group has been asked to examine a number of specific issues and make recommendations on these, including child and family income supports, working age income supports, the appropriate unit of assessment in both the tax and social welfare codes, the interaction of the tax and social welfare codes, issues concerning social insurance for self-employed people and any other issues that may be referred to it.

While I received a progress report from the Advisory Group in advance of Budget 2012, the Group has not reached definitive conclusions on the future development of child income sup-

port payments. However, I understand that the Group will be returning to this issue when it resumes its work this month and that the Group will continue to prioritise this issue.

I recently asked the Group to examine and report on the policy objectives underpinning the Budget 2012 proposals regarding changes in eligibility criteria and rates of payment for Disability Allowance and the increase in the age threshold for payment of Domiciliary Care Allowance and to assess the overall effectiveness of these proposals in delivering on these objectives. In light of these extended terms of reference, I expect that when the Group resumes its work, it will be examining its work programme for the coming months, including the need for a consultation process on this new issue.

The Group's overall method of working is based on producing modular reports on the priority areas identified in the terms of reference. Where possible, the aim is to provide recommendations that can be acted upon in time for the annual budget/estimates and legislative cycle and to allow the Government to best address its commitments under the EU/IMF Programme of Financial Support.

Social Welfare Appeals

389. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if an appeal will be accepted in respect of an application for rent supplement in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [41241/11]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that an appeal by the person concerned has not been received by that office. A form for the opening of an appeal has been forwarded to the person concerned and requesting him to state the grounds for his appeal. On receipt of his reply the appeal will be opened and processed in the normal manner.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Question No. 390 answered with Question No. 377.

Redundancy Payments

391. **Deputy Patrick O'Donovan** asked the Minister for Social Protection the position regarding an application for redundancy payments in respect of a person (details supplied) in County Limerick; when payment will issue; and if she will make a statement on the matter. [41259/11]

Minister for Social Protection (Deputy Joan Burton): A redundancy lump sum claim in respect of the person concerned was received on 18 July 2011. Redundancy lump sum claims received at the start of May 2011 are currently being processed.

Social Welfare Benefits

392. **Deputy Patrick Nulty** asked the Minister for Social Protection if support is currently available under social welfare schemes for persons unable to pay residential property management fees; if any such support is being considered for the future; and if she will make a statement on the matter. [41260/11]

Minister for Social Protection (Deputy Joan Burton): There is currently no scheme under the social welfare code designed to assist individuals toward the payment of residential property management fees and there are no plans to introduce such a scheme.

393. **Deputy Tom Fleming** asked the Minister for Social Protection if she will investigate the delay in the processing of a carer's allowance application in respect of a person (details supplied) in County Kerry. [41284/11]

Minister for Social Protection (Deputy Joan Burton): There is no record of a carer's allowance application ever having been received in respect of the above named. On 9 January 2012 a claim form and return envelope issued to him at the above address. Upon its completion and return to carer's allowance section, his application will be processed.

Community Employment Schemes

394. **Deputy Bernard J. Durkan** asked the Minister for Social Protection further to Parliamentary Question No. 192 of 15 December 2011, if she will detail the appropriate level of mortgage interest supplement payable to the person concerned; and if she will make a statement on the matter. [41288/11]

Minister for Social Protection (Deputy Joan Burton): From January 2012 the appropriate rate of mortgage interest supplement payable to the person concerned is €1,332.60 per month.

Social Welfare Appeals

395. **Deputy Paul J. Connaughton** asked the Minister for Social Protection when an appeal will be heard in relation to a disability allowance application in respect of a person (details supplied) in County Galway; and if she will make a statement on the matter. [41313/11]

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 14th December 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.

Ministerial Staff

396. **Deputy Catherine Murphy** asked the Minister for Social Protection the names and salaries of each person serving as a special adviser and or the names and salaries of each person directly appointed by her or a Minister of State to any other position within her Department or predecessors Department on each of the following dates; 1 December 2009, 1 December 2010 and 1 December 2011; and if she will make a statement on the matter. [41354/11]

Minister for Social Protection (Deputy Joan Burton): The information requested by the Deputy in relation to the names and salaries of each person directly appointed by me or my predecessors within the Department, at the stated dates, are set out in the following tabular statement:

Tabular Statement

1 December 2009 — i.e. Minister Mary Hanafin, T.D., from 8 May 2008 to 23 March 2010

Ministerial Appointments

Name	Grade	Salary Point	Allowance
Averil Power	Special Adviser	€86,168 — €106,582	
Geraldine Butler*	Press Officer	€66,179 — €82,520	
Peter O'Brien	Personal Assistant	€46,558 — €59,097	
Martine Lynch	Personal Secretary	€23,181 — €44,726	10% Attraction

(*civil servant on loan from the Central Statistics Office for period of Minister's term of office)

1 December 2010 — i.e. Minister Éamon Ó Cuív, T.D., from 24 March 2010 to 8 March 2011

Ministerial Appointments

Name	Grade	Salary Scale	Allowance
Pádraic Ó hUiginn	Special Adviser	€80,051 — €98,424	
Michelle Hoctor	Press Adviser	€80,051 — €98,424	
Muireann Ní Thuairisg	Personal Assistant	€43,816 — €55,415	
Máire Ní Fhlatharta	Personal Secretary	€22,023 — €42,122	10% Attraction

1 December 2011, — i.e. Minister Joan Burton, T.D., from 9 March 2011

Ministerial Appointments

Name	Grade	Salary Scale	Allowance
Edward Brophy	Special Adviser	€127,796	
Kathleen Barrington	Press Adviser	€80,051 — €98,424	
Karen O'Connell	Personal Assistant	€43,715 — €56,060	
Irene Martin	Personal Secretary	€23,820 — €47,755	

[In my role as Deputy Leader of the Labour Party I also have a further support person, employed by the Labour Party].

Ministerial Drivers

Name	Grade	Salary Scale	Allowance
Vincent Cahill	Civilian Driver	€32,964	
Gerard McCarrick	Civilian Driver	€32,964	

Departmental Staff

397. **Deputy Denis Naughten** asked the Minister for Social Protection if she runs a graduate internship programme; and if she will make a statement on the matter. [41369/11]

Minister for Social Protection (Deputy Joan Burton): JobBridge is a new National Internship Scheme that provides work experience placements for interns for a 6 or 9 month period.

[Deputy Joan Burton.]

The aim of the National Internship Scheme is to assist in breaking the cycle where jobseekers are unable to get a job without experience, either as new entrants to the labour market after education or training or as unemployed workers wishing to learn new skills. The scheme will also give people a real opportunity to gain valuable experience to bridge the gap between study and the beginning of their working lives.

The Scheme came into operation on 1st July 2011. As of Wednesday, 11th January, a total of 3,916 internships have commenced. The Scheme is targeted at both graduates and non-graduates.

In order to be eligible to participate in JobBridge — the National Internship Scheme an individual must be:

- Currently in receipt of a live claim (Jobseekers Allowance/Jobseekers Benefit/Signing for Credits) on the Live Register;
- And have been in receipt of Jobseekers Benefit, Jobseekers Allowance or signing for Social Insurance Contribution Credits for a total of 3 months (78 days) or more in the last 6 months.

Social Welfare Appeals

398. **Deputy Brian Stanley** asked the Minister for Social Protection if she will review the decision to refuse an application for domiciliary care allowance in respect of a person (details supplied) in County Laois in view of the fact that the decision was taken without a medical assessment by her Department. [41389/11]

Minister for Social Protection (Deputy Joan Burton): Applications for domiciliary care allowance were received from the person concerned in respect of two children on 29th September 2011. These applications were referred to one of the Department's Medical Assessors who found that the children were not medically eligible for the allowance. A letter issued on 26th November 2011 advising the person concerned of these decisions.

In the case of an application which is refused on medical grounds, the applicant may submit additional information and/or ask for the case to be reviewed or they may appeal the decision directly to the Social Welfare Appeals Office within twenty one days.

Social Welfare Benefits

399. **Deputy Derek Nolan** asked the Minister for Social Protection the average waiting time for applications in respect of carer's allowance; if her attention has been drawn to the delays experienced and the anxiety that this is causing; the steps she will take to remedy this matter; when she expects the situation to improve; and if she will make a statement on the matter. [41394/11]

Minister for Social Protection (Deputy Joan Burton): The average time taken to award a claim for carer's allowance to end Sept 2011 was 14 weeks. The average time to award for the last quarter of 2011 is unavailable as, due to the phased introduction of a new claims processing system in the carer's allowance area, new claims are being processed on the new system while older claims are still being processed on the old system.

A total of almost 17,260 carer's allowance applications were registered in 2011 and almost 13,900 were processed in the same period. Some 7,765 applications are awaiting a decision at present. There are approximately 51,000 carer's allowance claims currently in payment.

I acknowledge that the time taken to process carer's allowance claims is not satisfactory but I am satisfied that the Department is taking appropriate steps to resolve the situation.

As mentioned above, a major service delivery modernisation project is underway to improve the efficiency of administration of the carer's allowance scheme. This involves the development of information technology functions and associated business process re-organisation. The first tranche of new carer's allowance claims began to be processed under the new system in August 2011. It is anticipated that the new system will introduce significant processing efficiencies and a quicker and more responsive service to the customer. Accordingly, the project is being given high priority and involves a significant level of time and commitment from the relevant staff in the Department. This has had a short-term negative impact on claim processing times.

While the new systems and processes will facilitate a significant improvement in overall processing times, it should be noted that the intake of new carer's allowance applications continues to increase and that individual claims may continue to take some time to process. Entitlement to carer's allowance is based on satisfying medical, means and residency conditions. In determining entitlement to the allowance, in certain cases unavoidable time lags are involved in making the necessary investigations and inquiries to enable accurate decisions to be made. Delays can also arise if those applying for the allowance are not in a position to supply all the necessary information in support of their claim.

The staff and other resources available to the Department are regularly reviewed with a view to ensuring claims are processed as quickly as possible. In the meantime, if a person's means are insufficient to meet his or her needs while awaiting a decision on a claim, he or she can apply for a means tested supplementary welfare allowance payment from his or her community welfare officer.

Social Welfare Appeals

400. **Deputy Michael Creed** asked the Minister for Social Protection the position regarding a carer's allowance appeal in respect of a person (details supplied) in County Cork; and if she will make a statement on the matter. [41433/11]

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 10th October 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.

Question No. 401 withdrawn.

Community Employment Schemes

402. **Deputy Robert Troy** asked the Minister for Social Protection when the proposed changes to the community employment schemes will be implemented; the way the proposed changes will affect lone parents, persons with disabilities and community employment schemes with a participation below 15 persons; and will there be compulsory redundancies. [41459/11]

Minister for Social Protection (Deputy Joan Burton): Changes to the allowances paid to certain participants on the Community Employment programme will come into effect on January 16th 2012. The changes to the payment of concurrent allowances to Lone Parents and

[Deputy Joan Burton.]

Persons with a Disability will only apply to new entrants after January 16th . A new entrant is a person who has not participated on Community Employment in the preceding 12 months. The Department of Social Protection income-maintenance payment will cease for new entrants in receipt of the following payments:

- One Parent Family Payment;
- Deserted Wife's Benefit;
- Widow/Widowers contribution Pension;
- Disability Allowance;
- Blind Pension;
- Illness Benefit;
- Invalidity Pension;

The payment of concurrent allowances for a Qualified Child Dependent will end from January 16th 2012 for all existing and new entrants. Participants with such an entitlement will continue to receive this payment from the Department of Social Protection.

There is no specific change announced in relation to projects with 15 or less participants. There is no proposal to introduce compulsory redundancies.

Registration of Deaths

403. **Deputy Éamon Ó Cuív** asked the Minister for Social Protection the progress made in relation to changing the law to allow for more wide-spread registration of the deaths of Irish residents who die abroad; and if she will make a statement on the matter. [41463/11]

Minister for Social Protection (Deputy Joan Burton): Usually where an Irish citizen dies abroad, the death is registered by the civil authorities of the place where the death occurred, and a certified copy of the death registration is obtainable. This certificate, translated if necessary, is normally sufficient for all legal and administrative purposes here and for these reasons alone there is no necessity for the death to be registered in the State.

The provisions and procedures governing the registration of deaths in Ireland are contained in Part 5 of the Civil Registration Act, 2004.

Section 38 of the Act provides that in specific circumstances the death of an Irish citizen domiciled in the State may be registered here. This applies where such a death occurs in a place where there is no system of registration or where it is not possible to obtain a copy of or extract from the civil records of the death. In all other circumstances the death is registered by the civil authorities of the place where the death occurred.

Any broadening of the current provisions requires careful consideration given the number of people who live and die in other countries and who have or are entitled to have Irish citizenship. However, I would hope to be in a position to introduce legislation on this, and other aspects of civil registration, in 2012.

Social Welfare Appeals

404. **Deputy Tom Fleming** asked the Minister for Social Protection when a decision will issue

in relation to supplementary welfare allowance appeal in respect of a person (details supplied) in County Kerry; and if she will make a statement on the matter. [1004/12]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that the appeal from the person concerned were 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.

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.

405. **Deputy Tom Fleming** asked the Minister for Social Protection when a decision will issue in relation to a jobseeker's allowance review in respect of a person (details supplied) in County Kerry; and if she will make a statement on the matter. [1005/12]

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 18th July 2011. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. These papers were received in the Social Welfare Appeals Office on 3rd August 2011 and the appeal was assigned to an Appeals Officer on 29th 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.

Departmental Expenditure

406. **Deputy Denis Naughten** asked the Minister for Social Protection the total amount of overpayments due to her Department at the end of 2011; the total repayments made in the year 2011; the corresponding figures for each of the past five years; and if she will make a statement on the matter. [1016/12]

Minister for Social Protection (Deputy Joan Burton): The Department is subject to annual audit by the Office of the Comptroller and Auditor General. As part of this audit, the level of annual overpayments and recoveries is examined.

Set out below are relevant statistics for the 5 year period 2006-2010. As the 2011 Comptroller and Auditor General's audit is currently underway, the Department is not yet in a position to provide data on overpayment and recovery levels for last year as these figures form part of the statutory accounts of the Department which are currently being audited.

Total overpayments recorded for past 5 years:

[Deputy Joan Burton.]

2006	2007	2008	2009	2010
€45.2m	€50.5m	€55.6	€66.8m	€83.4m

Total recoveries recorded for the past 5 years:

2006	2007	2008	2009	2010
€22.5m	€23.9m	€26.9	€32.8	€34.5m

Question No. 407 answered with Question No. 338.

Question No. 408 answered with Question No. 388.

Disability Statistics

409. **Deputy Simon Harris** asked the Minister for Social Protection the number of persons in receipt of disability allowance aged between 16 years of age and 18 years of age; the number of persons overall in receipt of this allowance; and if she will make a statement on the matter. [1070/12]

Minister for Social Protection (Deputy Joan Burton): At the end of December 2011, the number of persons in receipt of disability allowance who were aged between sixteen to eighteen years of age was 2,985. The total number of persons in receipt of disability allowance was 102,866.

Social Welfare Appeals

410. **Deputy Michael Creed** asked the Minister for Social Protection when a decision will be made on a supplementary welfare allowance appeal in respect of a person (details supplied) in County Cork; and if she will make a statement on the matter. [1081/12]

Minister for Social Protection (Deputy Joan Burton): I am advised by the Social Welfare Appeals Office that the appeal of the person concerned was withdrawn. The person concerned no longer wishes to proceed with the appeal as she is currently in receipt of rent allowance.

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.

411. **Deputy Michael Creed** asked the Minister for Social Protection when a decision will issue on a supplementary welfare allowance appeal in respect of a person (details supplied) in County Cork; and if she will make a statement on the matter. [1083/12]

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 26th November 2011. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. These papers were received in the Social Welfare Appeals Office on 4th January 2012 and the appeal will be assigned, in due course, to an Appeals Officer who will decide whether the case can be decided on a summary basis or whether to list it for oral hearing.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Departmental Programmes

412. **Deputy Seán Kenny** asked the Minister for Social Protection the number of community employment and jobs initiative schemes currently operating in Dublin 5, 13 and 17; and if she will make a statement on the matter. [1099/12]

Minister for Social Protection (Deputy Joan Burton): The information requested can be found in the following table:

Area	Description	Community Employment	Job Initiative
Dublin 5	Projects	10	—
	Participants	250	—
	Supervisors	16	—
Dublin 13	Projects	5	—
	Participants	105	—
	Supervisors	5	—
Dublin 17	Projects	14	3
	Participants	458	95
	Supervisors	22	2

Social Welfare Fraud

413. **Deputy Clare Daly** asked the Minister for Social Protection the total number of allegations of social welfare fraud that were investigated in 2011; the number of these allegations that were unfounded; the total savings arising from allegations which were upheld; and the total cost in staff hours of pursuing these cases in view of staff shortages and long delays in social welfare claims being processed. [1110/12]

414. **Deputy Clare Daly** asked the Minister for Social Protection the penalties that are in place for dealing with frivolous and malicious complaints against persons for alleged social welfare fraud. [1111/12]

415. **Deputy Clare Daly** asked the Minister for Social Protection the guidelines for dealing with the burden of proof and protection of privacy in relation to dealing with allegations of social welfare fraud. [1112/12]

Minister for Social Protection (Deputy Joan Burton): I propose to take Questions Nos. 413 to 415, inclusive, together.

The prevention of fraud and abuse of the social welfare system is an integral part of the day-to-day work of my Department which processes in excess of 2 million claims each year and makes payments to some 1.4 million people every week at a cost of some €21 billion per annum. However, it is important to recognise that the vast majority of people are receiving the entitlement due to them.

My Department accepts reports of possible fraud from members of the public in relation to the operation of its schemes and uses both a dedicated phone number and a facility on the

[Deputy Joan Burton.]

Department's website for this purpose. Members of the public are asked to provide as much detail as possible about the case they are reporting and they can do so anonymously.

Reports can be made as follows:

- By email: *www.welfare.ie*
- By phone: (01) 704 3000, ask for Central Control Section or (071) 9672648 or Locall: 1890 927999.
- By Post: Central Control Division, DSP, Shannon Lodge, Carrick-on-Shannon, Co Leitrim.

All anonymous or confidential reports are examined and, where relevant, are referred to the relevant sections and/or to the Department's Inspectors for follow-up action. While a payment is not suspended or stopped solely on the basis of an anonymous report, it may "trigger" the instigation of a review of a customer's entitlement. A Social Welfare Inspector may then deem it appropriate to carry out a full review of the circumstances and means of the customer in order to determine on-going entitlement to the relevant payment. The Inspector will then submit their report to a Deciding Officer for decision regarding on-going entitlement to the social welfare payment. The Deciding Officer's decision will be based on the full facts and circumstances of the case, including the report of the review by the Inspector.

The following are the number of anonymous reports received in the Department's Control Division in the period January-December 2011:

	No. of Reports Received
Phone	5,278
Email	10,625
Letter	1,014
Total January - December 2011	16,142

In approximately 12,881 of these cases, a report of suspected fraud was sent to the relevant area for examination. In over 4,036 of the cases received in 2011, it was not possible to issue a report to an investigator due to (i) a lack of information supplied, (ii) a claim not being in payment or (iii) the information reported would not impact on entitlement.

Detailed statistics on outcomes are unavailable because anonymous or confidential reports of abuse are used merely to "trigger" or instigate investigations, but are not taken into account when the review of the customer's payment is being decided.

Overall, there are some 620 staff whose work includes control activities. Approximately 200 of these work full-time on control work, while the other staff are responsible for routine investigations under the various schemes and for following up suspected cases of fraud where these are discovered. The overall number includes over 80 Special Investigation Unit inspectors.

My Department is very conscious of its obligations regarding data protection and privacy of its customers and persons who report allegations of abuse. As the reports are received anonymously and simply trigger an investigation, penalties are not in place for dealing with frivolous or malicious complaints against persons for alleged social welfare fraud. However, where a claim is reviewed and it transpires that a complaint was not genuine, there will be no change in rate if the circumstances of the customer are unchanged.

Social welfare legislation is reviewed on an on-going basis and updated, where appropriate, to strengthen controls and penalties. A Departmental legislative working group has been established specifically to examine issues and make proposals on measures that could improve the prevention, detection and prosecution of social welfare fraud. This group explores a range of possible legislative changes from a control perspective and brings forward appropriate proposals for consideration in the annual Social Welfare Bills.

The Deputy may also be aware that I launched a new Fraud Initiative (2011-2013) in September last, which is aimed at putting in place a range of actions to combat fraud and abuse of the social welfare system and to ensure there is public confidence and trust in the system.

The Deputy should also note that for 2011, my Department had a target of reviewing 780,000 individual welfare claims and achieving €540 million in control savings. At the end of November, some €604 million in estimated control savings were reported and over 802,000 reviews have been carried out. For 2012, the target for control savings is provisionally set at €625 million, an increase of €85 million on the 2011 target.

As Minister, I am very conscious of the need to protect public money and I am determined to ensure that abuse of the system is prevented and is dealt with effectively when detected.

Community Employment Schemes

416. **Deputy Dara Calleary** asked the Minister for Social Protection if her attention has been drawn to the circular issued by FÁS in December 2011 informing community employment scheme sponsors of a reduced allocation of €500 per place materials and training grant and that for existing schemes claims for reimbursement of materials grant will be limited to €10 per participant per week; her views that this circular is contradictory to her assertion that no CE scheme will be affected by proposed budget cuts pending a review of each scheme; if she was in contact with FÁS prior to or since the issuing of this circular; and if she will make a statement on the matter. [1143/12]

Minister for Social Protection (Deputy Joan Burton): The circular issued by FÁS in December 2011 reflected the announcements made in Budget 2012. No Community Employment scheme will close pending the outcome of the financial review. This statement was also reflected in the circular issued.

There has been full consultation and contact between the Department and the staff involved in the Community Employment programme. These staff consultations include previous staff members of FÁS who are now part of the staff of the Department of Social Protection and come within the operating and reporting structure of the Department. As a result, all future communications in relation to Community Employment will be from Departmental staff.

417. **Deputy Dara Calleary** asked the Minister for Social Protection the criteria she has prepared for use by FÁS in assessing the viability of community employment schemes; the resources that will be invested by FÁS in the assessment of each scheme; and if she will make a statement on the matter. [1144/12]

Minister for Social Protection (Deputy Joan Burton): The terms of reference for the financial review of Community Employment schemes is being prepared by Department officials and will be completed shortly.

This financial review of Community Employment schemes announced will in the first instance be carried out at local level between regional Department of Social Protection staff and each Sponsor. This will involve a meeting with each Sponsor and the gathering of information relating to the operation and the services delivered by each project.

[Deputy Joan Burton.]

In addition, during the financial review process Department staff will undertake consultations with the main stakeholders including other government department and agencies on whose behalf services are delivered to local communities with the support of Community Employment.

Departmental Offices

418. **Deputy Dara Calleary** asked the Minister for Social Protection her view that she or any agency funded by her who own properties in office complexes in which a management company is in place, should take an active role in the running of such management companies including the appointment of a nominee to the board of the company in order to protect the investment of tax payers' money. [1159/12]

Minister for Social Protection (Deputy Joan Burton): Responsibility for the acquisition of office accommodation for the Department of Social Protection rests with the Office of Public Works. The Department is not involved in matters of management of property and none of agencies funded by the Department owns property.

Question No. 419 answered with Question No. 338.

Question No. 420 withdrawn.

Social Welfare Appeals

421. **Deputy Niall Collins** asked the Minister for Social Protection the position regarding an appeal application for carer's allowance in respect of a person (details supplied) in County Kildare. [1302/12]

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 30th 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 28th November 2011 and the appeal will be assigned, in due course, to an Appeals Officer who will decide whether the case can be decided on a summary basis or whether to list it for oral hearing.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Social Welfare Benefits

422. **Deputy Tony McLoughlin** asked the Minister for Social Protection when she will be in a position to forward payment under the 60% redundancy rebate scheme to an employer (details supplied) in County Leitrim; and if she will make a statement on the matter. [1366/12]

Minister for Social Protection (Deputy Joan Burton): A redundancy rebate claim in respect of the company concerned was received on 23 September 2011. Redundancy rebate claims received at the start of May 2011 are currently being processed.

Social Welfare Appeals

423. **Deputy Seán Kenny** asked the Minister for Social Protection when a decision will issue

on an appeal against the refusal of rent allowance in respect of a person (details supplied) in Dublin 5. [1374/12]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that office on 12th December 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.

Question No. 424 withdrawn.

Social Welfare Benefits

425. **Deputy Michael Healy-Rae** asked the Minister for Social Protection in view of the large numbers of farmers who were employed in the construction industry on a part-time basis to supplement their incomes in the past and who now have no work in this trade, if he will consider increasing the number of spaces on the rural social scheme as this particular scheme has been proven to be one of the most cost-efficient programmes run by the State; and if she will make a statement on the matter. [1390/12]

Minister for Social Protection (Deputy Joan Burton): The purpose of the rural social scheme is to provide income support for farmers and fisherpersons who have an entitlement to specified social welfare payments. Persons are engaged for 19½ hours per week to provide certain services of benefit to rural communities. The scheme currently provides work opportunities for around 2,600 participants and 130 supervisory staff. These funds meet the pay costs of participants and supervisors, provision of materials, insurance, health and safety, training and related operational costs. I have no plans to increase the number of places available on this scheme. The funds allocated for 2012 amount to €45.66m and this should enable the scheme to continue as in previous

Question No. 426 answered with Question No. 350.

Redundancy Payments

427. **Deputy Ciarán Lynch** asked the Minister for Social Protection the total amount paid out of the social insurance fund in 2011; the number of persons made redundant; the number of companies involved; the number of companies successfully and unsuccessfully claiming inability to pay; the circumstances where enhanced payments are made and the number of instances where this happened; the average time taken from claim to payment; the number of claims outstanding at present; and if she will make a statement on the matter. [1413/12]

Minister for Social Protection (Deputy Joan Burton): My Department is currently compiling information in relation to redundancies in 2011 and payments from the social insurance fund in this regard. The provisional figure for claims in 2011 is 49,766 but this has yet to be finalised. The provisional total paid out in redundancy payments for 2011 is €312.7 million.

The Department does not maintain statistics in relation to the number of companies with regard to their inability to pay. However, as redundancy lump sums are paid by my Department where companies refuse to pay or are unable to pay, an indicator which may be useful to the

[Deputy Joan Burton.]

Deputy in this regard is the level of lump sums in comparison to rebate payments, as shown in the table below:

Year	Total Expenditure	Rebate Expenditure	Lump Sum Expenditure	Lump Sums % of Overall
2008	€193.71m	€161.8m	€31.91m	16%
2009	€335.86m	€247.9m	€87.96m	26%
2010	€469.97m	€373.2m	€96.77m	21%

The redundancy payments scheme deals exclusively with statutory redundancy entitlements and enhanced payments are a matter between employers and employees.

Straightforward redundancy claims submitted online through a new processing system, since October 2011 are generally processed within 6 to 8 weeks, but this can vary considerably depending on the complexity of the claims. Claims submitted before October 2011 or submitted manually take longer to process. In relation to such claims, the Department is currently processing claims from May 2011.

There are over 30,000 claims outstanding at present.

Pension Provisions

428. **Deputy Seán Ó Fearghail** asked the Minister for Social Protection the steps she will take to address the concerns regarding pension entitlements in correspondence (details supplied); and if she will make a statement on the matter. [1414/12]

Minister for Social Protection (Deputy Joan Burton): The recently announced changes to the rates of payment for State pension are necessary if we are to ensure the sustainability of pension provision into the future. The challenges facing the Irish pension system are significant. There are currently six people of working age for every pensioner and this ratio is expected to decrease to approximately two to one by 2050. In addition, those aged over 65 will account for a greater proportion of the population while the proportion who are of working age is expected to decline. So the task of financing increasing pensions will fall to a diminishing share of the population. People are living longer and healthier lives and growing numbers of people want to work, or may need to work beyond State pension age. The period for which an average pension will be paid will be greater than the period for which a pension is paid at present. This has obvious and significant implications in relation to the future costs of State pension provision.

The principle that the amount of pension paid should reflect the PRSI contributions paid over a working life needs to be adhered to if we are to be able to fund pensions into the future. The upcoming change to the rate bands moves towards this principle.

Currently a person with an average of 20-47 PRSI contributions per year over their working life receives a weekly State pension of only €4.50 less than a person with a yearly average of 48 or more PRSI contributions. This situation is neither fair nor sustainable.

With effect from September 2012, the rate band of between 20 and 47 yearly average contributions will be replaced with new rate bands of between:—

- (i) 40 and 47 yearly average contributions,
- (ii) 30 and 39 yearly average contribution, and

(iii) 20 and 29 yearly average contributions.

The rate of State pension paid to new applicants will be proportionate to the rate band appropriate to the average number of contributions paid. Those who have fewer contributions will receive a lower rate of pension. The maximum rate is unchanged as is the rate for those with yearly average contributions between 40 and 47.

Existing pension recipients are unaffected and any changes only apply to new claimants from September 2012.

Details of the current and new rates bands for both State pension (transition) and State pension (contributory) are set out in the tables below:

Current State Pension (Contributory) Rates

Yearly Average Contributions	Personal Rate Per Week €
48 or over	230.30
20-47	225.80
15-19	172.70
10-14	115.20

Current State Pension (Transition) Rates

Yearly Average Contributions	Personal Rate Per Week €
48 or over	230.30
24-47	225.80

New State Pension (Contributory) Rates

Yearly Average Contributions	Personal Rate Per Week €
48 or over	230.30
40-47	225.80
30-39	207.00
20-29	196.00
15-19	150.00
10-14	92.00

New State Pension (Transition) Rates

Yearly Average Contributions	Personal Rate Per Week €
48 or over	230.30
40-47	225.80
30-39	207.00
24-29	196.00

In relation to the person named in this Parliamentary Question, I have asked officials in my department to correspond directly with this individual.

Redundancy Payments

429. **Deputy Patrick O'Donovan** asked the Minister for Social Protection the position regarding a redundancy payment claim in respect of a person (details supplied) in County Wexford; when payment will issue; and if she will make a statement on the matter. [1418/12]

Minister for Social Protection (Deputy Joan Burton): A redundancy lump sum claim in respect of the person concerned was received on 2 September 2011. Redundancy lump sum claims received at the start of May 2011 are currently being processed.

Question No. 430 withdrawn.

431. **Deputy John McGuinness** asked the Minister for Social Protection if redundancy payment will be made to a person (details supplied) in County Kilkenny; and if she will expedite the matter. [1445/12]

Minister for Social Protection (Deputy Joan Burton): There is no record of a redundancy lump sum claim in respect of the person concerned.

Question No. 432 withdrawn.

433. **Deputy Jerry Buttimer** asked the Minister for Social Protection if form RP50 has been received by her in respect of a person (details supplied) in County Cork. [1452/12]

434. **Deputy Jerry Buttimer** asked the Minister for Social Protection if form RP50 has been received by her in respect of a person (details supplied) in County Cork. [1453/12]

435. **Deputy Jerry Buttimer** asked the Minister for Social Protection if form RP50 has been received by her in respect of a person (details supplied) in County Cork. [1454/12]

436. **Deputy Jerry Buttimer** asked the Minister for Social Protection if form RP50 has been received by her in respect of a person (details supplied) in County Cork. [1455/12]

437. **Deputy Jerry Buttimer** asked the Minister for Social Protection if form RP50 has been received by her in respect of a person (details supplied) in County Cork. [1456/12]

439. **Deputy Jerry Buttimer** asked the Minister for Social Protection if form RP50 has been received by her in respect of a person (details supplied) in County Cork. [1458/12]

440. **Deputy Jerry Buttimer** asked the Minister for Social Protection if form RP50 has been received by her in respect of a person (details supplied) in County Cork. [1459/12]

441. **Deputy Jerry Buttimer** asked the Minister for Social Protection if form RP50 has been received by her in respect of a person (details supplied) in County Cork. [1460/12]

442. **Deputy Jerry Buttimer** asked the Minister for Social Protection if form RP50 has been received by her in respect of a person (details supplied) in County Cork. [1461/12]

443. **Deputy Jerry Buttimer** asked the Minister for Social Protection if form RP50 has been received by her in respect of a person (details supplied) in County Cork. [1462/12]

444. **Deputy Jerry Buttimer** asked the Minister for Social Protection if form RP50 has been received by her in respect of a person (details supplied) in County Cork. [1463/12]

445. **Deputy Jerry Buttimer** asked the Minister for Social Protection if form RP50 has been received by her in respect of a person (details supplied) in County Cork. [1464/12]

446. **Deputy Jerry Buttimer** asked the Minister for Social Protection if form RP50 has been received by her in respect of a person (details supplied) in County Cork. [1465/12]

447. **Deputy Jerry Buttimer** asked the Minister for Social Protection if form RP50 has been received by the Department of Social Protection in respect of a person (details supplied). [1466/12]

448. **Deputy Jerry Buttimer** asked the Minister for Social Protection if form RP50 has been received by the Department of Social Protection in respect of a person (details supplied). [1467/12]

449. **Deputy Jerry Buttimer** asked the Minister for Social Protection if form RP50 has been received by the Department of Social Protection in respect of a person (details supplied). [1468/12]

450. **Deputy Jerry Buttimer** asked the Minister for Social Protection if form RP50 has been received by the Department of Social Protection in respect of a person (details supplied). [1469/12]

451. **Deputy Jerry Buttimer** asked the Minister for Social Protection if form RP50 has been received by the Department of Social Protection in respect of a person (details supplied). [1470/12]

452. **Deputy Jerry Buttimer** asked the Minister for Social Protection if form RP50 has been received by the Department of Social Protection in respect of a person (details supplied). [1471/12]

453. **Deputy Jerry Buttimer** asked the Minister for Social Protection if form RP50 has been received by the Department of Social Protection in respect of a person (details supplied). [1472/12]

454. **Deputy Jerry Buttimer** asked the Minister for Social Protection if form RP50 has been received by the Department of Social Protection in respect of a person (details supplied). [1473/12]

455. **Deputy Jerry Buttimer** asked the Minister for Social Protection if form RP50 has been received by the Department of Social Protection in respect of a person (details supplied). [1474/12]

457. **Deputy Jerry Buttimer** asked the Minister for Social Protection if form RP50 has been received by the Department of Social Protection in respect of a person (details supplied). [1476/12]

458. **Deputy Jerry Buttimer** asked the Minister for Social Protection if Form RP50 has been received by her Department in respect of a person (details supplied) in County Cork. [1477/12]

459. **Deputy Jerry Buttimer** asked the Minister for Social Protection if Form RP50 has been received by her Department in respect of a person (details supplied) in County Cork. [1478/12]

460. **Deputy Jerry Buttimer** asked the Minister for Social Protection if Form RP50 has been received by her Department in respect of a person (details supplied) in County Cork. [1479/12]

461. **Deputy Jerry Buttimer** asked the Minister for Social Protection if Form RP50 has been received by her Department in respect of a person (details supplied) in County Cork. [1480/12]

462. **Deputy Jerry Buttimer** asked the Minister for Social Protection if Form RP50 has been received by her Department in respect of a person (details supplied) in County Cork. [1481/12]

463. **Deputy Jerry Buttimer** asked the Minister for Social Protection if Form RP50 has been received by her Department in respect of a person (details supplied) in County Cork. [1482/12]

464. **Deputy Jerry Buttimer** asked the Minister for Social Protection if Form RP50 has been received by her Department in respect of a person (details supplied) in County Cork. [1483/12]

465. **Deputy Jerry Buttimer** asked the Minister for Social Protection if Form RP50 has been received by her Department in respect of a person (details supplied) in County Cork. [1484/12]

466. **Deputy Jerry Buttimer** asked the Minister for Social Protection if Form RP50 has been received by her Department in respect of a person (details supplied) in County Cork. [1485/12]

Minister for Social Protection (Deputy Joan Burton): I propose to take Questions Nos. 433 to 437, inclusive, 439 to 455, inclusive, and 457 to 466, inclusive together.

An official from my Department contacted the company concerned to establish the position in relation to redundancy claims and to ensure that the workers of the company are in a position to access any redundancy payments to which they may be entitled.

The company submitted 34 applications online on 22 December 2011 and hard copies/associated papers were received on 4 January 2012.

438. **Deputy Jerry Buttimer** asked the Minister for Social Protection if form RP50 has been received by her in respect of a person (details supplied) in County Cork. [1457/12]

Minister for Social Protection (Deputy Joan Burton): There is no record of a redundancy lump sum claim in respect of the person concerned.

Questions Nos. 439 to 455 answered with Question No. 433.

456. **Deputy Jerry Buttimer** asked the Minister for Social Protection if Form RP50 has been received by the Department of Social Protection in respect of a person (details supplied). [1475/12]

Minister for Social Protection (Deputy Joan Burton): There is no record of a redundancy lump sum claim in respect of the person concerned.

Questions Nos. 457 to 466, inclusive, answered with Question No. 433.

Social Welfare Reviews

467. **Deputy Seán Ó Fearghail** asked the Minister for Social Protection if she will outline the procedures and processes being applied in her Department with regard to the matter of individual review of domiciliary care allowance; if she will indicate the type of cases that are reviewed on a regular basis; if she will indicate the frequency with which reviews take place; if she will further indicate on an average per annual basis the number of reviews that are carried out,

cases which are discontinued on foot of a review and reviewed cases which are referred to the social welfare appeals office, together with the outcome and average of such appeals; and if she will make a statement on the matter. [1490/12]

Minister for Social Protection (Deputy Joan Burton): Domiciliary care allowance (DCA) cases, processed by the Department since April 2009, have a review date entered when initially awarded. This date is based on the recommendation of one of the Department’s medical advisors having considered the child’s medical prognosis. Review periods range from 12 months to a recommendation that they not be reviewed again. Customers who currently receive DCA will continue to receive the allowance unless there is a change in the medical condition of their child or another change of circumstances that means they no longer satisfy the qualifying conditions for the scheme. Customers are required to notify the Department of any change in their circumstances which may affect their eligibility.

The total number of scheduled reviews undertaken in 2010 and 2011, based on recommendations from medical advisors are set out in the table below. As the shortest review period is 12 months, the first review was not carried out until mid 2010.

Year	Reviews	Still Eligible	Not Eligible	Pending
2010	134	80	54	0
2011	403	164	187	52

Customers who are reviewed are asked to provide relevant up-to-date medical evidence and details of the extra care needs of their child. This information is assessed by a medical advisor and a decision is made based on their medical opinion.

Where payment is stopped as a result of a review, the customer is invited to submit any further information they may wish to have considered and that information will be further examined and/or they may appeal the decision to the Social Welfare Appeals office. Appeals resulting from scheduled reviews in the period 2010-2011 are set out below:

Year	Appeals	Eligible 2nd Review	Not Eligible 2nd Review	Pending 2nd Review	Allowed on Appeal	Disallowed on Appeal	Appeal Pending
2010	15	9	6	0	3	2	1
2011	21	4	14	3	0	2	12

On occasion, customers are reviewed for reasons other than scheduled medical reviews. For example, a review is carried out when information is received that another benefit claim in respect of a child for whom DCA is also being paid has stopped or when information is received that a family may have left the State.

Question No. 468 withdrawn.

Social Welfare Benefits

469. **Deputy Michael Healy-Rae** asked the Minister for Social Protection the position regarding a carer’s allowance in respect of a person (details supplied) in County Kerry. [1503/12]

Minister for Social Protection (Deputy Joan Burton): There is no record of a carer’s allowance application ever having been received in respect of the above named. On 9 January 2012,

[Deputy Joan Burton.]

a claim form and return envelope issued to him at the address supplied. On its completion and return to carer's allowance section, his application will be processed.

Community Employment Schemes

470. **Deputy Michael Healy-Rae** asked the Minister for Social Protection her views on a matter (details supplied) regarding community employment schemes; and if she will make a statement on the matter. [1518/12]

Minister for Social Protection (Deputy Joan Burton): Following changes to Community Employment schemes announced in Budget 2012, the Government is fully committed to the protection and development of community and social employment initiatives. A financial review of CE schemes will commence immediately. No Community Employment scheme will close pending the outcome of this financial review. The purpose of the review will be to establish the on-going viability of each scheme in the context of the overall CE program and recognising in particular the community and social value of each CE scheme. In the event that the reduction in the training and material grant announced in the Budget creates financial difficulties for schemes that would otherwise be viable, the Department will explore the options in relation continued funding for such schemes.

It is important to note that irrespective of the changes announced, all participants, both existing and new, will be financially better off while participating on Community Employment.

Social Welfare Appeals

471. **Deputy Michael McGrath** asked the Minister for Social Protection the position regarding an illness benefit appeal in respect of a person (details supplied) in County Cork. [1624/12]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that the appeal from the person concerned was examined by a Medical Assessor of the Social Welfare Services who was of the opinion that she was capable of work. She appealed this decision and in that context she was examined by another Medical Assessor who also expressed the opinion that she was capable of work.

In the light of this, it was decided to afford the person concerned an opportunity of setting out the complete and up to date grounds of her appeal and to furnish any further medical evidence that she wished to submit in support of her appeal. She did this and, at this stage, the Social Welfare Services have been requested to submit relevant documents to this office on her case.

On receipt of their response her appeal will be referred to an Appeals Officer for consideration.

State Agencies

472. **Deputy Maureen O'Sullivan** asked the Minister for Social Protection the number of State agencies currently financed by the Exchequer; the number of board members in each State agency; the expenses issued for each meeting; if any review of the membership of the board is to be carried out in order to monitor attendance levels or lack of attendance by any member; and if he will make a statement on the matter. [2055/12]

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.

Social Welfare Tribunal

The Social Welfare Tribunal consists of a Chairperson and four ordinary members. Unlike other bodies, it does not have a regular schedule of meetings arranged in advance to deal with on-going business. Instead, the Tribunal is called into being as required, with meetings convened solely to deal with specific matters that can arise in the context of industrial disputes. The non-attendance of members is not an issue as hearings/meetings are scheduled as required for dates that are suitable for all members of the Tribunal. Members can claim expenses for attending both hearings and meetings, as set out below. They are also entitled to the standard Travel and Subsistence allowances if hearings/meetings involve travel.

Chairman	€
Hearing (per sitting day)	488.11
Meetings	73.44
Members	€
Hearing (per sitting day)	136.71
Meetings	68.36

Citizens Information Board

Under the Comhairle Act 2000, as amended by the Citizens Information Act 2007, the Citizens Information Board (CIB) has 15 board members. The CIB publishes a list of serving board members in its annual report and on my Department's website, as follows: <http://www.welfare.ie/EN/AboutUs/Pages/CIB—Members.aspx>

The CIB pays expenses to board members in line with standard public sector rates. Expenses paid to board members are also published in the CIB annual report. The total expenses paid to board members in 2011 were €9,226.

The CIB keeps the attendance of board members under review with regard to board members fees, as per the CIB code of practice for board members, chairperson, chief executive and secretary, and is satisfied with current attendance patterns. Attendance patterns are also published in the CIB annual report.

Pensions Board

The Pensions Board is financed by annual fees payable by occupational pension schemes, Personal Retirement Savings Accounts and trust Retirement Annuity Contracts. The Board is in receipt of a specific grant in aid for the National Pensions Awareness campaign which it runs on behalf of the government. In 2011, €400,000 was allocated by me in respect of this campaign. This is the only funding that the Board receives from my Department.

There are currently 16 members serving on the Board with one vacancy.

The majority of Board members do not claim any expenses for attending Board meetings. In respect of 2011, total expenses paid to Board members for attending 9 meetings was €1,856.40. These expenses related to reimbursement of travel costs in accordance with standard public service guidelines.

[Deputy Joan Burton.]

Office of the Ombudsman

The Office of the Ombudsman does not have a Board and therefore no expenses in relation to board members occur.

Further 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 at www.welfare.ie/EN/AboutUs/Pages/stateagencies.aspx and is updated as required.

Transport Services

473. **Deputy Brendan Griffin** asked the Minister for Arts, Heritage and the Gaeltacht if he considers the provision of adequate facilities for boats going to and coming from the Blasket Islands to be a priority; and if he will make a statement on the matter. [41084/11]

Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley): While I recognise the importance of the Blasket Islands, particularly as a tourist attraction, my Department's priority is to provide satisfactory transport services to inhabited islands in order to enhance the sustainability of our island communities.

Natural Heritage Areas

474. **Deputy James Bannon** asked the Minister for Arts, Heritage and the Gaeltacht when a person (details supplied) in County Longford will receive payment due in relation to the sale of their bog which is outstanding since May 2009; and if he will make a statement on the matter. [41034/11]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): The land referred to by the Deputy is located in a Natural Heritage Area (NHA) designated in 2004.

In 2010, the then Government decided that turf-cutting should come to an end on raised bog NHAs at the end of 2013. However, the current Programme for Government contains an undertaking to review the situation with regard to turf cutting on NHAs. On 15 April 2011, the Government made a number of decisions in relation to turf cutting in Ireland, including the putting in place of a compensation package for those who are required to cease cutting, the establishment of a Peatlands Council and the drawing up of a national strategy on peatland conservation and management. In the context of the national strategy, the position regarding raised bog NHAs, which are protected under national legislation, will be examined in advance of the 2014 cutting season in accordance with the Programme for Government.

My Department is giving priority to putting in place the compensation requirements in relation to the cessation of cutting on the 53 raised bog Special Areas of Conservation. In the circumstances, and in light of the decision to review the approach to these areas more generally, the issue of any further purchase of land/rights in NHA bogs, including the land referred to, is being kept under review.

Flood Relief

475. **Deputy Brendan Griffin** asked the Minister for Arts, Heritage and the Gaeltacht if he will provide flood relief funding to carry out repairs following the flooding in Dún Chaoin, County Kerry, in November 2011; and if he will make a statement on the matter. [41083/11]

Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley): The repairs referred to by the Deputy are a matter for the local authority. My Department does not have funds available to provide assistance of this nature.

National Heritage Areas

476. **Deputy Robert Troy** asked the Minister for Arts, Heritage and the Gaeltacht the reason Nure Bog, County Westmeath, was designated a national heritage area in September 2005; the rationale and criteria used; and if he will make a statement on the matter. [41087/11]

477. **Deputy Robert Troy** asked the Minister for Arts, Heritage and the Gaeltacht if he intends facilitating domestic turf cutters on Nure Bog, County Westmeath, after 2013, in view of the fact that this is within his power; and if he will make a statement on the matter. [41088/11]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): I propose to take Questions Nos. 476 and 477 together.

Nure Bog Natural Heritage Area (NHA), Site No. 001725, was designated on 20 September 2005 by way of Statutory Instrument 589 of 2005. It is one of 75 NHAs designated for the protection of raised bog habitat. The site was selected as a prospective NHA in 2002 following a review of 136 sites previously identified as the most important sites for this habitat in Ireland. The review was based on extensive survey work going back to the early 1980s.

The sites were assessed using NHA Survey Site Reports (1993-1995), the report *The Raised Bogs of Ireland* (Cross, 1990), and field survey work undertaken from 1983 to 1987. From these site accounts, the presence of features — such as pools, hummock/ hollow complexes, flushes and characteristic indicator species — were noted as indications of active peat formation. Using aerial photographs, the high bog areas and any visible features such as flushes and pools were mapped and measured. Drains, areas of burning and forestry on the high bog, along with active peat cutting, were also recorded. Land use and drainage in the cutover bog was recorded and the cutover assessed for regeneration potential.

The specific criteria used to select raised bogs of conservation importance were as follows:

1. Location/peat archive
2. Past ratings as to the ecological importance of the site
3. Active peat formation: hummock/ hollows, *sphagnum* species
4. High bog area (>60ha)
5. Integrity: percentage of original high bog remaining
6. Habitat diversity: pools, flushes, soaks, bog woodland and semi-natural margins
7. Geomorphology (geohydrology): basin, ridge, floodplain
8. Geology
9. Climatic variation
10. Proximity to Special Areas of Conservation, Special Protection Areas and NHAs, especially other raised bog sites.

The sites were also assessed to determine their conservation status, including their restoration potential for active raised bog, and for the presence of important flora and fauna.

Nure Bog was selected for designation due to its size and its relatively good ecological condition. While it does not currently have any active bog habitat on the high bog, it does possess most of the species characteristic of the habitat and has active bog regeneration on parts of the

[Deputy Jimmy Deenihan.]

cutover. In addition, it has good prospects for the reinstatement of active bog on the high bog with reasonable restoration effort.

In 2010, the then Government decided that turf-cutting should come to an end on such sites at the end of 2013. However, the current Programme for Government contains a commitment to undertake a review of the situation with regard to NHAs and the future of turf-cutting on such sites will be considered as part of that review in advance of the 2014 cutting season. For 2012, turf-cutters on this bog can continue to extract turf, as before, for their own domestic supply.

Ministerial Appointments

478. **Deputy Catherine Murphy** asked the Minister for Arts, Heritage and the Gaeltacht the names and salaries of each person serving as a special advisor and or the names and salaries of each person directly appointed by him or a Minister of State to any other position within his Department or his predecessor's Department on each of the following dates: 1 December 2009, 1 December 2010 and 1 December 2011; and if he will make a statement on the matter. [41342/11]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): My Department was established on 2 June 2011. The details requested in relation to relevant staff appointed since that date to my office and to the office of Minister of State Dinny McGinley, T.D., are set out in the tables below. The appointments comply with the *Guidelines on Staffing of Ministerial Offices* approved by Government last year.

1. Minister's Office

Name	Position	Remuneration
Mr. James Kenny	Special Advisor	€38,215*
Mr. Seán Mac Cárthaigh	Special Advisor	See below**
Mr. Michael Foley	Personal Assistant	€49,790
Ms Bernadette Lee	Personal Secretary	€45,940
Mr James Mahoney	Civilian Driver	€32,965
Mr Albert Barrett	Civilian Driver	€32,965

*Salary abated to this level as Mr Kenny is in receipt of a public service pension.

**Details of Mr. Mac Cárthaigh's contract, including remuneration, are currently being finalised.

2. Minister of State's Office

Name	Position	Annual Salary
Ms Bridie Sheahan	Personal Assistant	€47,755
Mr. Colm Gallagher	Personal Secretary (Work sharing 40%)	€20,546
Ms Mary McGarvey	Personal Secretary (Work sharing 58.5%)	€30,048
Mr Seósamh Ó Dúchain	Civilian Driver	€32,965
Mr Éamonn Mac Suibhne	Civilian Driver	€32,965

Departmental Programmes

479. **Deputy Denis Naughten** asked the Minister for Arts, Heritage and the Gaeltacht if he

runs a graduate internship programme; and if he will make a statement on the matter. [41357/11]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): Since my Department was established on 2 June 2011, it has become a participant in the JobBridge initiative and is currently considering a number of opportunities under that programme.

Seirbhís Farantóireachta

480. D'fhiafraigh **Éamon Ó Cuív** den Aire Ealaíon, Oidhreacht agus Gaeltachta céard iad ainmneacha na gcomhaltaí atá ar an gCoiste Monatóireachta do sheirbhísí farantóireachta Oileán Árann; cén dáta i Mí na Nollag a raibh cruinniú den Choiste ann; agus an ndéanfaidh sé ráiteas ina thaobh. [41409/11]

Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley): Is iad bainisteoirí na gcomharchumann atá ag feidhmiú ar na hoileáin atá ar an gcoiste monatóireachta seo. Mar is eol don Teachta, níl aon chomharchumann ag feidhmiú ar Inis Meáin i láthair na huairé ach, ar ndóigh, is féidir le pobal an oileáin sin ionadaí eile a mholadh don choiste. Ní raibh aon chruinniú ag an gcoiste monatóireachta seo le mo Roinne i rith mí na Nollag 2011.

Air Services

481. **Deputy Éamon Ó Cuív** asked the Minister for Arts, Heritage and the Gaeltacht when it is proposed to provide air terminals for Inisbofin airstrip and also for the airstrip in Cluain Leacht an Abba, Cleggan, County Galway; when it is proposed to provide regular air services from these airstrips; and if he will make a statement on the matter. [41460/11]

Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley): As the Deputy will be aware, planning permission for the proposed terminal buildings was granted by Galway County Council on 12 December 2011.

Arising from this decision, my Department has instructed consultants to undertake the next step in the development process, which is the detailed design and costing for the project. It is envisaged that this stage will be completed by April 2012, following which the report of the consultants and relevant issues arising will be assessed.

The Deputy will appreciate that it would be premature to address the issue of air services until the processes relating to the terminal buildings have been brought to a conclusion.

Local Authority Works

482. **Deputy Tom Fleming** asked the Minister for Arts, Heritage and the Gaeltacht when Kerry County Council will receive moneys owed for works carried out at Ballinskelligs, Bunavalla and Ballyferriter, County Kerry; and if he will make a statement on the matter. [1007/12]

Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley): Payments to Kerry County Council in respect of works on Cé Bhaile na nGall/Bhaile an Fheirtéaraigh and Cé Bhaile an Sceilg/Bhun an Bhaile were made by my Department on 28 November 2011. These payments represented outstanding balances on these projects.

State Agencies

483. **Deputy Simon Harris** asked the Minister for Arts, Heritage and the Gaeltacht the ration-

[Deputy Simon Harris.]

ale behind the decision to merge the National Library and the National Archives; the envisaged cost savings this move will have; and if he will make a statement on the matter. [1134/12]

486. **Deputy Seán Kyne** asked the Minister for Arts, Heritage and the Gaeltacht if he will confirm whether any value-for-money reports or cost-benefit analyses have been carried out with regard to the plans to merge the functions of the National Library and the National Archives; and if the contents of such reports will be made accessible to the public before any rationalisation occurs. [1260/12]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): I propose to take Questions Nos. 483 and 486 together.

As the Deputy will be aware, the priorities set out in the Programme for Government for the rationalisation of State Agencies state that rationalisation must be cost effective and lead to a more transparent, accountable and efficient public service. The overriding imperative is the requirement to effect savings and achieve administrative efficiencies in all areas of expenditure and to reduce overheads. This underscores the need for radical streamlining of bodies, including the amalgamation of some bodies, so that public services and functions can be delivered more cost-effectively. It was in this context that the decision was made by Government to amalgamate the National Library and the National Archives. The amalgamation was examined in the context of the Comprehensive Review of Expenditure, a copy of which is published on the website of the Department of Public Expenditure and Reform. The implications for the two bodies arising from this decision are currently being examined within my Department.

Departmental Properties

484. **Deputy Dara Calleary** asked the Minister for Arts, Heritage and the Gaeltacht his view on whether he or any agency funded by him that owns properties in office complexes in which a management company is in place should take an active role in the running of such management companies, including the appointment of a nominee to the board of the company in order to protect the investment of taxpayers' money. [1147/12]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): My Department does not own any properties in office complexes in which management companies are in place. Furthermore, I am advised that none of the bodies funded from my Department's Vote Group owns property in an office complex in which a management company is in place. The question of taking a role in the running of such management companies does not, therefore, arise.

Departmental Funding

485. **Deputy Terence Flanagan** asked the Minister for Arts, Heritage and the Gaeltacht the position regarding funding in respect of an organisation (details supplied); and if he will make a statement on the matter. [1212/12]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): The organisation referred to by the Deputy is one of 19 organisations that receives core funding from Foras na Gaeilge annually. Following an external review completed on behalf of Foras na Gaeilge, the North South Ministerial Council (NSMC) requested that the core funding arrangements be reconfigured with the objective of achieving significant benefits in relation to value for money and the effective delivery of Foras na Gaeilge's statutory obligations.

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 and requested that Foras na Gaeilge undertake a number of additional steps in the review process, including an extended public consultation period of 12 weeks. I can inform the Deputy that the consultation period commenced on 9 January 2012 and will continue until 2 April 2012. All information on the consultation process is available bilingually at www.forasnagaeilge.ie/samhail.

Question No. 486 answered with Question No. 483.

487. **Deputy Seán Kyne** asked the Minister for Arts, Heritage and the Gaeltacht if he will provide a breakdown of the funding provided to Inishbofin Island over the past ten years by the sections of his Department which were originally part of the old Department of Community, Rural and Gaeltacht Affairs. [1286/12]

Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley): The expenditure on Inishbofin Island considered relevant to the Deputy's Question was incurred by the Islands Division of my Department and details relating to the period since 2002 are set out in the following table:

Year	Capital	Current	Total
2002	€259,985.72	€79,864.20	€339,849.92
2003	€222,772.94	€73,941.37	€296,714.31
2004	€395,737.88	€194,442.17	€590,180.05
2005	€616,054.46	€17,091.70	€633,146.16
2006	€655,282.61	€367,364.05	€1,022,646.66
2007	€7,085,341.33	€211,200.84	€7,296,542.17
2008	€2,674,613.02	€352,501.90	€3,027,114.92
2009	€940,018.96	€526,371.67	€1,466,390.63
2010	€533,149.41	€630,271.60	€1,163,421.01
2011	€58,137.68	€541,284.36	€599,422.04
Total	€13,441,094.01	€2,994,333.86	€16,435,427.87

State Agencies

488. **Deputy Maureen O'Sullivan** asked the Minister for Arts, Heritage and the Gaeltacht the number of State agencies currently financed by the Exchequer; the number of board members in each State agency; the expenses issued for each meeting; if any review of the membership of the board is to be undertaken in order to monitor attendance levels or lack of attendance by any member; and if he will make a statement on the matter. [2046/12]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): The information sought by the Deputy concerning the 16 State bodies/agencies funded from my Department's Vote group is set out in the table below. It should be noted that Foras na Gaeilge and the Ulster-Scots Agency are North-South Implementation Bodies and are subject to dual arrangements in relation to funding.

Name of Body/Agency	Number of board members (including Chair)
Waterways Ireland	No Board
Foras na Gaeilge	16
Ulster-Scots Agency	8

[Deputy Jimmy Deenihan.]

Name of Body/Agency	Number of board members (including Chair)
Údarás na Gaeltachta	20
Crawford Art Gallery	16
National Library of Ireland	12
Heritage Council	11
National Gallery of Ireland	16
National Concert Hall	15
National Museum of Ireland	16
Irish Museum of Modern Art	15
Arts Council	13
Irish Film Board	7
National Archives	No Board
Chester Beatty Library	12
An Coimisinéir Teanga	No Board

In relation to expense arrangements that may apply in the bodies/agencies in question, I am advised that any such expenses are paid in accordance with the guidelines and rules set down by the Department of Public Expenditure and Reform. In relation to the monitoring of attendance levels or lack of attendance by any board member, the Deputy will appreciate that such matters are part of the operational responsibilities of the bodies in question. Under the *Code of Practice for the Governance of State Bodies*, such bodies are required to confirm that their functions are being carried out in adherence to the proper financial and other associated procedures.

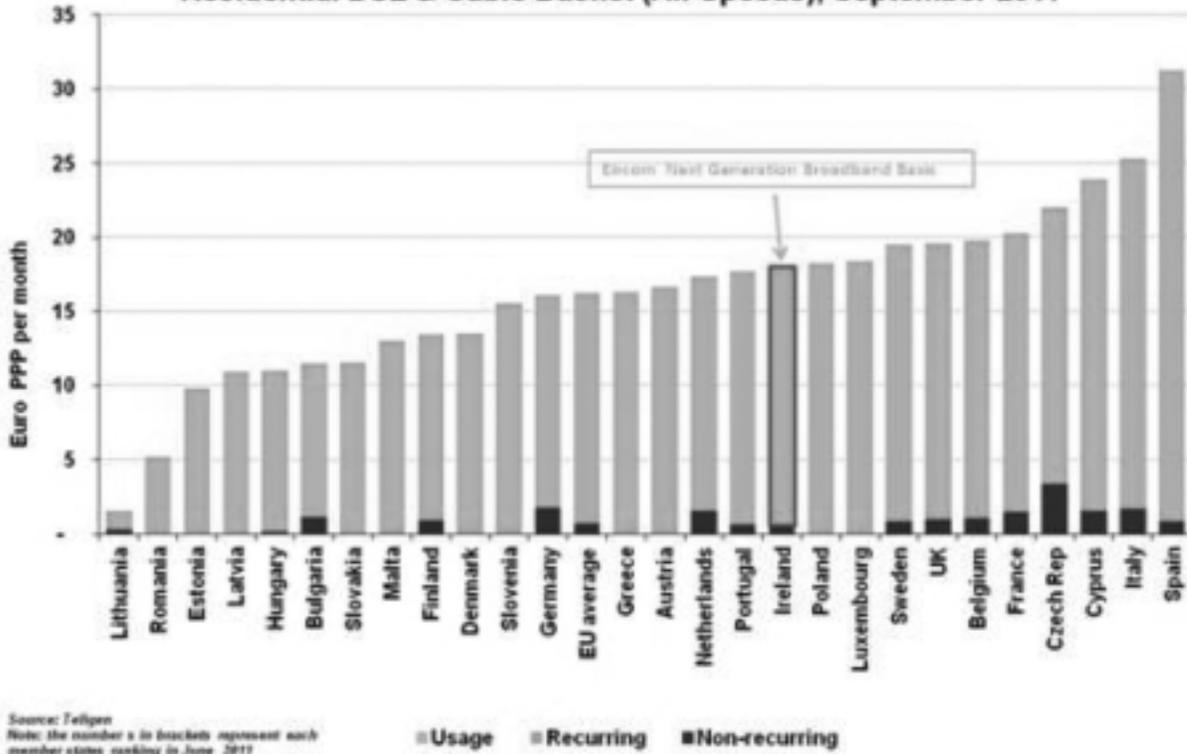
Telecommunications Services

489. **Deputy Brendan Griffin** asked the Minister for Communications, Energy and Natural Resources if he will provide a comparative breakdown of fixed line broadband costs to domestic and business customers in the EU; and if he will make a statement on the matter. [40875/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): International comparisons of telecommunications costs generally, including broadband services, are increasingly complex to measure and compare. This difficulty arises from the increasing level of competition in telecommunications markets delivering a wide choice of options to customers with different terms and conditions applicable, including free or reduced rental and call charges, differing usage conditions and limits and, increasingly, service providers offering bundled services.

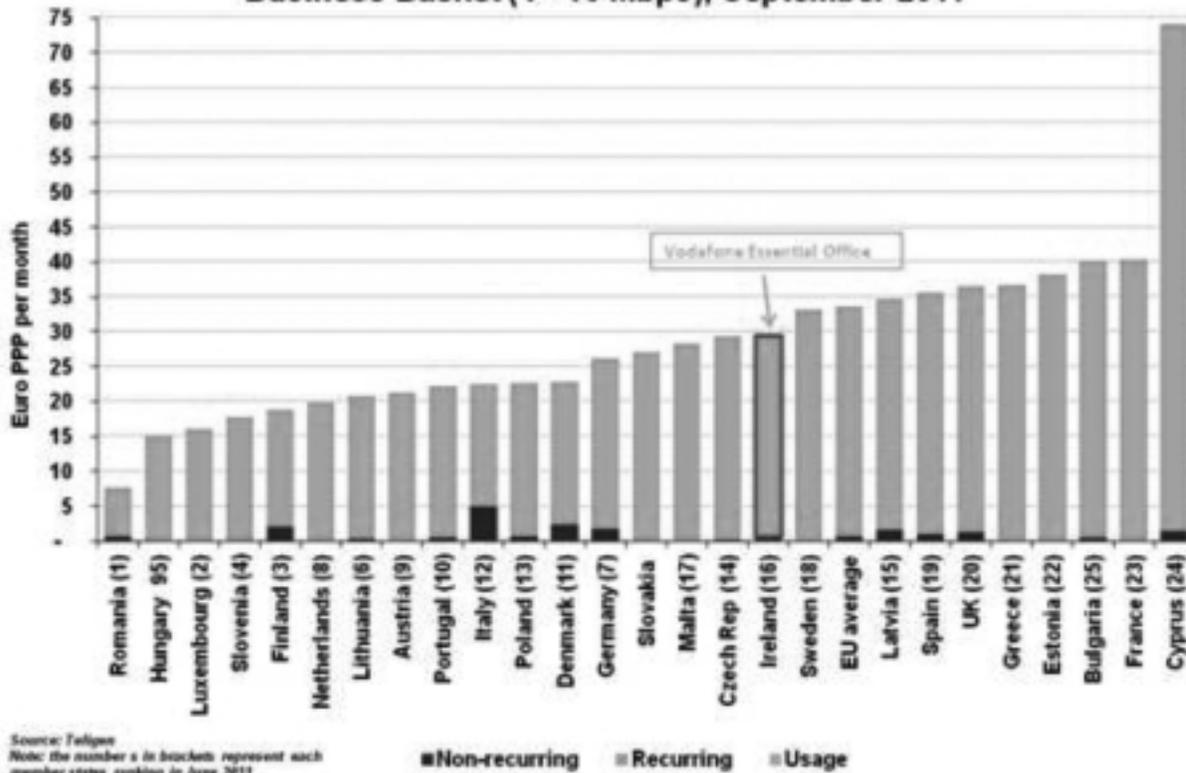
ComReg, the independent telecommunications market regulator in Ireland, publishes quarterly statistical reports, which include international comparisons of fixed line broadband packages for residential and business customers, prepared by Teligen using an OECD approved methodology. The tables for September 2011 are set out below.

Residential DSL & Cable Basket (All Speeds), September 2011



Source: Teligen
 Note: the number s in brackets represent each member states ranking in June 2011

Business Basket (4 - 10 Mbps), September 2011



Source: Teligen
 Note: the number s in brackets represent each member states ranking in June 2011

Ireland ranks 17th of the EU 27 countries surveyed for broadband costs per month for both residential and business customers. This is slightly below the EU average cost for business customers and slightly above the EU average cost in the case of residential customers. However, as stated above, these comparison tables do not measure other factors including

[Deputy Pat Rabbitte.]

quality of service, usage limits nor do they include other available options to purchase more complex bundled services nor the rates negotiated bilaterally by large users connected via leased lines.

Voluntary Bodies

490. **Deputy Brendan Griffin** asked the Minister for Communications, Energy and Natural Resources the reason a person (details supplied) in County Kerry was not informed of the outcome of their application for inclusion on a voluntary body; and if he will make a statement on the matter. [40876/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The National Inland Fisheries Forum was established by Inland Fisheries Ireland (IFI) in accordance with section 7(4)(a) of the Inland Fisheries Act 2010, (No. 10, 2010).

The Forum which consists of 60 members, who were appointed in accordance with the terms of reference agreed with IFI as provided for in section 7(4)(b) of the statute, following an open selection process conducted entirely by the Public Appointments Service on behalf of IFI.

The Public Appointments Service in the open selection process managed all of the public communications and my Department had no function in the process. I am advised that details of the membership of the forum are published on Inland Fisheries Ireland's website www.fisheriesireland.ie.

Departmental Agencies

491. **Deputy Eric Byrne** asked the Minister for Communications, Energy and Natural Resources his plans regarding the future of the Digital Hub Development Agency; in view of the McCarthy report recommendations, if it is envisaged that the Digital Hub will be merged; if it is to be merged, with whom will it be merged and with which Department; and if he will make a statement on the matter. [40946/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): As the Deputy will be aware the Public Service Reform announcement made on 17 November last by my colleague the Minister for Public Expenditure and Reform, envisaged *inter alia* that as part of the rationalisation of State agencies the Digital Hub Development Agency (DHDA) would be merged by the end of this year with either Enterprise Ireland (EI) or the IDA. As the Deputy is aware such a merger was proposed in the July 2009 McCarthy Report on Public Service Numbers and Expenditure Programmes. The rationale for such a merger is potential savings through streamlining relevant administrative and programme activity in the Agencies concerned.

Discussions with relevant stakeholders, including DHDA, IDA and EI will be advanced urgently in the context of the announcement on 17 November last. This process will take account of a Strategic Review of the Digital Hub which was completed by my Department recently aimed at informing decisions on the most appropriate long-term future for the agency.

I am conscious of the valuable role which the DHDA is playing in the digital media sector and in promoting employment. At end 2011 there were 70 companies based at the Digital Hub employing approximately 800 people. I recognise the importance of these enterprises in the context of certain Government policy of promoting digital based employment. Any new Governance arrangements for the activities currently discharged by the Digital Hub will ensure that this contribution is protected and maintained.

Sustainable Energy Grants

492. **Deputy Charlie McConalogue** asked the Minister for Communications, Energy and Natural Resources if a value for money review was carried out by him with respect to energy grants prior to the implementation of cuts as part of budget 2012; and if he will make a statement on the matter. [41007/11]

493. **Deputy Charlie McConalogue** asked the Minister for Communications, Energy and Natural Resources the economic implications of the cuts to energy grants per budget 2012, as industry sources suggest that the Exchequer receives €5 for every €1 spent on grants; and if he will make a statement on the matter. [41010/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): I propose to take Questions Nos. 492 and 493 together.

The Sustainable Energy Authority of Ireland (SEAI) administers Better Energy on behalf of my Department. As announced in the context of the Budget, the Government has committed significant funding of €76 million to the Better Energy Programme next year. The Programme will continue support economic activity in 2012, supporting at least 4,500 jobs and realising anticipated energy savings of 340GWh.

The budget allocation was decided upon taking account of the Capital Review conducted by the Minister for Public Expenditure and Reform. The Better Energy Programme is in line with the key criteria governing the Government's investment priorities i.e. consistency with the Programme for Government objectives (including returning to sustainable public finances), supporting sustainable employment (as well as employment in the immediate delivery phase) and meeting critical economic and social infrastructure deficits.

Electricity Transmission Network

494. **Deputy Pádraig Mac Lochlainn** asked the Minister for Communications, Energy and Natural Resources the proportion of infrastructure used for the distribution of electricity that is owned by the ESB in the North of Ireland; the amount the ESB charges northern customers for the use of this infrastructure; and are there any regulations in place to limit such a charge. [41120/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): Electricity infrastructure, electricity charges or electricity regulations in Northern Ireland, are a matter for the Northern Ireland authorities.

Commercial State Bodies

495. **Deputy Maureen O'Sullivan** asked the Minister for Communications, Energy and Natural Resources the project surplus for Bord na Móna for 2011 and 2012; the estimated numbers in employment for each of the years 2012 to 2015; the number of apprentices taken on by Bord na Móna in 2010 and in 2011; the number of apprentices to be taken on in each Bord na Móna works in 2012; and if he will make a statement on the matter. [41154/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): Projections or estimates of future financial results or employment and apprenticeship levels in respect of Bord na Móna are operational matters for the Board and management of Bord na Móna plc and are not matters in which I have a direct statutory function.

The annual report and accounts for Bord na Móna plc for the year ending 30 March 2011 has been laid before the Houses of the Oireachtas in accordance with section 24 of the Turf

[Deputy Pat Rabbitte.]

Development Act 1998 and can be accessed in the Oireachtas library or on Bord na Móna's website at www.bordnamona.ie. I have asked Bord na Móna to respond directly to the Deputy in respect of the matters raised as appropriate and where such information is to hand.

496. **Deputy Maureen O'Sullivan** asked the Minister for Communications, Energy and Natural Resources if he will report on the progress of the implementation of the Towards 2016 agreement in Bord na Móna; the extent to which third parties, including the Labour Court, have been involved; and if he will make a statement on the matter. [41155/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The implementation of the "Towards 2016" Agreement by Bord na Móna is an operational matter for the Board and management of Bord na Móna plc and not one in which I have a statutory function.

Inland Fisheries

497. **Deputy Éamon Ó Cuív** asked the Minister for Communications, Energy and Natural Resources if he will list each piece of research or experimental work carried out by Inland Fisheries Ireland or its predecessor the Central Fisheries Board each year from 2006 to date in 2012; if he will outline if each piece of research or experimental work was published and peer reviewed; the cost of each piece of research work; if the provisions of section 7 of the Inland Fisheries Act 2010 were adhered to in carrying out each piece of work since its enactment; the public interest elements which gave rise to the need to carry out each piece of research or experimental work; and if he will make a statement on the matter. [41224/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): I have consulted Inland Fisheries Ireland (IFI) which has advised that the detailed information sought cannot be provided without the undue commitment of resources and excessive cost. IFI publishes, on an annual basis, details of research work undertaken by staff and these reports are available on their website <http://www.fisheriesireland.ie/Download-document/193-Research-Report-2010.html>

The latest report summarises the major research projects undertaken by IFI during 2010, a year in which the research function of the Central Fisheries Board was incorporated into the new fisheries organisation. The report is a précis of the key research projects but does not attempt to document the full spectrum of work undertaken and advice provided by IFI scientists. If the Deputy has specific information in mind or could identify a particular case or cases, IFI would be happy to facilitate such a request by assigning a contact person from IFI to engage directly with the Deputy, or a person or group nominated by the Deputy, on this matter.

498. **Deputy Éamon Ó Cuív** asked the Minister for Communications, Energy and Natural Resources if the river management practices carried out by Inland Fisheries Ireland in respect of wild salmon in relevant river systems is fully compliant with all EU directives on the protection of the freshwater pearl mussel; and if he will make a statement on the matter. [41225/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): Salmon management practices are carried out, by Inland Fisheries Ireland (IFI), in various catchments throughout the country subject to appropriate scientific advice and the availability of funding. Where known populations of pearl mussels exist IFI liaises directly with the National Parks and Wildlife Service to ensure that any proposed works will not impact on pearl mussel populations. In addition, all measures for the management of the wild salmon fishery are appropri-

ately assessed in accordance with regulation 42 of the European Communities (Birds and Natural Habitat) Regulations 2011 (S.I. No. 477 2011). IFI has determined for the purposes of regulation 42(11) and 42(16) that undertaking the 2012 wild salmon fisheries management regime would not adversely affect the integrity of a European site (as defined by the above regulations and having regard to regulation 42(24)).

Ministerial Staff

499. **Deputy Catherine Murphy** asked the Minister for Communications, Energy and Natural Resources the names and salaries of each person serving as a special adviser and/or the names and salaries of each person directly appointed by him or a Minister of State to any other position within his Department or predecessor's Department on each of the following dates: 1 December 2009, 1 December 2010 and 1 December 2011; and if he will make a statement on the matter. [41344/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The Government has appointed two Special Advisers on my behalf. Information requested by the Deputy is outlined in the table:

Name	Date Appointed	Salary at 1 December 2011
Mr Finbarr O'Malley	28 March 2011	€88,337
Mr Simon Nugent	11 April 2011	€97,200

My predecessors had three Special Advisers serving on the dates shown. Information requested by the Deputy is outlined in the table.

Name	Salary at 1 December 2009	Salary at 1 December 2010
Ms Bríd McGrath	€86,604	€89,898
Mr Stephen O'Connor	€107,485	€107,485
Ms Suzanne Duke	€86,604	€89,898

Departmental Programmes

500. **Deputy Denis Naughten** asked the Minister for Communications, Energy and Natural Resources if he runs a graduate internship programme; and if he will make a statement on the matter. [41359/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): While my Department does not run a specific graduate internship programme, it participates in the JobBridge National Internship Scheme. In total 13 placements for graduates have been provided throughout the Department under this scheme and a FÁS Internship Scheme which preceded it.

Telecommunications Services

501. **Deputy John Lyons** asked the Minister for Communications, Energy and Natural Resources if he will initiate a consultation with the telecoms and digital industries in order to tackle the hidden threats to consumers from applications on smartphones, specifically built-in applications that cannot be disabled but which use the Internet at full premium rates; and if he will undertake to set guidelines whereby consumers' consent to charge is clearer, password

[Deputy John Lyons.]

requirements are strengthened to prevent buying unwanted items, and there is more explanation of the cost of virtual credit. [1125/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The regulation of premium rate services, including those provided via “apps” (applications) on smart phone and tablet devices, is a matter for the Commission for Communications Regulation (ComReg). ComReg require charges for premium rate services to be transparent. Customers are required to be informed about how services operate, and clear consent is required before any subscription is entered into.

In December 2011 ComReg communicated with all authorised mobile operators regarding the transparency of charges for smartphones where the handset automatically uses data to check for updates. ComReg is currently reviewing material provided by the mobile operators and may issue an information notice/communication through their consumer website *www.askcomreg.ie* on completion of the review. ComReg will also publish its revised Code for Premium Rate Services shortly. In relation to the cost of virtual credit, I understand that paying for virtual credit by Premium Rate Services is not currently possible in Ireland. Other web based options are available, e.g., purchasing virtual credits from social networks through the use of credit cards. However, this is a matter which is outside of ComReg’s regulatory remit.

Departmental Properties

502. **Deputy Dara Calleary** asked the Minister for Communications, Energy and Natural Resources his view that he or any agency funded by him who own properties in office complexes in which a management company is in place, should take an active role in the running of such management companies including the appointment of a nominee to the board of the company in order to protect the investment of taxpayers’ money. [1149/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The GPO complex, which is owned by the State, is vested in my Department which in turn has leased the complex to An Post. There are no other properties in office complexes owned by my Department. The running of the leased property is a matter for An Post and I have no function in this regard.

Alternative Energy Projects

503. **Deputy Noel Harrington** asked the Minister for Communications, Energy and Natural Resources if he will provide more detail on his decision to allow AER VI projects to terminate their 15 year power purchase agreements after the seven and a half years of bonus payments when those companies who eagerly and willingly entered a binding 15 year AER VI power purchase agreement and will have received millions of euro through the 35% front loading mechanism from the PSO fund will now be allowed to terminate their contracts when they should be contributing millions of euro to the PSO fund; if he believes this AER VI decision will deprive electricity consumers of the millions of euro when these contracted companies should be contributing to the PSO fund during the seven and a half year clawback period thus increasing the PSO levy burden on consumers; if he will confirm and clarify if it is the European Commission or him that decided to allow AER VI contracts to be terminated without any repayment to the PSO fund of the 35% bonus; and if he will make a statement on the matter. [1488/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The Alternative Energy Requirement (AER) was a series of competitive tender schemes to support

new renewable generation that were run from the mid 1990s to the mid 2000s. AER was subsequently replaced by the feed in tariff scheme known as REFIT. The AER schemes were designed and put in place prior to the electricity market becoming fully open to competition.

At the time that State Aid clearance was being sought from the European Commission for the original REFIT scheme in 2007, DG Competition itself inserted a clause in the terms and conditions of the scheme that generators were free to leave the scheme either by agreement with their supply company or in the event of disagreement, by serving 12 months notice and join the open market. Any generator that voluntarily leaves a support scheme in respect of a particular project will not be eligible to re-enter the support scheme at any later date in respect of that project.

It was also concluded by my Department that the concerns expressed by the European Commission about a continuing intervention in the market to deliver a public policy for any period longer than the participating generator requires in REFIT should also be applied on a similar basis to the AER programme.

As a result, my Department informed ESB Customer Supply (as the sole contracting party to the AER contracts) that nothing in the AER rules should be interpreted to preclude an undertaking from exiting an AER Power Purchase Agreement (PPA) within a period not exceeding 12 months from the receipt of notification from an AER generator of its decision to terminate an AER PPA, whichever event occurs first. If a generator opts to leave the AER scheme under this process, they are not allowed re-enter the scheme.

The electricity wholesale market has proved to be very volatile in recent years, with wholesale prices going from an average of over €120 per MW hour to just over €40 per MW hour following the general economic problems experienced. While the wholesale prices have increased since then, they are still below the high levels seen in 2008. Accordingly, under these provisions, AER VI contracted renewable generators are allowed to leave their 15 year PPA contracts at any time subject to notification periods not exceeding 12 months.

Departmental Agencies

504. **Deputy Maureen O'Sullivan** asked the Minister for Communications, Energy and Natural Resources the number of State agencies currently financed by the Exchequer; the number of board members attending each State agency; the expenses issued for each meeting; if any review of the membership of board members is to be taken in order to monitor attendance levels or lack of attendance by any member; and if he will make a statement on the matter. [2048/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): 7 State agencies under my Department are funded by the Exchequer. They are:

Digital Hub Development Agency

Sustainable Energy Authority of Ireland

Ordnance Survey Ireland

Inland Fisheries Ireland

Loughs Agency

RTE (funded from Broadcasting Licence Fees)

TG4 (part funded from Broadcasting Licence Fees.)

[Deputy Pat Rabbitte.]

The number of board members attending each State agency and the expenses issued for each meeting are an operational matter for each agency.

Security of the Elderly

505. **Deputy Billy Timmins** asked the Minister for the Environment, Community and Local Government the position regarding personal safety alarms (details supplied); and if he will make a statement on the matter. [41042/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): My Department manages the Seniors Alert Scheme which encourages and assists the community's support for older people by means of a community-based grant scheme to improve the security of people over 65 years of age. The Scheme is administered by local community and voluntary groups with the support of my Department.

Grant support is available towards the purchase and installation of personal monitored alert systems (pendant alarms) and other items to improve the safety and security of the home (including monitored smoke and carbon monoxide detectors, internal emergency lighting and external security lighting). My Department will contact the relevant local community group operating the scheme on receipt of the applicant's contact details. The local community group will then be in touch with the person referred to, with a view to facilitating an application on the person's behalf.

Local Authority Staff

506. **Deputy Simon Harris** asked the Minister for the Environment, Community and Local Government if his attention has been drawn to the fact that a cycling officer in a local authority (details supplied) is leaving their post and that the post will not be renewed because of the public service recruitment moratorium and the negative impact that this vacancy will cause; if he is in a position to direct that this important role is filled; and if he will make a statement on the matter. [41254/11]

507. **Deputy Simon Harris** asked the Minister for the Environment, Community and Local Government if he will grant a derogation from the public service recruitment moratorium in respect of a front-line service position within a local authority (details supplied) that is due to fall vacant in the near future; and if he will make a statement on the matter. [41255/11]

538. **Deputy Thomas P. Broughan** asked the Minister for the Environment, Community and Local Government if he has been briefed by the Dublin city manager on Dublin City Council's cycling policy; if he will indicate if the DCC cycling officer position will be retained and filled; if there are any other local authority cycling officer posts vacant throughout the country; and if he will make a statement on the matter. [41295/11]

590. **Deputy Finian McGrath** asked the Minister for the Environment, Community and Local Government his position regarding the continued funding of Dublin City Council's cycling officer by the Department. [1595/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 506, 507, 538 and 590 together.

The recruitment moratorium in the Public Service was introduced by the Government in March 2009 as an emergency measure in response to the financial crisis facing the State. The

moratorium remains in place. Under the terms of the moratorium no public service post, however arising, may be filled. When vacancies arise public bodies must reallocate or reorganise work or staff accordingly. My Department has delegated sanction from the Department of Public Expenditure and Reform for implementation of the moratorium across all local authorities. This is on condition that the overall staffing levels in the local government 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.

An Independent Review Report on Staffing Levels in Dublin City Council was published on 15 July 2011. The Report identified that staff numbers from the beginning of 2009 up to 2014 could potentially be reduced by 18.65%. At a minimum staff numbers will have been reduced by close to 13% over this period. The Report outlined that certain critical posts would need to be filled as staff left the Council.

Under the terms of the moratorium all staffing requests must be agreed with my Department and my Department works very closely with Dublin City Council 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 for further reduction in overall staffing levels and expenditure in the local authority. Under its delegated sanction, as an exception to the moratorium, my Department recently approved a six month extension to the Dublin City Council Cycling Officer's contract. During this period Dublin City Council will consult with the National Transport Authority, review the situation and report to my Department on how the promotion of cycling in Dublin should be addressed in the longer term.

508. **Deputy Thomas P. Broughan** asked the Minister for the Environment, Community and Local Government the number of requests received from Dublin City Council for permission to employ additional staff in the years 2009, 2010, 2011 and to date in 2012; the number of requests that were approved in each of these years; the number of requests that are currently pending in each of these years; if the city manager has reported staff deficiencies in key front-line roles; and if he will make a statement on the matter. [1425/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The information requested in relation to Dublin City Council staff sanction requests received by my Department is outlined in the table:

	2009	2010	2011	2012
No. of requests received	1	167	52	2
No. of requests approved	1	167	39	0
No. of requests pending	0	0	6	2

In 2009, 1 request was received for an acting arrangement and sanction on this basis was granted.

In 2010, 89 requests were received for permanent filling and 78 for temporary/contract filling of posts. Sanction was granted for 67 posts to be filled on a permanent basis, 1 post to be filled on an acting basis and 99 posts to be filled on a contract basis.

[Deputy Phil Hogan.]

In 2011, 23 requests were received for permanent filling and 29 for temporary/contract filling of posts. Sanction was granted for 16 posts to be filled on a permanent basis, 23 posts to be filled on a contract basis, 1 request is on hold, 5 requests were refused, 1 request was withdrawn and 6 requests are pending.

In 2012, 2 requests were received for permanent filling and these requests are pending.

The Local Government Efficiency Review Group's Report published in July 2010 recommended that the staff numbers and the number of senior managers in Dublin and Cork City Councils should be independently reviewed, with a target of reducing numbers by at least 15%. An Independent Review Group was established to carry out the Dublin review and the Group asked Dublin City Council to develop a work plan of actions to reduce staff numbers in line with the recommendations, with a particular emphasis on the number of senior managers. The review process took account of issues such as:

- The necessity to maintain a focus on the delivery of essential front line services to the public,
- The scope for sharing services and collaboration among the Dublin local authorities and with other local authorities,
- Government policy in restoring the national finances, and,
- The demands on Dublin and the promotion of Dublin as the capital city.

The Independent Review Group Report on Staffing Levels in Dublin City Council was published on 15 July 2011. The Report identified that staff numbers from the beginning of 2009 up to 2014 could potentially be reduced by 18.65%. At a minimum staff numbers will have been reduced by close to 13% over this period. The Report outlined that certain critical posts would need to be filled as staff left the Council.

Under the terms of the ongoing moratorium on public service recruitment all local authority staffing requests must be sanctioned by my Department. In this regard, my Department works very closely with Dublin City Council 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. The analysis and findings of the workforce plan and staffing review will help to inform the future staffing decisions in relation to the Council.

Building Regulations

509. **Deputy Joanna Tuffy** asked the Minister for the Environment, Community and Local Government if he will give details of the number of housing inspectors in his Department; the number of housing inspectors who have been transferred to other duties within the public service; and if he will make a statement on the matter. [1839/12]

575. **Deputy Thomas P. Broughan** asked the Minister for the Environment, Community and Local Government if 16 inspectors attached to his Department to inspect new houses under the Building Control Act are being transferred to other duties; the reasons for transferring these officials in view of the reports that in some local authority areas only 20% of new builds are inspected and the historical inadequacies of building control regulation; and if he will make a statement on the matter. [1327/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 509 and 575 together.

In accordance with the Building Control Acts 1990 to 2007, responsibility for the oversight of construction activity, including the enforcement of the Building Regulations, is a matter for each local authority in relation to its own functional area. My responsibility, as Minister, is to ensure that appropriate statutory requirements, technical standards and administrative provisions are put in place in relation to the Act. In this regard, I announced a number of measures in July, 2011 to be advanced by my Department and local authorities with a view to improving compliance with, and oversight of, the requirements of the Building Regulations.

In broad terms the measures will involve:—

(a) 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;

(b) the lodgement of drawings at both commencement and completion of construction, demonstrating how the building has been designed and built to comply with all parts of the Building Regulations;

(c) more efficient pooling of building control staff and resources across the local authority sector to ensure more effective and meaningful oversight of building activity;

(d) standardised approaches and common protocols to ensure nationwide consistency in the administration of building control functions;

(e) better support and further development of the building control function nationwide.

The Departmental inspectors referred to in the Questions have no formal role in relation to the Building Control Acts. The duties of the inspectorate included the issuance of Floor Area Compliance Certificates (FACCs) for dwelling units which qualified for a concession on stamp duty under the Stamp Duties Consolidation Act 1999. However, the demand for FACCs no longer exists following the granting of a general exemption from stamp duty to first time buyers.

Of a total complement of 34 in the Housing Inspectorate in my Department, 1 has recently retired and 1 has transferred to the Office of Public Works. 14 of the remaining inspectors have been made available for redeployment to other duties and areas of business in the context of overall public service reform and the Croke Park Agreement. My Department continues to retain an appropriate level of technical expertise necessary to support the determination of public policy in relation to housing and planning matters.

510. **Deputy Finian McGrath** asked the Minister for the Environment, Community and Local Government if anything else can be done to assist the residents of Priory Hall, Dublin; if he will make this an urgent matter; and if he will make a statement on the matter. [1809/12]

570. **Deputy Caoimhghín Ó Caoláin** asked the Minister for the Environment, Community and Local Government if he will meet with representatives of the residents of Priory Hall, Dublin; and if he will make a statement on the matter. [1311/12]

589. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government the position regarding Priory Hall, Dublin; the hope these unfortunate residents have for the future; and if he will make a statement on the matter. [1520/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 510, 570 and 589 together.

The legal proceedings in relation to Priory Hall are continuing and it would be inappropriate to anticipate their conclusion. The overriding priority is to ensure the optimum outcome for the households concerned and to facilitate as early as possible a return to their homes. In this respect it will be necessary to ensure that these homes are made fit for purpose and that the costs of so doing fall where they should. I have asked Dublin City Council to do all within its powers to achieve this objective and have asked my Department to continue to liaise closely with Dublin City Council in this regard.

Dublin City Council is the designated authority with powers to enforce the statutory requirements arising under the Fire Safety Act, the Building Control Acts and the Planning and Development Acts, all of which are at issue in relation to Priory Hall. The Council is also the designated housing authority under the Housing Acts. My responsibility, as Minister, is to ensure that appropriate statutory requirements, technical standards and administrative provisions are put in place under the relevant legislation. This responsibility has been fulfilled and is not in dispute.

I have no role in relation to enforcement activity or in relation to the direct provision of housing services. Residents at Priory Hall and their representatives have previously been advised of this standing division of responsibilities. In the circumstances I do not think it would be appropriate for me to meet with the residents at this point. Dublin City Council has made commendable efforts to provide for the needs of residents to date, and I urge the Council to continue to meet and communicate with the residents and to take all reasonable steps to support them at this difficult and vulnerable time.

Motor Taxation

511. **Deputy Robert Dowds** asked the Minister for the Environment, Community and Local Government if he will make changes to the current facility to declare a vehicle off the road for the purposes of motor tax in view of the increases in motor tax in budget 2012; and if he will make a statement on the matter. [40775/11]

532. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government the position regarding the taxing of unused vehicles (details supplied); and if he will make a statement on the matter. [41227/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 511 and 532 together.

I intend to bring forward legislation this year to address the issue of off-the-road declarations, unrelated to changes in motor tax rates. Currently, owners declare vehicles off-the-road for the purposes of motor tax after the fact, which is effectively unverifiable and open to abuse. I intend to provide that drivers will be able to declare their intention to keep their vehicle off-the-road in advance, so that if a vehicle is not to be used on a public road for a number of months, the owner will be able to inform the relevant authorities before taking the car off the road rather than afterwards, and so avoid a liability for motor tax. Vehicles used solely for off-road purposes are not liable for motor tax and this will remain the position.

Water and Sewerage Schemes

512. **Deputy Brendan Griffin** asked the Minister for the Environment, Community and Local

Government if he will approve the preliminary report on a sewerage scheme (details supplied) in County Kerry; and if he will make a statement on the matter. [40808/11]

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 Kerry. The Programme includes contracts under construction and to commence to the value of over €92 million in Kerry during the period of the Programme. The Castlemaine Sewerage Scheme is included as a scheme to advance through planning during the life of the Programme. The Preliminary Report for the scheme submitted by Kerry County Council is under examination in my Department and a decision will be conveyed to the Council as soon as possible.

Departmental Agencies

513. **Deputy Simon Harris** asked the Minister for the Environment, Community and Local Government if he will outline the membership of An Bord Pleanála; the method of appointment of persons to the board; the competencies required of each member; if he has any intentions to reform the structures and processes of the organisation during his tenure; and if he will make a statement on the matter. [40831/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): The current membership of the board is presented in the table. The procedures for the appointment by the Minister of ordinary members of An Bord Pleanála are set out in sections 104-106 of the Planning and Development Acts 2000-2010. Nominating bodies that are specified in the associated Planning and Development Regulations are requested to make nominations which form panels from which the appointments are made. My Department is presently engaged in this statutory process to permit me to renew the board by making appointments to a number of vacancies which have recently arisen.

The Board is not intended to be an expert body as such (it has experts to advise it) but should be a balanced group of people with diverse backgrounds who can reach a considered view on issues. I am satisfied that the current nomination and appointment processes are fair and transparent. There are no proposals to change the nominating procedure.

An Bord Pleanála Membership — January 2012

Name of appointee	Panel	Date of Original Appointment	Date of Re-appointment	Date of Expiry of Appointment
Dr. Mary Kelly, Chairperson		29/08/2011		28/08/2018
Fionna O’Regan	A	7/02/2011		6/02/2016
Conall Boland	A	01/01/2007	1/01/2012	31/12/2013
Mary MacMahon	D	27/11/2006	27/11/2011	26/11/2013

Registration of Architects

514. **Deputy Maureen O’Sullivan** asked the Minister for the Environment, Community and Local Government if the technical assessment directly tests the practical elements of architecture rather than theory based on the student curriculum; if it directly tests the capabilities of unregistered architects who have been long out of third level education; and if he will make a statement on the matter. [40839/11]

521. **Deputy Jack Wall** asked the Minister for the Environment, Community and Local Government his views in regard to the attached submission (details supplied); the action he plans or is proposing in regard to each proposal; and if he will make a statement on the matter. [41057/11]

536. **Deputy Maureen O’Sullivan** asked the Minister for the Environment, Community and Local Government in respect of unregistered architects, under section 17 of the Building Control Act 2007, subsection (3), if he will define verified hardship for those who may seek a waiver to the technical assessment fees; the exact time frame for which the Royal Institute of Architects of Ireland has agreed to reduce the technical assessment fees from €6,300 to €4,500; and if he will make a statement on the matter. [41278/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 514, 521 and 536 together.

Part 3 of the Building Control Act 2007 sets out the detailed requirements for registration of the title of Architect. Section 14 of the Act sets out the various routes towards registration and makes appropriate provision for applicants who have qualified for consideration on the basis of their practical experience rather than their academic attainments.

In particular Section 14 (f) enables the registration of persons who have 7 years appropriate practical experience and who have passed the prescribed register examination. The examination in question is specifically designed for persons who are practically trained and participants are not required to possess any formal academic qualification in order to sit the exam. The possibility of prescribing further register admission examinations for the purposes of Section 14(f) does exist. However, I have no role in relation to the development or functioning of such examinations.

In addition, Section 22 provides for the registration following a process of technical assessment open only to those persons who had been performing duties commensurate with those of an architect for a period of ten or more years prior to the commencement date of the Act. The assessment process is set down in considerable detail in Section 22 itself and, again, participants do not require any formal academic training or qualification.

The fee in relation to candidates who apply for registration under the technical assessment route has been set at €4,500. This is a significant reduction on the figure originally proposed which was made possible by streamlining the administrative arrangements for registration and through the willingness of the Registration Body (the RIAI) to absorb some of the costs involved. In accordance with Section 62 of the Act the specification of fees is, in the first instance, a matter for the registration body. However, no fee may be specified without my approval as Minister. There are no proposals in relation to fees under consideration by my Department at present. The Act does not define the term verified hardship and it would not be appropriate for me to attempt to do so. Ultimately, the interpretation of the legislation is a matter for the courts should any dispute arise in relation to the use of the term.

Water and Sewerage Schemes

515. **Deputy Pádraig Mac Lochlainn** asked the Minister for the Environment, Community and Local Government the position regarding the stated intent of Donegal County Council to compulsorily purchase a part of Lough Foyle from his Department and to construct and operate a waste water treatment plant with outfall pipeline crossing the foreshore and entering into the sea floor of the lough a distance of 350 metres in view of the fact that the UK Crown Estate claims proprietary ownership of the sea floor of Lough Foyle to the high water mark on the Donegal side of the lough; if he will confirm the internationally recognised legal ownership he

is relying on to permit the sale of any such property to Donegal County Council or any other third party; and if he will make a statement on the matter. [40872/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I understand that both the development consent and the compulsory purchase order for the development concerned were the subject of applications by Donegal County Council to An Bord Pleanála under the provisions of sections 226 and 227 of the Planning and Development Acts 2000 to 2011. In these circumstances the Council is not obliged to apply for a licence under Section 3 of the Foreshore Acts 1933 to 2011 and no such application has been received by my Department.

The Council's application for a compulsory purchase order was confirmed by the Board in August 2011. Following confirmation by the Board the transfer of ownership of the foreshore concerned becomes a matter to be transacted between Donegal County Council as the purchaser and the Minister for Public Expenditure and Reform, in whom ownership of the foreshore is vested under the State Property Act 1954. As Minister, I am specifically precluded, under section 30 of the Planning and Development Acts from exercising any power or control in relation to any particular case with which a planning authority or An Bord Pleanála is concerned.

Community Development

516. **Deputy Thomas Pringle** asked the Minister for the Environment, Community and Local Government if it has been brought to his attention that he provides funding to an organisation (details supplied) towards the employment of a development worker; if his further attention has been drawn to the fact that the organisation in question is registered with the Registry of Friendly Societies and that the organisation has failed to meet its statutory obligation regarding the filing of annual returns over the past number of years; the steps he will take to ensure that the organisation meets its statutory obligations; and if he will make a statement on the matter. [40936/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The organisation referred to in the Question is an independent entity with its own board of management who are responsible under company law for the proper stewardship of the company. In this context, my Department has no role in the internal operations of such organisations and, therefore, does not have a role in relation to the statutory obligations of the organisation in question. In the context of the Sligo regeneration project, which is largely funded by my Department, Sligo Borough Council contributes towards the cost of a Community Development Worker employed by the co-operative to assist with social regeneration locally. It is a matter for the Borough Council to ensure that regeneration funding for community organisations and projects is properly payable.

Waste Management

517. **Deputy Alan Farrell** asked the Minister for the Environment, Community and Local Government the total cost incurred by the State in the proposed landfill site at Tooman, Nevitt, Lusk, County Dublin; and if he will make a statement on the matter. [41019/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): In line with national policy, my Department does not provide capital funding for new heavy waste infrastructure, including landfills. Therefore, I have not provided any funds in respect of the proposed landfill site at Tooman, Nevitt, Lusk, County Dublin. In accordance with the provisions of the Waste Management Acts, the preparation and adoption of a waste management

[Deputy Phil Hogan.]

plan, including matters in respect of the provision of waste infrastructure, are the statutory responsibility of the local authority or authorities concerned, in this case Fingal County Council. Under section 60(3) of the Waste Management Act 1996, I am precluded from exercising any power or control in relation to the performance by a local authority, in particular circumstances, of a statutory function vested in it.

Household Charge

518. **Deputy Michael McCarthy** asked the Minister for the Environment, Community and Local Government if there are plans for projected increases to be applied to the household charge on an annual basis up to 2015; and if he will make a statement on the matter. [41026/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The EU/IMF Programme of Financial Support for Ireland under its fiscal consolidation measures commits to the introduction of a property tax for 2012. In light of the complex issues involved, a property tax, requiring a comprehensive property valuation system, would take time to introduce and accordingly, to meet the requirements in the EU/IMF Programme, the Government decided to introduce the household charge in 2012. The household charge is an interim measure and an equitable valuation based property tax will be introduced as soon as possible.

Subsection 3 of section 3 of the Local Government (Household Charge) Act 2011 permits me, as Minister for the Environment, Community and Local Government, to review the level of the household charge and to align it to changes in the All Items Consumer Price Index which measures changes in the cost of living generally. The provisions of section 3 are very limited and do not provide a power to change, in any substantive manner, the quantum of the €100 household charge. Any significant changes in the level of the household charge would require the enactment of new legislation to amend the 2011 Act.

Genetically Modified Organisms

519. **Deputy Martin Ferris** asked the Minister for the Environment, Community and Local Government if any licences have been granted for the trial growth of genetically modified crops; and if so, if he will provide details of the licences granted. [41036/11]

520. **Deputy Martin Ferris** asked the Minister for the Environment, Community and Local Government if there are any applications for the trial growth of genetically modified crops currently under consideration. [41038/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 519 and 520 together.

The undertaking of field trials of genetically modified crops is subject to the requirements of the Genetically Modified Organisms (Deliberate Release) Regulations 2003. An entity who wishes to carry out a field trial of a genetically modified organism (GMO) must apply for approval to the Environmental Protection Agency (EPA), as Irish competent authority for the purposes of these Regulations. The applicant must publish a notice in a newspaper circulating in the area of the proposed deliberate release to inform the public that they have applied for approval and the public may make submissions to the EPA in relation to their application. As Minister for the Environment, Community and Local Government, I have no function in relation to the GMO licensing process in individual cases.

Question No. 521 answered with Question No. 514.

Household Charge

522. **Deputy Billy Timmins** asked the Minister for the Environment, Community and Local Government the position regarding the new €100 property tax for persons who already pay €200 per year on property that is rented; if they have to pay both charges even though they are in negative equity and the rent on the property does not cover the mortgage; and if he will make a statement on the matter. [41061/11]

545. **Deputy Brendan Griffin** asked the Minister for the Environment, Community and Local Government his views on a matter (details supplied) in County Kerry regarding property tax; and if he will make a statement on the matter. [41402/11]

580. **Deputy Mattie McGrath** asked the Minister for the Environment, Community and Local Government his views on the fact that charging the €100 household charge on self-catering accommodation is giving an unfair competitive advantage to other businesses in the hospitality sector, specifically the loss-making hotels owned by the National Asset Management Agency; his further views that this charge on top of the non-principal private residence charge is going against the policy to support tourism, specifically the self catering tourism model; his further views that owners of self catering accommodation should be exempt from this charge in an effort to continue to promote tourism; and if he will make a statement on the matter. [1401/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 522, 545 and 580 together.

The Local Government (Household Charge) Act 2011 and the Local Government (Charges) Act 2009 set out the legislation underpinning the household charge and the charge on non-principal private residences respectively. Under the legislation, owners of residential property are liable to the household charge, including those persons with a liability to pay the charge on non-principal private residences, unless otherwise exempt.

Local Authority Housing

523. **Deputy Brendan Griffin** asked the Minister for the Environment, Community and Local Government, further to Parliamentary Question No. 118 of 29 September 2011, his views on this matter; and if he will make a statement on the matter. [41073/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): It is open to any person or household to apply to a housing authority for an assessment of their housing need. Decisions on the eligibility of specific persons for social housing support and the allocation of that support are a matter solely for the housing authority concerned and I have no function in specific cases. My Department has recently issued revised guidance to housing authorities regarding access to social housing support for non-Irish nationals. This guidance is in Circular Housing 47/2011 of 7 December 2011, a copy of which is available in the Oireachtas Library.

Waste Management

524. **Deputy Joanna Tuffy** asked the Minister for the Environment, Community and Local Government when he intends to introduce competitive tendering for household waste collection under which service providers will have to bid to provide waste collection services in a given area, as per the commitment in the programme for Government; if his attention has been drawn to the fact that there are numerous bin collections by different bin companies on estates throughout the week, sometimes three days a week at all hours of the morning and this is

[Deputy Joanna Tuffy.]

having a detrimental impact on the quality of life of local residents; and if he will make a statement on the matter. [41127/11]

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 would 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 designed to inform policy development concluded in September 2011. A large number of responses were received from a broad spectrum of interests. As one might expect, a consensus is not apparent and, on almost all of the relevant issues, a considerable breadth of opinion was expressed. Many responses cited concerns such as the potentially adverse impact of franchise bidding on waste collection firms and the loss of the benefits of ongoing, side-by-side competition. Other responses pointed to the reduction in the numbers of refuse collection vehicles operating on specific streets, the possible significant savings for householders and the potential for improved environmental outcomes if franchise bidding were introduced. All of the responses received, in addition to a summary document, are available on my Department's website.

The responses are being examined and a Regulatory Impact Assessment, which will inform Government's deliberations, is also being prepared. I expect to be in a position to submit final proposals to Government early this year.

Water Supply Contamination

525. **Deputy Dominic Hannigan** asked the Minister for the Environment, Community and Local Government the number of breaches of the drinking water regulations in relation to group water schemes that occurred nationally in 2010; if he will provide the information on a county basis in tabular form; and if he will make a statement on the matter. [41135/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The most up-to-date information on drinking water quality (including for group water schemes) is contained in the report *The Provision and Quality of Drinking Water in Ireland: A Report for the Year 2010* which was published recently by the Environmental Protection Agency (EPA). The Report is available on the EPA website and I have also arranged for it to be laid before the Houses of the Oireachtas. The EPA report assesses the safety and security of drinking water supplies based on the results of Water Services Authority monitoring carried out in 2010 and enforcement by the EPA in the same period. Appendix III to the report contains information on the results of all monitoring of the group sector in 2010 and details of any exceedances of the 48 microbiological, chemical and indicator parameters detected as a result of the monitoring.

Household Charge

526. **Deputy Paul J. Connaughton** asked the Minister for the Environment, Community and Local Government if the residents of an area (details supplied) in County Galway will have to pay the household charge in view of the unfinished nature of the estate; and if he will make a statement on the matter. [41180/11]

527. **Deputy Paul J. Connaughton** asked the Minister for the Environment, Community and Local Government if the residents of an area (details supplied) in County Galway will have to

pay the household charge in view of the fact that the estate is not finished and parts of it are in a very poor condition; and if he will make a statement on the matter. [41181/11]

548. **Deputy Thomas P. Broughan** asked the Minister for the Environment, Community and Local Government when he will publish the list of unfinished housing estates that are exempt from the household charge; and if he will make a statement on the matter. [41462/11]

559. **Deputy Dominic Hannigan** asked the Minister for the Environment, Community and Local Government when the list of unfinished estates to be exempted from the household charge will be published; and if he will make a statement on the matter. [1133/12]

571. **Deputy Seán Kenny** asked the Minister for the Environment, Community and Local Government if the home owners at the unfinished housing estate (details supplied) in Dublin 13 are liable for the household charge. [1312/12]

591. **Deputy Nicky McFadden** asked the Minister for the Environment, Community and Local Government the reason the housing estate (details supplied), defined as unfinished under the Local Government (Household Charge) Act 2011, will be subject to the new household charge; and if he will make a statement on the matter. [1597/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 526, 527, 548, 559, 571 and 591 together.

The Local Government (Household Charge) Regulations 2012 contain the list of unfinished estates to which a waiver from payment of the household charge applies in 2012. The list is also available from *www.householdcharge.ie*. The relevant circumstances to which I, as Minister for the Environment, Community and Local Government, must have regard in prescribing the list for the purposes of the unfinished estates waiver are set out in section 4 (5) of the Local Government (Household Charge) Act 2011.

Household Sewerage Facilities

528. **Deputy Michael McCarthy** asked the Minister for the Environment, Community and Local Government the number of septic tanks in west Cork; the number that are connected to the public sewerage system; and if he will make a statement on the matter. [41189/11]

529. **Deputy Michael McCarthy** asked the Minister for the Environment, Community and Local Government the number of cases that have been identified in west Cork whereby effluent from septic tanks has caused contamination of water supplies; and if he will make a statement on the matter. [41190/11]

541. **Deputy Noel Harrington** asked the Minister for the Environment, Community and Local Government the position regarding septic tanks (details supplied); and if he will make a statement on the matter. [41378/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 528, 529 and 541 together.

Information on households' sewerage facilities is collected by the Central Statistics Office in the Census. Information from Census 2011 is not yet available. Census 2006 recorded that in County Cork (excluding Cork City) the number of households connected to the public sewerage network was 65,641 and there were 49,686 households served by septic tanks. A further 3,697 households in the county were served by other forms of wastewater treatment. Separate

[Deputy Phil Hogan.]

details for West Cork are not available. Census 2006 recorded that overall in the State there were 956,239 houses connected to the public sewerage network, 418,033 houses with septic tanks and 36,454 households were served by other forms of wastewater treatment.

In its *Water Quality 2007-2009 Report*, the EPA noted the presence of microbial contamination arising from the entry of faecal matter to Ireland's waters and stated that one of the main sources of microbial pathogens was on-site wastewater treatment systems, including septic tanks. The report states that while the proportion of monitoring points with faecal coliform detections is high, this not only reflects the impact of human activities, but also the vulnerable nature of groundwater in some parts of the country. Groundwater is a source of drinking water for many people.

The EPA's *Urban Waste Water Discharges in Ireland for Population Equivalents Greater than 500 Persons: A Report for the Years 2006 and 2007* stated that at the start of 2008, wastewater from 112 locations was being discharged with either no treatment or basic treatment, and in most cases was discharging to estuarine or coastal waters. However, a number of major wastewater treatment plants which discharge to tidal waters came into operation during the period 2007-2009 and the level of untreated discharges is expected to decrease further as additional treatment plants come into operation in the coming years.

Treatment of drinking water with chlorine is an effective way of preventing E. coli in water supplied. The presence of Trihalomethanes (THMs) in drinking water is a by-product of the disinfection of inadequately treated water with chlorine. The EPA has expressed concern at relatively high numbers of supplies which have recorded relatively high THM levels. The EPA's recently published report, *The Provision and Quality of Drinking Water in Ireland: A Report for the Year 2010*, shows that the parametric value for THMs was exceeded in 12.9% of all water supplies during 2010, an improvement from 15.6% in 2009. Trihalomethane compliance in public water supplies improved from 83.9% in 2009 to 86.5% in 2010. The Report is available on the EPA website and I have arranged for it to be laid before the Houses of the Oireachtas. Appendix 1 of the report includes a summary by local authority of the quality of public water supplies in 2010, including for the West division of Cork County Council.

Water Services

530. **Deputy Michael McCarthy** asked the Minister for the Environment, Community and Local Government if he will provide an update on plans for the proposed new Irish water company; the timeline for the setting up and completion of the company; and if he will make a statement on the matter. [41191/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Programme for Government provides for the establishment of a new State-owned national water authority to take over responsibility for managing and supervising investment in water services infrastructure and to manage the domestic water metering programme. The Memorandum of Understanding between Ireland and the EU/IMF commits Ireland to undertaking an independent assessment of the establishment of such an authority.

The first phase of work on the independent assessment has been completed. The assessment examined the optimal organisational structure for Irish Water, including its proposed powers and responsibilities, considering legal, financial and organisational aspects together with an implementation timetable. I intend to publish material in relation to the assessment and Government proposals for the reform of the water sector very shortly.

Unfinished Housing Developments

531. **Deputy Seán Kenny** asked the Minister for the Environment, Community and Local Government his views on what qualifies as an unfinished housing estate; if houses affected in the past number of years by pyrite issues will qualify for an exemption from the household tax; if he will provide a list of unfinished housing estates; if he will provide a list of what qualifies as an unfinished housing estate; and if he will make a statement on the matter. [41220/11]

546. **Deputy John Lyons** asked the Minister for the Environment, Community and Local Government if homes affected by pyrite will be exempt from the household charge. [41412/11]

578. **Deputy Seán Kenny** asked the Minister for the Environment, Community and Local Government if home owners currently living in pyrite affected homes in an unfinished development (details supplied) will be exempt from the household charge. [1391/12]

585. **Deputy Thomas P. Broughan** asked the Minister for the Environment, Community and Local Government the criteria for exemption from the household charge for unfinished estates and those affected by pyrite; and if such estates in north east Dublin (details supplied) will be exempt from the charge. [1487/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 531, 546, 578 and 585 together.

I understand the difficult and challenging situation faced by householders, who through no fault of their own, have to contend with the consequences of pyrite in their homes.

I have established an independent Panel with the remit of seeking to facilitate a resolution of pyrite contamination in private housing. The Panel is progressing its work and I have asked the Chairperson of the Panel to complete this task as quickly as possible and submit a report to me early in 2012.

I will give further consideration to the position of owners of certain pyrite affected houses upon receipt of the Panel's Report. In this regard, I will also need to consider issues surrounding the identification of relevant problematic properties. The Local Government (Household Charge) Regulations 2012 contain the list of unfinished estates to which a waiver from payment of the household charge applies in 2012. The list is also available from *www.householdcharge.ie*.

The relevant circumstances to which I, as Minister for the Environment, Community and Local Government, must have regard in prescribing the list for the purposes of the unfinished estates waiver are set out in section 4 (5) of the Local Government (Household Charge) Act 2011.

Question No. 532 answered with Question No. 511.

Water and Sewerage Schemes

533. **Deputy Éamon Ó Cuív** asked the Minister for the Environment, Community and Local Government the funds that will be allocated in 2012 for new group water schemes; and if he will make a statement on the matter. [41234/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): My Department provides funding towards group water schemes by way of annual block grant allocations to local authorities under the Department's Rural Water Programme.

Responsibility for the administration of this programme has been devolved to local authorities since 1997. The selection and approval of individual group scheme proposals for funding

[Deputy Phil Hogan.]

and advancement under the programme, within the overall priorities set by my Department and subject to the block grant allocation provided, is therefore a matter for the water services authorities.

The 2012 allocation for the Rural Water Programme is €40 million. My Department requested local authorities last week to submit, by 20 January 2012, their proposals for funding under the Rural Water Programme in 2012. Decisions on the funding to be provided to local authorities for both existing and new group water schemes, having regard to the proposals submitted, will be made as soon as possible following receipt of the responses.

534. **Deputy Éamon Ó Cuív** asked the Minister for the Environment, Community and Local Government his policy in relation to ensuring that every house in the State has access to piped water either from a public water supply or a group scheme; the steps he will take to ensure that this happens and the priority he attaches to this matter; and if he will make a statement on the matter. [41235/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The provision of water and sewerage services is the responsibility of the 34 City and County Councils which are designated as water services authorities under the Water Services Act 2007. The Act allows for the direct provision of water and wastewater treatment services by a water services authority in an area where there is a population or economic activities that are sufficiently concentrated. A water services authority therefore has to take account of the economic cost in determining where it will directly undertake the provision of water and wastewater treatment services.

In accordance with the 2007 Act, my role as the Minister for the Environment, Community and Local Government in relation to water services is to facilitate the provision of safe and efficient water services and associated water services infrastructure, with responsibility for supervision of the performance by water services authorities of their functions in the water services sector. My Department's role is in developing and implementing Government policy in this area, making sure that the necessary funding is made available to finance the Water Services Investment and the Rural Water Programmes and monitoring physical and financial progress on schemes.

Ireland has a very diverse water supply system, with over 950 public water supplies producing over 1,600 million litres of water daily through a network of 25,000 km of pipes. EPA data indicate that some 85% of the population is connected to public water supplies and a further 8% of the population is serviced by group water schemes covered by the drinking water regulations. The remainder of the population receives water supplies from private wells.

Water services are generally provided in stand alone regional or local schemes of varying size and are not connected through one interconnected network. Individual water services schemes are designed for each particular location taking into account the unique features which may apply. The design, construction and cost of these schemes is dependent on a number of factors including density of properties, ground conditions and topography.

My Department provides substantial funding to the water service authorities to support the provision of water supplies to the group water sector and to individual households not connected to public or group supplies. Between 2007 and 2011 more than €358 million was provided under the Rural Water Programme to support the operation and upgrade of group water supplies. In the same period, more than €12.5 million was allocated for the private well grants scheme. The private well grant scheme is administered by the local authorities and the individual grant is €2,031.58 per household or 75% of the cost, whichever is the lesser. The grant is

available for the piped supply of water for domestic purposes or to remedy serious deficiencies in an existing supply.

Building Regulations

535. **Deputy Jim Daly** asked the Minister for the Environment, Community and Local Government his plans regarding the embargo on large scale commercial development; and if he will make a statement on the matter. [41244/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): I assume that the Question refers to the draft Guidelines for Planning Authorities on Retail Planning which issued for public consultation on 21 November 2011 aimed at:

- ensuring that the planning system plays a key role in supporting competitiveness in the retail sector;
- advancing choice for the consumer while promoting and supporting the vitality and viability of city and town centres; and,
- contributing to a high standard of urban design and encouraging a greater use of sustainable transport.

In response to the requirement in the EU/IMF Programme of Financial Support for Ireland for an economic analysis of the potential impact on competition and consumer prices of eliminating or relaxing the floorspace cap on retail premises, my Department and the Department of Jobs, Enterprise and Innovation commissioned Forfás to undertake an evidence-based and focused study to analyse the potential economic impacts of eliminating the cap on the size of retail premises. The draft Guidelines take into account the recommendations of the Forfás Study Review of the Economic Impact of the Retail Cap which is also published on my Department’s website at *www.environ.ie*. The public consultation period closed on 20 December 2011 and a total of 102 submissions are now being considered for purposes of finalising the Guidelines.

Question No. 536 answered with Question No. 514.

Community Development

537. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government if he will re-instate funding for the three community development posts in estates (details supplied) in Dublin; his views that successive Governments have not lived up to their commitments in regard to the regeneration of these estates, that in fact, regeneration has created new problems in many instances and that the cut to funding for these posts is a highly regressive measure in this context; and if he will make a statement on the matter. [41287/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): As part of the Government’s Comprehensive Review of Expenditure and the 2012 Estimates process difficult decisions have had to be taken in relation to prioritising funding for core services in all programme areas. The funding Estimate to support my Department’s mainstreamed drugs projects under the housing programme is €100,000 in 2012, compared with €400,000 in 2011, and as the part-time posts in question form part of a mainstreamed drugs project my Department will not be in a position to continue to provide funding towards these posts.

[Deputy Jan O’Sullivan.]

The project manager has been advised that my Department will be happy to facilitate and engage in a partnership consultation process with the project in question, along with the Local Drugs Taskforce, the Department of Health, the HSE and Dublin City Council, with a view to identifying alternative funding mechanisms for the project for 2012 and beyond. While this consultation process is taking place, my Department has agreed to provide pro rata funding of €15,200 for the first quarter of 2012 only, as a final housing budget contribution towards the project. It will be a matter for the other public funding bodies, as part of the consultation process, to identify resources to deliver on the overall objectives of the reconfigured project beyond end March 2012.

More broadly, and in the context of the public funding provision of €260 million for drugs programmes across all Departments and agencies in 2011, my colleague the Minister of State with responsibility for the National Drugs Strategy is currently undertaking a review of the structures that underpin the National Drugs Strategy at local, regional and national level, including how the current funding structures can be improved or streamlined, particularly in relation to local and regional drugs task forces.

Question No. 538 answered with Question No. 506.

Ministerial Staff

539. **Deputy Catherine Murphy** asked the Minister for the Environment, Community and Local Government the names and salaries of each person serving as a special adviser and the names and salaries of each person directly appointed by him or a Minister of State to any other position within his Department or predecessors Department on each of the following dates; 1 December 2009, 1 December 2010 and 1 December 2011; and if he will make a statement on the matter. [41347/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The details requested are set out in tabular form below:

Ministerial appointed staff serving at 1 December 2009

Minister	Position	Salary
Minister Gormley	Donall Geoghegan, Special Adviser*	€177,547
	David Healy, Special Adviser	€93,449
	Ryan Meade, Special Adviser	€93,449
	Liam Reid, Special Adviser (Press & Information)	€100,191
	Personal Assistant	€49,379
	Personal Secretary	€50,410
Minister of State Finneran	Personal Assistant	€53,618
	Personal Secretary	€32,804
	Civilian Driver	€34,826
	Civilian Driver	€34,826

*Programme Manager for the Green Party. Mr. Geoghegan’s salary was paid from this Department’s vote but he was based in the Department of the Taoiseach

Ministerial appointed staff serving at 1 December 2010

Minister	Position	Salary
Minister Gormley	Donall Geoghegan, Special Adviser	€168,000

Minister	Position	Salary
Minister of State Finneran	David Healy, Special Adviser	€89,898
	Ryan Meade, Special Adviser	€89,898
	Liam Reid, Special Adviser (Press & Information)	€95,550
	Personal Assistant	€47,730
	Personal Secretary	€47,379
	Personal Assistant	€51,653
	Personal Secretary	€32,679
	Civilian Driver	€32,965
	Civilian Driver	€32,965

Ministerial appointed staff serving at 1 December 2011

Minister	Position	Salary
Minister Hogan	Sean McKeown, Special Adviser	€92,672
	Claire Langton, Special Adviser	€80,051
	Personal Assistant	€51,365
	Personal Secretary	€52,925
	Civilian Driver	€32,965
	Civilian Driver	€32,965

Neither Mr. Willie Penrose, who resigned his position as Minister of State on 15 October 2011 nor Ms. Jan O’Sullivan, Minister of State, who was appointed on 20 December 2011 had any staff assigned on the dates in question. Minister of State Mr. Fergus O’Dowd has no staff assigned to his office in my Department.

Departmental Programmes

540. **Deputy Denis Naughten** asked the Minister for the Environment, Community and Local Government if he runs a graduate internship programme; and if he will make a statement on the matter. [41362/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): My Department actively participates in the National Internship Programme — JobBridge, which is run by FÁS — full details of this scheme are available at www.jobbridge.ie. My Department also participated in the predecessor to this scheme — the FÁS Workplacement Programme. The JobBridge scheme and FÁS Workplacement Programme are open to graduates and non-graduates. All internships under both schemes to date in the Department have been for graduates. Current internship vacancies in the Department are advertised on the JobBridge website — www.jobbridge.ie.

Question No. 541 answered with Question No. 528.

Social and Affordable Housing

542. **Deputy Brian Stanley** asked the Minister for the Environment, Community and Local Government the number of households with shared ownership homes and affordable housing loans that are in distress with payments; and if he will make a statement on the matter. [41383/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): The majority of households who purchased under the various affordable housing schemes would have done so using loan finance from a private lending institution. These are essentially private homeowners and my Department has not therefore collected data in respect of the performance of such mortgages.

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 end of September 2011 indicate that 8,795 of all local authority mortgages (including those drawn down for the purposes of purchasing houses under the various affordable housing schemes, including shared ownership and tenant purchase) are in arrears of more than 90 days. This represents 38.93% 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 8.1% 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.

Local Authority Schemes

543. **Deputy Brian Stanley** asked the Minister for the Environment, Community and Local Government if he will furnish complete details of all local authority land bank loans that have been paid by him to date for counties Mayo, Kerry and Sligo; and the criteria used to assess local authority applications for the scheme. [41388/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): The following loans have been redeemed and recouped for sites in Kerry and Sligo under the Land Aggregation Scheme:

Local Authority	Site	Date Recouped	Amount Recouped
Sligo County Council	Tubbercurry	December 2010	€34,062
Sligo County Council	Ballintogher ‘B’	December 2010	€274,344
Sligo County Council	Lisnalurg	August 2011	€4,828,276
Tralee Town Council	Ballyard	November 2010	€5,585,790

No application for inclusion of any site into the Scheme has been received from any local authority in Mayo. Housing authorities may, subject to approval from my Department, transfer residential lands on which there are outstanding loans from the Housing Finance Agency to Housing and Sustainable Communities Ltd. when the loans fall due for redemption and on the basis that there are no short to medium term plans for the development of the land. Subject to available funding my Department will recoup the cost of a land loan to the authority and transfer ownership to the Agency. These lands will continue to be available for social housing if housing projects are advanced by authorities under the Social Housing Investment Programme.

Official Engagements

544. **Deputy Brian Stanley** asked the Minister for the Environment, Community and Local Government if he will provide a list of any meetings he has had with his Northern counterpart, Alex Atwood MLA; the purpose of each meeting; his plans for future cooperation with him and if he has addressed climate change at any meetings. [41395/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I met Alex Attwood, MLA, in his capacity as Minister of the Environment in Northern Ireland at a North South Ministerial Council Plenary meeting on 10 June 2011 and at meetings of the North South Ministerial Council (Environment Sector) in Armagh on 1 July 2011 and 21 October 2011. A further meeting of the Council is scheduled for 2 March 2012 which will be attended by Minister Attwood. I also had the pleasure to launch jointly with Minister Attwood the *Irish Recycled Plastic Waste Arisings Study*, which was undertaken under the North South Market Development Programme, when we both addressed the Environment Ireland conference in Dublin in September 2011.

The North South Ministerial Council was established under Strand Two of the Good Friday Agreement to develop consultation, co-operation and action within the island of Ireland on matters of mutual interest. Meeting in its Environment Sector format, discussions in the Council have concentrated to date on waste management, including illegal dumping of waste from the South in Northern Ireland, implementation of the EU Water Framework Directive and joint approaches to environmental research and monitoring. Arising from our very positive meetings to date, Minister Attwood and I are working to broaden this agenda within the areas of co-operation mandated under the Good Friday Agreement.

Climate change is not a mandated area for co-operation and therefore cannot be formally discussed by the Council. However, Minister Attwood and I have discussed issues related to climate change on the margins of Council meetings. Pending the finalisation of Phase 2 of the St Andrew's Review, I expect that issues of mutual interest not falling within the scope of the mandated areas, including climate change, will continue to be discussed bilaterally.

Question No. 545 answered with Question No. 522.

Question No. 546 answered with Question No. 531.

Social and Affordable Housing

547. **Deputy Paul J. Connaughton** asked the Minister for the Environment, Community and Local Government his plans to put mechanisms in place whereby persons who are listed as owners of a house but who are separated and whose partner and children live in the house can apply for social housing (details supplied); and if he will make a statement on the matter. [41437/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): Decisions on the eligibility of specific persons for social housing support and the allocation of that support are a matter solely for the housing authority concerned.

Regulation 22 of Social Housing Assessment Regulations 2011 provides that an applicant household for long-term social housing support is ineligible for such support if a household member owns alternative accommodation that it could reasonably be expected to use to meet its housing need, either by occupying it or by selling it and using the proceeds to secure suitable accommodation. For this reason, if either member of a separated couple applies, local authorities require evidence of legal separation or divorce before considering a household's eligibility for long-term social housing support, as the separation agreement will provide certainty regarding ownership of property.

Authorities have been given guidance on these provisions by my Department and by the Housing Agency and take account of them when making decisions on social housing assessment applications. I acknowledge, however, that situations may exceptionally arise that may not

[Deputy Jan O’Sullivan.]

easily be dealt with under the current Regulations. My Department is currently reviewing the social housing assessment provisions and will consider what wider discretion might be given to housing authorities to address the individually difficult and complex cases which may present to them.

Question No. 548 answered with Question No. 526.

549. **Deputy Pearse Doherty** asked the Minister for the Environment, Community and Local Government if, with respect to the 2,000 housing units to be made available for social housing by name, this number represents actually identified units or a target to be reached; the local authority areas in which these units are located; the dates upon which the corresponding 2,000 tenancies are due to commence; the length of the proposed leases; the average cost per unit to the local authority or voluntary housing authority per unit; if he is seeking additional units above the 2,000 from National Asset Management Agency in 2012; and if he will make a statement on the matter. [41466/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): The 2,000 figure relates to the actual number of properties identified by NAMA as being available for social housing. Some of these units may, however, prove to be unsuitable for social housing for a variety of reasons. Where this arises I would expect alternative units to be provided so that by year end the target of 2,000 NAMA properties has been reached and, if possible, exceeded.

The breakdown of the properties identified for social housing is set out in the following table:

Table: List of Potential NAMA Properties for Social Housing

Local Authority	Properties
Cavan Co. Co.	12
Cork City	366
Cork Co. Co.	312
Dublin City	484
Dún Laoghaire-Rathdown Co. Co.	210
Fingal Co. Co.	198
Galway City	57
Kildare Co. Co.	113
Limerick Co. Co.	42
Louth Co. Co.	80
Meath Co. Co.	99
South Dublin Co. Co.	18
Waterford City Council	5
Waterford Co. Co.	22
Wicklow Co. Co.	27
Total	2,045

The units being advanced by NAMA will be provided through the Social Housing Leasing Initiative under the standard terms and conditions that apply. Lease costs are determined by negotiation using a standard discounted market price which may vary to reflect the circumstances of a particular case and the terms of the contractual agreement.

550. **Deputy Tom Fleming** asked the Minister for the Environment, Community and Local Government if he will extend the tenant purchase scheme which is due to expire at the end of December 2011; and if he will make a statement on the matter. [41467/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): A new tenant purchase scheme for local authority houses under the provisions of section 90 of the Housing Act, 1966, the 2011 Tenant Purchase Scheme, was introduced in February 2011 to allow local authority tenants to avail of a discount of up to 45% on the market price of a house they are eligible to purchase under the scheme. This scheme applied only to tenants of 10 years standing or longer, and was open for applications only until the end of 2011. I do not propose to extend the closing date of the 2011 scheme which has now passed.

The 2011 scheme did not replace the existing 1995 Tenant Purchase Scheme, which remains in place and provides for a maximum discount of 30%. However, it remains the intention that the tenant purchase arrangements be wound down in 2012 to be replaced by a new scheme based on the incremental purchase model. This change will require amending legislation. Details of the proposed new scheme and the arrangements for winding down the 1995 scheme will be announced when proposals are further advanced.

Local Government Reform

551. **Deputy Tom Fleming** asked the Minister for the Environment, Community and Local Government his plans in regard to the future of the three town councils in County Kerry, Killarney, Tralee, Listowel; and if he will make a statement on the matter. [41468/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I am adopting a progressive approach to local government structural reform. Decisions have already been taken to merge authorities in Limerick and Tipperary and a statutory Local Government Committee is examining whether Waterford City and County Councils should be unified. I intend to bring wider policy proposals to Government shortly with particular attention being given to local government structures at regional, county and sub-county levels. Decisions in relation to municipal governance within counties will be a matter for Government in that context.

Fire Stations

552. **Deputy Tom Fleming** asked the Minister for the Environment, Community and Local Government the position regarding the proposed new fire station for Kenmare, County Kerry; and if he will make a statement on the matter. [41469/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The provision of a fire service in its functional area, including the establishment and maintenance of a fire brigade, the assessment of fire cover needs and the provision of fire station premises, is a statutory function of individual fire authorities under section 10 of the Fire Services Act 1981. My Department supports the fire authorities through setting general policy, providing a central training programme, issuing guidance on operational and other related matters and providing capital funding for priority infrastructural projects.

The existing fire station in Kenmare was built in 1977 and the fire brigade responds to some 60 call-outs per year. In 2008, approval was conveyed to the Council in respect of a new fire station to proceed to planning stage and it is understood that planning permission was granted. Continued investment in the fire appliance fleet has been identified as a key national priority. In that context and in order to deliver cost efficiencies, I have approved an innovative programme which is cur-

[Deputy Phil Hogan.]

rently underway involving fire authorities aggregating demand and jointly procuring 17 fire appliances.

Given the current constraints on public finances, further support from my Department's fire services capital programme to replace Kenmare fire station will have regard to national priorities, and the totality of requests from fire authorities countrywide, Kerry County Council's priorities and the extent of previous investment in Kerry fire services, the value for money offered by proposals and the status of existing facilities.

Water Services

553. **Deputy Éamon Ó Cuív** asked the Minister for the Environment, Community and Local Government the amount of funding provided for capital works on the provision and upgrading of public waste water services each year since 1990 to date in 2012; the capital provision for waste water services in 2012; and if he will make a statement on the matter. [1019/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The provision of public waste water services is provided via a multi-annual investment plan for the provision of major water and sewerage schemes. The current plan, Water Services Investment Programme 2010-2012, is available in the Oireachtas library, and sets out the plans for investment in major water services projects. Previous plans are also available in the Oireachtas library.

The table below shows the amount spent on the provision and upgrading of public wastewater services since 1990.

Wastewater Investment

Year	Water Services Investment Programme €million	Rural Water Programme €million	Total est. expenditure on Waste water €million
1990 — 1992	187	1	188
1993	85	2	87
1994	102	1	103
1995	70	2	72
1996	86	2	88
1997	148	3	151
1998	166	4	170
1999	286	5	291
2000	295	4	300
2001	376	5	381
2002	351	6	357
2003	287	7	294
2004	231	9	240
2005	209	12	221
2006	239	13	252
2007	255	13	268
2008	239	11	250
2009	255	10	265
2010	284	9	292
2011	272	9	281
Total	4,423	128	4,551

As responsibility for the administration of the Rural Water Programme has been devolved to local authorities since 1997, the selection and approval of individual proposals for funding is generally a matter for the water services authorities. The figures provided represent an estimated split of total expenditure between water supply and wastewater investment, based on general trends. Some elements of the data for the Water Services Investment Programme are based on similar estimations, as some projects can involve upgrades of both wastewater and water supply infrastructure.

The overall allocation for the provision of water services in 2012 is €371 million, of which €40 million refers to the Rural Water Programme. Funds under the Water Services Investment Programme are not allocated to specific scheme types on an annual basis, but are recouped to local authorities based on actual progress on schemes outlined in the investment programme. Similarly, the proportion of the spending in 2012 on wastewater infrastructure under the Rural Water Programme will be largely dependent on the project selection by local authorities during the course of the year as part of block allocations to be made in the near future by the Department.

554. **Deputy Éamon Ó Cuív** asked the Minister for the Environment, Community and Local Government the amount of current funding provided by him each year since 1990, including through the rates support grant for the maintenance and running of waste water systems throughout the State; and if he will make a statement on the matter. [1020/12]

555. **Deputy Éamon Ó Cuív** asked the Minister for the Environment, Community and Local Government if funding received under the rate of support grant from central government can be used for the maintenance and running costs of municipal waste water systems; and if he will make a statement on the matter. [1021/12]

556. **Deputy Éamon Ó Cuív** asked the Minister for the Environment, Community and Local Government if funding received under the rate support grant from him can be used to assist private households with the maintenance and running costs of private waste water systems; and if he will make a statement on the matter. [1022/12]

557. **Deputy Éamon Ó Cuív** asked the Minister for the Environment, Community and Local Government if the cost of maintaining and running municipal waste water systems is taken into account when deciding the allocation of the rate support grant or any other funding from his Department to local authorities; and if he will make a statement on the matter. [1023/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Question Nos. 554 to 557, inclusive, together.

I presume the questions relate to General Purpose Grants from the Local Government Fund. General Purpose Grants, which replaced the Rate Support Grant in 1997, are my contribution to meeting the difference between the cost to local authorities of providing a reasonable level of day to day services (including water services) and the income available to them from local sources and from specific grants. For the purposes of allocations, a range of factors is taken into account, including each local authority's expenditure on, and income from, each service, and the overall amount of funding available for distribution. It is not possible to separate out the amount of these general purpose grants that were used to hand the operational cuts of water and wastewater services.

It is a matter for each local authority to prioritise its spending, within the resources available to it, across the range of services it provides. Equally, local authorities must ensure full value for money for the resources invested, and seek the maximum efficiency across their operations. In addition to the General Purpose Grant, a specific grant is made for certain operational and

[Deputy Phil Hogan.]

maintenance costs, mainly in respect of recently completed treatment plants to cover the first 24 months of operation and maintenance. This was introduced in 2005. The table below outlines the grant amounts in full since that date.

In relation to the costs of operating private wastewater treatment systems, the Water Services (Amendment) Bill 2011, which provides for the establishment of a system of registration and inspection of septic tanks and other on-site systems, was published on 3 November 2011. I have indicated, during the consideration of the Bill in both the Dáil and the Seanad, that I will keep under review options to provide financial support to householders whose domestic wastewater treatment systems are deemed, following inspection, to require substantial remediation or upgrading. Any such support would have to take account of the overall very difficult budgetary situation.

Year	General Purpose Grants,	Operation and Maintenance grant
2012	€651,000,000	€11,100,000
2011	€790,000,000	€11,100,000
2010	€870,000,000	€20,500,000
2009	€905,155,681	€23,400,000
2008	€999,212,658	€23,400,000
2007	€947,637,949	€5,000,000
2006	€877,353,776	€7,500,000
2005	€816,987,264	€8,000,000

Local Authority Staff

558. **Deputy Simon Harris** asked the Minister for the Environment, Community and Local Government the starting salary for each city and county manager here; the maximum level to which these salaries can rise and the current salary paid to each city and county manager; and if he will make a statement on the matter. [1073/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The information requested regarding the salaries of County and City Managers is provided in the table below:

Local Authority Manager	Salary (with effect from 1 January 2010)
Dublin City Council	€189,301
Cork County Council Fingal County Council South Dublin County Council	€162,062
Cork City Council Dun Laoghaire-Rathdown County Council Kildare County Council Meath County Council	€153,260

Local Authority Manager	Salary (with effect from 1 January 2010)
Limerick City Council Clare County Council Donegal County Council Galway County Council Kerry County Council Kilkenny County Council Limerick County Council Louth County Council Mayo County Council South Tipperary County Council Westmeath County Council Wexford County Council Wicklow County Council	€142,469
Galway City Council Waterford City Council Carlow County Council Cavan County Council Laois County Council Leitrim County Council Longford County Council Monaghan County Council Offaly County Council Roscommon County Council Sligo County Council North Tipperary County Council Waterford County Council	€132,511

Question No. 559 answered with Question No. 526.

Departmental Offices

560. **Deputy Dara Calleary** asked the Minister for the Environment, Community and Local Government his view that he or any agency funded by him who own properties in office complexes in which a management company is in place, should take an active role in the running of such management companies including the appointment of a nominee to the board of the company in order to protect the investment of tax payers' money. [1152/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Office of Public Works is responsible for procuring accommodation for my Department, including policy in relation to the management of such property. The provision and management of accommodation for the agencies or bodies under the aegis of my Department is a matter for the bodies concerned.

Local Authority Charges

561. **Deputy Heather Humphreys** asked the Minister for the Environment, Community and Local Government if he will consider instructing county councils to reduce the cost of development levies in the centre of towns in order to stimulate economic activity; and if he will make a statement on the matter. [1199/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): The adoption of development contribution schemes is a reserved function of the elected members of local authorities. My Department provides a policy guidance framework for development contributions which is designed to draw the attention of local authorities to their obligations under the legislation, while also recognising that the adoption of development contribution schemes remains a reserved function. My Department is preparing

[Deputy Jan O’Sullivan.]

updated guidance for local authorities on the issue of development contributions which will recommend that they, *inter alia*, consider reduced rates of development contributions or waivers for development in town centres to support town centre development.

562. **Deputy Maureen O’Sullivan** asked the Minister for the Environment, Community and Local Government how an 88 year old person with Alzheimer’s residing in a special hospital for the past six months can be expected to pay the household charge of €100, as due to his or her illness he or she cannot recognise and understand documents or use a computer to register on-line; and if he will consider this case and others like it as eligible for an exemption. [1210/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I appreciate the difficult circumstances of this case.

Under the Local Government (Household Charge) Act 2011 owners of residential property are liable to pay the household charge. There are a number of exemptions and waivers from payment of the household charge. In particular, section 4 provides for an exemption where a residential property is left vacant by an owner on the liability date by reason of his/her long term mental or physical infirmity and that person is residing in another property that he/she does not own. Subsection 6 of section 4 defines the meaning of “long term mental or physical infirmity” as requiring the person to vacate the property in which he/she had been dwelling for a continuous period of more than 12 months and provides that such an infirmity must be certified by a registered practitioner. I understand that the Alzheimer Society of Ireland offers a range of services and advice for people with Alzheimer’s disease, their families and carers. The Alzheimer Society of Ireland may be contacted at 1800 341 341 and at <http://www.alzheimer.ie>.

563. **Deputy Dominic Hannigan** asked the Minister for the Environment, Community and Local Government if wards of courts who own their own homes are exempt from the household charge; and if he will make a statement on the matter. [1222/12]

567. **Deputy Billy Timmins** asked the Minister for the Environment, Community and Local Government the classes of person who will be exempted from the household charge and the category of person that will be exempted from the septic tank charge; and if he will make a statement on the matter. [1274/12]

577. **Deputy Robert Dowds** asked the Minister for the Environment, Community and Local Government if he will exempt home owners from the €100 household charge if they have to pay management fees for their estates. [1369/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 563, 567 and 577 together.

The Local Government (Household Charge) Act 2011 provides for a number of exemptions and waivers from payment of the household charge. The exemptions from payment of the household charge are—

- Residential properties that are part of the trading stock of a business and have not been sold or been the source of any income since construction,
- Residential property owned by a Minister of the Government, a housing authority or the Health Service Executive,

- Voluntary and co-operative housing,
- Residential property to which commercial rates apply,
- Residential property owned by a charity or a discretionary trust, and
- Residential property which an owner has vacated due to long-term mental or physical infirmity (e.g. elderly person that has moved into a nursing home).

The waivers which apply concern —

- Owners of residential property entitled to mortgage interest supplement, and
- Owners of houses in certain unfinished housing estates.

There are no exemptions or waivers in the legislation in respect of persons who are wards of court or those who have to pay management fees for their estates.

The Water Services (Amendment) Bill 2011 includes a provision which requires the owners of premises connected to a domestic wastewater treatment system to ensure that the system is registered with their local authority. I will be making regulations setting the level of the fee payable by an owner when applying to register following the enactment of the legislation. The Bill provides that the fee will not exceed €50. There are no plans to exempt any categories of persons from the registration fee.

Electoral Divisions

564. **Deputy Eric Byrne** asked the Minister for the Environment, Community and Local Government the agency or group that designates the geographic district that is Templeogue or Terenure, Crumlin or Kimmage; and if he will make a statement on the matter. [1226/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): As Minister for the Environment, Community and Local Government I have responsibility for the determination of electoral divisions and for the law relating to placenames. Section 63 of the Local Government Act 1994 provides that the Minister may by regulations divide the area of any county, city or town into areas to be known as electoral divisions and may vary the name of any such division or make adjustments to the boundaries of any such division or divisions.

Section 48 of the Environment (Miscellaneous Provisions) Act 2011 provides for the substitution of Part 18 of the Local Government Act 2001 with a new Part revising and updating the procedures for the changing of placenames, including the name of a locality. The relevant provisions will be commenced as soon as the necessary regulations setting out procedures for the holding of a ballot and other related matters have been finalised. Pending commencement, the relevant statutory provisions are contained in section 79 of the Local Government Act 1946, as amended, under which a local authority can change the name of a locality with the consent of the majority of qualified electors.

Local Authority Staff

565. **Deputy Seán Kyne** asked the Minister for the Environment, Community and Local Government if he intends appointing a permanent city manager for the City of Galway; and when this might happen. [1262/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Decisions on local authority structures generally, including the appointment of permanent man-

[Deputy Phil Hogan.]

agers, in particular instances, will be decided in the light of the development of policy proposals on local government. These proposals will take account of the decisions taken to amalgamate local authorities in Limerick and Tipperary and to examine the case for a single authority in Waterford as well as the Report of the Local Government Efficiency Review Group. I expect to bring proposals in relation to local government reform forward for consideration by the Government shortly.

Commercial Rates

566. **Deputy Simon Harris** asked the Minister for the Environment, Community and Local Government if he will reform the system of commercial rates in this country to ease the burden on businesses; when he expects to introduce any such reforms; if he has data on the amount revenue that was generated in commercial rates in each council for the years 2008-11; the number of councils that reduced rates for 2012; and if he will make a statement on the matter. [1265/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Local authorities have a statutory obligation to levy rates on any property used for commercial purposes in accordance with the details entered in the valuation lists prepared by the independent Commissioner of Valuation under the Valuation Act 2001. The levying and collection of rates are matters for each individual local authority. The Annual Rate on Valuation (ARV), which is applied to the valuation of each property, determined by the Valuation Office, to obtain the amount payable in rates, is decided by the elected members of each local authority in the annual budget and its determination is a reserved function.

The Commissioner of Valuation, who has sole responsibility for all valuation matters, is conducting a programme of revaluation of all commercial and industrial properties throughout the State on a county by county basis. The purpose of the revaluation process is to provide for more consistent and up-to-date valuations for rating purposes and to assist in providing a more equitable distribution across those liable to pay rates.

The Commissioner, in consultation with my colleague, the Minister for Public Expenditure and Reform, has been reviewing various options for streamlining the valuation process and speeding up the national revaluation programme. In this regard, the Government recently approved the drafting of a Valuation Bill to amend the Valuation Act.

Local authorities are currently in the process of adopting their 2012 Budgets and my Department does not have full information on the annual rates on valuation for 2012. I have requested local authorities to exercise restraint in setting their 2012 ARVs and they have responded positively to similar requests in recent years. As of 10 January 2012, 14 local authorities have submitted their adopted Budgets to my Department. Of those, 13 have maintained their ARVs at 2011 levels, and 1 local authority has reduced its ARV.

Rates income data in relation to 2010 and 2011 are not yet available in my Department. Audited annual financial statements for 2010 are scheduled to be available by 31 March 2012. Local authorities are required to publish their 2011 Annual Financial Statements by 1 July 2012 and audited Annual Financial Statements for 2011 are scheduled to be available by 31 March 2013.

Local authority rates income in respect of 2008 and 2009 is set out in the following table:

Local Authority	2008 Rates Income (Accrued)	2009 Rates Income (Accrued)
County Councils	€	€
Carlow	5,119,869.59	5,374,918
Cavan	9,550,646.52	9,803,683
Clare	33,574,843.54	35,610,968

Local Authority	2008 Rates Income (Accrued)	2009 Rates Income (Accrued)
Cork	97,460,029.00	100,501,571
Donegal	20,604,905.66	20,911,384
Fingal	124,154,299.20	128,955,984
Dún Laoghaire Rathdown	83,461,789.81	88,212,296
Galway	21,607,003.59	22,494,723
Kerry	17,851,130.70	18,066,275
Kildare	38,784,510.21	38,904,433
Kilkenny	11,161,937.01	11,415,160
Laois	9,017,454.53	8,917,227
Leitrim	4,438,225.35	4,600,260
Limerick	26,811,171.36	26,570,796
Longford	4,290,832.18	3,957,801
Louth	7,239,963.83	7,879,049
Mayo	13,735,974.80	13,756,717
Meath	21,520,161.04	21,524,342
Monaghan	5,857,281.58	6,207,910
North Tipperary	6,698,689.74	7,037,876
Offaly	7,538,897.29	7,640,652
Roscommon	9,266,228.70	10,330,451
Sligo	4,700,579.71	4,747,159
South Dublin	113,985,909.20	121,180,161
South Tipperary	7,143,704.35	7,714,681
Waterford	6,163,325.58	6,946,607
Westmeath	7,485,990.84	7,807,175
Wexford	15,342,623.00	16,563,297
Wicklow	15,086,952.08	16,574,472
Subtotal	749,654,930	780,208,027
<i>City Councils</i>	€	€
Cork	59,613,446.00	62,217,674
Dublin	304,553,512.00	316,107,522
Galway	30,759,286.52	33,168,472
Limerick	28,795,770.02	30,298,778
Waterford	19,543,748.38	18,128,622
Subtotal	443,265,763	459,921,069
<i>Rating Towns & Boroughs</i>	€	€
Clonmel	4,867,257.53	4,651,034
Drogheda	11,013,718.94	11,888,285
Kilkenny	5,246,401.60	6,009,034
Sligo	7,177,724.95	7,369,547
Wexford	6,494,677.00	7,088,670
Arklow	2,757,852.00	3,184,059
Athlone	3,782,419.56	4,561,714
Athy	1,769,956.95	1,311,115
Ballina	3,496,272.15	3,605,209
Ballinasloe	1,512,416.88	1,616,989
Birr	1,265,714.13	1,244,333

[Deputy Phil Hogan.]

Local Authority	2008 Rates Income (Accrued)	2009 Rates Income (Accrued)
Bray	6,768,213.00	6,773,847
Buncrana	1,339,876.36	1,361,814
Bundoran	1,006,647.17	1,051,283
Carlow	5,536,477.09	5,579,976
Carrick on Suir	716,879.42	778,445
Carrickmacross	1,312,356.84	1,333,080
Cashel	591,652.57	607,955
Castlebar	3,644,316.98	3,764,682
Castleblayney	790,132.60	807,785
Cavan	1,783,623.00	1,996,081
Clonakilty	1,312,772.00	1,322,273
Clones	449,860.41	447,869
Cobh	858,990.00	893,276
Dundalk	13,589,894.33	14,095,551
Dungarvan	2,896,755.90	3,092,323
Ennis	4,914,257.52	5,187,102
Enniscorthy	1,516,601.00	1,633,836
Fermoy	1,075,654.00	1,087,537
Kells	481,648.35	627,255
Killarney	7,011,858.69	7,135,609
Kilrush	611,573.59	702,981
Kinsale	1,085,610.00	1,083,929
Letterkenny	5,755,868.90	5,693,021
Listowel	1,520,075.27	1,601,635
Longford	2,769,357.01	3,075,264
Macroom	896,033.00	898,580
Mallow	2,378,853.00	2,374,515
Midleton	1,730,463.00	1,846,256
Monaghan	3,209,566.32	3,264,821
Naas	6,044,809.89	6,351,336
Navan	2,293,923.61	2,347,852
Nenagh	3,224,826.58	3,343,844
New Ross	1,067,133.00	1,144,256
Skibbereen	1,056,417.00	1,075,348
Templemore	437,822.00	444,672
Thurles	2,251,242.29	2,255,258
Tipperary	1,246,894.51	1,285,139
Tralee	8,311,012.51	6,711,316
Trim	672,224.47	747,751
Tullamore	4,351,714.16	4,326,334
Westport	2,725,636.22	2,844,498
Wicklow	1,443,851.00	1,672,388
Youghal	1,404,330.00	1,393,276
Subtotal	163,472,116	168,591,840
Total	1,356,392,809	1,408,720,936

Question No. 567 answered with Question No. 563.

Departmental Funding

568. **Deputy Seán Kyne** asked the Minister for the Environment, Community and Local Government if he will provide a breakdown of the funding provided to Inishbofin Island over the past ten years by the sections of his Department originally part of the old Department of Community, Rural and Gaeltacht Affairs. [1285/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): A key principle underlying my Department's activities is enabling communities themselves to identify and address social and economic needs and problems in their own areas. There is a particular focus on supporting communities that are vulnerable, disadvantaged or under threat, and an adherence to the values of local participation.

My Department is responsible for a range of programmes to support communities, including the Local and Community Development Programme (LCDP) which tackles poverty and social exclusion in disadvantaged communities; the RAPID Programme (Revitalising Areas through Planning Investment and Development) which tackles the spatial concentration of poverty and social exclusion in designated areas (Inishbofin is not covered by the RAPID Programme) and the Rural Development Programme 2007-2013 which implements measures to improve the quality of life in rural areas and facilitate the diversification of the rural economy.

The following Programmes, which are relevant to the Island in question, were originally funded under the Department of Community, Equality and Gaeltacht Affairs (formerly the Department of Community, Rural and Gaeltacht Affairs) and transferred to my Department in May 2011.

Local and Community Development Programme (LCDP)

My Department delivers the Local and Community Development Programme (LCDP). The LCDP superseded the Community Development Programme (CDP) and the Local Development Social Inclusion Programme in January 2010. The objective of the LCDP is to tackle poverty and social exclusion through partnership and constructive engagement between Government and its agencies and people in disadvantaged communities. The Programme is managed by Pobal on behalf of my Department and delivered at a local level by the nationwide network of Local Development Companies. Funding of €55.157m has been provided under the Programme for 2012.

NRDP

The Area Based Rural Development Initiative (ABRDI), operatively known as the National Rural Development Programme (NRDP), formed part of the Regional Operational Programmes under the National Development Plan 2000-2006 (NDP). The Programme, with a public contribution of some €75.7 million, complemented the LEADER+ Programme and ensured the availability of funding in the 13 areas that were not appointed to deliver the LEADER+ Programme which included the Islands.

RDP 2007-2013

The Rural Development Programme 2007-2013 is an EU co-funded programme that aims to facilitate the diversification of the rural economy and to improve the quality of life in rural areas. Funding of €427m is available under the Rural Development Programme (RDP) 2007-2013 for allocation to qualifying projects up to the end of 2013.

[Deputy Phil Hogan.]

The table below details grants paid to Inishbofin Island under these Programmes from 2002-2011:

Year	Programme	Funding provided
Name of Organisation Funded:- Inishbofin Development Company Ltd		
2002	CDP	€45,025
2003	CDP	€101,868
2004	CDP	€110,655
2005	CDP	€117,700
2006	CDP	€135,177
2007	CDP	€138,867
2008	CDP	€136,300
2009	CDP	€120,434
2010	LCDP	€120,434
Name of Organisation Funded:- Comhar na nOileán (Inishbofin Development Company Ltd funded through Comhar na nOileán from 2011)		
2011	LCDP	€116,907
Name of Organisation Funded:- Comhar na nOileán		
2002	NRDP	€4,540
2002	NRDP	€8,000
2004	NRDP	€6,112.50
2005	NRDP	€74,146.18
2006	NRDP	€142,672.25
2007	NRDP	€99,510.60
2008	RDP 2007-2013	€0.00
2009	RDP 2007-2013	€10,029.72
2010	RDP 2007-2013	€0.00
2011	RDP 2007-2013	€6,497.97

Leader Programmes

569. **Deputy Éamon Ó Cuív** asked the Minister for the Environment, Community and Local Government the progress made to resolve the State aids issue that has arisen for grants in excess of €200,000 to non-commercial projects in the village and community services programmes of the Leader programme; and if he will make a statement on the matter. [1297/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): State aid refers to any aid granted by a Member State which distorts or threatens to distort competition by favouring certain undertakings or goods. EU Member States are required, under State Aid rules that originate in the Treaty of Rome, to submit a notification to DG Competition in the European Commission when they propose to provide state support for schemes and programmes that could be considered to distort competition in any way. Commission Regulation EC 1998/2006 allows for aid of up to €200,000, known as de minimis aid, to be provided from public funds to enterprises over a period of three years as this amount is considered too small to have an effect on economic activity between competing forces. In the original Rural Development Programme (RDP) document approved by the EC in July 2007

Ireland outlined that, as the aid to be granted under two of the Axis 3 measures of the RDP would not in any way distort competition, it would not constitute State Aid and would, therefore, not require notification to DG Competition. The measures concerned, *Basic services for the economy and rural population and Village renewal and development* provide support for non-commercial community based projects and focus particularly on community infrastructure.

Recently Ireland was notified by the EC that only DG Competition has the competence to judge whether or not state support can be deemed to be State Aid and now require Ireland to complete the notification process as soon as possible and obtain the necessary state aid clearance in order to proceed with projects requiring grant aid in excess of €200,000. As the consequences of non-compliance with State Aid rules are significant, particularly for project promoters, it is necessary to suspend the allocation and approval of projects where grant amounts not covered by state aid clearance exceed €200,000 cumulatively over a three year period until EC approval has been granted.

The preparation of the documentation for the State Aid notification is at an advanced stage and will be submitted shortly.

Question No. 570 answered with Question No. 510.

Question No. 571 answered with Question No. 526.

Meitheal Forbartha na Gaeltachta

572. D'fhiafraigh **Éamon Ó Cuív** don Aire Comhshaoil, Pobail agus Rialtais Áitiúil cén uair a dhéanfar íocaíocht le daoine agus grúpaí atá ag fanacht ar íocaíochtaí de bharr leachtú MFG; cén dul chun cinn atá déanta maidir leis an gceist; agus an ndéanfaidh sé ráiteas ina thaobh. [1313/12]

573. D'fhiafraigh **Éamon Ó Cuív** don Aire Comhshaoil, Pobail agus Rialtais Áitiúil cén uair a bheidh socrú déanta maidir le clár Leader a sholáthar sna ceantair a mbíodh MFG ag feidhmiú iontu; agus an ndéanfaidh sé ráiteas ina thaobh. [1314/12]

574. D'fhiafraigh **Éamon Ó Cuív** don Aire Comhshaoil, Pobail agus Rialtais Áitiúil an ndéanfar an riachtanas atá ann seirbhísí a chur ar fáil trí mheán na Gaeilge a chur san áireamh nuair a bheidh socrú á ndéanamh clár LEADER a sholáthar sna ceantair a mbíodh MFG ag feidhmiú iontu; agus an ndéanfaidh sé ráiteas ina thaobh. [1315/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Tá sé i gceist agam ceisteanna 572, 573 and 574 a thógall le chéile.

Tagraím don fhreagra ar cheisteanna 362 agus 391 ar an 29ú Samhain 2011.

Tá dul chun cinn suntasach á dhéanamh; tá gach comhad tionscnaimh CFT(LEADER) scaoilte ag an leachtaitheoir agus tá said anois ag oifigigh mo Roinn. Déanfar teagmháil le gach tionscnóir atá ag obair faoin scéim go luath. Bhí díospóireachtaí maidir leis an CFT ag oifigigh mo Roinn leis an gCoimisiún Eorpach agus leis an Roinn Talmhaíochta, Bia agus Mara agus tá said ag obair leo chun cinntiú go bhfuil aon réiteach ar an gceist comhlíontach leis na rialacháin cuí.

Tá sé ar intinn agam teacht ar réiteach a bheidh éifeachtach agus éifeachtúil agus a gcuirfear i bhfeidhm ag an deis féideartha is luaithe. Tá sé ar intinn agam freisin na staicsealbhóiríabhartha a chur ar an eolas chomh luath is a chinntear ar réiteach oiríunach. Ba mhaith liom freisin an teachta a chur ar a shuaimhneas go mbeidh aon réiteach a chinntear comhlíontach le chuile riachtanais Acht na dTeangacha Oifigiúla 2003.

Question No. 575 answered with Question No. 509.

Election Management System

576. **Deputy Gerry Adams** asked the Minister for the Environment, Community and Local Government if he has given any consideration to reducing the voting age from 18 to 16 years for all elections and referenda; and if he will make a statement on the matter. [1333/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I have no proposals to reduce the voting age to 16. The *Programme for Government* sets out a comprehensive range of constitutional reform measures including the review by a Constitutional Convention of reducing the voting age to 17. I will bring forward proposals for change to electoral law in light of the decisions for change which may arise from these processes.

Question No. 577 answered with Question No. 563.

Question No. 578 answered with Question No. 531.

Local Government Charges

579. **Deputy Mattie McGrath** asked the Minister for the Environment, Community and Local Government the options available to those who are not in a position to pay the €100 household charge up front and who wish to make the payment in instalments but who do not have direct debit facilities available to them; and if he will make a statement on the matter. [1400/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): There is a range of options available to pay the household charge. An on-line system is in place in the Local Government Management Agency (LGMA) to enable homeowners to pay the household charge by credit card/debit card or by direct debit. In addition, homeowners can make payments by cheque, postal order, etc. through the post to the LGMA. A bureau is in place in the LGMA to administer the charge on a shared service/agency basis for all local authorities. In addition, persons can attend their county/city councils to pay the household charge up to 31 March, 2012.

I am satisfied that the above options represent a comprehensive suite of payment options available to persons with a liability to pay the household charge.

Question No. 580 answered with Question No. 522.

Tax Code

581. **Deputy Simon Harris** asked the Minister for the Environment, Community and Local Government the membership of the interdepartmental expert group recently approved to examine the introduction of a graduated property tax; the qualifications of each member of this group; the way each member was appointed; and if he will make a statement on the matter. [1410/12]

582. **Deputy Simon Harris** asked the Minister for the Environment, Community and Local Government the terms of reference for the interdepartmental expert group recently approved to examine the introduction of a graduated property tax; when the group is due to report back to the Government; and if he will make a statement on the matter. [1411/12]

583. **Deputy Simon Harris** asked the Minister for the Environment, Community and Local Government the basis on which interested parties and persons will be able to make submissions

to the recently formed interdepartmental expert group on property tax; and if he will make a statement on the matter. [1412/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 581 to 583, inclusive, together.

I intend to bring proposals to Government shortly on the establishment of the inter-Departmental expert group to be tasked with designing a property tax, including its membership and terms of reference.

Local Authority Charges

584. **Deputy John Lyons** asked the Minister for the Environment, Community and Local Government if homeowners who have availed of equity release mortgages, such as ship loans, are liable for the household charge, in view of the fact that in such cases banking and lending institutions are the majority shareholders in properties, while homeowners may hold only a very small percentage of ownership of their homes, some as little as 10%; and in cases such as this, who is liable to pay this charge. [1415/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Under the Local Government (Household Charge) Act 2011, owners of residential property are liable to the household charge, irrespective of whether or not there are borrowings secured against the property.

Question No. 585 answered with Question No. 531.

586. **Deputy Michael McGrath** asked the Minister for the Environment, Community and Local Government the approximate cost of the advertising campaign being undertaken for payment of the household charge; and if he will make a statement on the matter. [1508/12]

587. **Deputy Michael McGrath** asked the Minister for the Environment, Community and Local Government the approximate cost of running the Household Charge Project Board in 2012; and if he will make a statement on the matter. [1509/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 586 and 587 together.

The Local Government Management Agency (LGMA) is administering the household charge system on a shared service/agency basis for all county and city councils. The costs arising, including those in relation to advertising, are a matter for the LGMA and the county and city councils. The LGMA established an ad hoc project board to advise it on the necessary arrangements to be put in place to manage and collect the charge on behalf of the county and city councils. The LGMA, local authorities and my Department are represented on the project board and no additional remuneration is paid to the officials participating on the board.

Significant efforts will be made to ensure that property owners are aware of the household charge and the liability and payment dates. The LGMA and local authorities will shortly commence a national information campaign to advise people of the household charge and their responsibilities in relation to payment of the charge. A similar and successful advertising and information campaign was undertaken in the context of the €200 charge on non-principal private residences on its introduction in 2009 with further advertising taking place each year since. I am confident that those liable to the charge will be aware of their obligation to discharge their liability for the charge by 31 March 2012 and thereby avoid any late payment fees or late payment interest.

Water Charges

588. **Deputy Terence Flanagan** asked the Minister for the Environment, Community and Local Government the position regarding water metres (details supplied); and if he will make a statement on the matter. [1517/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Memorandum of Understanding between Ireland and the EU/IMF includes a commitment to introduce water charges for households. The *Programme for Government* provides for the introduction of a fair funding model to deliver clean and reliable water. The objective is to install water meters in households connected to public water supplies and move to a charging system based on usage. My Department is finalising a strategy to implement these proposals and I will be in a position to announce further details shortly.

Question No. 589 answered with Question No. 510.

Question No. 590 answered with Question No. 506.

Question No. 591 answered with Question No. 526.

State Agencies

592. **Deputy Maureen O’Sullivan** asked the Minister for the Environment, Community and Local Government the number of State agencies currently financed by the Exchequer; the number of board members attending each State agency; the expenses issued for each meeting; if any review of the membership of board members is to be taken in order to monitor attendance levels or lack of attendance by any member; and if he will make a statement on the matter; and if he will make a statement on the matter. [2051/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Details of the Exchequer funded State Agencies under the aegis of my Department are outlined in the table below:

	Number of Board Members
An Bord Pleanála	10
Environmental Protection Agency	5
Interim Housing and Sustainable Communities Agency	8
Irish Water Safety	12
Radiological Protection Institute of Ireland	12
Western Development Commission	12

The Boards of An Bord Pleanála and the Environmental Protection Agency are executive in nature, and board members are full time, salaried positions. Consequently, board members do not receive attendance expenses.

Under Section 3.8 of the *Revised and Up-dated Code of Practice for the Governance of State Bodies*, published by the Department of Finance in 2009, each Board should keep under review its own performance and that of its committees and individual directors and the attendance of each Board Member at board meetings should be reported in the Agency’s Annual Report. Composite details in relation to expenses in the Exchequer funded Agencies are also available within the respective annual reports. The Interim Housing and Sustainable Communities Agency was established initially on an administrative basis in 2010, its board was appointed in 2011 and it will publish its first annual report, covering 2011, this year.

Registration of Title

593. **Deputy Colm Keaveney** asked the Minister for Justice and Equality if he will inform this Deputy when Land Registry intend to process reference number (details supplied) as a concluded land registration. [40929/11]

Minister for Justice and Equality (Deputy Alan Shatter): I can inform the Deputy that under the Registration of Deeds and Title Act 2006, the Property Registration Authority (PRA) was established as and from 4 November 2006. The PRA replaces the Registrar of Deeds and Titles as the registering authority in relation to property registration in Ireland and, subject to the above Act, is independent in the performance of its functions. The Deputy will be aware of the service to T.D.s and Senators which provides information on the current status of applications, such as the subject of this question, which was introduced in May 2006. The service provides a speedier, more efficient and more cost effective alternative to submitting Parliamentary Questions. It is operated by the PRA and is available all year round. I can further inform the Deputy that his query has been forwarded to the PRA for attention and direct reply via the above mentioned service.

Road Traffic Offences

594. **Deputy Shane Ross** asked the Minister for Justice and Equality if he will order a review of the system for processing speeding fines, based on the experience of a person (details supplied); and if he will make a statement on the matter. [41249/11]

608. **Deputy Olivia Mitchell** asked the Minister for Justice and Equality if any changes are being contemplated to the method by which offenders are informed of fixed penalty fines, in view of the number of cases coming before the courts resulting from the failure to deliver a fixed penalty notice and when the court summons was the first indication that a fixed penalty fine had been incurred; and if he will make a statement on the matter. [40967/11]

Minister for Justice and Equality (Deputy Alan Shatter): I propose to take Questions Nos. 594 and 608 together.

I will revert directly to the Deputy in relation to this matter.

National Disability Strategy

595. **Deputy Simon Harris** asked the Minister for Justice and Equality the timeline in place for the publication of the National Disability Strategy alongside an implementation plan for this strategy; the level of consultation that has taken place to date with stakeholders in the disability sector, most crucially, directly with persons with disabilities; and if he will make a statement on the matter. [1065/12]

596. **Deputy Terence Flanagan** asked the Minister for Justice and Equality when resources will be made available to ensure delivery of the national disability strategy; and if he will make a statement on the matter. [1521/12]

Minister of State at the Department of Justice and Equality (Deputy Kathleen Lynch): I propose to take Questions Nos. 595 and 596 together.

The current Programme for Government commits to publishing, “following wide consultation, a realistic implementation plan for the National Disability Strategy (NDS), including sectoral plans with achievable time scales and targets within available resources and ensuring whole-of-government involvement and monitoring of the Strategy, in partnership with the dis-

[Deputy Kathleen Lynch.]

ability sector”. As the Minister of State with responsibility for disability, in line with this commitment, I have established and am personally chairing a new National Disability Strategy Implementation Group, which held its inaugural meeting on 30 November. This Group includes representatives of relevant Government Departments; the National Disability Authority, which is the lead statutory agency and the County and City Managers Association. It also include the Disability Stakeholder Group, which includes representatives of service users and service providers as well as a number of people living with disabilities, which I have appointed in their personal capacity.

The NDSIG is in the process of developing the required Implementation Plan for the NDS which will then be implemented over the lifetime of this Government. It is the responsibility of each relevant Minister and their Department to make adequate resources available to meet their Departments’ commitments in the National Disability Strategy.

Courts Service

597. **Deputy Simon Harris** asked the Minister for Justice and Equality the reason Circuit Court office staff in an area (details supplied) have been informed that they are to relocate to a new premises from October 2012; and if he will make a statement on the matter. [40767/11]

Minister for Justice and Equality (Deputy Alan Shatter): Under the provisions of the Courts Service Act 1998, management of the courts is the responsibility of the Courts Service which is independent in exercising its functions. However, in order to be of assistance to the Deputy, I have had enquiries made and the Courts Service has informed me that a comprehensive internal review was conducted in 2009/2010 which included the administrative structure of provincial court offices and recommended the amalgamation of Circuit and District Court offices into a combined court office to provide a multi-jurisdictional administration unit in each county. A major transformation programme is currently underway on foot of that review and I understand Phase 1 commenced in three locations in May 2011.

A further implementation phase involves the establishment, in October 2012, of a combined court office located in Bray, incorporating an amalgamation of the District Court office currently located in Bray and the Circuit Court office which is currently located in Wicklow town. Implementation of the project is critical to the continued maintenance of front line court services and court sittings in the current difficult economic and staffing environment. I am informed the change will result allow court users to access services through a convenient “one stop shop” arrangement located in Bray. I understand the project is included in the Service’s Action Plan under the Croke Park Agreement and is vital to meeting obligations to delivery efficiencies and staffing reductions in accordance with the Agreement and the Employment Control Framework. The Service informs me that, as part of its internal communications strategy, the staff affected have been briefed on the forthcoming changes.

I am sure the Deputy will appreciate that the Courts Service, in common with all other public sector organisations, is obliged to ensure that resources are deployed to best effect to ensure continuity of service with reduced budgets and resources. Greater flexibility in the deployment of available resources will be critical in maintaining the delivery of front line court services. All court facilities are subject to ongoing review and no court venue or office is excluded from this process.

598. **Deputy Simon Harris** asked the Minister for Justice and Equality when District Court sittings will move back to an area (details supplied) as promised; and if he will make a statement on the matter. [40768/11]

599. **Deputy Simon Harris** asked the Minister for Justice and Equality when a courthouse (details supplied) will be restored and refurbished; and if he will make a statement on the matter. [40769/11]

640. **Deputy Simon Harris** asked the Minister for Justice and Equality the decision the Courts Service has taken in relation to the renaming of a courthouse (details supplied); the time line in which this decision will be made; and if he will make a statement on the matter. [1108/12]

Minister for Justice and Equality (Deputy Alan Shatter): I propose to take Questions Nos. 598, 599 and 640 together.

Under the provisions of the Courts Service Act 1998, management of the courts is the responsibility of the Courts Service. The Act provides that the Service is independent in the performance of its functions including the maintenance and provision of courthouse facilities. However, in order to be of assistance to the Deputy, I have had enquiries made and the Courts Service has informed me that due to current economic conditions, it is not in a position to proceed with the necessary modernising and refurbishment of Wicklow Courthouse. While limited works were undertaken to protect the fabric of the building I am informed that the District Court will not sit in Wicklow Courthouse for the foreseeable future. The Deputy will appreciate that a refurbishment project would require significant capital investment to bring the courthouse to the required standards which is not possible at this time. Wicklow District Court sittings will continue to take place in Bray Courthouse. The Courts Service has informed me that the building in Bray which houses the courthouse also includes other occupants and the local authority has proposed renaming the building. The Service has been asked for its views on the proposal and I understand the matter is still under consideration at the present time.

Prison Education Service

600. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality further to Parliamentary Question No. 39 of 1 December 2011, the number and variety of training or rehabilitation courses available at each of the prisons listed; the number of applicants; the number of participants; and if he will make a statement on the matter. [40791/11]

Minister for Justice and Equality (Deputy Alan Shatter): I have been informed by the Irish Prison Service that it is not possible to provide the information in the format requested as this would require a disproportionate and inordinate amount of staff time and effort which could not be justified where there are other significant demands on resources. However, as explained previously, I can confirm that the Irish Prison Service provides a range of rehabilitative programmes which are available in all prisons and all prisoners are eligible to use these services.

Educational services are also available at all institutions and are provided in partnership with a range of educational agencies including notably the Vocational Education Committees and Public Library Services. The Department of Education and Skills provides an allocation of 220 whole-time teacher equivalents, which has remained unaltered since 2007. Literacy, numeracy and general basic education provision is the priority and broad programmes of education are made available which generally follow an adult education approach. An average of 37.5% of the prison population attended classes in 2011, based on figures to the end of November.

A significant expansion and development of vocational training programmes has taken place in recent years with over 100 workshops now in place in our prisons capable of catering for in excess of 800 prisoners each day. There was a notable increase in the number of prisoners who participated in accredited vocational training courses in 2010, the latest year for which figures are available, when 874 prisoners attended such courses. The Deputy can be assured that the

[Deputy Alan Shatter.]

Irish Prison Service continues to seek to improve the services available to prisoners insofar as resources allow. Projects currently underway include expansion of facilities in the Dóchas Centre and the Midlands prison. Particular emphasis is also being placed on maximising attendance in existing facilities.

Courts Service

601. **Deputy Gerald Nash** asked the Minister for Justice and Equality if he will establish with the Courts Service the detailed criteria against which the service will give consideration to the future rationalisation of certain local Court Service office facilities across the country; if he and the Courts Service will make this information available; and if he will make a statement on the matter. [40826/11]

Minister for Justice and Equality (Deputy Alan Shatter): Under the provisions of the Courts Service Act 1998, management of the courts is the responsibility of the Courts Service which is independent in exercising its functions. However, in order to be of assistance to the Deputy, I have had enquiries made and the Courts Service has informed me that its main priority is to ensure that it can continue to support the judiciary and maintain court sittings while at the same time providing the best possible services to court users. I am sure the Deputy will appreciate that the Courts Service, in common with all other public sector organisations, is obliged to ensure that resources are deployed to best effect to ensure continuity of service with reduced budgets and resources. Greater flexibility in the deployment of available resources will be critical in maintaining the delivery of front line court services.

The Deputy's question relates to court office facilities which it should be noted is a different issue from courthouses. The Courts Service has informed me that a comprehensive internal review was conducted in 2009/2010 which included the administrative structure of provincial court offices and recommended the amalgamation of Circuit and District Court offices into a combined court office to provide a multi-jurisdictional administration unit in each county. A major transformation programme is currently underway on foot of that review and I understand Phase 1 commenced in three locations in May 2011.

Implementation of this project is critical to the continued maintenance of front line court services and court sittings in the current difficult economic and staffing environment. I understand the project is included in the Service's Action Plan under the Croke Park Agreement and is vital to meeting obligations to delivery efficiencies and staffing reductions in accordance with the Agreement and the Employment Control Framework.

Garda Operations

602. **Deputy Terence Flanagan** asked the Minister for Justice and Equality the progress made in respect of introducing a deoxyribonucleic acid, DNA, database; his views on the current practice within An Garda Síochána in relation to DNA; and if he will make a statement on the matter. [40889/11]

Minister for Justice and Equality (Deputy Alan Shatter): The Criminal Justice (Forensic Evidence and DNA Database System) Bill will provide for the establishment and operation of a DNA Database, a commitment in the Programme for Government. Work on the preparation of the legislation is well advanced and I expect to be in a position to publish the Bill shortly. In addition, I have ensured that the Forensic Science Laboratory, which is to host and manage the database, has the funding in place to progress the technical work required for the database including the procurement of the relevant software.

At present, An Garda Síochána works closely with personnel at the Forensic Science Laboratory in order to avail of its capacity to make DNA identification by comparing the DNA of a person suspected of involvement in a particular offence with samples of biological material lifted from the crime scene concerned or from items recovered from the scene. There is no doubt but that this work has been invaluable to the successful detection and prosecution of many serious offences over recent decades and will continue to be so. The establishment of a database will supplement this work by providing An Garda Síochána with a source of high quality intelligence that will facilitate better targeted criminal investigations and lead to greater efficiencies in the use of Garda time and resources.

Garda Transport

603. **Deputy Heather Humphreys** asked the Minister for Justice and Equality the amount of money it is costing to repair Garda patrol cars on a monthly basis for the past 12 months; if a cost benefit analysis has been carried out on the benefits of repairing cars instead of replacing them with new cars; and if he will make a statement on the matter. [40902/11]

Minister for Justice and Equality (Deputy Alan Shatter): Decisions in relation to the provision and deployment of Garda transport are matters for the Garda Commissioner. In that regard I am informed that the arrangements in place for maintaining Garda vehicles are kept under on-going review from a financial perspective. In addition, the Garda authorities have indicated that the current arrangements represent the most effective use of Garda transport in the context of available resources and the requirement to ensure the safety of the vehicles concerned. I am informed by the Garda authorities that expenditure on the maintenance of Garda vehicles for the period December 2010 to November 2011 was as outlined below:

Month	Expenditure
December 2010	€921,218.58
January 2011	€691,140.70
February 2011	€834,866.91
March 2011	€1,113,072.68
April 2011	€943,186.32
May 2011	€1,116,679.27
June 2011	€1,027,772.44
July 2011	€874,532.60
August 2011	€1,124,847.60
September 2011	€804,997.44
October 2011	€1,110,866.96
November 2011	€875,543.21

Garda Stations

604. **Deputy Maureen O'Sullivan** asked the Minister for Justice and Equality when funding will be released for a project (details supplied) in Dublin 1. [40905/11]

Minister for Justice and Equality (Deputy Alan Shatter): The programme of replacement and refurbishment of Garda accommodation is based on agreed priorities established by An Garda Síochána. This programme is progressed in cooperation with the Office of Public Works, who have responsibility for capital expenditure in relation to Garda accommodation.

[Deputy Alan Shatter.]

I am advised by the Garda authorities that the project referred to by the Deputy will be progressed in the context of An Garda Síochána's identified accommodation priorities and in the light of available resources within the Vote for the Office of Public Works.

Ministerial Appointments

605. **Deputy Billy Timmins** asked the Minister for Justice and Equality the process in respect of recent appointments to the Garda Ombudsman Commission; and if he will make a statement on the matter. [40927/11]

Minister for Justice and Equality (Deputy Alan Shatter): The term of office of the three Commissioners in the Garda Síochána Ombudsman Commission expired in December 2011. I asked my Department to arrange for public expressions of interest to be sought from candidates interested in serving in this role for the five year period from 2012 to 2016. Advertisements were placed on the Department's website, as well as on the website of the Public Appointments Service, *www.publicjobs.ie*. A total of 40 expressions of interest were received by the closing date of the 8th of November 2011.

I reviewed all of the applications which were received and selected three candidates whose names were submitted to Government in accordance with Section 65 of the Garda Síochána Act. The three candidates were approved by the Government as having the appropriate experience, qualifications, training and expertise for the relevant roles. Mr Simon O'Brien was nominated for the role of Chairperson and Commissioner and Mr Kieran Fitzgerald was nominated as Commissioner. Ms Carmel Foley was nominated as Commissioner for a second term. A motion regarding the appointment of the three nominees was subsequently adopted by the Joint Committee on Justice, Equality and Defence, thus clearing the way for the appointment of the three nominees under Presidential warrant.

I consider that the combination of the skills and experience of the three appointees will provide the Garda Síochána Ombudsman Commission with strong and effective leadership over their 5 year term of office and that, under their direction, the Commission will continue to provide effective, fair and balanced oversight of policing in this country.

Council of Europe

606. **Deputy Billy Timmins** asked the Minister for Justice and Equality the procedure adopted in respect of the recent appointment of Ireland's representative to the Council of Europe Committee for the Prevention of Torture; if he is satisfied with the appointment as made, having due regard to appropriate and accepted protocols and convention; and if he will make a statement on the matter. [40928/11]

612. **Deputy Stephen S. Donnelly** asked the Minister for Justice and Equality with regard to the recent appointment of new members of the Council of Europe's Committee for the Prevention of Torture, the instruction he gave to the Irish ambassador attending at the Committee of Ministers that voted on new members; if the ambassador was given any instruction to contribute to debate on the Irish candidates; and if so, the instructions; if the ambassador was given any instruction to vote on the Irish candidate; if so, the instruction; and if any representation was made to other voting members of that committee in favour of any of the Irish candidates. [41011/11]

Minister for Justice and Equality (Deputy Alan Shatter): I propose to take Questions Nos. 606 and 612 together.

For the first time in this State, expressions of interest were sought through public advertisement in August from suitably qualified and experienced persons for nomination as Ireland's representative to the Council of Europe's Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT). Advertisements were placed on the websites of my Department and the Public Appointments Service with the criteria for selection having regard to the requirements of the CPT for nomination.

Forty-eight expressions of interest were received. In line with the procedures for nomination to the CPT, three individuals had to be selected as the Irish nominees. The three nominees listed below were chosen in the light of the experience, expertise and characteristics identified by the Council of Europe as being relevant for membership of the CPT.

- Dr Mary Rogan, Lecturer Dublin Institute of Technology, Chairperson of the Irish Penal Reform Trust;
- Mr Seán Aylward, a former Director General of the Irish Prison Service and Secretary General of my Department; and
- Mr Donncha O'Connell, Lecturer in Law, National University of Ireland, Galway.

The Council of Europe is satisfied with the selection process used for the nomination and commented favourably on it. I gave instructions that no particular preference should be shown for any of the three candidates. The nominees were not put forward for consideration in any order of preference, and to the best of my knowledge Ireland expressed no preference for any particular candidate and abstained from the voting at the Committee of Minister's Deputies meeting in Strasbourg on 7 December, 2011 which appointed Ireland's representative on the CPT. It is a matter for the Council of Europe to decide which nominees should be appointed to the CPT.

Garda Stations

607. **Deputy Jim Daly** asked the Minister for Justice and Equality the cost savings that were achieved by the closing of Goleen Garda station, County Cork; the issues that were considered when making this decision; the additional funding that would be required to keep the station open; and if he will make a statement on the matter. [40943/11]

Minister for Justice and Equality (Deputy Alan Shatter): In reaching a decision on the closure of Garda stations, the Commissioner reviewed all aspects of the Garda Síochána's policing model, including the deployment of personnel, the utilisation of modern technologies and the operation of Garda stations, both in terms of opening hours and possible closures. In addition, all Divisional Officers were asked to assess the level of activity in each Garda Station in their area.

It must be stressed that the key objective of the station closures is to promote the more efficient and effective deployment of resources rather than secure modest cash savings (perhaps of the order of €4,100 per annum in the case of Goleen Garda station). In this context the Commissioner has concluded that Garda resources could be better deployed and more effectively used on the frontline if these particular stations no longer had to be staffed and maintained.

The Garda Commissioner has reiterated the commitment of An Garda Síochána to providing a professional and effective service to the community. Each Divisional Officer with responsibility for a Division that will be affected by this decision has been tasked with developing a comprehensive consultation strategy together with a tailored implementation plan that will

[Deputy Alan Shatter.]

meet the particular needs of their Division. They will consult with the various stakeholders within their respective Divisions during this process. The priority will remain, that an effective and professional policing service is provided to every part of the community, both rural and urban.

Question No. 608 answered with Question No. 594.

Departmental Expenditure

609. **Deputy Simon Harris** asked the Minister for Justice and Equality the cost to the State, per person, per day, of the provision of both supported lodgings and hostel accommodation; and if he will make a statement on the matter. [40997/11]

634. **Deputy Simon Harris** asked the Minister for Justice and Equality if he has had any discussions with the Department of Children and Youth Affairs on the transition for young persons seeking refuge here between the provisions of the Child Care Act up to the age of 18 and then the provisions of the Refugee Act from the age of 18; if his attention has been drawn to the difficulties posed to young persons seeking refuge here who are in full-time third level education and then upon turning 18 are taken from their supported lodgings and placed in hostel accommodation; the cost of this hostel accommodation in comparison to the cost of supported lodgings; if any transition plan can be put in place in these situations; and if he will make a statement on the matter. [1079/12]

Minister for Justice and Equality (Deputy Alan Shatter): I propose to take Questions Nos. 609 and 634 together.

I need firstly to explain that asylum seekers deemed to be unaccompanied minors by the Office of the Refugee Applications Commissioner (ORAC) are referred to the HSE which has responsibility for their care under the Child Care Act, 1991 until they reach 18 years of age. Upon reaching that age, such ‘aged out minors’ are referred by the HSE to the Reception and Integration Agency (RIA) of my Department for transfer to adult accommodation and service provision under the direct provision system. In very exceptional circumstances, the HSE can deem that such persons should remain in HSE care beyond 18 years of age. In the education area, such circumstances would include where persons are undertaking their Leaving Certificate, in which case the HSE will deem the end of a school year following their 18th birthday to be the effective date for transfer to RIA.

It is RIA’s general policy to disperse aged-out minors to family oriented accommodation centres outside Dublin which have established links to HSE services and NGO supports. The rationale behind this policy, which was agreed between RIA and the HSE, is straightforward. Firstly, it relieves the pressure in the Dublin area on bed spaces and, more importantly, on health, education, social, therapeutic and welfare services. Secondly, it reduces the perceived negative influences — crime, drug abuse and so on — that the ‘big city’ environment in Dublin can have on aged out minors who have limited financial means and who have no family support. Thirdly, it provides a standardised and equitable approach to all asylum seekers over the age of 18 availing of RIA accommodation, thus ensuring fairness. A copy of the more detailed understanding between RIA and the HSE is on the RIA website — *www.ria.gov.ie*. However, in the context of transition discussions, explained further below, it is open to the HSE to recommend, taking into account the totality of the circumstances involved, that certain aged out minors be accommodated by RIA in specific locations, including in the Dublin area.

There are regular contacts between my Department and the HSE on a wide range of matters of common interest, including those relating to the transfer of ‘aged out’ minor asylum seekers from HSE to RIA accommodation systems. RIA and the HSE jointly plans for this transition. A template has been drawn up to identify the particular circumstances of each of these adults. This template includes information on their preferred geographical location within the group of designated suitable locations in the RIA portfolio, whether they are currently in education, whether they wish to be accommodated with friends, and so on. Aftercare supports are put in place for this cohort by the HSE before they transfer to RIA and are offered during and after the transition as well. For example, social workers link with these adults while in RIA accommodation and RIA gives regular feedback to the HSE on any issues that arise following their transfer e.g. health issues etc.

In relation to RIA costs, *per diem* rates differ from one contract to another depending on the facilities available in the centres, the differing functions of some of the centres, the location of the centres, the length of the contracts, and so on. As I have said in response to previous Dáil Questions, details of current individual contract rates are not provided as it is not in the interests of the taxpayer that these are known to the public or to other parties who are, or may be in the future, engaged in negotiations with RIA. Published on RIA’s website are its Annual Reports for the years 2007 to 2010 inclusive. These reports include details of total payments for contracts in respect of State owned, commercial and self catering centres; for transport costs; for utility costs in State owned centres; and for miscellaneous payments. Also on this website is a copy of the Value For Money (VFM) review in respect of spending by RIA on asylum seeker accommodation which was completed in May 2010.

In relation to the comparative cost between the system of child care provided by the HSE to unaccompanied minors and accommodation provided to adult and child dependant asylum seekers by RIA under the Direct Provision system, this is not comparing like with like. Different cohorts of persons are accommodated by RIA and the HSE using different models. In fulfilling its general accommodation responsibilities, RIA does not lease or rent premises from commercial contractors. Rather, it ‘contracts-in’ a comprehensive range of services and facilities, which include accommodation, housekeeping etc., for a fixed sum over the period of the contract. By contrast, the general policy of the HSE is to accommodate unaccompanied minor asylum seekers through children’s residential homes and the foster care system and information on those costs is a matter for the HSE.

Crime Prevention

610. **Deputy Thomas P. Broughan** asked the Minister for Justice and Equality if he is considering any new measures to specifically target metal theft in view of the fact that in the UK recent investigations have found that the value of metal theft reached at least £770 million in the past year with homes, churches and historic buildings being targeted for metal; if he has examined any of the proposals under review by the British Home Secretary including a special police task force on metal theft, a crackdown on cash-only payments for buying and selling metal and new regulations for the scrap metal dealers’ sector; and if he will make a statement on the matter. [41002/11]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda authorities that An Garda Síochána is aware of an increase in the theft of metal and is targeting such crime, and burglaries and theft-related crimes generally, through a number of initiatives. These include Supporting Safer Communities, which lays particular emphasis on burglary prevention and reduction, and a targeted response to burglary, taking into account locations, times,

[Deputy Alan Shatter.]

offenders and victims. This response includes the development of advice on the prevention of theft of farm machinery and farm security generally.

Garda Divisional Officers have been advised of measures which can be put in place to prevent and reduce the opportunity for such crime, including measures involving relevant external stakeholders. Tackling such crime requires a collaborative effort and targeted multi-agency response. Following an analysis of crime trends, An Garda Síochána has established a metal theft forum involving stakeholders particularly affected by this type of crime, including the Irish Farmers' Association, the Irish Creamery Milk Suppliers association, the Electricity Supply Board, telecoms, transport companies, brewing concerns and the Department of the Environment, Community and Local Government. A Metal Theft Crime Prevention and Reduction Plan is being developed in discussion with the metal theft forum, and it is anticipated that the Plan will be published in the near future.

I am informed that the Minister for the Environment, Community and Local Government has asked his Department to examine the legislation relating to waste licensing and permitting to ensure all necessary provisions, particularly those relating to traceability, are in place to reduce the incidence of such theft and that this examination is ongoing. Insofar as my responsibilities in this are concerned I will, of course, have regard to developments in other jurisdictions which prove effective in dealing with this matter. The legislation governing the theft of metal is the Criminal Justice (Theft and Fraud Offences) Act 2001, which covers the handling, possession and withholding of information regarding stolen property.

Citizenship Applications

611. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the grounds for refusal of naturalisation in the case of a person (details supplied) in Dublin 24; if he will review the decision; when a new application for naturalisation will be accepted in this instance; and if he will make a statement on the matter. [41009/11]

Minister for Justice and Equality (Deputy Alan Shatter): The Irish Nationality and Citizenship Act, 1956, as amended provides that the Minister may, in his absolute discretion, grant an application for a certificate of naturalisation provided certain statutory conditions are fulfilled. One such condition is that the applicant be of good character.

I am advised that an application for a certificate of naturalisation from the person referred to by the Deputy was received in the Citizenship Division of the Irish Naturalisation and Immigration Service (INIS) in November, 2007 and my predecessor, in his absolute discretion, decided to refuse the application. The person concerned was informed of this and the reasons for it in a letter issued on 14th December, 2010. There is no provision under the Irish Nationality and Citizenship Act 1956 as amended for appeal in relation to an application for a certificate of naturalisation. However, the person concerned may make a new application to INIS at any time. The granting of Irish citizenship through naturalisation is a privilege and an honour which confers certain rights and entitlements not only within the State but also at European Union level and it is important that appropriate procedures are in place to preserve the integrity of the process.

Queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

Question No. 612 answered with Question No. 606.

Statutory Instruments

613. **Deputy Dominic Hannigan** asked the Minister for Justice and Equality if he has given any consideration to the amending of Statutory Instrument No. 338 of 2005 to reflect the different institutions that are involved in the life of a child today in Ireland; and if he will make a statement on the matter. [41030/11]

Minister for Justice and Equality (Deputy Alan Shatter): I have no plans to amend SI No. 338 of 2005 (Civil Liability and Courts Act 2004 (Section 40(4) Order 2005) which prescribes a comprehensive set of persons who may, for the purpose of performing their functions, be given copies of orders or relevant extracts of orders arising from family law proceedings. However, my Department continues to keep the matter under review.

Garda Stations

614. **Deputy Frank Feighan** asked the Minister for Justice and Equality if he will review the decision to close Cootehall, Loughglynn and Tarmonbarry Garda stations; and if he will make a statement on the matter. [41115/11]

Minister for Justice and Equality (Deputy Alan Shatter): In reaching a decision on the closure of Garda stations throughout the State, including the Garda stations in Coothall, Loughglynn and Tarmonbarry, the Commissioner reviewed all aspects of the Garda Síochána's policing model, including the deployment of personnel, the utilisation of modern technologies and the operation of Garda stations, both in terms of opening hours and possible closures. In addition, all Divisional Officers were asked to assess the level of activity in each Garda Station in their area. The Commissioner concluded that resources could be better deployed and more effectively used on the front line if these particular stations no longer had to be staffed and maintained and there are therefore no plans to review these decisions.

Human Rights Issues

615. **Deputy Maureen O'Sullivan** asked the Minister for Justice and Equality if he has had any discussions with his counterpart in Northern Ireland on the conditions facing many prisoners at Maghaberry Prison; and if he will make a statement on the matter. [41172/11]

Minister for Justice and Equality (Deputy Alan Shatter): I have regular and useful contact with Minister Ford particularly under the auspices of the Intergovernmental Agreement on Cooperation in Criminal Justice Matters. Our discussions revolve around a wide range of issues of mutual interest including prison matters. I should add that I understand that the Tánaiste and Minister for Foreign Affairs and Trade raised the situation at Maghaberry Prison with Minister Ford in June 2011.

Immigration Services

616. **Deputy Robert Dowds** asked the Minister for Justice and Equality the action he will take to provide a clear system of documentation for the children of legal immigrants under 18 years of age, in order to ensure that they are not left in limbo if anything happens to their parents; and if he will make a statement on the matter. [41185/11]

Minister for Justice and Equality (Deputy Alan Shatter): Under current national immigration rules a non-EEA national child under 16 years of age who is residing in the State is not required to register his/her presence with the Garda National Immigration Bureau. The child would be

[Deputy Alan Shatter.]

regarded as present in the State on the basis of the parents' immigration permission. On reaching 16 years of age they are required to be registered in their own right and are issued with a GNIB card.

The current position regarding registration will change when the Immigration, Residence and Protection Bill 2010 becomes law as it will remove the exemption for those under 16 years of age. This will assist the authorities in having fuller information on non-EEA national children who are residing in the State and will also provide the sort of documentation referred to by the Deputy.

Citizenship Applications

617. **Deputy Robert Dowds** asked the Minister for Justice and Equality if the actions of a family member of a citizenship applicant can impact negatively on his or her application, for example, if the spouse of an applicant is in receipt of social welfare. [41186/11]

Minister for Justice and Equality (Deputy Alan Shatter): Section 15 of the Irish Nationality and Citizenship Act 1956, as amended, provides that the Minister may, in his absolute discretion, grant an application for a certificate of naturalisation provided certain statutory conditions are fulfilled. The conditions are that the applicant must —

- be of full age,
- be of good character,
- have had a period of one year's continuous residency in the State immediately before the date of application and, during the eight years immediately preceding that period, have had a total residence in the State amounting to four years,
- have, before a judge of the District Court in open court, in a citizenship ceremony or in such manner as the Minister, for special reasons, allows—
 - (i) made a declaration, in the prescribed manner, of fidelity to the nation and loyalty to the State, and
 - (ii) undertaken to faithfully observe the laws of the State and to respect its democratic values.

In accordance with the legislation I make decisions on naturalisation applications based on all of the information available to me. Each application is assessed on its own merits and for me to comment beyond that on the specific matter referred to by the Deputy, save only to say that I do not exercise my discretion in deciding on individual cases in either an arbitrary or capricious manner, would carry a danger with it of fettering that discretion as provided for in law.

618. **Deputy Tom Fleming** asked the Minister for Justice and Equality If he will expedite an application for naturalisation in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [41194/11]

Minister for Justice and Equality (Deputy Alan Shatter): I am advised by the Citizenship Division of the Irish Naturalisation and Immigration Service (INIS) that an application for a certificate of naturalisation was received in January 2010 from the person referred to by the Deputy. 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.

Queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

619. **Deputy Tom Fleming** asked the Minister for Justice and Equality if he will expedite an application for naturalisation in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [41195/11]

Minister for Justice and Equality (Deputy Alan Shatter): I am advised by the Citizenship Division of the Irish Naturalisation and Immigration Service (INIS) that an application for a certificate of naturalisation was received in January 2010 from the person referred to by the Deputy. 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.

Queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

Legal Costs

620. **Deputy Clare Daly** asked the Minister for Justice and Equality the reason the State, through the Legal Aid Board, is threatening to seek the costs through a High Court action from a father who seeks to act jointly as a legal guardian with the mother of his child in accordance with the Health Service Executive guidelines. [41239/11]

Minister for Justice and Equality (Deputy Alan Shatter): I wish to inform the Deputy that I have no function or responsibility in relation to the matters raised. Under the terms of the Civil Legal Aid Act 1995, as passed by the Oireachtas, the Legal Aid Board is independent in the operation of its functions and decisions on individual cases are a matter for the Board. Under Section 7(3) of the Act, I am precluded from exercising any power or control in relation to any particular case with which the Legal Aid Board is or may be concerned.

The Deputy might further wish to note that 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.

Citizenship Applications

621. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if and when an

[Deputy Bernard J. Durkan.]

appointment with an immigration officer in Maynooth, County Kildare, can be confirmed in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [41242/11]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Irish Naturalisation and Immigration Service (INIS) that the person referred to by the Deputy attended his local Immigration Office in Maynooth on 3 January, 2012. The person referred to by the Deputy was issued with a Stamp 2 residency permission which expires on the 10 November, 2012.

Queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

Judicial Investigations

622. **Deputy Brian Walsh** asked the Minister for Justice and Equality when a date will be set for a judicial review of a decision in respect of a person (details supplied) in County Galway; and if he will make a statement on the matter. [41243/11]

Minister for Justice and Equality (Deputy Alan Shatter): As the Deputy may be aware, the management and administration of the courts is a matter for the Courts Service. The allocation of the business of the courts, scheduling of court cases and the management of court lists are matters for the judiciary and the Presidents of the courts. The Deputy may also be aware that judges are, subject to the Constitution and the law, independent in the exercise of their judicial functions.

In circumstances where the individual concerned initiated the legal proceedings referred to by the Deputy, the information sought should be available from the individual's own legal representative.

Criminal Injuries Compensation Tribunal

623. **Deputy Patrick O'Donovan** asked the Minister for Justice and Equality if he will clarify a matter (details supplied); and if he will make a statement on the matter. [41293/11]

Minister for Justice and Equality (Deputy Alan Shatter): I presume that the Deputy is referring to the Scheme of Compensation for Personal Injuries Criminally Inflicted. This scheme is administered by the Criminal Injuries Compensation Tribunal. The Tribunal considers applications from people who suffer a personal injury or death as a result of a crime of violence. Compensation may be awarded on the basis of any vouched out of pocket expenses, including loss of earnings experienced by the victim or, if the victim has died as a result of the incident, by the dependants of the victim. The Deputy may obtain further details on the Criminal Injuries Compensation Scheme by accessing my Department's website at www.justice.ie and following the links under 'Other Regulatory Functions'.

Garda Stations

624. **Deputy Michelle Mulherin** asked the Minister for Justice and Equality the savings in

relation to plans to close down the Garda Station at Mulranny, County Mayo; and if he will make a statement on the matter. [41301/11]

Minister for Justice and Equality (Deputy Alan Shatter): In reaching a decision on the closure of Garda stations, the Commissioner reviewed all aspects of the Garda Síochána's policing model, including the deployment of personnel, the utilisation of modern technologies and the operation of Garda stations, both in terms of opening hours and possible closures. In addition, all Divisional Officers were asked to assess the level of activity in each Garda Station in their area.

It must be stressed that the key objective of the station closures is to promote the more efficient and effective deployment of resources rather than secure modest cash savings (perhaps of the order of €4,000 per annum in the case of Mulranny Garda station). In this context the Commissioner has concluded that Garda resources could be better deployed and more effectively used on the frontline if these particular stations no longer had to be staffed and maintained.

The Garda Commissioner has reiterated the commitment of An Garda Síochána to providing a professional and effective service to the community. Each Divisional Officer with responsibility for a Division that will be affected by this decision has been tasked with developing a comprehensive consultation strategy together with a tailored implementation plan that will meet the particular needs of their Division. They will consult with the various stakeholders within their respective Divisions during this process. The priority will remain, that an effective and professional policing service is provided to every part of the community, both rural and urban.

Ministerial Staff

625. **Deputy Catherine Murphy** asked the Minister for Justice and Equality the names and salaries of each person serving as a special adviser and-or the names and salaries of each person directly appointed by him or a Minister of State to any other position within his Department or his predecessor's Department on each of the following dates: 1 December 2009, 1 December 2010 and 1 December 2011; and if he will make a statement on the matter. [41352/11]

Minister for Justice and Equality (Deputy Alan Shatter): On 1 December, 2011 there were four individuals serving in the Department that I had appointed in my capacity as Minister for Justice and Equality. Ms Jane Lehane and Mr. Thomas Cooney had been appointed as my Special Advisers. They are both paid at the Principal Officer Standard Scale (€80,051 — €98,424). Ms Lorraine Hall had been appointed as my Personal Assistant (salary scale €43,715 — €56,060) and Ms Cleo Lambert had been appointed as my Personal Secretary (salary scale €23,820 — €47,755).

On 1 December, 2010 and on 1 December, 2009 there were four individuals serving in the Department that my predecessor had appointed. Mr. Ciarán Ó Cuinn had been appointed as a Special Adviser and Mr. Richard Moore had been appointed as a Press Adviser. Both were paid at the Principal Officer Standard Scale (€80,051 — €98,424). Ms Christine Maguire had been appointed as a Personal Assistant (salary scale € 43,816 — € 55,415) and Ms Myra Wall had been appointed as a Personal Secretary (salary scale €29,024 — € 47,379). These appointments all terminated when my predecessor ceased to hold office. During the periods in question no personal appointments were made by any of the Ministers of State that held office in my Department.

Departmental Programmes

626. **Deputy Denis Naughten** asked the Minister for Justice and Equality if he runs a graduate internship programme; and if he will make a statement on the matter. [41367/11]

Minister for Justice and Equality (Deputy Alan Shatter): My Department has been offering temporary work experience opportunities for a number of years through an Intern Scheme and, under the FÁS Work Placement Programme, focusing primarily, but not exclusively, on law graduates and final year law students.

Since July 2011, my Department is actively engaging in the Government's new National Internship Scheme — JobBridge. We have advertised internship opportunities across a range of vocational areas including the legislative area, statistics, procurement, customer relations and general administration. To date 21 individuals have taken up JobBridge placements in my Department (10 of whom were graduates). In all cases a mentor has been appointed to the intern to provide support and guidance and ensure that the intern benefits from specific learning outcomes, associated with that internship opportunity.

The National Internship Scheme provides opportunities for the Department, and the Civil Service generally, to assist in the process of national recovery. My Department can provide significant and in some cases challenging job experience opportunities to persons in need of such opportunities and better prepare them for either re-entry to the jobs market or a change in job direction.

Residency Permits

627. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if he will restore stamp 4 status in the case of a person (details supplied) in County Kildare in view of the fact that they were employed in this jurisdiction for two years between 2004 and 2006 and taking into consideration the fact that their children and grandchildren have been based here since 1999; and if he will make a statement on the matter. [41373/11]

Minister for Justice and Equality (Deputy Alan Shatter): I am advised by the Irish Naturalisation and Immigration Service (INIS) that the person referred to by the Deputy was granted permission to remain in the State for one year in 2000 under the arrangements then in place for the non-EEA parents of Irish born children. This permission was renewed subsequently and the last renewal period was valid to 1 September 2008, the expiry date on her Latvian aliens passport.

In light of her current circumstances and given that her previous registration had lapsed for over 12 months, the person concerned cannot have her period of registration renewed without having obtained a formal renewal decision letter from my Department. Accordingly, the person concerned should now make a formal written renewal request to my Department, c/o the Irish Immigration and Naturalisation Service (INIS), PO Box 10003, Dublin 1. Upon receipt of such renewal application, the case of the person concerned will be examined by the relevant officials in my Department. Once a decision has been made, this decision and the consequences of the decision will be conveyed in writing to the person concerned.

Queries in relation to the status of individual immigration cases may be made directly to the INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up-to-date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from the INIS is, in the Deputy's view, inadequate or too long awaited.

Citizenship Applications

628. **Deputy Tom Fleming** asked the Minister for Justice and Equality when a decision will issue on an application for a certificate of naturalisation in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [41424/11]

Minister for Justice and Equality (Deputy Alan Shatter): I am pleased to inform the Deputy that the person referred to was presented with a certificate of naturalisation at a citizenship ceremony held at Cork City Hall on 9 December 2011.

Queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

Garda Stations

629. **Deputy Michael Healy-Rae** asked the Minister for Justice and Equality the amount of money spent on the refurbishment of Farranfore Garda station, County Kerry, which was undertaken in recent years; if Farranfore Garda station is closing in the short term or in the long term; and if he will make a statement on the matter. [1002/12]

Minister for Justice and Equality (Deputy Alan Shatter): The programme of replacement and refurbishment of Garda accommodation around the country is progressed by the Garda authorities working in close co-operation with the Office of Public Works, who have responsibility for the provision and maintenance of Garda accommodation.

I have been informed by the Garda authorities that approximately €130,000 was spent on refurbishment works at Farranfore Garda station in the period 2008 to 2009. In accordance with the provisions of the Garda Síochána Acts 2005 to 2007, decisions in relation to the opening or closing Garda stations are a matter in the first instance for the Garda Commissioner. In that context, the Commissioner has not submitted any proposal for the closure of Farranfore Garda station.

Proposed Legislation

630. **Deputy Michael Healy-Rae** asked the Minister for Justice and Equality his plans to change the bankruptcy laws here to bring them more in line with the system that is used in England; and if he will make a statement on the matter. [1024/12]

Minister for Justice and Equality (Deputy Alan Shatter): I made provision in the Civil Law (Miscellaneous Provisions) Act 2011 for the application to the court for discharge of a bankruptcy after 5 years. The previous period for application to the court was 12 years. The application remained subject to the conditions for discharge specified in the Bankruptcy Act of 1988, which concerned the full realisation of the estate of the bankrupt, payment of fees and expenses and of preferential debts.

In addition, I introduced for the first time in Irish law, provision for automatic discharge of a bankruptcy after 12 years have elapsed since the adjudication of bankruptcy. The new provisions commenced on 10 October, 2011. The question of further reductions in the period for discharge of a bankruptcy, including automatic discharge, is being considered in the context of my Department's development of proposals for the Personal Insolvency Bill that is a commit-

[Deputy Alan Shatter.]

ment in the Government Legislation Programme and under the EU/IMF Programme of Financial Support for the State.

Garda Strength

631. **Deputy Michael Healy-Rae** asked the Minister for Justice and Equality in view of the fact that up to 150 positions in its top ranks are being left unfilled due to early retirement to secure more generous pension deals which will end in February and taking into account the recruitment freeze and severe budget cuts, the way he proposes that the Garda Síochána will be able to function properly; and if he will make a statement on the matter. [1026/12]

Minister for Justice and Equality (Deputy Alan Shatter): While there is no getting away from the reality that public expenditure and public service numbers have to be reduced in the context of the agreement with the EU and the IMF, I am determined that this will be accompanied by real and substantive reform, reform which will make the delivery of public services more efficient and cost-effective. Our Programme for National Recovery recognises that a key objective of this reform is the protection of frontline services, and I regard that as a priority for the Garda Síochána. I will be shortly bringing proposals to Cabinet regarding appointments at senior levels in An Garda Síochána.

Road Traffic Offences

632. **Deputy Michael Healy-Rae** asked the Minister for Justice and Equality if, in view of the new proposal to introduce 16 new penalty point offences at a time when the Garda force has been depleted, he is considering privatising the enforcement of the policing of these new measures; and if he will make a statement on the matter. [1027/12]

Minister for Justice and Equality (Deputy Alan Shatter): The offences which the Minister for Transport recently announced will be brought within the Penalty Point system are already offences contrary to the Road Traffic Acts, which are detected and prosecuted by members of An Garda Síochána. I am advised by the Garda authorities that the inclusion of these offences within the Penalty Point system will ease demands with regard to prosecutions and will provide resource and cost savings to An Garda Síochána.

In accordance with the Road Traffic Acts, a contract is in place for the provision by a private service provider of speed cameras which conduct monitoring and enforcement of speed limits and offences, under the direction of An Garda Síochána. There is currently no consideration being given to privatising any further functions of An Garda Síochána in respect of the enforcement of road traffic legislation.

I can assure the Deputy that An Garda Síochána is fully committed to the Road Safety Strategy 2007-2012. In addition I would draw his attention to the fact that I have designated roads policing as a priority for An Garda Síochána in 2012. This is reflected in the 2012 Garda Policing Plan which has been laid before the Houses of the Oireachtas.

Property Services Regulatory Authority

633. **Deputy Jerry Buttimer** asked the Minister for Justice and Equality the amount of expenditure in 2011 by the Property Services Regulatory Authority for each of the past six years; the number of persons employed by the authority; the total amount paid in wages and salaries in each year; and if he will make a statement on the matter. [1057/12]

Minister for Justice and Equality (Deputy Alan Shatter): On the basis that I assume the Deputy means the years 2006 to 2011 inclusive the relevant information is set out in the table. The Deputy should note that, in respect of 2011, expenditure figures were only available until the end of November.

Year	Total Expenditure (inclusive of wages and salaries)	Wages and Salaries Only	Numbers Employed (Whole Time Equivalent)
2006	€74,000	€38,000	4.0
2007	€342,351	€199,813	5.0
2008	€599,841	€328,332	7.8
2009	€656,701	€485,633	8.6
2010	€622,181	€499,495	10.6
2011 (to end November)	€558,000	€499,000	10.6

Question No. 634 answered with Question No. 609.

Citizenship Applications

635. **Deputy Damien English** asked the Minister for Justice and Equality when a decision will issue on an application for citizenship in respect of a person (details supplied); the reason for the delay; and if he will make a statement on the matter. [1085/12]

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 April 2008. The application is currently at an advanced stage of processing and I understand will be submitted to me for decision in the near future. 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.

Queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

Garda Transport

636. **Deputy Seán Kenny** asked the Minister for Justice and Equality if he will allocate funding to purchase additional Garda vehicles in 2012; if so, the number of vehicles that are expected to be purchased; and if he will make a statement on the matter. [1095/12]

Minister for Justice and Equality (Deputy Alan Shatter): Decisions in relation to the provision and deployment of Garda transport are matters for the Garda Commissioner. I am advised by the Garda authorities that provision has been made in the Garda Vote for 2012 to acquire new vehicles for An Garda Síochána and in that general context a Request for Tender is currently being developed in conjunction with the National Procurement Service. This is a matter which will be pursued in the light of An Garda Síochána's operational priorities and the availability of financial resources.

Garda Strength

637. **Deputy Seán Kenny** asked the Minister for Justice and Equality the number of promotions at the ranks of sergeant, inspector, superintendent, chief superintendent and assistant commissioner that have been approved; the number of promotions at each rank currently pending; and if he will make a statement on the matter. [1096/12]

Minister for Justice and Equality (Deputy Alan Shatter): A small number of promotions at Inspector and Sergeant level were approved last month and I will be shortly bringing proposals to Cabinet regarding appointments at senior levels in An Garda Síochána.

There is no getting away from the reality that public expenditure and public service numbers have to be reduced in the context of the agreement with the EU and the IMF. I am determined that this will be accompanied by real and substantive reform, reform which will make the delivery of public services more efficient and cost-effective. Our Programme for National Recovery recognises that a key objective of this reform is the protection of frontline services, and I regard that as a priority for the Garda Síochána.

Road Safety

638. **Deputy Seán Kenny** asked the Minister for Justice and Equality the number of copies of road traffic accident case statements that have been issued for the years 2008, 2009, 2010 and 2011; the cost of issuing a copy to a member of the public; the process which members of the public undergo in order to obtain a copy of a road traffic accident case; and if he will make a statement on the matter. [1097/12]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda authorities that persons involved in road traffic collisions, their legal advisers or insurers or other interested parties may, on written request, be supplied with an abstract of the Garda report in respect of the collision, copies of statements of witnesses and sketches or maps of the scene. The current fees are €60 for the supply of an abstract and €40 for a copy of a statement. Such information will not be supplied if criminal proceedings are contemplated or have been initiated. I am further informed that the information requested regarding the number of abstract reports provided by An Garda Síochána in respect of road traffic collisions for the years 2008 to 2011 is not readily available and could only be obtained by the expenditure of a disproportionate amount of Garda time and resources.

Garda Training

639. **Deputy Seán Kenny** asked the Minister for Justice and Equality the number of gardaí who undertook each of the firearms courses, specialist child interviewer course, and evidential breath testing course for the years 2008, 2009, 2010 and 2011; the frequency of courses commencing; the length of time of each course; the next date each course is due to commence; and if he will make a statement on the matter. [1098/12]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda Authorities that the information requested by the Deputy in relation to the firearms, specialist child interviewer, and the evidential breath testing courses is as set out below:

Firearms Training

Garda Headquarters

	Year	Number of Gardaí who attended Training*	Frequency of Courses	Training Courses	Duration of Courses
Garda Headquarters Firearms Course:	2008	6225	Continuous throughout the year	Basic Handgun course Basic Submachine gun Course Refresher Live Fire Refresher Fats	One Week One Week One day twice a year per member One day per year per member
	2009	6211	As above	As above	As Above
	2010	6196	As above	As above	As above
	2011	6735	As above	As above	As above

Garda College

	Year	Number of Gardaí who attended Training*	Frequency of Courses	Training Courses	Duration of Courses
Garda College Firearms Course:	2008	1727	Continuous throughout the year	Basic Handgun course Basic Submachine gun Course Refresher Live Fire Refresher Fats	One Week One Week One day twice a year per member One day per year per member
	2009	1008	As above	As above	As Above
	2010	2001	As above	As above	As above
	2011	2767	As above	As above	As above

*Members are required to attend two live fire and one refresher Firearm and Tactical System courses (F.A.T.S.) per year. The numbers above indicate the numbers who attended training and not the number of members trained in use of firearms / authorised to carry firearms on duty.

Courses will commence in January 2012 subject to financial sanction.

Specialist Interviewing Course (relating to children and vulnerable adults)

Course	Year	Number of Gardaí trained	Duration of Courses	Frequency of Courses
Garda College Specialist Interviewing	2008	12	4 Weeks (2 Modules of 2 weeks)	2 courses held
	2009	89	4 Weeks (2 Modules of 2 weeks)	4 courses held
	2010	43	4 Weeks (2 Modules of 2 weeks)	2 courses held
	2011	0	0	0

[Deputy Alan Shatter.]

Evidential Breath Testing (ETB):

Course	Year	Number of Gardaí trained	Duration of Courses	Frequency of Courses
Evidential Breath Testing	2008	326	2 Days	One per month approx.
	2009	129	2 Days	One per month approx.
	2010	134	2 Days	One per month approx.
	2011	1013	1 day (8am – 3pm for Operators) (8am – 4pm – Supervisors)	65 Courses held (June – Dec '11)

Section 4 of the Road Traffic Act 2010 contains a Provision to reduce the Drink Driving Limit and the provision of penalty points for certain Drink Driving offences which was implemented in September 2011. This necessitated the training of members of An Garda Síochána operators and supervisors who were previously trained in the Lion Intoxilyzer 6000IRL to be retrained as part of a one day conversion course at the Medical Bureau of Road Safety (M.B.R.S.) U.C.D.

In 2011 a total of 65 conversion courses were held at the M.B.R.S. from June to December. It is understood that additional E.B.T. instruments will be issued by the M.B.R.S. during 2012 and training will be required to be provided to members of An Garda Síochána in the Garda Stations where these instruments will be installed.

Question No. 640 answered with Question No. 598.

Citizenship Applications

641. **Deputy Dara Calleary** asked the Minister for Justice and Equality if he will confirm that the final documentation and application fee has been received by Irish Naturalisation and Immigration Service for the naturalisation application in respect of a person (details supplied) in County Donegal; and the current status of the application. [1131/12]

Minister for Justice and Equality (Deputy Alan Shatter): I am advised by the Citizenship Division of the Irish Naturalisation and Immigration Service (INIS) that the required certification fee and other requested documents have been received from the person referred to by the Deputy.

The person concerned has also confirmed his availability to attend a citizenship ceremony on 3 February 2012 at which I intend to grant him a Certificate of Naturalisation.

Queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

Wards of Court

642. **Deputy Dominic Hannigan** asked the Minister for Justice and Equality the amount of money that is currently invested by the courts on behalf of wards of State and minors; the amount of money in the overall investment fund in the years 2006, 2007, 2008, 2009, 2010 and 2011; the projected return on investment in each of these years; the way persons who have

been appointed wards or minors committees access the details of the investment being made on behalf of those they represent; if they are able to meet and discuss the options with the fund managers; if there is a contingency plan if the overall investment fund is no longer able to sustain those who depend on it at a reasonable level; and if he will make a statement on the matter. [1130/12]

Minister for Justice and Equality (Deputy Alan Shatter): Jurisdiction in Wards of Court matters is vested in the High Court. The Courts are, subject only to the Constitution and the law, independent in the exercise of their judicial functions and, therefore, it is not open to me as Minister to comment in any way. Section 4(3) of the Courts Service Act 1998 Act provides that the Courts Service is independent in the performance of its functions, which are specified in section 5 and includes the management of the Courts. Court funds which are held for the benefit of Wards of Court are private funds under the control of the Courts Service which, through its offices in the High, Circuit and District Courts, has responsibility for the management and investment of funds in court.

However, in order to be of assistance to the Deputy, I have had enquiries made and the Courts Service has informed me that these funds, which amount to approximately €1.178 billion at 30th September 2011 per the latest audited financial statements, are managed in a fiduciary capacity by the Courts Service on behalf of more than 18,000 beneficiaries. Approximately 2,650 of these are wards of court. Also included are Minors and various categories of litigant. Table 1 sets out the value of funds under management for each of the financial years 2006 to 2011 inclusive.

Table 1: Value of Court Funds (2006-2011)

Financial Year Ending	Funds Held for Beneficiaries €
30/9/2011	1,178,520,036
30/9/2010	1,136,988,373
30/9/2009	1,053,509,223
30/9/2008	1,033,023,232
30/9/2007	1,021,752,700
30/9/2006	946,758,622

Funds under the control of the Courts are required by law to be invested in accordance with the Trustee (Authorised Investments) Act 1958 and the orders made thereunder. A major modernisation programme for the governance and management and investment of court funds commenced in 2003 and has resulted in:

- improved governance through the establishment of an Investment Committee, chaired by the President of the High Court. Its membership includes external independent experts. Annual financial statements are audited by independent external auditors and published on the Courts Service website at www.courts.ie;
- access to independent investment and risk management advice through the engagement of independent investment advisors to ensure investment policies are in compliance with the relevant legislation and best practice;
- investment strategies have been implemented to ensure a consistent approach to the investment of all court funds. The unitised funds used have been approved by the Financial Services Regulatory Authority;

[Deputy Alan Shatter.]

- following a competitive EU procurement independent external fund managers were appointed in 2003 to manage these funds. The performance of the fund managers is monitored by both the investment advisors and the Investment Committee on a regular basis.

I am informed that the Courts Service operates a very conservative and prudent investment policy and seeks to invest all funds in the best interests of each beneficiary. A strong investment performance has been exhibited by court funds since the current investment strategies were established. Table 2 shows the investment performance, net of fees, for the last seven financial years to 30th September 2011 and the cumulative investment performance to date.

Table 2: Investment Performance of Court Funds (net of fees), since inception of the Unitised Fund Structure, and for the years 2005–2011.

Portfolio Return (Net of Fees)	Cash	Cash Plus	Bond Plus	Balanced	Growth
Cumulative performance since inception to 30/9/2011	11.08%	19.31%	33.63%	31.89%	37.60%*
12 months to 30/9/2005		4.60%	11.97%	16.27%	20.75%
12 months to 30/9/2006	0.77%*	1.63%	4.67%	6.39%	8.02%
12 months to 30/9/2007	3.31%	2.02%	4.20%	5.49%	6.68%
12 months to 30/9/2008	2.03%	0.66%	-6.83%	-12.27%	-17.04%
12 months to 30/9/2009	1.17%	2.61%	3.50%	2.85%	2.27%
12 months to 30/9/2010	2.22%	2.39%	5.48%	6.66%	7.92%
12 months to 30/9/2011	1.13%	1.11%	2.75%	-0.36%	n/a*

Note: Cash Fund commenced 21st June 2006

Note: Following a review of the composition asset mix of all strategies, the Growth Fund was allocated the identical asset mix as the Balanced Fund.

It was therefore deemed appropriate to move all the beneficiaries in the Growth Fund to the Balanced Fund in order to ascertain a lower management fee scale structure. On the 7th September 2011 the transition was completed.

The investment of funds in an income growth strategy is communicated to the beneficiaries' representatives before the investment is made. Beneficiaries' representatives do not have direct access to fund managers as the fund managers' relationship is with the Courts Service. However, the Courts Service has informed me that it is exploring the possibility of giving access to specialist investment advice to beneficiary representatives in limited types of cases. All cases are reviewed periodically by the Wards of Court Office, and if the beneficiary's circumstances change, the strategy may be varied accordingly. Individual statements are issued to all beneficiary representatives on request.

While there will always be fluctuations in the value of investments from time to time, over the eight year period of the new investment strategies being in operation, there has been good investment performance. I am informed that the court managed funds have performed well particularly in light of the volatility of the markets in recent years. In the financial year, ended 30th September 2011, most court funds experienced positive investment performance.

Finally, the Deputy will appreciate that the amount of damages awarded or approved is a matter for the court and cannot be guaranteed to meet the ward's needs for their lifetime. The Courts Service responsibility is not to ensure that the amount awarded is sufficient to maintain an individual for their lifetime but rather to manage the award prudently to the ward's benefit.

Departmental Offices

643. **Deputy Dara Calleary** asked the Minister for Justice and Equality his view that he or any agency funded by him who own properties in office complexes in which a management company is in place, should take an active role in the running of such management companies including the appointment of a nominee to the board of the company in order to protect the investment of taxpayers' money. [1157/12]

Minister for Justice and Equality (Deputy Alan Shatter): I can inform the Deputy that the matter raised does not apply to my Department or to any Agency funded by my Department.

Citizenship Applications

644. **Deputy Damien English** asked the Minister for Justice and Equality when a decision will issue on an application for citizenship in respect of a person (details supplied) in County Meath; the reason for the delay in same; and if he will make a statement on the matter. [1197/12]

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 October, 2008.

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. As the processing requirements and time taken to complete necessary checks vary from case to case, it is not possible to provide a specific date for determination of an individual application. However, I can inform the Deputy that good progress continues to be made in reducing the time taken to process the generality of applications.

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.

Queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

Peace Commissioners

645. **Deputy Eric Byrne** asked the Minister for Justice and Equality the number of peace commissioners here; the way a person can access the services of a peace commissioner; the number of peace commissioners he has appointed since taking office; and his plans to reform the way in which peace commissioners are appointed and or to reform the peace commissioner system. [1217/12]

Minister for Justice and Equality (Deputy Alan Shatter): Peace Commissioners are appointed by the Minister for Justice and Equality under Section 88 of the Courts of Justice Act, 1924. There are in excess of 5700 appointed Peace Commissioners currently active in this State.

[Deputy Alan Shatter.]

Individuals seeking details of Peace Commissioners available in their areas are advised to contact the Peace Commissioner Unit of my Department or make inquiries at their local Garda Station where this information can be obtained.

I have appointed 82 Peace Commissioners since taking up the position of Minister for Justice and Equality. I do not propose to amend the legislation relating to Peace Commissioners at this time but I will keep the matter under review.

Garda Divisions

646. **Deputy Dara Calleary** asked the Minister for Justice and Equality the number of Garda divisions that will be merged in 2012 on a county basis, division by division; the implication of these mergers on Garda operations in each area; and if he will make a statement on the matter. [1225/12]

Minister for Justice and Equality (Deputy Alan Shatter): In accordance with the provisions of the Garda Síochána Acts, proposals to alter the boundaries of a Garda geographical area are a matter, in the first instance, for the Garda Commissioner. In that context I am advised by the Garda authorities that no Garda divisions will be merged in 2012.

The Garda Annual Policing Plan for 2012, which was laid before both Houses of the Oireachtas on 5th December 2011, does, however, set out the Commissioner's proposals in relation to changes to the following Garda districts:

- Meath Division — the Laytown District will merge with the Ashbourne District, and
- Laois Division — the Abbeyleix District will merge with the Portlaoise District.
- I am assured by the Garda authorities that the policing service currently provided to both Laytown and Abbeyleix will be maintained following these mergers and that they will deliver greater efficiencies in the deployment of personnel and other resources.

Deportation Orders

647. **Deputy Dara Calleary** asked the Minister for Justice and Equality the cost of the 280 deportations undertaken in 2011; if there were any circumstances in 2011 in which a deportation flight was returned to the State with the deportees still on board; the circumstances in each case if this happened; the cost to the State of the event; if the deportees were subsequently deported or still remain here; and if he will make a statement on the matter. [1241/12]

Minister for Justice and Equality (Deputy Alan Shatter): In 2011, a total of 280 persons were removed from the State on foot of the provisions of the Immigration Act 1999 (as amended). Out of that figure, 235 persons were failed asylum seekers. The overall cost of removing those 280 persons from the State in accordance with the law was slightly in excess of €1 million in 2011.

In July of 2011, a flight organised through the FRONTEX network involving the immigration authorities of Finland, Germany, Norway, Sweden and France as well as from this State which was due to land in Lagos, Nigeria and Kinshasa, DR Congo, was forced to return to Dublin when the Algerian aviation authorities withdrew permission to enter their airspace mid-flight. On departure, the flight had all of the necessary paperwork in order, including all of the necessary permits to enter the various countries' airspace.

The cost of chartering this plane (€337,800 plus VAT) was fully borne by the company appointed to provide chartered aircraft and ancillary services to my Department. Some €22,000 was incurred by my Department in ancillary costs relating to this flight such as securing documentation for the returnees and sending advance parties of Garda National Immigration Bureau (GNIB) members to Lagos and Kinshasa to ensure that landing permits and all other requirements were obtained in advance.

A total of 14 Nigerian and 12 Congolese nationals were due to be returned by Ireland to Nigeria and the Democratic Republic of the Congo on that flight. Of the 14 Nigerian nationals, 6 have subsequently been deported from the State. The remaining individuals are still liable for removal and the arrangement of their removal is a matter for the GNIB.

The detailed arrangements governing deportation flights are complex and require co-operation between many agencies. These flights also require a large degree of co-operation from other countries; some of which have no diplomatic representation here. Flight plans, overflight permits, landing permits, refuelling stops, identity papers, passports or other identity-type documents and so forth all have to be agreed with the authorities in the receiving jurisdiction. In some instances, similar issues may arise when removal flights pass through third country airspace. Ensuring that all these logistical and diplomatic issues are in order is a complex task and occasionally difficulties can arise very late in the process. Every effort is taken to ensure that all risks are minimised.

The removal of individuals from the State in compliance with the provisions of the law is, by its nature, a difficult process. It is however a necessary feature of the enforcement of immigration-related legislation where individuals do not exercise the option available to them to leave the State voluntarily when they have not got permission to remain in the State, or where they may not be in a position to exercise that option. In enforcing the law in this respect, Ireland is no different to other countries who also remove individuals who have no lawful right to remain within their territory.

Garda Strength

648. **Deputy Michael Healy-Rae** asked the Minister for Justice and Equality if adequate numbers of gardaí are available to combat the drugs problem with particular reference to the areas throughout the country that are currently most seriously subjected to the activities of drug dealers; and if he will make a statement on the matter. [1289/12]

Minister for Justice and Equality (Deputy Alan Shatter): I have been informed by the Garda Commissioner that An Garda Síochána is committed to pro-actively targeting groups and individuals engaged in organised criminal activities, including the sale and supply, importation and trafficking of drugs at international and local levels. To this end, An Garda Síochána makes use of intelligence-led operations and tactics, including those of specialist national units. As a result of these operations, a number of individuals (including members of criminal groups) are before the Courts charged with serious offences, including the importation, sale and supply of drugs. The monitoring of such groups is ongoing and kept under constant review.

I have further been informed by the Garda Commissioner that the personnel strength of the Drugs Unit broken down by Division on 31 November, 2011, the latest date for which figures are readily available, was as set out in the table hereunder:

Division	Strength
D.M.R.S.C.	16
D.M.R.N.C.	19

[Deputy Alan Shatter.]

Division	Strength
D.M.R.N.	32
D.M.R.E.	15
D.M.R.S.	31
D.M.R.W.	33
D.M.R. / N.S.S.	4
Waterford	11
Wexford	11
Kilkenny/Carlow	10
Tipperary	9
Cork City	27
Cork North	7
Cork West	6
Kerry	10
Limerick	21
Donegal	12
Cavan/Monaghan	9
Sligo/Leitrim	7
Louth	6
Clare	9
Mayo	6
Galway	12
Roscommon/Longford	7
Westmeath	9
Meath	7
Kildare	8
Laois/Offaly	13
Wicklow	11
Total	378

In addition to the Divisional units, the Garda National Drugs Unit has a total of 44 Gardaí of various ranks attached to its Dublin Office.

The allocation of all resources, including personnel, is a matter for the Garda Commissioner in consultation with his senior management. Garda Management closely monitors the allocation of resources in the context of crime trends, policing needs and other operational strategies in place on a District, Divisional and Regional level, to ensure optimum use is made of Garda resources, and the best possible Garda service is provided to the public.

Deportation Orders

649. **Deputy Michael Healy-Rae** asked the Minister for Justice and Equality the number of occasions since June 2009 on which aircraft have been chartered to facilitate the deportation of persons from this country; the cost involved in such charters; the number of persons deported in this way; the number who were children; the overall costs involved, including Garda man hours; and if he will make a statement on the matter. [1290/12]

Minister for Justice and Equality (Deputy Alan Shatter): Since June 2009, 25 aircraft have been chartered for deportation flights. In 22 of these cases the flights were arranged through the EU FRONTEX network and were operated in conjunction with immigration authorities in

other EU Member States. The cost to the State has been €1.97m. The number of people deported by charter since June 2009 is 445 including 119 children — all of whom were accompanied by parents or guardians. The information in relation to the cost of Garda man hours is not readily available and could only be compiled by diverting Gardaí from core policing duties.

The removal of individuals from the State in compliance with the provisions of the law is, by its nature, a difficult process. It is however a necessary feature of the enforcement of immigration related legislation where individuals do not exercise the option available to them to leave the State voluntarily when they are unlawfully in the State or where they may not be in a position to exercise that option. In enforcing the law in this respect, Ireland is no different to other countries who also remove individuals who have no lawful right to remain within their territory.

Garda Operations

650. **Deputy Michael Healy-Rae** asked the Minister for Justice and Equality the steps he is taking to improve rural policing; the policy measures he intends to introduce; and if he will make a statement on the matter. [1291/12]

Minister for Justice and Equality (Deputy Alan Shatter): The Government's Programme for National Recovery calls for a higher priority to be attached to community policing. Community policing is at the heart of policing in Ireland. This point has been consistently emphasised by the Garda Commissioner and endorsed by the Garda Síochána Inspectorate. In the Commissioner's Annual Policing Plan for 2012, he has re-iterated his commitment to "...maintaining and deepening the long established relationship which An Garda Síochána has with all members of the Community..". That plan, which I lodged with both Houses of the Oireachtas on 5th December 2011, contains two specific commitments entitled "Working with Communities" and "Ensuring a Peaceful Community" which focus on the provision of a Community Policing service.

This National Model of Community Policing, which has now been rolled out to all Garda Districts nationwide, aims at building upon and enhancing good community policing practice. There will be a community policing team in each district, headed up by a sergeant. Clear objectives will be set, such as high visibility in the community, ease of contact by members of the public, and enhanced support for crime prevention strategies such as neighbourhood watch, community alert and business watch.

The model recognises the need for dedicated community police officers and, on the latest date for which figures are readily available, there were 1,132 such Gardaí. It is also worth emphasising, as the model does, that all Gardaí have a role to play in community policing.

This enhanced community policing service will be monitored closely by the Commissioner and his senior management team, and will be reviewed on an ongoing basis to ensure that the best possible service is provided to the public. The Commissioner will have my full support in this development of community policing, and I will take a keen interest in its progression.

Crime Prevention

651. **Deputy Michael Healy-Rae** asked the Minister for Justice and Equality if he is satisfied that there is sufficient legal protection in place to defend homeowners and occupiers from intruders; and if he will make a statement on the matter. [1292/12]

Minister for Justice and Equality (Deputy Alan Shatter): The first recourse of any householder faced with a burglary should be, where circumstances permit, to the Garda Síochána. They are best placed to deal with violent offenders and to investigate offences.

[Deputy Alan Shatter.]

The Criminal Law (Defence and the Dwelling) Act 2011 addresses those unfortunate situations where a householder comes face to face with a burglar. It was signed by the President on 19 December. I expect to sign a commencement order for the Act later this month.

The Act clarifies the law concerning defence of the home. It recognises in a very practical manner the special constitutional status of an individual's dwelling and makes it clear that a person may use reasonable force to defend themselves in their home. It allows for the use of such force as is reasonable in the circumstances, to protect people in the dwelling from assault, to protect property, to prevent the commission of a crime, or to make a lawful arrest. The Act —

- extends the right to use such reasonable force to the curtilage of the dwelling,
- explicitly provides that a person attacked in the home is not required to retreat, and
- provides that a person who uses such reasonable force cannot be sued by a burglar in respect of any injury, loss or damage arising from it.

I am satisfied that the Act provides robust protections for homeowners.

Prison Visiting Committees

652. **Deputy Michael Healy-Rae** asked the Minister for Justice and Equality the position regarding his decision not to re-appoint or replace prison committee members whose terms expired last year despite the posts being unpaid positions; the reason the numbers have been allowed to deplete so much in the past number of months; when the new system will be put in place; and if he will make a statement on the matter. [1386/12]

Minister for Justice and Equality (Deputy Alan Shatter): I have previously stated my intention to strengthen the independent oversight of our prisons. Under new legislation to be prepared, I intend to make Visiting Committees more effective while they continue their role of visiting prisons, meeting with prisoners, and liaising on their behalf with prison authorities. The arrangements for membership of the Committees will be changed and a link will be established between the Visiting Committees and the Inspector of Prisons. As part of these plans, it is intended to expand the Inspector of Prison's role which I believe will greatly enhance his independent oversight of the prison system.

Under these proposed new arrangements, Visiting Committees will report regularly to the Inspector of Prisons on issues they may wish to bring to his attention. Any urgent or major issue may be reported to the Inspector at any time. Each Visiting Committee will comprise no more than six members, and only suitable people with appropriate qualifications and a genuine interest in prison issues will be appointed. My Department is examining how it can ensure this is achieved and work is ongoing in that respect.

Garda Stations

653. **Deputy Thomas P. Broughan** asked the Minister for Justice and Equality if he will report on the operation of Howth Garda station, County Dublin, from 1 January 2012; and if he will make a statement on the matter. [1419/12]

654. **Deputy Thomas P. Broughan** asked the Minister for Justice and Equality if the parishes of Howth, Sutton, Mid-Sutton and Baldoyle, County Dublin, will be patrolled on an hourly basis throughout the evening hours in view of Howth's tourist business; the steps he will take

to ensure that Howth town and district is adequately patrolled on weekend and holiday evenings; and if he will make a statement on the matter. [1420/12]

655. **Deputy Thomas P. Broughan** asked the Minister for Justice and Equality if the parish of Malahide, County Dublin, will be patrolled on an hourly basis throughout the evening hours in view of Malahide's tourist business; and if he will make a statement on the matter. [1421/12]

Minister for Justice and Equality (Deputy Alan Shatter): I propose to take Questions Nos. 653 to 655, inclusive, together.

The Commissioner's Policing Plan for 2012, which I laid before both Houses of the Oireachtas on 5th December 2011, sets out the future opening hours of Malahide and Howth Garda Stations. These are to be reduced to 8:00am to 10:00pm, from the current 24 hour basis. It is important to remember that while the Garda stations in question will have reduced opening hours to the public, they will remain as functioning Garda stations on a 24 hour basis.

Details of Garda patrols are not made public for operational reasons. However, the Commissioner concluded that resources could be better deployed and more effectively used on the frontline if particular stations no longer had to be staffed and maintained or if the public opening hours of other stations, such as the stations referred to by the Deputy, could be reduced at off-peak times. The Garda Commissioner has reiterated the commitment of An Garda Síochána to providing a professional and effective service to the community. Each Divisional Officer with responsibility for a Division that will be affected by this decision has been tasked with developing a comprehensive consultation strategy together with a tailored implementation plan that will meet the particular needs of their Division.

I am also informed by the Commissioner that local Garda management in each District and Division closely monitors the allocation of all resources in the context of crime trends, policing needs and other operational strategies in place. This ensures that optimum use is made of Garda resources, and the best possible Garda service is provided to the public, including in the areas referred to by the Deputy.

Garda Operations

656. **Deputy Thomas P. Broughan** asked the Minister for Justice and Equality if he shares the concerns of the Garda Commissioner that due to reduced funding the number of armed Garda patrols in Dublin will be extremely low during the night time; and if he will make a statement on the matter. [1422/12]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda authorities that Garda management closely monitors the allocation of resources in the context of crime trends, policing needs and other operational strategies in place on a District, Divisional and Regional level, to ensure optimum use is made of Garda resources and the best possible service is provided to the public. In that regard they are satisfied that a full and comprehensive policing service continues to be delivered in Dublin and that the current structures in place meet the requirement to deliver an effective and efficient policing service to the community.

The Garda authorities have also informed me that at present the armed capability of Garda members within the Dublin Metropolitan Region is provided by District Detective Units supported by National Units. In addition, I understand that specific arrangements are in place to co-ordinate Garda armed response measures within the Region. In view of the operational nature of the functions involved it would not be appropriate for me to comment in further detail on how the relevant resources are being deployed.

Garda Transport

657. **Deputy Timmy Dooley** asked the Minister for Justice and Equality when he intends to provide the necessary resources to the gardaí in Clare to replace garda vehicles which have reached their expiry kilometres of 300,000. [1519/12]

Minister for Justice and Equality (Deputy Alan Shatter): Decisions in relation to the provision and deployment of Garda transport are matters for the Garda Commissioner.

I am advised by the Garda authorities that provision has been made in the Garda Vote for 2012 to acquire new vehicles for An Garda Síochána and in that general context a Request for Tender is currently being developed in conjunction with the National Procurement Service. This is a matter which will be pursued in the light of An Garda Síochána's operational priorities and the availability of financial resources.

Ministerial Transport

658. **Deputy Charlie McConalogue** asked the Minister for Justice and Equality the number of State cars formerly used for transporting Ministers and former State office holders that are still retained in the State's fleet; the number of same that are used as active cars or replacement cars since the new Government took office; and if he will make a statement on the matter. [1627/12]

659. **Deputy Charlie McConalogue** asked the Minister for Justice and Equality the reason State cars formerly used to transport Ministers and ex-taoisigh have not been sold to date in view of the fact that it has been publicly stated that there is an intention to sell a number of them and that there will have been an increasing depreciation of their value as a result of the failure to proceed with their sale; and if he will make a statement on the matter. [1628/12]

Minister for Justice and Equality (Deputy Alan Shatter): I propose to take Questions Nos. 658 and 659 together.

Vehicles within the Office Holder fleet form part of the overall Garda fleet and as such are operated and maintained by An Garda Síochána.

I am advised by the Garda authorities that, in the light of the new transport arrangements for Office Holders introduced by the Government, a review of the fleet has been conducted to determine the precise number of vehicles needed.

Following on from this review a number of the vehicles have been reassigned to policing duties. In addition, a number of vehicles have already been identified as being suitable for disposal and further vehicles are being considered for disposal. Currently the Garda authorities are making arrangements to dispose of the vehicles that are surplus to requirements through a public auction.

Overseas Missions

660. **Deputy Pádraig Mac Lochlainn** asked the Minister for Defence if he will confirm that the Irish Defence Forces will be participating with the German Austrian Czech battle group in 2012. [41060/11]

Minister for Defence (Deputy Alan Shatter): I can confirm that Ireland is committed to participation in the Austro-German led Battlegroup, which will be on stand-by for the second six (6) months of 2012. In 2010, the then Government approved Ireland's participation in this Battlegroup. The other members of the Austro-German Battlegroup are Austria, Germany, Czech Republic, Croatia and the Former Yugoslav Republic of Macedonia (FYROM). Our

contribution will be a Reconnaissance Company together with staff posts at both the Operational and Force headquarters amounting to approximately 175 personnel. Any decision by Ireland to participate in a specific Battlegroup operation is subject to our national sovereign decision-making procedures — “Triple Lock”, i.e. UN mandate, Government and Dáil approval. Participation in Battlegroups is just one of a number of ways in which Ireland contributes to the EU’s Common Security and Defence Policy (CSDP). The purpose of these Battlegroups is to provide a rapid level of response to developing international crises, allowing the EU to intervene during the critical early stages. To date, no Battlegroup has deployed.

Ireland has previously participated in the Nordic Battlegroup, which was on standby during the first six months of 2008 and during the same period in 2011.

Defence Forces Personnel

661. **Deputy Jonathan O’Brien** asked the Minister for Defence the number of members of the Defence Forces who have access to a State car and driver; and their ranks. [41063/11]

Minister for Defence (Deputy Alan Shatter): The control, administration and maintenance of military vehicles, including saloons, are regulated by General Routine Order 43/1955, Defence Force Regulation (DFR) Q10, Unit Commanders Handbook on Control, Administration and Maintenance of Transport, and Drivers Standing Orders. A number of saloons are assigned to units of the Defence Forces for a variety of activities including Military Police, Intelligence, Medical and Procurement. One saloon is assigned to the office of the Chief of Staff. The remainder are pooled at formation levels for general service use by all members of the Defence Forces.

Vehicles are assigned to tasks using the most suitable vehicle for the required purpose, with qualified personnel detailed to drive the assigned vehicle. The saloon is the most cost effective vehicle in the Defence Forces’ fleet where four or less personnel are required to travel in a non-operational role.

DFR Q10, Paragraph 11, legislates for the requisitioning of vehicles and Paragraph 12 deals with the supply of vehicles on requisition. Transport requisitions are submitted to the relevant transport unit at least 24 hours in advance, and vehicles and drivers are assigned in accordance with operational / administrative requirements.

Pension Provisions

662. **Deputy Gerry Adams** asked the Minister for Defence the reason a person (details supplied) in County Kilkenny who served 38 years in the Irish Defence Forces retiring in 2007 as a company sergeant, will lose pension increments when they reach the age of 66 years. [41291/11]

Minister for Defence (Deputy Alan Shatter): Under the pre-April 2004 Defence Forces Pension Schemes, the minimum service required for an immediate pension in the case of NCOs and Privates is 21 years, regardless of age. The 21-year pension consists of the following elements, all of which are payable for the person’s lifetime:

(a) a basic flat-rate pension that varies according to rank (Company-Sergeant in the case of the person referred to); plus

(b) an addition in respect of military service allowance (MSA) equal to 40% of the MSA rate where discharged since August 1990; and

[Deputy Alan Shatter.]

(c) if applicable, fixed % additions in respect of certain other qualifying payments (e.g. 3% extra for Technician Pay in his specific case).

An additional increment is payable at a flat rate for each year of service in excess of 21 years up to a maximum of 31 years. This increment is increased, where appropriate, by the top-up at (c). Where maximum pensionable service is 31 or more years, as applies in this instance, the MSA top-up is 50% of the rate of MSA (rather than 40%). However, the additional increment ceases to be payable when the pensioner reaches the qualifying age of 66 under the Social Welfare code for a State Pension Contributory, or if they become entitled to a Retirement Pension Contributory at the earlier age of 65. At the same time, the 50% MSA top-up reverts to the 40% rate.

The person referred to served in the Defence Forces for 37 years and his military pension includes the additional increment for 31 years' service and the corresponding MSA top-up. He will reach the age of 66 years on 9th February 2013, the qualifying age for the State Pension Contributory or he may become entitled to the Retirement Pension Contributory from the earlier age of 65. In either case, in accordance with the arrangements mentioned, these additional elements of his Defence Forces pension will cease to be payable from the relevant date.

These arrangements are in accordance with the long established principle of integrating occupational pensions with Social Insurance benefits of employees who are in full PRSI class. This includes NCOs and Privates, who are fully insured for the range of benefits under the Social Welfare Acts such as the State Pension. 'Integration' means that a person's entitlement to Social Insurance benefits such as the State Pension is taken into account when calculating the rate of occupational pension payable. The State Pension etc. is regarded as part of the overall pension package payable to the individual. The integration principle applies right across the public service and, indeed, in many areas of the private sector as well as in other countries.

However, the method of integration for military pensioners such as the person referred to is actually less severe than in other areas of the public service. The maximum personal rate of State Pension is currently €230.30 a week (if under age 80). This is considerably greater than any reduction that could arise under the pre-April 2004 Defence Forces' pension arrangements on qualification for the State Pension.

The general issue of integration of occupational pensions in the public service was examined by the *Commission on Public Service Pensions*. Its final report, published in November 2000, was considered and broadly accepted by Government. The Commission accepted that integration is a fundamental component in the public service pension framework and was strongly of the view that it should be continued. It did not make any recommendations that would affect the current integration arrangements applicable to retired NCOs and Privates covered by the pre-April 2004 pensions schemes.

Defence Forces Personnel

663. **Deputy Frank Feighan** asked the Minister for Defence when the value for money audit of the Army will be published; the effect that it is likely to have on local units who train and supervise the FCA; if he envisages any changes in the locations of these units in view of the fact that this could affect long term serving soldiers vis a vis pensions; the timescales involved; and if he will make a statement on the matter. [41306/11]

Minister for Defence (Deputy Alan Shatter): I have initiated a major re-organisation of the Defence Forces, which will include a reduction from three Army Brigades to two. I have requested the Chief of Staff and the Secretary General to bring forward detailed proposals, which will include proposed timeframes for implementation. This re-organisation will necessarily encompass the Reserve Defence Force, including associated Permanent Defence Force support staff. The Steering Committee undertaking a Value for Money Review of the Reserve Defence Force will now consider the way ahead in light of the wider re-organisation. Any recommendations regarding the future plans for the Reserve must dovetail with those for the overall Defence organisation.

Ministerial Staff

664. **Deputy Catherine Murphy** asked the Minister for Defence the names and salaries of each person serving as a special adviser and or the names and salaries of each person directly appointed by him or a Minister of State to any other position within his Department or his predecessor's Department on each of the following dates; 1 December 2009, 1 December 2010 and 1 December 2011; and if he will make a statement on the matter. [41345/11]

Minister for Defence (Deputy Alan Shatter): The information requested by the Deputy in relation to the names and salary of special advisors and assistants as at 1 December 2009, 2010 and 2011 is set out below:

Ministerial Appointments as at 1 December 2009 — Minister Willie O'Dea, T.D.

Name	Position	Salary Scale
Mr. Derek Mooney	Special Adviser	€86,168 — €106,582
Ms. Suzanne Coogan	Special Adviser	€86,168 — €106,582
Mr. Fergal O'Brien	Personal Assistant	€46,558 — €59,097
Mr. Yvonne Mac Mahon	Personal Secretary	€23,182 — €44,726

Ministerial Appointments as at 1 December 2010 — Minister Tony Killeen, T.D.

Name	Position	Salary Scale
Mr. Declan Ryan	Special Adviser	€80,051 — €98,424
Ms. Derval Monahan	Special Adviser (Established Civil Servant)	€61,966 — €76,768
Mr. Pat Daly	Personal Assistant	€43,816 — €55,415
Mr. Gerry Reidy	Temporary Personal Assistant (6 October 2010 to 20 January 2011)	€43,816 — €55,415
Ms. Deirdre Murphy	Personal Secretary	€29,024 — €45,616

Ministerial Appointments as at 1 December 2011 — Minister Alan Shatter, T.D.

Name	Position	Salary Scale
Mr. Colm Jordan	Personal Assistant	€43,715 — €56,060

I have not appointed any special advisors in my role as Minister for Defence.

Similarly, no special advisors have been appointed by Mr. Paul Kehoe T.D. in his role as Minister of State at the Department of Defence.

Departmental Programmes

665. **Deputy Denis Naughten** asked the Minister for Defence if he runs a graduate internship programme; and if he will make a statement on the matter. [41360/11]

Minister for Defence (Deputy Alan Shatter): The Croke Park Agreement provides that there will be full support in the Civil Service and State Agencies with programmes and initiatives to support and assist individuals who find themselves unemployed. The key mechanisms put in place to do this are the FÁS Work Placement Programme (WPP) and the National Internship Scheme. The Department of Defence and the Defence Forces are committed to playing a full role in helping to meet the targets set under both the FÁS WPP and the National Internship Scheme. In this regard a joint civilian/military working group has been established to identify and prioritise work placement opportunities within the Defence Forces which are deemed suitable for the intake of persons from either of the programmes. The military authorities have identified some fifty (50) initial opportunities for work placements/internships.

The joint working group has compiled job specifications from the relevant military directorates in respect of possible placement opportunities and consultation has taken place with the Representative Associations in this regard. The placement opportunities already identified have been advertised on the FAS website and interest has been expressed from jobseekers in a number of the advertised positions. The Working Group will proceed to identify further posts for placement/internship during 2012.

Work placement opportunities have also being identified on the civil side of the Department of Defence. A number of placement opportunities were advertised by the Department under the FÁS Work Placement Programme during 2011. Unfortunately, no suitable applicants were identified for the placements advertised. The Department is currently progressing opportunities under the National Internship Programme.

Defence Forces Expenditure

666. **Deputy Seán Kenny** asked the Minister for Defence the amount spent by the Defence Forces on advertising with international, national and local media for the years 2007, 2008, 2009, 2010 and 2011; and if he will make a statement on the matter. [1093/12]

Minister for Defence (Deputy Alan Shatter): The information requested by the Deputy in relation to the amount spent by the Defence Forces on advertising for each year since 2006 is set out in tabular format below:

Year	Amount
2011	€61,523.56
2010	€91,437.30
2009	€76,134.88
2008	€486,252.34
2007	€494,211.58
2006	€462,978.56

Departmental Offices

667. **Deputy Dara Calleary** asked the Minister for Defence his view that he or any agency funded by him who own properties in office complexes in which a management company is in place, should take an active role in the running of such management companies including the

appointment of a nominee to the board of the company in order to protect the investment of tax payers' money. [1150/12]

Minister for Defence (Deputy Alan Shatter): Neither the Department of Defence nor its agencies own or rent any properties in which management companies are in place.

Pension Provisions

668. **Deputy Pearse Doherty** asked the Minister for Defence the reason a person (details supplied) did not receive an Army pension or financial support for psychological difficulties following time served in the Irish Army; if he will reconsider the position of the provision of an army pension to the person; and if he will make a statement on the matter. [1236/12]

Minister for Defence (Deputy Alan Shatter): The Army Pensions Acts provide for the consideration of a claim in respect of a disablement due to: (a) a wound or injury attributable to service in the Defence Forces, provided that the application is made within one year from the date of discharge from the Defence Forces; (b) disease attributable to, aggravated by, accelerated or excited by overseas service with a United Nation Force provided that the application is made within eight years from the date of discharge from the Defence Forces.

The time limits are absolute and there is no discretion in the Army Pensions Acts to extend them.

The person in question, who enlisted in July 1976 and was discharged in July 1979, first made an enquiry regarding a disability pension in July 2006. He was advised at that time that an application for disability pension could not be considered as it was not made within the time limits provided for in the Acts. The person in question did have sufficient service to qualify for occupational pension.

State Agencies

669. **Deputy Maureen O'Sullivan** asked the Minister for Defence the number of State agencies currently financed by the Exchequer; the number of board members attending each State agency; the expenses issued for each meeting; if any review of the membership of board members is to be taken in order to monitor attendance levels or lack of attendance by any member; and if he will make a statement on the matter.; and if he will make a statement on the matter. [2049/12]

Minister for Defence (Deputy Alan Shatter): The bodies under the aegis of my Department are the Civil Defence Board, the Army Pensions Board and the Board of Coiste an Asgard. The Civil Defence Board comprises 14 members. There is no remuneration attached to membership of the Civil Defence Board. Board members, including the Chairperson, are entitled to claim reimbursement of travel and subsistence expenses in accordance with Department of Public Expenditure and Reform guidelines.

Legislation is currently being drafted to dissolve the Civil Defence Board and transfer the functions of the Board back into the Department of Defence. The Army Pensions Board comprises three members: a chairperson, a civilian doctor, and an officer of the Army Medical Corps. Board meetings cannot take place without all members being present. The chairperson and the civilian doctor are entitled to annual fees of €7,618 and €5,079 respectively.

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

[Deputy Alan Shatter.]

and Expenditure. The winding up of Coiste an Asgard is currently underway, and the question of expenses does not arise.

Departmental Schemes

670. **Deputy Denis Naughten** asked the Minister for Agriculture, Food and the Marine when it is planned to seek applications under the traditional farm buildings grant run by the Heritage Council; the budget for the grant scheme in 2012; and if he will make a statement on the matter. [41238/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The Traditional Farm building Scheme was introduced as a supplementary measure under REPs 4 in 2008. Its objective is to ensure that a number of traditional farm buildings, which contribute to the visual landscape and are of historical and architectural value, will be maintained into the future. The Heritage Council administer the Traditional Farm Building Scheme on behalf of my Department.

The closing date for the 2011-2012 scheme was 1st July 2011. A budget of €800,000 is available for the scheme year 2012, and a maximum grant of €20,000 will be payable to successful applicants.

I have not yet made any decision regarding the reopening of this scheme in 2012-13.

Job Creation

671. **Deputy Finian McGrath** asked the Minister for Agriculture, Food and the Marine the position regarding plans to create 5,000 jobs in the sugar beet and agricultural sector. [1593/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The EU Sugar Regime underwent a radical reform in 2005 and Greencore, the holder of the entire Irish sugar quota availed of the sugar restructuring scheme, dismantled its facilities and ceased production in 2006. Post reform production is now concentrated in 18 Member States. The present regime runs from 1 September 2006 to the 30 September 2015. There is no mechanism under the present EU Regulations which would allow for the re-instatement of the sugar quota for the growing of sugar beet in Ireland for the production of sugar.

I have strongly supported the abolition of sugar quotas from September 2015 as part of the CAP reform discussions in the Council of Ministers. In this regard, I have also met in 2011 with two separate groups who have conducted feasibility studies, into the possibility of establishing a sugar/bioethanol facility. At both meetings I stated that any venture to develop a combined sugar/bioethanol production facility would have to be a commercial proposition, financed in total by investors and interested parties and make sound economic sense in order to be viable.

The increased output in the agriculture sector envisaged under Food Harvest 2020 has the potential to create further employment in the SME, artisan food and in the processing sectors. Taking into account the countervailing trends in the processing sector towards further consolidation, lean manufacturing, and rationalisation at primary producer level, estimates suggest that a net gain of 6,500-7,000 jobs in the food sector, fisheries and aquaculture sector by 2020 is possible.

Prospects of increased employment in micro food companies, employing fewer than five employees are also good. These micro enterprises are not generally captured in statistics but are important local generators of employment and innovation.

Grant Payments

672. **Deputy Áine Collins** asked the Minister for Agriculture, Food and the Marine the position regarding payments in respect of a person (details supplied) in County Cork. [40781/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the 2011 Single Payment Scheme was received from the person named on 19 April 2011, following processing of which an over-claim was identified on one of the land parcels declared by the person named. 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 the appropriate payment issuing immediately thereafter.

673. **Deputy Áine Collins** asked the Minister for Agriculture, Food and the Marine the position regarding milk quota in respect of a person (details supplied). [40785/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The named person submitted an application for additional milk quota to the first stage of the 2012/2013 Milk Quota Trading Scheme. This scheme was completed on December 14 last, and the results of all exchanges issued to the relevant Co-operatives/Dairies at that time.

I have been informed that the relevant Co-operative has notified the supplier of the outcome of his applications.

Animal Welfare

674. **Deputy Michael Creed** asked the Minister for Agriculture, Food and the Marine if he will confirm proposals by Animal Health Ireland to facilitate the disposal of PI's in an effort to reduce the incidents of BVD; if it proposed to dispose of these animals through normal commercial avenues without disclosure of their condition; his views that this is an appropriate measure from a publicly funded body; and if he will make a statement on the matter. [40798/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): In 2011, Animal Health Ireland (AHI) with strong industry support formed a BVD implementation group (BVD IG) to deliver a programme aimed at eradicating Bovine Viral Diarrhoea (BVD). A voluntary phase of the eradication programme has commenced this month — January 2012 and it is anticipated that this will become compulsory in 2013. The first 3 years of the programme will focus on testing of calves for the BVD virus using tissue samples collected by ear punch.

One of the guidelines for herds participating in the voluntary phase of the programme is that animals identified as being persistently infected (PI) with the BVD virus should not be sold but should be removed through the knackery system. While there is no specific legislation in place during the voluntary phase of the programme to prohibit the sale of known PI animals, AHI is currently in discussions with my Department regarding legislation for the compulsory phase of the programme in 2013 that will specifically address this issue. In the absence of specific legislation, AHI through its BVD IG have emphasised to herd owners their potential liability under current legislation where such animals are traded. In addition, a number of measures specific to the programme have been developed to discourage the sale of PI animals. Firstly, for herds participating in the programme test results will be available to the marts via the Animal Health Computer System (AHCS). Secondly, purchasers of animals that have been tested within the programme will also be able to view their previous test histories on the

[Deputy Simon Coveney.]

Irish Cattle Breeding Federation (ICBF) database. Finally, compliance with the programme guidelines, particularly in relation to the non-sale of PI animals and the speedy disposal of infected animals, will be a requirement to be eligible for the recent financial incentives announced by my Department, namely the one off €100 welfare payment for any suckler cow whose offspring is removed under the Programme and the €15 contribution per calf towards the knackery cost of disposal of PI calves.

Fish Stocks Protection

675. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine if his attention has been drawn to the job creation potential in relation to a certain type of fishery (details supplied) in Dingle, County Kerry; if he will make every effort to ensure that these jobs will be created; and if he will make a statement on the matter. [40817/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The Marine Institute advises that Spurdog is a long lived, slow growing and late maturing species and is, therefore, particularly vulnerable to exploitation. The International Council for the Exploration of the Sea (ICES) scientific advice is that the stock of spurdog is depleted and that there should be no targeted fishery for this species and that catches in mixed fisheries should be reduced to the lowest possible level. On the basis of this advice the Total Allowable Catch (TAC) was set as zero for 2011 in Council Regulation (EU) No 57/2011 of 18 January 2011 and there is a zero TAC set also for 2012. On that basis, vessels of the EU fishing fleet may not land spurdog and the EU Council Regulation directs that catches of this species shall be promptly released unharmed to the extent practicable.

Grant Payments

676. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine when single farm payment will issue to a person (details supplied) in County Donegal; and if he will make a statement on the matter. [40818/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the 2011 Single Payment Scheme was received from the person named on 8 April 2011, payment in respect of which issued directly to the nominated bank account of the person named on 12 December 2011.

677. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine the reason there is a delay in entering ground inspection results on his Department's database in view of the fact that in some cases it is taking up to three months to do this with the result that these farmers will not receive their 2011 payments until next year; and if he will make a statement on the matter. [40821/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Under EU regulations governing the Disadvantaged Areas Scheme and the Single Payments Scheme, all Ground Eligibility Inspections must be completed before any payment can issue to any applicant under either scheme, including those not selected for a Ground Eligibility Inspection.

In the vast majority of inspected cases amendments have had to be made to the maps in order that the Land Parcel Identification System that is used for making payments to farmers is kept up-to-date. The Land Parcel Identification System (LPIS), which records details of all land declared under all the area-based schemes, must be fully accurate and up to date, given the fact that it underpins total expenditure under these schemes of in excess of €1.8 billion

annually. Consequently the system must be updated to take account of changes to areas submitted by farmers. Any failings or shortcomings in the LPIS would constitute a breach of the Integrated Administrative and Control System provided for under European Union legislation and would leave my Department open to the very real risk of significant EU fines. Such a risk which cannot be countenanced as it could compromise the value of direct payments to farmers.

This updating work is ongoing and every effort is being made to complete the processing of those who were the subject of a Ground Eligibility Inspection. The vast majority of ground inspection cases have now been paid.

678. **Deputy Niall Collins** asked the Minister for Agriculture, Food and the Marine when the REP scheme 4 payment will be made to a person (details supplied) in County Cork. [40836/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named commenced REPS 4 in June 2009 and received payments for the first two years of the contract.

REPS 4 is a measure under the current 2007-13 Rural Development Programme and accordingly is subject to EU Regulation which require detailed administrative checks on all applications to be completed before any payments can issue. These checks have now been completed and a cheque for 75% of the payment due, totalling €6,438.75, issued to the person named on 30 December 2011. The 25% balancing payment for €2,146.25 issued on 6 January 2012.

679. **Deputy Billy Timmins** asked the Minister for Agriculture, Food and the Marine the position regarding payment in respect of a person (details supplied); and if he will make a statement on the matter. [40848/11]

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 12 May 2011. Following processing of this application, over-claims were identified in respect of two land parcels as declared by the person named. The person named was written to in this regard on 21 December and again on 6 January 2012. On receipt of a reply to these over-claims the case will be furthered processed with a view to payment at the earliest date.

Departmental Schemes

680. **Deputy Michael Moynihan** asked the Minister for Agriculture, Food and the Marine the level of funding provided in the 2011 Estimates for the 2010 suckler cow scheme; the amount paid to date under this scheme and the likely expenditure level by the end of the year; and if he will make a statement on the matter. [40883/11]

681. **Deputy Michael Moynihan** asked the Minister for Agriculture, Food and the Marine the level of funding provided for the 2011 suckler cow scheme in the 2011 Estimates; the level of expenditure to date and the likely expenditure level by the end of the year; and if he will make a statement on the matter. [40884/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I propose to take Questions Nos. 680 and 681 together.

Just over €30 million was paid under the Suckler Welfare Scheme to participants in the Scheme during 2011 bringing the total amount paid since the inception of the Scheme to almost €123 million. Of that total, €14.54 million was paid last year in respect of animals born during 2010 and €12.28 million for animals born in 2011.

682. **Deputy Michael Moynihan** asked the Minister for Agriculture, Food and the Marine the total level of funding provided in 2011 for the targeted agriculture modernisation schemes; the total expenditure to date and the expected expenditure under these schemes by the end of this year; and if he will make a statement on the matter. [40885/11]

683. **Deputy Michael Moynihan** asked the Minister for Agriculture, Food and the Marine the expenditure to date in 2011 broken down by specific schemes on the targeted agriculture modernisation schemes; and if he will make a statement on the matter. [40886/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I propose to take Questions Nos. 682 and 683 together.

Grant payments under the Targeted Agricultural Modernisation Schemes (TAMS) are made when documented claims in respect of completed projects have been submitted and verified by my Department. The expenditure for the calendar year 2011 under the Schemes concerned is set out in the following table:

Scheme	Amount (€m)
Bioenergy	0.358
Dairy Equipment	—
Poultry Welfare	0.462
Rainwater Harvesting	—
Sheep Fencing/Handling	—
Sow Welfare	—
Total	0.825

The original allocation for these Schemes for 2011 was €21.3m whilst the estimate for these Schemes for 2012 is €21.85m.

Rural Environment Protection Scheme

684. **Deputy Michael Moynihan** asked the Minister for Agriculture, Food and the Marine the total level of expenditure under REP scheme and agri-environmental options scheme in 2010; and if he will make a statement on the matter. [40887/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The total level of expenditure under the REPS Schemes in 2010 was €323.8 million.

There was no expenditure under AEOS scheme in 2010.

685. **Deputy Michael Moynihan** asked the Minister for Agriculture, Food and the Marine the level of funding provided for REP scheme and agri-environmental options scheme for 2011; the level of expenditure to date and the expected level of expenditure by the end of this year; and if he will make a statement on the matter. [40888/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The level of funding provided for REPS in 2011 was €301 million while expenditure was €262.9 million.

The level of funding provided for AEOS in 2011 was €36 million while expenditure was €14.1 million.

The level of funding provided for REPS in 2012 is €185 million. To date €4.9 million has been spent and it is expected that the full level of funding will be expended by the end of 2012.

The level of funding provided for AEOS in 2012 is €58 million. To date €0.05 million has been spent and it is expected that the full level of funding will be expended by the end of 2012.

Grant Payments

686. **Deputy Tom Hayes** asked the Minister for Agriculture, Food and the Marine if the case of a person (details supplied) in County Tipperary who made an error in an application for single farm payment has been resolved. [40894/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the 2010 Single Payment Scheme was received from the person named on 11 May 2011, following processing of which it was discovered that one of the parcels declared had also been declared by another applicant. In keeping with standard procedure, both parties were written to, in response to which the person named accepted that he did not have the right to declare the parcel, on foot of which the application was processed, with penalty, as provided for in the Terms and Conditions governing the Scheme. However, following a subsequent successful appeal, the application was further processed on the basis of the area claimed, the supplementary payment which issued on 8 June 2011 representing the balance of the payment due in respect of the area claimed by the person named. An official of my Department made direct contact with the person named and clarified the position in this regard.

687. **Deputy Noel Harrington** asked the Minister for Agriculture, Food and the Marine if farm payments for 2011 will be paid as soon as possible in respect of a person (details supplied) in County Cork; and if he will make a statement on the matter. [40898/11]

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 4 May 2011, payments in respect of which issued directly to the nominated bank account of the person named on 19 December 2011 and 21 December 2011, respectively.

688. **Deputy Pat Breen** asked the Minister for Agriculture, Food and the Marine when payment will issue to a person (details supplied) in County Clare; and if he will make a statement on the matter. [40900/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named commenced REPS 4 in February 2010 and received payments for his first year of the contract.

REPS 4 is a measure under the current 2007-13 Rural Development Programme and accordingly is subject to EU Regulations which require detailed administrative checks on all applications to be completed before any payments can issue. These checks have now been completed and cheques totalling €5,687.20, representing the 100% payment, issued to the person named on 29 December 2011.

689. **Deputy Tom Hayes** asked the Minister for Agriculture, Food and the Marine when payment will issue to a person (details supplied) in County Tipperary. [40907/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the 2011 Single Payment Scheme was received from the person named on 12 May 2011, following processing of which an over-claim was identified on one of the land parcels declared by the person named. 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 the appropriate payment issuing immediately thereafter.

690. **Deputy Tom Hayes** asked the Minister for Agriculture, Food and the Marine when payment will issue to a person (details supplied) in County Tipperary. [40909/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the 2011 Single Payment Scheme was received from the person named on 12 May 2011, processing of which has recently been finalised, thereby allowing payment to issue directly to the nominated bank account of the applicant in the coming days.

691. **Deputy Michael Moynihan** asked the Minister for Agriculture, Food and the Marine the position regarding the outstanding single farm payment and disadvantaged area payment in respect of a person (details supplied) in County Cork; and if he will make a statement on the matter. [40913/11]

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 16 May 2011, payments in respect of which issued directly to the nominated bank account of the person named on 1 December 2011 and 5 December 2011, respectively.

692. **Deputy Tom Hayes** asked the Minister for Agriculture, Food and the Marine when a single farm payment will issue to a person (details supplied) in County Tipperary. [40920/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the 2011 Single Payment Scheme was received from the person named on 13 May 2011, payment in respect of which issued directly to the nominated bank account of the person named on 8 December 2011.

693. **Deputy Dara Calleary** asked the Minister for Agriculture, Food and the Marine when area aid and single farm payment will issue to a person (details supplied). [40925/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Following communication with the Inheritance Enquiry Unit of my Department in September 2010 and the subsequent receipt of legal documents, payments arising from the Single Payment Scheme (for the years up to and including the 2010 scheme year) issued to the representatives of the father of the person named. Due to an insufficient stocking density no payment became due under the Disadvantaged Areas Scheme.

While the person named has applied to transfer the herd-number into his own name, to date he has not provided sufficient legal evidence for such a transfer. On 2 September 2010, a letter issued to the solicitor administering the estate requesting Release of Interest letters from the brothers of the person named. To date no further communication has been received. As the person named is not the registered owner of a herd-number, he is not in a position to participate in any scheme administered by the Department.

No Single Payment application was submitted for the 2011 scheme year and consequently no payment is due to the estate of the father of the person named under either the Single Payment Scheme or the Disadvantaged Areas Scheme.

694. **Deputy Michael Creed** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Cork will receive their single farm payment; and if he will make a statement on the matter. [40960/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the 2011 Single Payment Scheme was received from the person named on 13 April 2011,

payment in respect of which issued directly to the nominated bank account of the person named on 19 December 2011.

695. **Deputy Paul J. Connaughton** asked the Minister for Agriculture, Food and the Marine the reason a person (details supplied) in County Galway has not received their single farm payment or disadvantaged area payment; and if he will make a statement on the matter. [40965/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the Single Payment Scheme/Disadvantaged Areas Scheme was received from the person named on 12 May 2011.

This application was selected for and was the subject of a Ground Eligibility/Cross Compliance Inspection.

During the course of the inspection a breach relating to the failure to prevent the encroachment of invasive species was recorded which resulted in a 1% reduction in direct payments to the person named for 2011.

Payment under the Single Payment Scheme issued on 15 December 2011 and payment under the Disadvantaged Area Scheme issued on 20 December 2011.

696. **Deputy David Stanton** asked the Minister for Agriculture, Food and the Marine when a payment will be made under the single farm payment scheme to a person (details supplied) in County Cork; and if he will make a statement on the matter. [40984/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the 2011 Single Payment Scheme was received from the person named on 26 April 2011, payment in respect of which issued directly to the nominated bank account of the person named on 19 December 2011.

Irish Horseracing Industry

697. **Deputy Michael McCarthy** asked the Minister for Agriculture, Food and the Marine if he will issue an update on the management of the studbook for all Irish draughts and their parentage; the book's position in respect of the Irish Draught Horse Society; and if he will make a statement on the matter. [41015/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Horse Sport Ireland (HSI) has been approved by my Department, in accordance with the relevant EU and National Legislation, since 2008, to maintain the studbook of origin for the Irish Draught Horse breed in Ireland. Irish Draught horses owned by members of the Irish Draught Horse Society may be registered in the Irish Draught Horse Studbook.

Special Protection Areas

698. **Deputy Gerry Adams** asked the Minister for Agriculture, Food and the Marine if he will consider the situation of a person (details supplied) in County Louth who has expressed concerns regarding the special protection area in Dundalk Bay and the effect it will have on the person's livelihood from the gathering of seed mussels and winkles; and if he will make a statement on the matter. [41039/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Following a European Court of Justice judgement against Ireland in relation to non-compliance with the Habitats and Birds Directives, all marine Special Areas of Conservation and Special Protection

[Deputy Simon Coveney.]

Areas are being ‘Appropriately Assessed’ as provided for in those Directives as part of a major multi-annual project to achieve full compliance with the Directives and to comply with the ECJ judgement.

Dundalk Bay underwent Appropriate Assessment during 2011. As part of this Assessment, all fishing and aquaculture activities within the Bay were assessed for potential impact on the protected habitats and species within the SAC/SPA. The Assessment of fishing activities was based on a Fishery Plan prepared by fishing interests in Dundalk Bay, with the assistance of BIM. The Appropriate Assessment concluded that there was a possibility of mussel fishing impacting on certain bird species of special conservation interest in this site. It concluded that this potential impact could not be fully assessed on the basis of the information available in the Fishery Plan and that more detail would be required on the duration, frequency and intensity of this fishery to determine if the potential risk could be discounted. As the risk from mussel fishing to protected species could not be discounted, I was obliged in accordance with the Habitats and Birds Directives to prohibit this fishery by law.

However, mussel fishing in Dundalk Bay was already prohibited since 2008 under the European Communities (Control on Mussel Fishing) Regulations 2008 — S.I. 347 of 2008, as amended. That closure was put in place in 2008 on a precautionary basis pending the Appropriate Assessment.

It is open to fishermen wishing to engage in mussel fishing in Dundalk Bay to submit the additional information identified above to my Department and to request that the potential impacts of the fishery be re-assessed in light of that data.

The present prohibition on mussel fishing in Dundalk Bay extends landwards of an imaginary line drawn from Giles Quay southwards to the eastern side of the slipway at Corstown Bridge, both in County Louth. This area encompasses the entirety of boxes 1634C, 1704A 1954D, and 1955C, the majority of box 1704B and a small part of box 1955D. Box 2014B is not presently closed to mussel fishing. However, that situation is being reviewed to ensure consistency with the SAC/SPA boundaries.

My Department does not currently require persons gathering periwinkles by hand to have any particular fishing licence. However, because of its potential impact on the SPA, persons wishing to engage in this activity would be required to notify the local National Parks and Wildlife Ranger.

Grant Payments

699. **Deputy Jim Daly** asked the Minister for Agriculture, Food and the Marine the position regarding a single farm payment in respect of a person (details supplied); and if he will make a statement on the matter. [41066/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the 2011 Single Payment Scheme was received from the person named on 15 April 2011, payment in respect of which issued directly to the nominated bank account of the person named on 21 December 2011.

Rural Environment Protection Scheme

700. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine when a REP scheme 4 payment will be made to a person (details supplied) in County Kerry; and if he will make a statement on the matter. [41092/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named commenced REPS 4 in June 2009 and received payments for the first two years of the contract.

REPS 4 is a measure under the current 2007-13 Rural Development Programme and accordingly is subject to EU Regulation which require detailed administrative checks on all applications to be completed before any payments can issue. These checks have now been completed and a cheque for 75% of the payment due, totalling €6,777.07, issued to the person named on 30th December 2011. The 25% balancing payment for €2,259.02 issued on 6th January 2012.

Grant Payments

701. **Deputy Dara Calleary** asked the Minister for Agriculture, Food and the Marine when an application for the agri-environment options scheme will be processed in respect of a person (details supplied) in County Mayo; and if he will expedite the application in view he timeframe involved since the application was first submitted. [41101/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named was approved for participation in the Agri-Environment Options Scheme (AEOS) with effect from 1st November 2010.

Under the EU Regulations governing the Scheme and other area-based payment schemes, a comprehensive administrative check, including cross-checks with the Land Parcel Identification System, must be completed before any payment can issue. During these checks a query arose in relation to the claimed Natura area on one of the parcels. This problem is presently being addressed and I expect payment will issue shortly.

Disadvantaged Areas Scheme

702. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine if he will clarify any proposal in respect of increasing the livestock units required in view of the fact that this is causing uncertainty within farming sectors; and if he will make a statement on the matter. [41110/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): It is widely recognised that the Disadvantaged Areas Scheme is a very important one for this country, as the total area designated as disadvantaged is almost 75% of Ireland's total land area. From an economic perspective, the Scheme is particularly significant, contributing to the support of in excess of 100,000 Irish farm families, whose ability to farm is restricted by the physical environment and, in particular, the impact of the prevailing wet cold climatic conditions. The Scheme, which is co-funded by the EU, is an integral part of Ireland's Rural Development Plan, 2007/2013, and as such, any proposed change to Scheme criteria requires the agreement of the EU Commission. My intention is that the changes announced in the context of the recent Budget will be submitted to Brussels shortly.

The budgeted expenditure under the 2012 Scheme will be reduced from €220 million to €190 million and, in order to achieve the €30 million saving in expenditure, it is proposed to introduce specified changes to the Scheme eligibility criteria for 2012. This will be achieved by making technical adjustments to the Scheme criteria to ensure that the aid payment is focused on farmers, whose farming enterprises are situated exclusively in Less Favoured Areas and who are making a significant contribution to achieving the objectives of the Scheme.

The savings will be achieved without the need to reduce the existing rates of aid and, in addition, there will also be no reduction in the maximum area payable — 34 hectares. The proposed changes are designed to ensure that the payments under the Scheme are focused on

[Deputy Simon Coveney.]

those farmers, who (i) are farming exclusively in Disadvantaged Areas, (ii) make a significant contribution to the maintenance of a viable rural community and (iii) contribute to the enhancement of the environment.

It is proposed that eligible applicants in 2012 must have met (a) a minimum stocking density of 0.3 livestock units per hectare in 2011 (equivalent to 2 ewes per hectare) and (b) 0.15 livestock units per hectare in 2012. However, in recognition of the environmental objectives of the Scheme, specific provisions will be made for those farmers, who had a stocking density less than 0.3 lu/ha in 2011, where that lower stocking density was as a result of adherence to lower stocking by agri-environmental measure. If the proposals are accepted, all applicants, whose stocking density was below 0.3 lu/ha in 2011, will be written formally and given the opportunity to apply for a derogation on the grounds that his or her participation in one of the above measures resulted in the lower stocking density. The principles of force majeure/exceptional circumstances will also be provided for in the process. It is also intended that provision will be made for new entrants to farming.

It is proposed to continue with the minimum stocking density of 0.15 lu/ha in respect of 2012. With a view to focusing the aid to those farmers, who make the most significant contribution to the rural economy and to the environment in general, it is proposed that the calculation of the stocking density will be based on (a) a retention period of 6 months where the stocking density on the holding has to be equal to or greater than 0.15 lu/ha and (b) the stocking density calculated over the twelve months of the scheme-year.

With the intention of targeting those farmers who are farming exclusively in Disadvantaged Areas, it is proposed that farmers, whose holdings consists of land situated both in Disadvantaged Areas and non-Disadvantaged Areas are in a better positioned from a farming viewpoint than those farming exclusively in Disadvantaged Areas. Therefore, it is proposed that where some of an applicant's land declared is non-Disadvantaged land, a digressive of aid under the Disadvantaged Area Scheme will be payable to such farmers. This proposal is regarded as fair in that the greater proportion of Less Favoured Areas land in the holding the greater the level of payment.

Any analysis of the Scheme must take into account the impact of the various enterprises on the local economy. As is clearly evident, the main benefits arise from (i) beef rearing, (ii) dairying and (iii) sheep breeding enterprises. There are an increasing number of applicants under the Scheme, who have discontinued livestock (cattle or sheep) farming, but who continue to benefit from aid under the Scheme by grazing some horses on their land. It is proposed that horses will no longer be eligible for the stocking density calculation on the basis that these applicants' contribution to the rural economy is minimal. However, equine breeding enterprises will continue to be eligible on the basis of the contribution they make to the local economy.

It is also proposed to exclude land situated more than 80 kilometres from a farmer's holding from aid under the Scheme. This exclusion will be confined to applicants, whose main holding is situated in a non-Disadvantaged Area, and who declares land situated more than 80 kilometres from the main holding. It is contended that the local impact of the farming of those lands situated in the Disadvantaged Areas is marginal.

Grant Payments

703. **Deputy Niall Collins** asked the Minister for Agriculture, Food and the Marine if he will expedite the 2011 single farm payment in respect of a person (details supplied) in County Cork. [41113/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the 2011 Single Payment Scheme was received from the person named on 20 April 2011, payment in respect of which issued directly to the nominated bank account of the person named on 21 December 2011.

704. **Deputy Niall Collins** asked the Minister for Agriculture, Food and the Marine if the 2011 single farm payment will be expedited to a person (details supplied) in County Cork. [41125/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the 2011 Single Payment Scheme was received from the person named on 13 May 2011, processing of which has recently been finalised, thereby allowing payment to issue directly to the nominated bank account of the applicant in the coming days.

Fishing Industry Development

705. **Deputy Patrick O'Donovan** asked the Minister for Agriculture, Food and the Marine further to Parliamentary Question No 475 of 29 November 2011, if he will clarify that since the Sea Fisheries Protection Authority was established in 2006, he will provide the requested information from 2002 to 2006 which should be available to him. [41145/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I understand that on the establishment of the Sea Fisheries Protection Authority all records relating to matters within areas of responsibility of the Authority transferred to the Authority.

Grant Payments

706. **Deputy Mattie McGrath** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Waterford will receive a single farm and disadvantaged area payments; the reason for the delay in having this payment made; his views on the fact that this person has not received a payment from him in over a year; and if he will make a statement on the matter. [41156/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the Single Payment Scheme/Disadvantaged Areas Scheme was received from the person named on the 7th April 2011.

This application was selected for and was the subject of a Ground Eligibility Inspection.

In the vast majority of inspected cases, including this case, amendments have had to be made to the maps in order that the Land Parcel Identification System that is used for making payments to farmers is kept up-to-date. Payment under the Single Payment Scheme issued on the 19th of December 2011 and payment under the Disadvantaged Area Scheme issued on the 20th of December 2011.

Animal Diseases

707. **Deputy Noel Grealish** asked the Minister for Agriculture, Food and the Marine the position regarding brucellosis in Northern Ireland; if it is nearly cleared; the number of herds that are restricted; the precautions being taken to ensure that it does not spread into the Republic of Ireland; and if he will make a statement on the matter. [41179/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Latest statistics available on the DARD website show that only 6 herds were confirmed with brucellosis infection in the period 1 January to 31 October 2011. There are no herds in the North currently

[Deputy Simon Coveney.]

showing evidence of active infection. Brucellosis controls there comply fully with the requirements of Council Directive 64/432/EEC (as amended).

Under the All-Island Animal Health and Welfare Strategy, officials in both jurisdictions work closely on animal health and welfare issues, including brucellosis. An active North-South TB/Brucellosis Working Group meets regularly to discuss brucellosis matters.

In order to prevent the spread of the disease, imports of eligible animals from Northern Ireland are both pre-movement tested before leaving NI and post-movement tested for Brucellosis on arrival here. In addition, my Department's DVOs situated in Border areas carry out additional testing measures on herds in certain regions along the Border as deemed necessary. I should point out also that any additional testing requirements imposed on farmers is funded by my Department. Furthermore, any animals that disclose high readings following a test are removed and farmers compensated under the on Farm Market Valuation scheme.

Given the importance of controlling the risk of spread of the disease to their herds, the ongoing cooperation of farmers with recommendations and advice delivered by my Department's veterinary service in relation to importing cattle from Northern Ireland is important in the context of maintaining Ireland's Official Brucellosis Free status.

Grant Payments

708. **Deputy Pearse Doherty** asked the Minister for Agriculture, Food and the Marine the reason for the delay in paying the single farm payment for 2011 to a person (details supplied) in County Donegal; and if he will make a statement on the matter. [41196/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the Single Payment Scheme/Disadvantaged Areas Scheme was received from the person named on the 27th April 2011.

This application was selected for and was the subject of a Ground Eligibility/Cross Compliance Inspection.

In the vast majority of inspected cases, including this case, amendments have had to be made to the maps in order that the Land Parcel Identification System that is used for making payments to farmers is kept up-to-date.

Payment under the Single Payment Scheme issued on the 21st of December 2011 and payment under the Disadvantaged Area Scheme issued on the 29th of December 2011.

709. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine when single farm and disadvantaged area payment will issue in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [41201/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the 2011 SPS/Disadvantaged Areas Scheme was received from the person named on 12th May 2011. Advance payment under the Single Payment Scheme issued on 25th November 2011 and balancing payment issued on 6 January 2012, payment under the Disadvantaged Area Scheme issued on 27 September 2011 directly to the nominated bank account of the person named.

The person named submitted an application under the 2010 Single Payment/Disadvantaged Area Scheme declaring 61.46 hectares, it was subsequently established that the area which the person named was entitled to claim was 37.37 hectares.

The regulatory penalty appropriate in such circumstances, as provided for under Commission Regulations, which govern the Single Payment/Disadvantaged Area Schemes is that the applicant is not entitled to payment in the year of application. In addition, an administrative fine, equivalent to the amount of aid payable on the difference between the area declared and the area found, must be deducted from future payments due to the applicant in subsequent years. As a result of overpayment in 2010 and this administrative fine being applied, the person named had her payment under the 2011 Single Payment/Disadvantaged Area Scheme reduced by €4,772.97. The administrative fine has been discharged in full.

710. **Deputy Michael Creed** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Cork will receive a single farm payment; and if he will make a statement on the matter. [41211/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the 2011 Single Payment Scheme was received from the person named on 9 May 2011, processing of which has recently been finalised, thereby allowing payment to issue directly to the nominated bank account of the applicant in the coming days.

711. **Deputy Dara Calleary** asked the Minister for Agriculture, Food and the Marine for an update on single farm, REP scheme and area based payments in respect of a person (details supplied) in County Mayo. [41218/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the Single Payment Scheme/Disadvantaged Areas Scheme was received from the person named on the 26th April 2011.

This application was selected for and was the subject of a Ground Eligibility/Cross Compliance Inspection.

During the course of the Cross Compliance inspection breaches were recorded in relation to the Identification and Registration of Cattle and the requirement to maintain lands in Good Agricultural and Environmental Condition. These breaches resulted in a 2% penalty being recorded against direct payments to be made to the person named in 2011.

The person named was informed of this decision and of his right to seek a review. He was also informed of his right to appeal the outcome of a review to the Independent Agriculture Appeals office. To date, no such review request has been submitted.

The inspection results have now been fully processed. Payment will issue within the next few days.

The person named was a participant in REPS 3 from 1st October 2004 until 30th September 2009. The REPS 3 contract of the person named has now been completed and payment for all five years of that contract has issued in full. The person named is not a participant in REPS 4.

712. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the position regarding an appeal in respect of a person (details supplied); and if he will make a statement on the matter. [41229/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the Single Payment Scheme/Disadvantaged Areas Scheme was received from the person named on the 27th April 2011.

This application was selected for a ground eligibility/cross compliance inspection. During the course of this inspection discrepancies were found that resulted in a claimed area of 15.14ha

[Deputy Simon Coveney.]

being reduced to 7.4ha. If the total area found is not sufficient to support the number of entitlements held penalties will be applied as per the Terms and Conditions of the scheme. In this case the number entitlements held by the person named is 15.45. As the difference between the area declared and the area found is more than 50%, under EU Regulations, no payment will issue.

The person named was informed of this decision and of his right to seek a review. He was also informed of his right to appeal the outcome of any such review to the Independent Agriculture Appeals Office. To date there is no record of such a request being made but this question will be taken as such a request and the review will now be undertaken. The person named will be informed of the outcome as soon as it is available.

Rural Environment Protection Scheme

713. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the position regarding the remaining 25% REP scheme payment in respect of a person (details supplied); when payment will issue; and if he will make a statement on the matter. [41230/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named commenced REPS 4 in February 2009 and received payment for the first two years of the contract.

REPS 4 is a measure under the current 2007-13 Rural Development Programme and accordingly is subject to EU Regulations which require detailed administrative checks on all applications to be completed before any payments can issue. Administrative checks in respect of 2011 payments have been finalised and the person named received 75% of his payment, totalling €5,864.79 on 30th December 2011. The 25% balancing payment for €1,954.92 was made to him on 6th January 2012.

Sea-Fisheries Protection Authority

714. **Deputy Maureen O'Sullivan** asked the Minister for Agriculture, Food and the Marine in respect of sea fisheries, the number of persons employed as fishery officers, water bailiffs and the number of warrants that they have issued. [41236/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The Sea-Fisheries Protection Authority (SFPA) is the statutory authority with responsibility for the enforcement of commercial sea-fisheries protection and seafood safety legislation in Ireland. The Authority was established under the Sea-Fisheries and Maritime Jurisdiction Act 2006. The Authority employs 67 fishery officers. The Authority does not employ any water bailiffs nor does it issue any warrants.

Fur Farming

715. **Deputy Patrick Nulty** asked the Minister for Agriculture, Food and the Marine if he will restate his commitment to ban fur farming; if the matter will be dealt with in the forthcoming Animal Health and Welfare Bill; if he will provide an update on the work of the departmental review group; when the review will be completed; and if he will make a statement on the matter. [41256/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I established a Review Group in my Department last November 2011 to review all aspects relating to fur farming. The Terms of Reference of the Group are as follows:

1. To review fur farming in Ireland taking into account existing legislative provisions for the licensing of mink farming,
2. To comment on the economic benefits of the sector,
3. To consider the effectiveness of existing welfare controls, and
4. To make appropriate recommendations.

Submissions were invited on the review with a closing date for receipt of submissions of 31st December 2011. Submissions received are now being examined by the Review Group. I will await the outcome of the Review Group's findings before considering what action, if any, to take in the matter.

Grant Payments

716. **Deputy Michael Moynihan** asked the Minister for Agriculture, Food and the Marine the position regarding the outstanding single farm payment in respect of a person (details supplied) in County Cork; and if he will make a statement on the matter. [41262/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the 2011 Single Payment Scheme was received from the person named on 12 May 2011, processing of which has recently been finalised, thereby allowing payment to issue directly to the nominated bank account of the applicant in the coming days.

Animal Welfare Bodies

717. **Deputy Maureen O'Sullivan** asked the Minister for Agriculture, Food and the Marine if he will consider a cost effective method such as a trap neuter return project to deal with the increase in population of feral cats here, as opposed to the eradication of feral cats by pest control services; and if he will make a statement on the matter. [41277/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): My Department's legislative responsibility in the area of animal welfare extends to farmed animals only, including animals normally bred or kept for the production of food. Accordingly, matters relating to feral cats do not come within the scope of my Department. Nevertheless, my Department provides in excess of €1 million annually to animal welfare organisations involved in the provision of animal welfare services. As part of the allocation of these funds I have recommended a code of practice for welfare organisations to assist them achieve high standards of animal welfare including reminding them to endeavour where possible to provide a programme of neutering/spaying of cats with a view to reducing the number of wild cats.

With regard to animal welfare in general there are commitments contained in the Programme for Government 2011 to amend and strengthen legislation on animal welfare. The main instrument to fulfil this commitment will be the Animal Health and Welfare Bill, drafting of which is ongoing with the Office of the Parliamentary Counsel and it is my intention to publish the Bill at an early date this year.

Grant Payments

718. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine if a decision was made on a grassland sheep scheme appeal in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [41281/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the 2010 Grassland Sheep Scheme was received from the person named on the 16 April 2010. This application was fully processed and payment issued on 2 February 2011, based, in accordance with the provisions of the Scheme, on the original Sheep Census return received by my Department, which indicated that the person named had 10 breeding ewes in his flock. I have arranged to have an official of my Department contact the person named directly to discuss the matter.

Turbary Rights

719. **Deputy Pearse Doherty** asked the Minister for Agriculture, Food and the Marine the conditions that existed in the Q3 agreement entered in respect of a folio (details supplied) that was sold by the Land Commission to a person in County Donegal in 1942; and if he will make a statement on the matter. [41283/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The Folio number supplied appears to have been opened in the Land Registry in 1954 and there have been two changes of ownership since that date and two areas transferred to other folios.

A person with the same name and address as the original owner of the Folio signed a Q3 turbary right only, Purchase Agreement with the former Land Commission over a plot of bog in a different townland in 1942. The ownership on the Q3 agreement has not been changed over the years.

These Q3 agreements have standard conditions relating to the manner in which the turf is to be extracted that drainage trenches from adjacent plots shall not be obstructed and not less than nine inches of turf or bog mould shall be left over the subsoil for its subsequent reclamation and that the bog shall not be cut below a level in relation to the water course into which its waters drain, which would prevent the efficient drainage and cultivation of the cut away bog.

A copy of the Q3 turbary agreement is available to the titleholder or his successor in title from the Records Branch of my Department in Clonminam Industrial Estate, Portlaoise on payment of the prescribed fee.

Grant Payments

720. **Deputy Tom Fleming** asked the Minister for Agriculture, Food and the Marine if he will investigate the hold up with the sheep census and single farm payment in respect of a person (details supplied) in County Kerry; and the position regarding same. [41285/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the Single Payment Scheme/Disadvantaged Areas Scheme was received from the person named on the 12th May 2011. This application was selected for and was the subject of a Ground Eligibility Inspection.

Payment under the Single Payment Scheme issued on the 7th of December 2011 and payment under the Disadvantaged Area Scheme issued on the 9th of December 2011. Payments under the 2011 Grassland Sheep Scheme are due to commence on 18th January 2012.

Departmental Agencies

721. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine if his attention has been drawn to the fact that a person (details supplied) employed in a senior position in an agency under the aegis of his Department is also a board member of an oil and

gas company; his views that this is appropriate; if he has consulted with the Standards in Public Office Commission in respect of this matter; the actions he has taken to deal with the issue; and if he will make a statement on the matter. [41308/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I can confirm that the matter has been drawn to my attention. While it does not appear, at this point that there is any conflict of interest issue arising in this matter, I am not in a position to comment any further at this time.

Disadvantaged Areas Scheme

722. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine if he will provide a breakdown of the proposed €30 million savings in the disadvantaged areas scheme in 2012 between the various measures proposed such as stocking density, ineligibility of horses, distance from a holding; and if he will make a statement on the matter. [41309/11]

723. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine the proposed savings in the disadvantaged areas scheme on a county basis for 2012; the number of farmers in each county that it is estimated will lose all their payments as a result of these proposals; and if he will make a statement on the matter. [41310/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I propose to take Questions Nos. 722 and 723 together.

It is widely recognised that the Disadvantaged Areas Scheme is a very important one for this country, as the total area designated as disadvantaged is almost 75% of Ireland's total land area. From an economic perspective, the Scheme is particularly significant, contributing to the support of in excess of 100,000 Irish farm families, whose ability to farm is restricted by the physical environment and, in particular, the impact of the prevailing wet cold climatic conditions. The Scheme, which is co-funded by the EU, is an integral part of Ireland's Rural Development Plan, 2007/2013, and as such, any proposed change to Scheme criteria requires the agreement of the EU Commission. My intention is that the changes announced in the context of the recent Budget will be submitted to Brussels shortly.

The budgeted expenditure under the 2012 Scheme will be reduced from €220 million to €190 million and, in order to achieve the €30 million saving in expenditure, it is proposed to introduce specified changes to the Scheme eligibility criteria for 2012. At this stage it is not possible to break this figure down by measure and by county. This reduction will arise from technical adjustments to the Scheme criteria to ensure that the aid payment is focused on farmers, whose farming enterprises are situated exclusively in Less Favoured Areas and who are making a significant contribution to achieving the objectives of the Scheme.

The savings will be achieved without the need to reduce the existing rates of aid and, in addition, there will also be no reduction in the maximum area payable — 34 hectares. The proposed changes are designed to ensure that the payments under the Scheme are focused on those farmers, who (i) are farming exclusively in Disadvantaged Areas, (ii) make a significant contribution to the maintenance of a viable rural community and (iii) contribute to the enhancement of the environment.

It is proposed that eligible applicants in 2012 must have met (a) a minimum stocking density of 0.3 livestock units per hectare in 2011 (equivalent to 2 ewes per hectare) and (b) 0.15 livestock units per hectare in 2012. However, in recognition of the environmental objectives of the Scheme, specific provisions will be made for those farmers, who had a stocking density less than 0.3 lu/ha in 2011, where that lower stocking density was as a result of adherence to lower

[Deputy Simon Coveney.]

stocking by agri-environmental measure. If the proposals are accepted, all applicants, whose stocking density was below 0.3 lu/ha in 2011, will be written formally and given the opportunity to apply for a derogation on the grounds that his or her participation in one of the above measures resulted in the lower stocking density. The principles of force majeure/exceptional circumstances will also be provided for in the process. It is also intended that provision will be made for new entrants to farming.

It is proposed to continue with the minimum stocking density of 0.15 lu/ha in respect of 2012. With a view to focusing the aid to those farmers, who make the most significant contribution to the rural economy and to the environment in general, it is proposed that the calculation of the stocking density will be based on (a) a retention period of 6 months where the stocking density on the holding has to be equal to or greater than 0.15 lu/ha and (b) the stocking density calculated over the twelve months of the scheme-year.

With the intention of targeting those farmers who are farming exclusively in Disadvantaged Areas, it is proposed that farmers, whose holdings consists of land situated both in Disadvantaged Areas and non-Disadvantaged Areas are in a better positioned from a farming viewpoint than those farming exclusively in Disadvantaged Areas. Therefore, it is proposed that where some of an applicant's land declared is non-Disadvantaged land, a digressive of aid under the Disadvantaged Area Scheme will be payable to such farmers. This proposal is regarded as fair in that the greater proportion of Less Favoured Areas land in the holding the greater the level of payment.

There are an increasing number of applicants under the Scheme, who have discontinued livestock (cattle or sheep) farming, but who continue to benefit from aid under the Scheme by grazing some horses on their land. It is proposed that horses will no longer be eligible for the stocking density calculation on the basis that these applicants' contribution to the rural economy is minimal. However, equine breeding enterprises will continue to be eligible on the basis of the contribution they make to the local economy.

It is also proposed to exclude land situated more than 80 kilometres from a farmer's holding from aid under the Scheme. This exclusion will be confined to applicants, whose main holding is situated in a non-Disadvantaged Area, and who declares land situated more than 80 kilometres from the main holding. It is contended that the local impact of the farming of those lands situated in the Disadvantaged Areas is marginal.

State Veterinary Laboratories

724. **Deputy Sandra McLellan** asked the Minister for Agriculture, Food and the Marine the reason there was no communication between his Department's veterinary laboratories in Cork and Limerick which ended up having them both closed and unable to carry out examinations on a number of dead calves until after Christmas; and if he will make a statement on the matter. [41314/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Regional Veterinary Laboratories (RVLs) provide a diagnostic laboratory service to the farming community, including the post mortem examination of aborted bovine foetuses, which involves dealing with infectious diseases. The Cork and Limerick RVLs were in urgent need of upgrade works to comply with environmental standards for the management of laboratory waste. The total estimated spend on both contracts is €414,000. These works commenced during October 2011, with a 10 weeks completion time, during which time it was not possible to accept carcasses or foetuses for post mortem examination. The Cork and Limerick RVLs are both expected to re-open fully by the end of the first week in February 2012. A letter was issued to all veterinary prac-

titioners within the catchment area of both laboratories prior to commencement of works. Vets were informed that while carcase material, including foetuses could not be submitted to the laboratory, they were specifically advised as to what samples could be taken from such carcasses and could be submitted to the laboratory.

If the attending veterinary practitioner had contacted either the Cork or Limerick RVL indicating the need for a post mortem examination he/she would have been informed that both the Kilkenny and Athlone RVLs were in a position receive and deal with carcasses for post mortem examination.

Ministerial Staff

725. **Deputy Catherine Murphy** asked the Minister for Agriculture, Food and the Marine the names and salaries of each person serving as a special adviser and-or the names and salaries of each person directly appointed by him or a Minister of State to any other position within his Department or predecessors Department on each of the following dates; 1 December 2009, 1 December 2010 and 1 December 2011; and if he will make a statement on the matter. [41341/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): In response to the Deputy's question I have detailed the information requested in the table below:

	Name	Title	Salary p.a.
1 December 2009	Philip Hannon	Special adviser	€111,212
	Dermot Ryan	Special adviser	€113,727
	Stiofan Nutty	Special adviser	€103,728
1 December 2010	Philip Hannon	Special adviser	€102,866
	Dermot Ryan	Special adviser	€105,105
1 December 2011	Aine Kilroy	Special adviser	€80,051
1 December 2011	Caitriona Fitzpatrick*	Political adviser	€43,715-€56,060

*in lieu of Personal Assistant

726. **Deputy Denis Naughten** asked the Minister for Agriculture, Food and the Marine if he runs a graduate internship programme; and if he will make a statement on the matter. [41356/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): My Department participates in a number of Internship Programmes run by the Department of Public Expenditure and Reform.

In 2011 we provided 6 month placements for two graduates from the University of Limerick and 7 placements under the JobBridge National Internship Scheme.

In addition my Department provided three 6 month placements under the Willing Able Mentoring (WAM) Programme, which offers paid mentored work experience to graduates with disabilities.

My Department plans to continue participation in all of the above Programmes in 2012.

Bovine Disease Controls

727. **Deputy Denis Naughten** asked the Minister for Agriculture, Food and the Marine if he

[Deputy Denis Naughten.]

will establish the gamma interferon blood test as the standardised test for bovine TB instead of the tuberculin skin test in order to assist with the identification of reactors at an early stage and reduce the incidence of the disease and veterinary costs; and if he will make a statement on the matter. [41401/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Under EU rules the principal test used in the TB Eradication programme is the Single Intradermal Comparative Test (SICTT), known as the ‘skin test’, as specified in Council Directive 64/432 EEC (as amended). The gamma interferon blood test is authorised for use as an adjunct to the intradermal test under both European and national legislation.

The gamma test is not suitable to be used as the standardised screening test for TB because of its relatively lower specificity, which means that it would disclose as infected with TB a significant number of animals which are not actually infected. Test specificity is quite dependent on the environment in which the test is used. In Ireland, in non-infected herds, the most recent evaluation of the specificity of this test indicated that national average specificity is 91% (9 false positives/100 tested), but in some counties it is as low as 80% (or in some individual herds it is less than 70% specific). In view of this, using this test as a screening test would result in loss of confidence in the test, create significant problems for farmers with non-infected herds and lead to a considerable increase in the cost of the compensation element of the TB eradication programme. In addition, the cost of the gamma test is significantly more expensive per test than the skin test.

The gamma test is suitable for use in TB infected herds where further TB infected animals are anticipated or where it is desirable to retest a herd or animals at a shorter interval than is possible with the skin test and it is used as appropriate by the Veterinary Inspector in these situations.

Rural Environment Protection Scheme

728. **Deputy Tom Fleming** asked the Minister for Agriculture, Food and the Marine when a REP scheme payment will issue in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [41408/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named commenced REPS 4 in May 2008 and received payment for the first three years of the contract.

REPS 4 is a measure under the current 2007-13 Rural Development Programme and accordingly is subject to EU Regulations which require detailed administrative checks on all applications to be completed before any payments can issue. These administrative checks have revealed that there is an overdeclaration on parcels listed on the REPS application of the person named. My Department is investigating the issue with a view to an early resolution and payment in respect of 2011.

Íocaíochtaí Deontas

729. D’fhiafraigh **Éamon Ó Cuív** den Aire Talmhaíochta, Bia agus Mara cén uair a bheidh iarratas feirmeora (sonraí tugtha) próiseáilte agus íocaíocht déanta leis faoi scéim na híocaíochta aonair, 2011; agus an ndéanfaidh sé ráiteas ina thaobh. [41410/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Fuarthas iarratas faoi Scéim na hAoníocaíochta/Scéim na Limistéar faoi Mhíbhuntáiste ón duine ainmnithe ar an 1 Aibreán 2011. Roghnaíodh an t-iarratas seo le haghaidh Cigireachta Satailíte inar tugadh

le tuiscint go raibh ró-éilimh i gceist. Dá éis sin deimhníodh na ró-éilimh nuair a rinneadh cigireacht ar an talamh ar na bearta. Le déanaí scríobhadh chuig an iarratasóir chun míniú a thabhairt ar na sonraí maidir lena phionós idir 3 agus 20% agus go bhfuil sé i dteideal achomharc a thaisceadh maidir le torthaí na cigireachta. Déileálfar go sciobtha le hachomharc ar bith den sórt sin.

Common Fisheries Policy

730. **Deputy Tom Fleming** asked the Minister for Agriculture, Food and the Marine the action he and his EU ministerial colleagues have taken to address the practice of discarding fish at sea; and if he will make a statement on the matter. [41422/11]

731. **Deputy Tom Fleming** asked the Minister for Agriculture, Food and the Marine the implications of the EU fishing quota deal for 2012 recently negotiated between EU Fisheries Ministers, the European Commission and the Commissioner for EU fisheries, Maria Damanaki, will have in relation to the practice of discarding fish at sea; and if he will make a statement on the matter. [41423/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I propose to take Questions Nos. 730 and 731 together.

I am very concerned about the unacceptable practice of discarding fish at sea and I am fully committed to working both nationally and internationally to bring about an end to this practice.

Commissioner Damanaki has placed discarding of fish high on her agenda for the Common Fisheries Policy reform and I am committed to giving Ireland's support to assisting the Commissioner in identifying and implementing the appropriate measures to effectively address discards. At home I have taken a number of opportunities to discuss this complex subject with the Irish fishing industry.

Through the EU North Western Waters RAC, the Irish Fishing Industry proposed the introduction of additional measures to reduce discards through a more selective gear type in the mixed whitefish fisheries in the Celtic Sea. The intention of this initiative is to apply additional selectivity measures contributing to the reduction of discards of cod, haddock and whiting, as of 2012. I am pleased to state that at the December EU Fisheries Council, the EU Commission and Council agreed to adopt these proposed measures.

Discarding has been receiving huge exposure across various international media, setting a negative picture of the global fishing industry. Decisive action is required in the short term, however, the problem is complex with many and at times disconnected factors impacting on it. This level of complexity requires an approach, which recognises the multi-faceted issues, the different dynamics of individual fisheries and areas and delivers real policies and change on a number of fronts.

Any resolution will require the buy in of our fishers and a significant behavioural shift will be required from them to successfully eliminate discards. Without this change in operational patterns there will be a real danger that whatever new legislation is introduced it will only succeed in pushing discarding further "underground" and this would worsen the current data situation and not deal with the problem.

Discards was a high priority in Ireland's formal submission on the CFP Review forwarded in 2010, which argued for a fishery specific approach involving remedial actions to reduce or eliminate discards involving changes to fishing gear and fishing practices. It focused on the development of a strong industry, science, gear technology partnership to best equip our fleets

[Deputy Simon Coveney.]

for their specific needs. It also promoted the development of a Code of Practice to incentivise best practice.

My preference is for a clear policy to eliminate discards, backed up by unambiguous and appropriate technical measures and supports which can demonstrably achieve the stated policy goal. To my mind, there has been little elaboration on the suite of measures and supports that will be necessary. This is undermining the discussion to date.

One of the possible measures being looked at is the concept of catch quota management which involves landing all catches of targeted stocks and recording the landings against quota. There are pilot schemes up and running in some Member States and I await the outcome of those, though it is already clear to me that any move in this direction would have to be over a reasonable timeframe, provide some adjustment in quota to take account of the increased landings and be on a voluntary basis in the first instance. This approach is technical and requires a significant capital investment in equipment and human resources which will have to be facilitated by financial support from the EU if it is to become a reality.

Animal Diseases

732. **Deputy Maureen O’Sullivan** asked the Minister for Agriculture, Food and the Marine if he has referred to the Krebs report 1997, which counterargues the success rate of badger culling as many that are killed are healthy animals; if he has reviewed any updated research on vaccination programmes provided by the Centre for Veterinary Epidemiology and Risk Analysis in University College Dublin; if any new information regarding a vaccination programme has been provided; if he has considered bovine TB eradication programmes successfully used in other countries such as in TB-free Scotland; and if he will make a statement on the matter. [41441/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): My Department is aware of the conclusions of the Krebs Report, which did acknowledge that badgers are a significant source of tuberculosis infection in cattle. With regard to its conclusion that healthy badgers are also removed under a culling programme, this is unavoidable in a situation where there is no reliable test on live badgers for detecting TB infected badgers and thus culling remains the only method of control currently available. However, my Department does not accept that this in any way undermines the effectiveness of badger culling in reducing the incidence of bovine TB. I also note that in the Regional Red List of Irish mammals, the badger was considered of *Least Concern* status and unlikely to become extinct in the foreseeable future. Nevertheless, approval to capture a set is contingent on the total area under capture nationally being maintained below 30% of the agricultural land in the country.

I should point out that research has continued both here and in the UK since the publication of the Krebs report on the impact of badger removal on the spread of TB and there is now considerable evidence that confirms that not only are badgers responsible for the spread of bovine TB but that their removal results in a reduction in the incidence of the disease in cattle. In previous replies to questions on this issue, I have referred to the research conducted in Ireland on the impact of the removal of badgers on the incidence of TB in cattle. With regard to the UK, a recent report by the Department of the Environment, Food and Rural Affairs has concluded in relation to the Randomised Badger Culling Trial that “*Overall, from the first cull to five years after the last cull (i.e. up to July 2010) there was a 28% relative reduction in TB confirmed cattle herd incidence in the 100 square kilometres proactively culled areas when compared with the survey-only areas. Confirmed TB herd incidence on the land 2 km outside the culling area was comparable with that in the survey-only areas (9% increase in incidence).*”

Regarding vaccination, the intention is to replace badger culling with vaccination when research demonstrates that this is a practicable proposition. My Department has been collaborating for some years with the Centre for Veterinary Epidemiology and Risk Analysis (CVERA) in UCD and indeed with the VLA in Great Britain on research into a vaccine to control tuberculosis in badgers and to break the link of infection to cattle. Research to date has demonstrated that oral vaccination of badgers in a captive environment with the BCG vaccine generates high levels of protective immunity against challenge with bovine TB. As I have indicated previously, field trials are now being undertaken, in Ireland, involving the vaccination by individual oral delivery of several hundred badgers over 3 to 4 years, with continuous monitoring of the population to assess the impact of the vaccine on the incidence of disease in the vaccinated and non-vaccinated control badger populations. Success in the field trial will lead to the implementation of a vaccination strategy as part of the national TB control programme. It is expected that the post-mortem work on the badgers in this trial will commence later this year but that final results on the outcome will not be available for a further 12-months. Use of vaccination beyond scientific trials will require licensing of the vaccine under EU legislation and the data to support the licence application is being generated collaboratively with the VLA.

The position regarding TB in Scotland is that bovine TB levels in that country never reached the levels recorded in Ireland, Northern Ireland or indeed many parts of England or Wales. The precise reasons for this are unknown but the low density of the cattle population in that country is an obvious factor. There is no evidence of a significant level of tuberculosis TB in the badger population and, accordingly, a badger culling programme has not been required there.

In conclusion, in view of the research available to me, I am satisfied that the Bovine TB eradication programme implemented by my Department, including the targeted culling of badgers, has contributed to a reduction in the incidence of TB. Herd incidence has fallen from 7.5% in 2000 to just over 4.1% in 2011. Reactor numbers in 2011 are provisionally estimated at 18,500, the lowest since the commencement of the programme in the 1950s.

Fur Farming

733. **Deputy Maureen O’Sullivan** asked the Minister for Agriculture, Food and the Marine if any guarantees have been made to fur farmers; if submissions for the fur farming review are still being considered and if a ban on fur farming will be implemented in the Bill as both Fine Gael and Labour have voted to ban fur farming in the past; and if he will make a statement on the matter. [41442/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I established a Review Group in my Department last November 2011 to review all aspects of fur farming. The Terms of Reference of the Group are:

1. To review fur farming in Ireland taking into account existing legislative provisions for the licensing of mink farming,
2. To comment on the economic benefits of the sector,
3. To consider the effectiveness of existing welfare controls, and
4. To make appropriate recommendations.

Submissions were invited on the review with a closing date for receipt of submissions of 31st December 2011. A large number of submissions have now been received from interested parties and these are currently being examined by the Review Group. The Group will submit its report

[Deputy Simon Coveney.]

to me by the end of January and I will consider what action, if any, to take following the submission and conclusions of the Group's findings.

734. **Deputy Maureen O'Sullivan** asked the Minister for Agriculture, Food and the Marine if all mink and fox skins are exported or if some are sold here. [41443/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): My Department does not collect this information. Fur Farming is a commercial activity and fur farmers may sell their product in a manner of their own choosing. The Deputy may wish to consult Trade Statistics data produced by the Central Statistics Office with a view to establishing the volume of goods exported.

Milk Quota

735. **Deputy Michael Creed** asked the Minister for Agriculture, Food and the Marine the avenues available for additional milk quota on a priority basis for young qualified farmers who inherit the family dairy holding; and if he will make a statement on the matter. [41449/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Young qualified farmers who inherit the family dairy holding can access milk quota through either the New Entrants Dairy Scheme or through the Milk Quota Trading Scheme. I recently announced a closing date of 27th January 2012 for the second stage of the 2012/2013 Milk Quota Trading Scheme and I intend to announce details of the 2012 Scheme for New Entrants to Dairying in early February.

Full details for the Milk Quota Trading Scheme and the Scheme for New Entrants to Dairying are available from the Milk Quota Section in my Department.

Grant Payments

736. **Deputy Michael Creed** asked the Minister for Agriculture, Food and the Marine if he will review a case (details supplied) in which a significant penalty was imposed on a single farm payment as a consequence of significant on-farm investment which was completed in order to address the issue of farm yard pollution; and if he will make a statement on the matter. [41451/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named was the subject of a Nitrates inspection by the Integrated Controls Division of my Department acting on behalf of the Department of the Environment, Heritage and Local Government on the 2nd of March 2011. This inspection uncovered discrepancies that were deemed to be intentional and a penalty of 20% was recorded for breaches of the Nitrates regulations. The person named was informed of this decision on the 14th of March and of his right to seek a review. He was also informed of his right to appeal the outcome of any review to the Independent Agriculture Appeals office. To date there is no record of such a request.

Following your request I will arrange for a review to be carried out in this case. The person named will be notified of the outcome as soon as it is available.

Tuberculosis Incidence

737. **Deputy Dara Calleary** asked the Minister for Agriculture, Food and the Marine if he will outline the level of TB incidence in County Mayo in the years 2009, 2010 and 2011; and if he will make a statement on the matter. [41453/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The incidence of Bovine TB in Mayo in the period 2009-11 was as follows:

2009	2.60%
2010	1.95%
2011	1.81% (provisional)

Although TB levels in Mayo are generally significantly lower than the average for the country as a whole, the downward trend in Mayo is similar to the rest of the country. I am pleased to be able to report that there has been a significant improvement in the incidence of this disease nationally over the last few years. For example, herd incidence has fallen from 7.7% in 1999 to 4.1% last year and reactor numbers in 2011 were, at 18,500, the lowest recorded since the commencement of the TB eradication programme in the 1950's.

My Department will continue to monitor and review the effectiveness and efficiency of the programme on an ongoing basis with a view to the eventual eradication of this disease in all areas.

738. **Deputy Dara Calleary** asked the Minister for Agriculture, Food and the Marine if his attention has been drawn to the fact that farmers are only compensated for the actual number of animals confirmed to have TB when, in fact, the entire herd is locked up as a result of one or more going down with the disease. [41454/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Under the TB/Brucellosis Eradication Scheme, compensation is paid to farmers who suffer a TB breakdown and who have animals removed under the scheme, provided they comply with the rules governing the Diseases Eradication Schemes, with identification regulations and other national/EU legislative requirements and controls relating to bovine animals.

The main elements of the existing compensation regime are as follows:

The On Farm Market Valuation Scheme:

This scheme is designed to compensate herdowners for the loss of animals removed under the eradication programme and is based on the market value of animals (i.e. the equivalent price which might reasonably be obtained for the animal if the animal were not affected by TB), subject to certain ceilings. Valuations are carried out by suitably qualified valuers and there is an appeal/arbitration system in place.

Depopulation Grant:

This grant is available to a herdowner whose herd is depopulated (totally or partially) for TB. The objective of this scheme is to compensate farmers for the loss in income (e.g. from milk sales) during the restriction period.

Income Supplement:

Income Supplement is payable in cases where disease breakdown results in the removal of more than 10% of animals in a herd and where depopulation does not take place. As in the case of the Depopulation grant scheme, the objective of this scheme is to compensate farmers for the loss in income (e.g. from milk sales) during the restriction period when a significant number of cattle are removed as reactor.

Hardship Grant:

This Scheme is designed to alleviate the additional costs, in particular feed costs, of some owners whose holdings remain restricted following a full herd re-test and where animals are

[Deputy Simon Coveney.]

retained and fed during periods of restriction in the Autumn/Winter period. The Hardship Grant eligibility period runs from 1 November to 30 April each year.

I am satisfied that these compensation arrangements provide a very comprehensive range of financial supports to herdowners whose herds are restricted as a result of a TB breakdown in their herd. I should point out that herds restricted under the TB Eradication scheme may continue to supply milk from non-reactor animals and can continue to send cattle direct to slaughter on permit.

Animal Welfare

739. **Deputy Maureen O’Sullivan** asked the Minister for Agriculture, Food and the Marine if he has responded to the recent incident where a dog was thrown out of a car window in County Mayo and found with multiple injuries caused by cruelty; if any investigation or action has been taken against the person who perpetrated that act; and if he will make a statement on the matter. [41471/11]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): My Department’s legislative responsibility currently extends to the welfare and protection of farmed animals only i.e. animals normally bred or kept for the production of food or for use in or for the purpose of farming. The relevant legislation in this area is the Protection of Animals Kept for Farming Purposes Act, 1984 and the European Communities (Welfare of Farmed Animals) Regulations 2010, S.I. 311 of 2010. Dogs do not come within the scope of this legislation but do come under statutes governing cruelty to all animals, namely the Protection of Animals Act 1911 and the Protection of Animals (Amendment) Act, 1965. Responsibility for pursuing breaches of this legislation rests with 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.

There are commitments contained in the Programme for Government 2011 to amend and strengthen legislation on animal cruelty and animal welfare. The main instrument to fulfil this commitment will be the Animal Health and Welfare Bill which is a wide-ranging piece of legislation providing a broad basis for regulating the related areas of animal health and welfare. Drafting of the Bill is ongoing with the Office of the Parliamentary Counsel and it is my intention to publish the Bill at an early date this year.

Harbours and Piers

740. **Deputy Tom Fleming** asked the Minister for Agriculture, Food and the Marine when Kerry County Council will receive moneys owed for works carried out in Knightstown, County Kerry; and if he will make a statement on the matter. [1006/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Knightstown Pier is owned by Kerry County Council and responsibility for the maintenance and development of the pier rests with that local authority in the first instance. My Department has in previous years co-funded works at Knightstown Pier under the Fishery Harbours and Coastal Infrastructure Development Programme. Funding under this programme is allocated on an annual basis and is subject to various qualifying criteria. All qualifying claims submitted by Kerry County Council have been processed and I can confirm that there are no monies outstanding to Kerry County Council for this project.

Grant Payments

741. **Deputy Martin Ferris** asked the Minister for Agriculture, Food and the Marine when a

REP scheme payment will issue in respect of a person (details supplied) in County Kerry. [1089/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named commenced REPS 4 in May 2008 and received payment for the first three years of the contract. REPS 4 is a measure under the current 2007-13 Rural Development Programme and accordingly is subject to EU Regulation which require detailed administrative checks on all applications to be completed before any payments can issue. These checks have now been completed and a cheque for 75% totalling €3,395.57 will issue to the person named in the next few days. I also expect that the 25% balancing payment will issue shortly.

742. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine when a REP scheme 4 payment will issue to a person (details supplied) in County Donegal; and if he will make a statement on the matter. [1136/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named commenced REPS 4 in February 2008 and received payment for the first three years of the contract. REPS 4 is a measure under the current 2007-13 Rural Development Programme and accordingly is subject to EU Regulations which require detailed administrative checks on all applications to be completed before any payments can issue, including cross-checks with the area recorded under the Land Parcel Identification Scheme. During the course of the administrative check, discrepancies were discovered between commonage declared on the REPS plan and that shown on the area aid application of the person named.

My Department is investigating the issue with a view to an early resolution and payment of the REPS amount due in respect of 2011.

Departmental Offices

743. **Deputy Dara Calleary** asked the Minister for Agriculture, Food and the Marine if he agrees that any agencies funded by his Department which own properties located in office complexes in which a management company is in place, should take an active role in the running of such management companies, including the appointment of a nominee to the board of the company in order to protect the investment of taxpayers' money. [1146/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Neither my Department nor the State Bodies funded by my Department, own or rent any properties in office complexes in which management companies are in place at this time.

Grant Payments

744. **Deputy John O'Mahony** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Mayo will receive their agri-environment options scheme payment for 2010 and 2011; and if he will make a statement on the matter. [1162/12]

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 1st 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, had to be completed before any payment could issue. During these checks a query arose in respect of land parcels declared which will require digitisation of the areas concerned. This is being dealt with by the Department at present and once the digitisation process is completed, the application will be processed with a view to early payment.

745. **Deputy Pat Breen** asked the Minister for Agriculture, Food and the Marine when a REP scheme 4 payment will issue to a person (details supplied) in County Clare; and if he will make a statement on the matter. [1198/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named commenced REPS 4 in June 2008 and received payments for the first three years of his contract. REPS 4 is a measure under the current 2007-13 Rural Development Programme and accordingly is subject to EU Regulation which require detailed administrative checks on all applications to be completed before any payments can issue. During the course of the administrative check, an issue arose relating to commonage on the application of the person named.

This query has been resolved and the application will now be processed for payment without delay.

Afforestation Programme

746. **Deputy Jim Daly** asked the Minister for Agriculture, Food and the Marine his views regarding the amount of forestry that is currently being planted on good quality agricultural land; if it is correct that a felling licence must be applied for in order to harvest the forest after the agreed timeframe has lapsed and that this licence will only be issued if the farmer agrees to replant the land, thus excluding it from any chance of returning to agricultural use; and if he will make a statement on the matter. [1207/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Only afforestation on agricultural land is eligible for support under the Afforestation Grant and Premium Schemes. Given the significant State investment in afforestation, we need to ensure that the land to be planted is capable of producing a commercial crop of timber. In 2011, a total of 6,653 hectares of new forests were planted.

There is no requirement on a grant beneficiary to apply for a Felling Licence to harvest the forest after an agreed time frame has elapsed. The decision on when to harvest the forest, or even whether to harvest or not, rests solely with the forest owner. However, under the Forestry Act 1946, either a General Felling Licence or a Limited Felling Licence would be required, other than in very limited circumstances, before any trees can be felled.

A General Felling Licence is used for commercial forestry operations and carries a compulsory replanting obligation. While a replanting condition can be attached to a Limited Felling Licence, such a condition is not obligatory with this type of licence. The Limited Felling Licence is to cater for situations where, after felling has occurred, some or all of the land is not to be replanted. However, my Department attaches a replanting condition in all but the most exceptional cases.

The general principle of replanting exists in order to ensure that the national forest estate is not progressively eliminated. Removing the replanting obligation would have serious consequences for the State in terms of deforestation with consequent implications in respect of our carbon sinks and our Kyoto obligations, stable wood flows for existing timber industries, environmental and recreational benefits and the loss of significant State investment.

Grant Payments

747. **Deputy Dara Calleary** asked the Minister for Agriculture, Food and the Marine the position regarding the single farm and area based payments in respect of a person (details supplied) in County Mayo. [1211/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application was received on 9 March 2011 requesting the transfer of Single Payment entitlements from the first person named to the second person named by way of inheritance under the 2011 scheme year. A copy of the first person's Will was also received. Under the Will of the first person named, his wife is the rightful beneficiary of the entitlements. A letter issued on 29 September 2011 requesting the completion of a Waiver form if she wished to waive her rights in favour of the second person named. To date no such Waiver has been received and it has not been possible to complete the requested transfer. In addition, while the second person named has applied to transfer the herd-number into her own name, to date sufficient legal evidence for such a transfer has not been provided to the Local District Veterinary Office namely a copy of Probate.

Following receipt of the required documentation, payment under the 2011 Single Payment Scheme and the Disadvantaged Areas Scheme will be released.

748. **Deputy Timmy Dooley** asked the Minister for Agriculture, Food and the Marine the position regarding an application to the agri-environment options scheme in respect of a person (details supplied) in County Clare; and if he will make a statement on the matter. [1223/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named was approved for participation in the Agri-Environment Options Scheme (AEOS) with effect from 1st November 2010. Under the EU Regulations governing the Scheme and other area-based payment schemes, a comprehensive administrative check, including cross-checks with the Land Parcel Identification System, must be completed before any payment can issue.

These checks have now all been successfully completed and I expect payment to issue shortly.

749. **Deputy Timmy Dooley** asked the Minister for Agriculture, Food and the Marine the position regarding an application to the agri-environment options scheme in respect of a person (details supplied) in County Clare; and if he will make a statement on the matter. [1224/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named was approved for participation in the Agri-Environment Options Scheme (AEOS) with effect from 1st November 2010. Under the EU Regulations governing the Scheme and other area-based payment schemes, a comprehensive administrative check, including cross-checks with the Land Parcel Identification System, must be completed before any payment can issue.

These checks have now all been successfully completed and I expect payment to issue shortly.

750. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine if payment has issued to a person (details supplied) in County Donegal under the disadvantaged area scheme; and if he will make a statement on the matter. [1230/12]

751. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine if payment has issued to a person (details supplied) in County Donegal under the single farm payment; and if he will make a statement on the matter. [1231/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I propose to take Questions Nos. 750 and 751 together.

An application under the Single Payment Scheme/Disadvantaged Area Scheme was received from the person named on 6 April 2011, following processing of which over-claims were identified in respect of four land parcels declared by the person named. Following correspondence with my Department, the applicant confirmed in writing, on 15 November, that he accepted

[Deputy Simon Coveney.]

the reference areas assigned to these parcels under my Department's Land Parcel Identification System and the payments which have already issued in respect of both Schemes were accordingly reduced, in line with the governing EU regulations.

I have arranged to have an official contact the person named directly in this regard.

752. **Deputy Heather Humphreys** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Monaghan will receive their REP scheme payment; and if he will make a statement on the matter. [1240/12]

755. **Deputy Heather Humphreys** asked the Minister for Agriculture, Food and the Marine the reason an inspection for REP scheme payment was only carried out in November even though the application (details supplied) was submitted at the end of May; if his attention has been drawn to the fact that this is resulting in a delay in payment being made to the person; and if he will make a statement on the matter. [1251/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I propose to take Questions Nos. 752 and 755 together.

The person named commenced REPS 4 in May 2009 and received payment for the first two years of the contract. REPS 4 is a measure under the current 2007-13 Rural Development Programme and accordingly is subject to EU Regulations which require detailed administrative checks on all applications to be completed before any payments can issue.

The file in this case was chosen for an on farm inspection. The inspection was carried out as part of the overall programme of farm inspections that the Department is required to carry out in order to meet its regulatory obligations. The inspection revealed that land parcels declared under the scheme required digitisation. I expect this digitisation to be completed shortly and that the 2011 application will be processed for payment in the very near future.

Land Parcel Identification System

753. **Deputy Tom Barry** asked the Minister for Agriculture, Food and the Marine if a commitment will be given that maps digitised this year and last will not need to be re-digitised in 2012. [1247/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The Land Parcel Identification System (LPIS), which records details of all land declared under all the area-based schemes, must be fully accurate and up to date, given the fact that it underpins total expenditure under these schemes of in excess of €1.8 billion annually. Consequently the system must be updated to take account of changes to areas submitted by farmers. Any failings or shortcomings in the LPIS would constitute a breach of the Integrated Administrative and Control System provided for under European Union legislation and would leave my Department open to the very real risk of significant EU fines. Such a risk which cannot be countenanced as it could compromise the value of direct payments to farmers.

Farmers submit maps to my Department to facilitate re-digitising, in order to have various ineligible features, such as buildings, roadways, farmyards, etc, properly recorded on the LPIS. The changes made to the LPIS on foot of the maps submitted by farmers is one of the three main methods used to update the spatial data, the other two being changes identified during remote sensing and ground inspections and changes identified during my Department's internal review of ortho-photography. It is essential that the necessary amendments identified be made, on an ongoing basis, to accurately reflect the position on the ground.

Within the next number of weeks, the most up to date maps available to my Department will be sent to each applicant under the 2012 Single Payment Scheme. To ensure that the LPIS is fully accurate and up to date, applicants under the 2012 Single Payment Scheme will be asked to carefully examine these maps and to make any amendments necessary to ensure that the areas eligible for payment under the 2012 Single Payment Scheme are clearly identified. The amended maps should be returned to my Department in the usual way with the 2012 SPS application form.

Under the 2012 SPS there will also be a review of 2011 ortho-photography and the results of both remote sensing and ground inspections will be carried out as required under EU legislation. Any amendments required will be identified on the relevant maps for the SPS applicants concerned. My Department is legally obliged to have all such amendments digitised onto the LPIS.

Grant Payments

754. **Deputy Mattie McGrath** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Tipperary will receive their single farm payment; the reason for the delay; and if he will make a statement on the matter. [1248/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the 2011 Single Payment Scheme was received from the person named on 4 May 2011, processing of which has recently been finalised, thereby allowing payment to issue directly to the nominated bank account of the applicant in the coming days.

Question No. 755 answered with Question No. 752.

756. **Deputy Dara Calleary** asked the Minister for Agriculture, Food and the Marine when REP scheme, single farm and area based payments will be made to a person (details supplied) in County Mayo. [1298/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named submitted an application under the 2011 Single Payment Scheme/Disadvantaged Areas Scheme on 8 May 2011. Full payment under the Disadvantaged Areas Scheme was issued to the person named on 11 November 2011. However, no payment is due to the person named under the Single Payment Scheme as he holds no payment entitlements.

The REPS 2011 application for the person named is currently under review and it is expected that the application will be cleared for payment in the near future.

Forestry Sector

757. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine if a person (details supplied) in County Kerry will be paid a grant to thin their forest; if not, if permission will be given to thin the forestry, at their own expense without the benefit of a grant, in order to keep the forestry maintained to a proper standard; and if he will make a statement on the matter. [1306/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): There is no record of an application for the person named under the Woodland Improvement (Thinning and Tending) Scheme that was recently suspended. It is expected that a decision on the future of the Scheme will be made shortly following completion of a review of existing liabilities and the availability of funding.

[Deputy Simon Coveney.]

It is open to the person named to carry out maintenance work on his plantation outside the remit of the Scheme. However, if this work involves the removal of trees, he will need to apply to the Department in advance of such work for a General Felling Licence, application forms for which are available on request from the Department, or on the Department's website, or from his registered forester.

Fur Farming

758. **Deputy Robert Dowds** asked the Minister for Agriculture, Food and the Marine his policy with regard to fur farming; the monitoring there is of fur farming; the value of fur farming to the economy; the extent of damage done by captive furred animals such as mink when they escape; and if he has any plans to ban the practice of fur farming. [1370/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Under the Musk Rats Act, 1933 (application to Mink) order 1965, the keeping of mink is prohibited except under licence from my Department. Licences are issued under this legislation only if the applicant, following an inspection, is found to be compliant with a number of conditions. Licensed fur farms are inspected by officials from my Department to assess compliance with the Council of Europe recommendations concerning fur animals and Council Directive 98/58/EC concerning the protection of animals kept for farming purposes.

My Department holds no data on the economic value of the fur industry in Ireland. This information may be obtained from the Central Statistics Office. As part of the licensing conditions, Mink farmers endeavour to prevent animals escaping into the wild by stock-proofing their holdings. Responsibility for wild mink rests with the National Parks and Wildlife Service.

Finally, regarding the issue of fur farming itself, I established a Review Group in my Department last November 2011 to review all aspects of the farming activity. The Terms of Reference of the Group are:

1. To review fur farming in Ireland taking into account existing legislative provisions for the licensing of mink farming,
2. To comment on the economic benefits of the sector,
3. To consider the effectiveness of existing welfare controls, and
4. To make appropriate recommendations.

Submissions were invited on the review with a closing date for receipt of submissions of 31st December 2011. A large number of submissions have now been received from interested parties and these are currently being examined by the Review Group. The Group will submit its report to me by the end of January and I will consider what action, if any, to take following the submission and conclusions of the Group's findings.

Departmental Funding

759. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine the position regarding an application for an *ex gratia* grant in respect of an organisation (details supplied) in County Donegal; and if he will make a statement on the matter. [1387/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The organisation in question submitted an application for *ex gratia* funding in 2011 and was awarded €1,000 in December 2011 as a contribution towards its animal welfare activities in the forthcoming year.

Departmental Offices

760. **Deputy John McGuinness** asked the Minister for Agriculture, Food and the Marine the number of persons involved in his special investigations unit and their qualifications; the cost of operating the unit each year for the past five years; the legal costs incurred by the unit in each of the past five years; the number of cases brought to court by the unit; the number of cases settled out of court; the cost to him of cases settled; if settlements had to be paid by him relative to cases lost; and if he will make a statement on the matter. [1433/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The information requested by the Deputy is being compiled and will be sent directly to him as soon as possible.

Grant Payments

761. **Deputy John McGuinness** asked the Minister for Agriculture, Food and the Marine if the single farm payment and disadvantaged area payment will be made in full to a person (details supplied) in County Carlow. [1436/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the Single Payment Scheme/Disadvantaged Area Scheme was received from the persons named on 18 April 2011, following processing of which over-claims were identified in respect of three land parcels declared by the persons named. Following correspondence with my Department, the persons named confirmed, on 6 December, that they accepted the reference areas assigned to these parcels under my Department's Land Parcel Identification System. The application was then processed as per the Terms and Conditions of the Single Payment Scheme/Disadvantaged Area Scheme, based on the governing EU regulations, thereby allowing the appropriate payments to issue shortly to the persons named.

Alternative Energy Projects

762. **Deputy James Bannon** asked the Minister for Agriculture, Food and the Marine if his attention has been drawn to the ongoing problems in respect of grants to farmers who planted Miscanthus, as part of the bioenergy scheme of 2007; if his further attention has been drawn to the initial failure of the first crop (details supplied), which was in essence an experimental crop, and subsequent demand by him for the return of grants in some cases and the non-payment of such grants in other instances; and if he will make a statement on the matter. [1450/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): As the Deputy may be aware, the pilot Bioenergy Scheme commenced in 2007 to support the establishment of the bioenergy crops miscanthus and willow by providing grant-aid of up to 50% of the establishment cost of the crop. Under the Terms and Conditions governing the Scheme, a maximum of 75% of the grant (1st Instalment Grant) was payable in year 1 following the successful establishment of the crop, with the balance of a maximum of 25% (2nd Instalment Grant) payable one year after payment of the 1st instalment, provided the applicant had adequately maintained and managed the crop, including the first year cut back.

In a small number of cases, where a crop was not satisfactorily established, payment was deferred and an additional growing season was given to allow for remedial work to be undertaken. The growers concerned were advised to apply for a repeat inspection which would result in payment once establishment was deemed satisfactory. The growers were given every opportunity to carry out remedial work and bring the crop up to the required standard. Where growers decided to withdraw their application before full establishment of the crop, any grant

[Deputy Simon Coveney.]

aid previously paid was recouped. In line with the Scheme Terms and Conditions, no payment was issued where the crop failed to reach the required standard and recoupment of some or all grant-aid paid was sought in some cases where the crop was not adequately maintained and managed as required at 2nd instalment payment stage.

Within the Terms and Conditions of the Scheme, applicants are advised to obtain independent technical advice as to the suitability of their land for planting willow and miscanthus crops and also to ensure that their plantation was adequately insured. A “best practice” guideline developed by Teagasc was also given to each applicant. As part of the application for pre-planting approval under the Bioenergy Scheme, each applicant signs a declaration stating that s/he has read and agrees to observe and be bound by the terms and conditions of the Bioenergy Scheme.

As you are may be aware, on Monday, 5th December 2011, I announced the re-opening of the Bioenergy Scheme for 2012. I have decided to amend the terms and conditions of the scheme so that participants are no longer required to maintain the crop for seven years as a condition of receiving grant-aid. I believe that the removal of this condition will help to make the scheme more attractive to farmers without reducing their commitment to establishing and properly managing the crop once they make the planting investment.

Grant Payments

763. **Deputy Dara Calleary** asked the Minister for Agriculture, Food and the Marine the position regarding a single farm payment claim in respect of a person (details supplied) in County Mayo. [1614/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the Single Payment Scheme/Disadvantaged Areas Scheme was received from the person named on the 12th of May 2012. This application was selected for a Ground Eligibility/Cross Compliance inspection.

During the course of the inspection it was deemed that 6 parcels in Kerry and 1 parcel in Mayo, that were included on the 2011 application of the person named, were not being farmed by the applicant and were ineligible for payment under the scheme. An interim notice outlining this decision was sent to the person named on the 13th of December 2011 and a formal notice detailing the outcome will be sent shortly. He will be advised of his right to seek a review of this decision and of his right to have the outcome of any such review appealed to the Independent Agriculture Appeals Office.

764. **Deputy Heather Humphreys** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Monaghan will receive their 2011 agri-environment options scheme payment; and if he will make a statement on the matter. [1626/12]

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 1st September 2010 and full payment has issued in respect of 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, had to be completed before any payment could issue in respect of 2011.

These administrative checks, including checks on the Capital Investments elements of the applicant’s plan, are currently being carried out and once successfully completed payment in respect of 2011 will issue.

Departmental Agencies

765. **Deputy Maureen O’Sullivan** asked the Minister for Agriculture, Food and the Marine the number of State agencies under the aegis of his Department which are currently financed by the Exchequer; the number of board members attending each State agency; the expenses issued for each meeting; if any review of the membership of board members is to be taken in order to monitor attendance levels or lack of attendance by any member; and if he will make a statement on the matter. [2045/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): There are eight State agencies financed by the Exchequer under the aegis of my Department. The following table sets out the agencies and the number of board members in each case:

	Total Number of Board Members
Aquaculture Licensing Appeals Board (ALAB)	7
Bord Bia	15
Bord Iascaigh Mhara (BIM)	5
Bord na gCon	6
Horse Racing Ireland	14
Marine Institute	8
Sea Fisheries Protection Authority (SFPA)	3
Teagasc	12

Queries regarding expenses issued to Board members for attendance at meetings should be addressed to the State agencies themselves.

Children in Care

766. **Deputy Billy Kelleher** asked the Minister for Children and Youth Affairs the action that will be taken following the Health Information and Quality Authority report relating to Gleann Alainn special care unit, County Cork, and the resources that will be put in place to address the deficiencies outlined in the report; and if she will make a statement on the matter. [40855/11]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The HSE has responsibility for the implementation of the recommendations from the report on the inspection by HIQA that was undertaken last October. I have been informed by the HSE that a range of measures and actions have been taken to address the issues of concern highlighted, to ensure the immediate safety and wellbeing of the young people and to effect improved governance of the centre.

In this context a management action plan has been developed, the implementation of which is being closely monitored by the National Manager for Special Care and High Support within the HSE. Pending evidence of improvements in line with the management action plan the HSE has advised there will be no further admissions to this Centre. HIQA has indicated that it will carry out another full inspection of Gleann Alainn this month. Progress in terms of implementation of the recommendations made in the HIQA report will be assessed at this time. It is essential that the HSE put in place as a priority the necessary measures to address the various deficits identified by HIQA, in order to restore confidence in the operation of the centre and with a view to re-commencing admissions having regard to the particular needs of this care group.

Family Support Services

767. **Deputy Pearse Doherty** asked the Minister for Children and Youth Affairs the reason a family (details supplied) in Dublin 22 has not had a social worker appointed to its case despite repeated requests from the family; and if she will make a statement on the matter. [40958/11]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): As this is a service matter, I have asked the Health Service Executive to respond directly to the Deputy with the most up-to-date information.

Asylum Support Services

768. **Deputy Simon Harris** asked the Minister for Children and Youth Affairs the nature of the duty of care, as outlined in section 45 of the Child Care Act, owed by the State to non-nationals in full-time third level education who have reached 18 years, having been resident here under the aforementioned Act; and if she will make a statement on the matter. [40996/11]

776. **Deputy Simon Harris** asked the Minister for Children and Youth Affairs if she liaises with the Department of Justice and Equality in relation to non-national children currently residing here under the Child Care Act, who will fall under the auspices of the Refugee Act on reaching 18 years; and if she will make a statement on the matter. [40993/11]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): I propose to take Questions Nos. 768 and 776 together.

The immediate and ongoing needs of separated children seeking asylum (SCSA) as well as their application for refugee status are the responsibility of the Health Service Executive (HSE) in accordance with the Refugee Act, 1996 (as amended) and the Child Care Act, 1991. Where children are identified by An Garda Síochána, at the point of entry, the circumstances are investigated and if there are any concerns about the welfare of the child, they are placed into the care of the HSE.

On reaching 18 years of age, they are referred by the HSE to the Reception and Integration Agency (RIA) for transfer to adult accommodation and service provision in the direct provision system. However, the HSE is committed to ensuring continuity of care for all young people who are undertaking their leaving certificate and therefore interprets “18th birthday” as the end of a school year/leaving certificate year following their 18th birthday. Any change of placement would only be in exceptional circumstances and in the young person’s best interests.

The HSE and the RIA have an agreed policy in relation to the accommodation of separated children seeking asylum who reach the age of 18 years and there is regular liaison between the two agencies. There is also ongoing liaison between my department and the HSE on a wide range of issues.

Foster Care

769. **Deputy Clare Daly** asked the Minister for Children and Youth Affairs the number of children in foster care in the County Wicklow area each month over the past year by comparison with the State average; the average length of time each child remained in foster care; the number of foster families used in the area, and the total cost of same. [41435/11]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): As this is a service matter, I have asked the Health Service Executive to respond directly to the Deputy with the most up-to-date information.

770. **Deputy Clare Daly** asked the Minister for Children and Youth Affairs the reason children (details supplied) in County Wicklow were not placed in the care of family members, rather than being placed in foster care, which would save the State substantial funds and be less distressful for the children. [41436/11]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): As this is a service matter, I have asked the Health Service Executive to respond directly to the Deputy with the most up-to-date information.

Question No. 771 withdrawn.

Inter-Country Adoptions

772. **Deputy Michael McCarthy** asked the Minister for Children and Youth Affairs the number of adoptions that have been effected and registered by Irish couples and persons with a declaration of eligibility and suitability to adopt issued after 1 November 2010 and from which sending countries; and if she will make a statement on the matter. [40937/11]

773. **Deputy Michael McCarthy** asked the Minister for Children and Youth Affairs the number of declarations of eligibility and suitability to adopt that have been issued here since 1 November 2010; and if she will make a statement on the matter. [40938/11]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): I propose to take Questions Nos. 772 and 773 together.

The Adoption Authority informs me that currently, there are no intercountry adoptions completed and registered in respect of applicants who received new Declarations of Eligibility and Suitability under Section 40 since 1 November 2010. It should be noted that waiting times between the sending of an application pack and the actual completion of an adoption in sending countries may vary greatly and may extend to as much as three years or more in some cases. Furthermore, some jurisdictions require a two stage process which entails post-placement reports being submitted during an initial period of guardianship before an adoption is approved and finalised. Hence, there would be little likelihood of adoptions being completed in respect of applications sent to Hague ratified countries since Ireland's ratification of the Hague Convention on 1 November 2010. The Adoption Authority has no influence with regard to the waiting times involved in these sending countries.

According to the Adoption Authority, there have been a total of 178 new Declarations of Eligibility and Suitability issued to persons intending to adopt from abroad issued pursuant to Section 40 of the Adoption Act 2010, since 1 November 2010.

In addition, pursuant to Section 63 of the Adoption Act 2010, the AAI has since issued 556 revised Declarations to persons who were already in possession of a valid Declaration of Eligibility & Suitability issued prior to 1st November 2010 by the former Adoption Board and who had adoptions in process at the time of the establishment of the Authority, on that date.

Constitutional Amendments

774. **Deputy Michael McCarthy** asked the Minister for Children and Youth Affairs the date on which the children's referendum will be held; and if she will make a statement on the matter. [40939/11]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The Programme for Government 2011 states that the Referendum on Children's Rights is a priority, and that the

[Deputy Frances Fitzgerald.]

wording of the proposed referendum will be along the lines of that proposed by the All Party Joint Committee on the Constitutional Amendment on Children.

Since taking office, both myself and officials of the Department of Children and Youth Affairs have had a number of meetings with the Attorney General and her officials to progress this commitment. Work on the wording of the referendum is ongoing, focusing on ensuring that the proposed Referendum reflects the deliberations and conclusions of the Joint Committee and the commitment in the Programme for Government. It is my intention to seek approval from Government for the proposed wording, with a view to holding the referendum this year.

Inter-Country Adoptions

775. **Deputy Peter Mathews** asked the Minister for Children and Youth Affairs if she will use section 73 of the Adoption Act to ensure that it is possible for adoptions from Ethiopia to take place; if she will begin arrangements to enter into a bilateral agreement with Ethiopia while discussions with Russia are ongoing; and if she will make a statement on the matter. [40966/11]

778. **Deputy Brian Walsh** asked the Minister for Children and Youth Affairs if she will provide her consent for the Adoption Authority of Ireland to commence negotiations with Ethiopia regarding a bilateral adoption agreement; and if she will make a statement on the matter. [41049/11]

779. **Deputy Charlie McConalogue** asked the Minister for Children and Youth Affairs the position regarding the adoption by Irish citizens of children from countries that are not signed up to the Hague Convention; and if she will make a statement on the matter. [41081/11]

780. **Deputy Charlie McConalogue** asked the Minister for Children and Youth Affairs the position regarding Irish citizens who were in the advanced stages of adopting a child from countries not currently signed up to the Hague Convention before Ireland decided to discontinue processing adoptions from countries that had not signed up to the convention; and if she will make a statement on the matter. [41082/11]

782. **Deputy Paschal Donohoe** asked the Minister for Children and Youth Affairs if she will provide an update on plans to enter into a bilateral agreement with Ethiopia regarding inter-country adoption; and if she will make a statement on the matter. [41267/11]

801. **Deputy John Deasy** asked the Minister for Children and Youth Affairs her plans to authorise the Adoption Authority of Ireland to commence negotiations with the Ethiopian authorities to allow continued adoption from that country; if her attention has been drawn to the fact that other countries which have enacted the Hague Convention continue to effect adoptions from Ethiopia even though Ethiopia has yet to enact the Hague Convention; and if she will make a statement on the matter. [1244/12]

802. **Deputy John Deasy** asked the Minister for Children and Youth Affairs her plans to authorise the Adoption Authority of Ireland to commence negotiations on a bilateral agreement with Ethiopia; and if she will make a statement on the matter. [1245/12]

804. **Deputy Seán Kyne** asked the Minister for Children and Youth Affairs if and when consent will be given to the Adoption Authority of Ireland to open negotiations with Ethiopia with the aim of establishing a bilateral agreement between the two countries and thereby

facilitate a resumption of intercountry adoption which is sought by a number of Irish couples, particularly those who had previously adopted a child from Ethiopia. [1264/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): I propose to take Questions Nos. 775, 778 to 780, inclusive, 782, 801, 802 and 804 together.

Adoptions from Ethiopia, effected under the transitional arrangements provided for in the Adoption Act 2010, are ongoing and are currently being examined, and recognised, by the Adoption Authority of Ireland (AAI). These transitional arrangements may lead to adoptions from Ethiopia taking place up to the end of October 2013.

Adoptions from Ethiopia which are not covered by the transitional arrangements referred to above require a bilateral agreement between Ireland and Ethiopia. The negotiation of bilateral agreements on intercountry adoption with states who have not ratified the Hague Convention is governed by Section 73 of the Adoption Act 2010 which states that “*the Authority, with the prior consent of the Minister, may enter into discussions with any non-contracting state concerning the possibility of the Government entering into a bilateral agreement with that State .*”

Before Christmas I wrote to the AAI giving approval for the commencement of the process of examining the feasibility of a bilateral agreement with Ethiopia. The AAI have confirmed that, with the assistance of the Irish embassy in Addis Ababa, they have sought an expert legal narrative and description of the current Ethiopian adoption law. This will be examined by the AAI to test for compatibility and compliance with the Adoption Act 2010.

As the Hague Convention is designed to ensure a minimum set of standards in intercountry adoption, the Adoption Authority of Ireland have indicated that their first priority is to reach agreements on arrangements with other Hague countries. The AAI have recently returned from the USA and now intend to develop an administrative arrangement with the USA for intercountry adoption. The AAI have also recently visited Mexico and are visiting Vietnam in the context of entering into administrative arrangements with both those jurisdictions, the latter being dependent on the entering into force of the Hague convention in Vietnam on 1 February 2012. I am extremely conscious that the Authority have a full work programme in the terms of these countries as well as the important upcoming priority of our engagement with Vietnam.

In addition, the Authority and my officials held exploratory meetings with the Russian authorities in December. A delegation visited Russia in relation to preliminary discussions around the potential for a bilateral on intercountry adoption. This was a follow up to previous discussions which took place earlier in the year, on the initiative of the Russian authorities. The assessment of non-Hague countries and the possibility of entering discussions on a bilateral is complex and resource intensive. I have to have regard to the resources available to the AAI and to my Department, and to the work priorities of both.

The Authority must also prioritise checks of legal compatibility with a wide range of jurisdictions in order to process applications for the recognition of the adoptions of children already adopted from abroad by Irish citizens. These are desktop reviews requiring legal advices but are urgently required to regulate the status of children already adopted.

Question No. 776 answered with Question No. 768.

Children in Care

777. Deputy Simon Harris asked the Minister for Children and Youth Affairs the mechanism by which care plans are drawn up by the Health Service Executive for young persons residing here under section 5 of the Child Care Act; the nature of these plans; if these plans are considered to be binding; and if she will make a statement on the matter. [40994/11]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): Section 5 of the Child Care Act, 1991 (as amended) provides that the Health Service Executive (HSE) shall take all reasonable steps to provide suitable accommodation for a child who is homeless. There is no statutory requirement for a care plan as the child is not taken into care under the Child Care Act, 1991. The HSE recently undertook a review of services provided to homeless children across the regions, which included information from practitioners on the use of Section 5 of the Child Care Act, 1991. The review found that practice varied across the regions. However, Section 5 is rarely used as children generally have other needs in addition to accommodation. Where it is used, there is usually a key worker involved with the child, who identifies their additional needs and prepares a placement plan. The HSE National Office is to develop a standardised operational policy on the use of Section 5 and my Department will review the policy with the HSE before it is finalised.

Questions Nos. 778 to 780, inclusive, answered with Question No. 775.

National Children's Strategy

781. **Deputy Patrick Nulty** asked the Minister for Children and Youth Affairs her plans for public consultation in the development of the national children's strategy; and if she will make a statement on the matter. [41213/11]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): My Department is developing a new strategy for children and young people. It will build on *Our Children — Their Lives*, Ireland's first children's strategy which was published in 2000 and it will cover the period from 2012 to 2017.

The new children and young people's policy framework is being developed in a holistic way to comprehend the continuum of the lifecourse from infancy, through early and middle childhood, to adolescence through to early adulthood, in keeping with my Department's responsibilities for children and young people. It will be the overarching framework under which policy and services for children and young people will be developed and implemented in the State.

The views of a wide range of interests including children themselves will shape the development of the children and young people's policy framework over the next six months. It will be informed by the results of a consultation, in 2011, in which almost 67,000 children and young people throughout the country participated; the advice of the National Children's Advisory Council which comprises representatives of a range of organisations, both statutory and non statutory that work with children and young people, and the views of the National Children's Strategy Implementation Group which includes nominees of Government departments and state agencies that develop policies and deliver services for children and young people.

It is envisaged that a further focused consultation will take place so that the new policy framework will be informed by the experience and expertise of other stakeholders in matters of interest to children and young people. The arrangements for this consultation are being worked out at present and details will be available in the coming weeks.

Question No. 782 answered with Question No. 775.

Early Childhood Education

783. **Deputy Catherine Murphy** asked the Minister for Children and Youth Affairs the criteria for the distribution of places on the child-care education and training support programme; the way the 2,800 places are distributed by county; and if she will make a statement on the matter. [41268/11]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The Childcare Education and Training Support (CETS) programme was introduced in September 2010 and is implemented by my Department. The CETS programme provides free childcare places to qualifying FÁS and Vocational Educational Committees (VECs) trainees and students.

Under the CETS programme, funding is provided by my Department to participating childcare services in return for the provision of free childcare places to qualifying students and trainees. The maximum weekly capitation fee payable under the programme is €170 for a full-time childcare place with reduced amounts for parents availing of part-time or after-school care. The eligibility criteria under which students and trainees qualify under the programme is determined by FÁS and the VECs.

The CETS programme is funded on an annual basis and in the region of €23 million is allocated for 2011. This funding currently provides for a maximum of approximately 2800 full-time equivalent childcare places. This is the total provision under the programme and the places are allocated, when available, to students or trainees who are deemed to qualify by FÁS and the VECs. The table below outlines the number of places being paid for in each county under the programme on 10 January 2012.

These figures are a snapshot and may increase or decrease to some extent from week to week.

Table: Total number of places being paid for in each county in CETS programme on 10 January 2012

County	Total Full Time	Total Part Time	Total Afterschool	Total places
Carlow	55	10	0	65
Cavan	24	12	12	48
Clare	94	54	18	166
Cork City	96	21	2	119
Cork County	61	40	6	107
Donegal	90	39	12	141
Dublin City	206	52	11	269
Dublin South	118	64	3	185
Dún Laoghaire/Rathdown	39	28	2	69
Fingal	99	66	7	172
Galway	96	79	12	187
Kerry	65	32	11	108
Kildare	101	84	12	197
Kilkenny	41	16	4	61
Laois	56	13	4	73
Leitrim	18	19	1	38
Limerick City	46	36	8	90
Limerick County	37	34	11	82
Longford	51	34	2	87
Louth	60	24	10	94
Mayo	40	16	9	65
Meath	64	31	9	104
Monaghan	29	29	5	63
Offaly	26	34	1	61
Roscommon	43	7	4	54
Sligo	52	27	4	83
Tipperary North	23	15	2	40

[Deputy Frances Fitzgerald.]

County	Total Full Time	Total Part Time	Total Afterschool	Total places
Tipperary South	49	29	8	86
Waterford City	62	32	6	100
Waterford County	23	15	0	38
Westmeath	33	16	7	56
Wexford	49	43	1	93
Wicklow	88	43	1	132

Ministerial Staff

784. **Deputy Catherine Murphy** asked the Minister for Children and Youth Affairs the names and salaries of each person serving as a special adviser and or the names and salaries of each person directly appointed by her or a Minister of State to any other position within her Department or predecessor's Department on each of the following dates; 1 December 2009, 1 December 2010 and 1 December 2011; and if she will make a statement on the matter. [41343/11]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): My Department was established on the 2 June 2011 and the details requested by the Deputy are set out in tabular form below.

Name	Grade	WTE (Wholetime Equivalent)	Salary €
Marion Mannion	Special Adviser	1	80,051
Jennifer Carroll	Special Adviser	0.5	40,025
William Lavelle	Special Adviser	0.5	40,025
Emer Higgins	Personal Assistant (Constituency Office)	1	43,715
Meagan NiChuiric	Personal Secretary (Constituency Office)	1	23,820
Jim Cassidy	Civilian Driver	1	32,965
John Feehily	Civilian Driver	1	32,965

Departmental Staff

785. **Deputy Denis Naughten** asked the Minister for Children and Youth Affairs if she runs a graduate internship programme; and if she will make a statement on the matter. [41358/11]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): My Department is participating in the JobBridge National Internship Scheme which provides work experience placements for interns for a 6 or 9 month period. The aim of the National Internship Scheme is to assist in breaking the cycle where jobseekers are unable to get a job without experience, either as new entrants to the labour market after education or training or as unemployed workers wishing to learn new skills. The scheme also gives people a real opportunity to gain valuable experience to bridge the gap between study and the beginning of their working lives.

The experience of being involved with the National Internship Scheme has been very positive to date and officials of my Department are currently considering what areas of work would be suitable for further internships under the Scheme during 2012.

Child Care Services

786. **Deputy James Bannon** asked the Minister for Children and Youth Affairs if she will to ensure the provision of necessary funding for a child-care facility (details supplied) in County Longford, which it has not received from the childcare directorate through higher capitation, to which it is entitled, to enable it to continue the work it does for the disadvantaged families in the local area; and if she will make a statement on the matter. [41397/11]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The Early Childhood Care and Education (ECCE) programme, which is implemented by my Department, was introduced in January 2010 and provides for a free pre-school year to all eligible children in the year before they commence primary school.

A capitation payment is provided under the ECCE programme to participating services for each eligible child enrolled for the free pre-school year. The standard capitation rate is €2,450 per annum (€64.50 per week) and a higher capitation rate of €2,850 per annum (€75.00 per week) is payable to services with more qualified staff. To qualify for the higher capitation rate all Pre-School leaders in the service must hold a major award in early childhood care and education or equivalent at a minimum Level 7 on the National Framework of Qualifications and have 3 years experience working in the sector, and all assistants must hold a relevant Fetaic level 5 qualification or its equivalent. Evidence of this higher qualification must be provided to the Childcare Directorate in my Department before the higher capitation payment can be sanctioned.

I understand that the service referred to by the Deputy has submitted evidence of the higher qualification requirement and a letter confirming sanction of the higher payment has issued confirming that the service qualifies for the higher capitation payment of €75 per week for each eligible child enrolled for the period September 2011 to June 2012. I also understand that a recent payment to the service under the ECCE programme has taken account of this increased capitation amount.

This childcare service is also participating in the Community Childcare Subvention (CCS) programme which provides funding to community childcare services to enable them to charge reduced fees to disadvantaged and low income families. Funding totalling €81,422 was recently approved for this service for the school year 2011/2012 and is based on the parental returns submitted by the service to the Childcare Directorate in my Department.

Early Childhood Education

787. **Deputy Charlie McConalogue** asked the Minister for Children and Youth Affairs in view of the decision announced in budget 2012 to increase the early years' adult-child ratio from 1:10 to 1:11 from September 2012, if she has any corresponding plans to increase the maximum number of children allowed per room to more than 20; and if she will make a statement on the matter. [1009/12]

788. **Deputy Charlie McConalogue** asked the Minister for Children and Youth Affairs in view of the decision announced in Budget 2012 to increase the early years' adult-child ratio from 1:10 to 1:11 from September 2012, if she has any corresponding plans to change to the floor space area per child ratio; and if she will make a statement on the matter. [1010/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): I propose to take Questions Nos. 787 and 788 together.

[Deputy Frances Fitzgerald.]

My Department is responsible for the implementation of the Early Childhood Care and Education (ECCE) programme, which was introduced in January 2010 and provides for one free pre-school year for all eligible children before they commence primary school.

In line with the Programme for Government, my Department has made a significant commitment to maintaining the universal free pre-school year and to this end has secured additional funding provision to meet demographic pressures due to an increase in the birth-rate since 2007, with the cost of the programme expected to rise from €166m in 2011 to €180m in 2012. The universal nature of this programme is critical for childhood development and providing every child with early learning and preparation for school. The Programme for Government commits to maintaining the ECCE programme and indeed developing early childhood care and education as resources allow.

Under the Child Care (Pre-School Services) (No. 2) Regulations 2006, following inspection of the premises, the HSE may make a proposal to fix the number of pre-school children that can be catered for at the same time in a premises in which pre-school services is being carried out. This regulation, which is aimed at preventing over-crowding, takes into account the age range of the pre-school children and other factors, but does not set any maximum limit to the number of children that can be catered for in one room.

The staff/child ratios are also governed by the Child Care (Pre-School Services) (No. 2) Regulations 2006. These currently require that, where children are in the ECCE age cohort, there should be a ratio of no more than 1:10. It has been decided to increase this ratio to a maximum of 1:11, from September 2012. As the pre-school year is targeted at children in the year before they commence primary school, the increase is not expected to impact on quality.

The Child Care (Pre-School Services) (No. 2) Regulations 2006 are due to be reviewed, and the impact of the change in ratios and other related issues, including space requirements, will be considered in the context of this review.

Child Care Services

789. **Deputy Charlie McConalogue** asked the Minister for Children and Youth Affairs her plans to move to a system of making pre-school inspection publicly available; and if she will make a statement on the matter. [1011/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): Pre-school services, including childminding services, are currently regulated under the Child Care (Pre-School Services) (No. 2) Regulations 2006, as provided for under Part VII of the Child Care Act, 1991.

Operational responsibility for the management and delivery of health and personal social services, including the inspection of childcare facilities, was assigned to the Health Service Executive (HSE) under the Health Act 2004. I understand that the HSE is committed to working towards the on-line publication of the Standardised Inspection Reports of pre-school facilities. In the meantime the HSE is encouraging childcare providers to share the information in the Reports with parents, when requested.

Early Childhood Education

790. **Deputy Charlie McConalogue** asked the Minister for Children and Youth Affairs the resources being allocated in 2012 to the implementation of the workforce development plan for the early child care sector; and if she will make a statement on the matter. [1013/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The Early Childhood Care and Education (ECCE) programme was introduced in January 2010 and provides a free pre-school year to all eligible children in the year before commencing primary school. My objective is to incrementally develop the ECCE programme over the term of this Government as resources permit. A key element of this is the implementation of the Workforce Development Plan by the Early Education Policy Unit of the Department of Education and Skills, which is co-located in my Department.

The Workforce Development Plan identified different distinct groups including:

1. New entrants to the workforce who wish to become appropriately qualified for specific occupational roles and responsibilities. 2. Unqualified practitioners in the current workforce who want to achieve a Level 5 award.

For new entrants to the workforce the publication of Common Award Standards at NFQ Levels 4, 5 and 6 is a welcome development. Programmes of learning developed to meet these new award standards will incorporate national practice frameworks and will reflect national policy objectives, thereby ensuring that graduates of these programmes are fully prepared to enter the workforce. Training providers have begun to develop new programmes to meet these award standards and, subject to validation by FETAC, the first of these, the FETAC Level 5 Major Award in Early Childhood Care and Education, will come on stream shortly through the VECs.

For unqualified practitioners in the current workforce who want to achieve a Level 5 Award, my Department part subsidises an on-line course which was developed by one of the Voluntary Childcare Organisations (VCOs).

Child Care Services

791. **Deputy Charlie McConalogue** asked the Minister for Children and Youth Affairs the assurances she can give that inspectors from the Department of Education and Skills who will be carrying out joint preschool inspections with the Health Service Executive under the child care preschool regulations 2006 will have relevant early childhood care and education qualifications, skills and expertise; and if she will make a statement on the matter. [1014/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): I would like to assure the Deputy that the inspectors from both the HSE and the Department of Education and Skills, who are collaborating in a number of joint inspections during 2012, are professional evaluators with the necessary skills and competencies. When the joint inspection programme has been finished it will be reviewed and the result of that review will contribute to future plans for inspections within the sector.

National Children's Strategy

792. **Deputy Charlie McConalogue** asked the Minister for Children and Youth Affairs her plans to publish a new strategic plan for the early childhood care and education sector to follow on from the national children's strategy 2000 — 2010; and if she will make a statement on the matter. [1015/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The 2000 National Children's Strategy has served the country well in the past decade. The successor to the 2000 Strategy which will be developed during 2012 will for the first time include a particular focus on the early years of a child's life. This focus is based on the recognition of the importance of the early years for all aspects of a person's development and also on the widely accepted tenet

[Deputy Frances Fitzgerald.]

that the family and the community within which the child lives has an impact on the child's life. This perspective has already been expressed in strategies such as Ready, Steady, Play and the 2011 Literacy and Numeracy Strategy published by my colleague, Minister Ruairí Quinn in the Department of Education and Skills.

Early Childhood Education

793. **Deputy Charlie McConalogue** asked the Minister for Children and Youth Affairs further to the recent evaluation report carried out by Goodbody research consultants on the Síolta quality programme, the reported success rate of the pilot roll out and the percentage of participants who reached validation stage; and if she will make a statement on the matter. [1038/12]

794. **Deputy Charlie McConalogue** asked the Minister for Children and Youth Affairs the cost of the recent evaluation report carried out by Goodbody research consultants on the Síolta quality programme; and if she will make a statement on the matter. [1039/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): I propose to take Questions Nos. 793 and 794 together.

The evaluation of Síolta was designed to test the methodology used for its implementation and also designed to field test the materials developed for its implementation. Specifically, the evaluator was asked to:

- Assess the extent to which engagement with the Síolta Quality Assurance programme (QAP) has supported participating early years settings to develop the quality of their practice,
- Test the reliability and validity of the Síolta assessment processes and instruments across the range of early years settings. In assessing reliability, the Evaluator will be expected to conduct analyses to establish inter-rater reliability and internal consistency,
- Evaluate the role of the Síolta Co-ordinator in supporting Síolta. A key role of the Síolta Co-ordinator is to mentor, guide and enable staff in early years settings to achieve autonomy in relation to quality improvement. The evaluator was asked to identify and consider the following:
 - a) The profile, recruitment, induction, on-going support and management of Síolta Co-ordinators.
 - b) The salient characteristics of the Síolta Co-ordinator — this includes the frequency and pattern of contacts, the intensity/depth of the mentoring relationship (including the types of activities and discussions in which they engage) and the duration of the relationship.
 - c) Contextual factors that impact on the effectiveness of the Síolta Co-ordinator — early years setting relationship.
- Identify the critical factors that facilitate or inhibit the effective implementation of Síolta.

As part of the evaluation, Síolta Co-ordinators were surveyed before July 2011 and asked to specify where their settings stood in relation to the Síolta QAP. This information was provided

by the Co-ordinators in relation to 104 settings. According to the data provided at the time, one in ten (10 per cent) settings are completing baseline assessments. 38% of settings are completing their baseline assessments and have commenced development work. 45% of settings have completed their baseline assessments in full and have commenced development work. Two per cent of settings had submitted a portfolio for validation.

The Síolta QAP is about creating a culture of continual improvement. The early years settings who took part in the process were questioned about the extent to which participation in the Síolta QAP has contributed to the improvement of quality within their setting. 82% of settings either agreed or strongly agreed that participation in the QAP had contributed to quality improvement and I would consider, by any standards, that this represents a good outcome.

Following an open tender procedure, Goodbody Economic Consultants were appointed on 7th April 2011 by the Department of Education and Skills to undertake an Evaluation of the Initial Implementation of Síolta. The agreed contract was for a total maximum fixed fee of €38,778 plus a further amount in respect of additional vouched expenses, estimated to total €690, on production of invoices submitted and certified by Goodbody Economic Consultants as having been directly incurred in the provision of the services under the agreement. The said sums are expressed exclusive of VAT.

To date, Goodbody Economic Consultants have submitted invoices (inclusive of VAT) totalling €31,280.92 and have been paid said amount.

National Lottery Funding

795. **Deputy Jerry Buttimer** asked the Minister for Children and Youth Affairs if she will provide a breakdown, by application and county, of all National Lottery funding disbursed by her in the past 12 months; and if she will make a statement on the matter. [1062/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): Subhead G of Vote 43 for my Department contained a funding provision of €500,000 in 2011 to support community groups and organisations with an involvement in the provision of supports and services under the application based National Lottery Funding Scheme. The Deputy might note that this resource allocation transferred from the former Department of Health and Children to my Department upon its establishment on 2 June 2011. Projects approved for funding by me amounted to €166,500 and the grants awarded in each instance are set out in the following table:

Project Name	Approved
FAI Dublin City and County Late Nite Leagues	€10,000
St Kevin's Family Resource Centre, Tallaght, Dublin 24	€6,700
Beacon of Light Counselling Centre, Clondalkin, Dublin 22	€33,000
Cuan Counselling Service, MFG, Dingle, Co Kerry	€5,000
St Michael's Estate FRC — After School Project, Inchicore, Dublin 8	€4,100
Dime Garda Youth Diversion Project, Hardwicke Street, Dublin 1	€4,500
W.H.A.D. Project, Ballyfermot, Dublin 10	€1,200
CUMAS, Clondalkin, Dublin 22	€20,000
Anam Cara Parental and Sibling Support Ltd, Tallaght, Dublin 24	€6,500
Griffeen Community Development Group, Lucan, Co Dublin	€3,000
National Children's Nurseries Assoc (NCNA)	€25,000
FACE — Fermoy Action Children's Education, Co Cork	€3,000
Ballybane Foróige Project, Galway	€3,500
Clever Kidz After School (Respond), Athy, Co Kildare	€3,000

[Deputy Frances Fitzgerald.]

Project Name	Approved
Navan Community Development Project Ltd, Co Meath	€3,000
Co Wicklow Playbus Project, Wicklow	€6,000
Cardonagh Youth Club, Inishowen, Co Donegal	€9,000
Stepping Stones, St Colman's Community Playgroup, Claremorris, Co Mayo	€14,000
Alternative Learning Pathways Project, Dún Laoghaire, Co Dublin	€6,000
Total	€166,500

Particulars relating to the projects approved for funding in 2011 by the former Minister for Health and Children prior to the transfer of the funding resource to my Department are as follows:

Project Name	Approved
Arc Adoption Ltd, Rathfarnham, Dublin 16	€230,000
Castlefinn Youth Club, Co Donegal	€56,000
Erris "No Name" Club, Belmullet, Co. Mayo	€40,000
La Go Bhri Community Childcare Service, Skerries, Co Dublin	€7,500
Total	€333,500

Question No. 796 withdrawn.

Departmental Staff

797. **Deputy Simon Harris** asked the Minister for Children and Youth Affairs the number of family social workers assigned to an area (details supplied); the number who were assigned to this area in 2007, 2008, 2009, 2010 and 2011; when she expects such recruitment to commence; the number of persons who will be recruited; and if she will make a statement on the matter. [1068/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): As this is a service matter, I have asked the Health Service Executive to respond directly to the Deputy with the most up-to-date information.

Missing Persons

798. **Deputy Simon Harris** asked the Minister for Children and Youth Affairs when she will establish a missing children's hotline here in line with a pan-European effort on this issue; and if she will make a statement on the matter. [1072/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): Under EU telecoms rules agreed in 2009, the 116000 number is reserved in all EU member states for a missing children hotline. In a recent debate on this issue in Seanad Éireann, on 12th October last, I gave a commitment to work with relevant Departments and agencies to establish this Hotline in Ireland in 2012. I also announced my intention to establish a cross-sectoral Project Team to include representatives of my own Department, the Department of Justice and Equality, Com-Reg and an Garda Síochána. The first meeting of the group is taking place this week. I have asked the project team to work as quickly as possible in advancing this matter.

In June 2011, ComReg, who have responsibility for allocation of this number in Ireland, sought expressions of interest to run the Hotline and to date one application has been received. I am aware of and have met with other Irish NGOs who may be interested, but their estimated costings vary significantly. The Project Team will examine how best to operate the Hotline, in the context of the demand for the service, and to establish the extent to which services, including Garda and victim support services, which are already in existence and receiving Government funding, can be mobilised to meet Ireland's commitments in relation to the Hotline.

I want to emphasise that the investigation of a child's disappearance is the responsibility of the Garda. Their structures in this regard include not only the local Gardaí, who will have primary responsibility for the investigation, but also the Missing Persons Bureau. It is of paramount importance that any arrangements which are put in place to establish the 116000 Hotline in Ireland do not compromise the requirement that the first and most important contact to be made, is to notify the Garda of the fact that a child is missing, so the investigation can commence without delay. However the implementation of a dedicated missing children hotline is intended to provide a further level of support in such situations.

Youth Services

799. **Deputy Simon Harris** asked the Minister for Children and Youth Affairs the amount of funding she has made available for the provision of youth cafes in 2007, 2008, 2009, 2010 and 2011; the amount of funding that will be allocated for this purpose in 2012; if a strategy for the roll-out of these facilities is in place; the number of such facilities currently in place; and if she will make a statement on the matter. [1074/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): In 2010, funding of €1.5m was allocated from the Dormant Accounts Fund for a measure to improve Youth Café facilities in Ireland. This was the first funding programme specifically targeted at youth cafés. Some 64 projects were approved for funding under two strands i.e. small-scale funding for existing youth cafés and the establishment of new youth café facilities. As a result of this scheme, a total of 16 brand new cafés are gradually coming on stream. In addition, a further €200,000 capital funding was made available late in 2011 to 18 youth projects, thus enabling existing them to upgrade existing premises and/or purchase additional equipment in order to provide a safe, supporting and enabling meeting space for young people.

My Department estimates that between 75-100 youth café facilities now operate across the State and these facilities are proving hugely beneficial to local communities in terms of broader engagement with young people. In addition, my Department supports a range of youth services and volunteer-led youth groups which offer similar resources and spaces for young people locally.

To support my Department's commitment to the development of quality, front-line youth projects and services which address the changing needs of young people and their communities, I have ensured that as part of the Government's Capital Review published in November 2011, capital funding available for youth projects will increase to an annual amount of €1.5m in 2012 and again in 2013. My Department is currently developing a strategy for the implementation and administration of this measure so as to ensure impact, resource effectiveness and value for money.

Departmental Offices

800. **Deputy Dara Calleary** asked the Minister for Children and Youth Affairs her view that she or any agency funded by her which own properties in office complexes in which a manage-

[Deputy Dara Calleary.]

ment company is in place, should take an active role in the running of such management companies including the appointment of a nominee to the board of the company in order to protect the investment of taxpayers' money. [1148/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): As neither my Department, nor any agency under the remit my Department, owns any property the issue raised by the Deputy does not arise.

I can assure the Deputy that my Department and associated agencies are fully aware of the necessity to reduce administrative costs and there are ongoing efforts across all offices to increase efficiencies in this regard.

Questions Nos. 801 and 802 answered with Question No. 775.

Inter-Country Adoptions

803. **Deputy Seán Kyne** asked the Minister for Children and Youth Affairs if she will report on the progress of the delegation who travelled from Ireland to Russia in December with the task of examining the way inter-country adoptions could resume between the two States. [1263/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): A delegation comprised of representatives of the Adoption Authority and officials from my Department held exploratory meetings with the Russian authorities in December. The delegation visited Russia in relation to preliminary discussions around the potential for a bilateral on intercountry adoption. This was a follow up to previous discussions which took place earlier in the year, on the initiative of the Russian authorities.

I understand that the AAI are currently preparing a report for me on its assessment of the situation. My officials are also preparing their report on the meeting held and next steps.

Question No. 804 answered with Question No. 775.

Youth Services

805. **Deputy Pearse Doherty** asked the Minister for Children and Youth Affairs if she will provide an explanation for the proposed closure of Foróige youth information centre in Donegal town; her views on the matter dealing with the impact on the young persons who currently access this service and the impact on the three persons who have lost their jobs; and if she will make a statement on the matter. [1427/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): Foróige, the national youth development organisation, following an internal review of the organisation's wide range of provision for young people, has reprioritised its areas of youth provision and programmes. Accordingly, Foróige, in endeavouring to maintain and develop its core services and programmes, has decided to cease the provision of centre-based Youth Information in three areas including Donegal town.

This reprioritisation has enabled Foróige to strengthen their Big Brother Big Sister (BBBS) Programme nationally. Foróige has decided to reallocate the funding, provided by my Department, from centre-based Youth Information to the Big Brother Big Sister Programme.

My Department supports a range of youth activities in the County Donegal area including a Youth Information Centre in Letterkenny. Funding to support the Letterkenny Centre will continue to be provided by my Department in 2012.

Health Services

806. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Children and Youth Affairs further to Parliamentary Question No. 537 of 15 November 2011, when a reply will issue from the Health Service Executive. [1620/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): I have asked the Health Service Executive to update the Deputy as a matter of urgency.

State Agencies

807. **Deputy Maureen O’Sullivan** asked the Minister for Children and Youth Affairs the number of State agencies currently financed by the Exchequer; the number of board members attending each State agency; the expenses issued for each meeting; if any review of the membership of board members is to be taken in order to monitor attendance levels or lack of attendance by any member; and if he will make a statement on the matter; and if she will make a statement on the matter. [2047/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): I would like to inform the Deputy that the position in respect of my Department is that four agencies are funded by the Exchequer through my Department’s Vote. These are the Adoption Authority of Ireland, the Family Support Agency, the National Educational Welfare Board and the Ombudsman for Children.

The Adoption Authority of Ireland has a total of seven board members, in accordance with Section 98 of the Adoption Act 2010. There are two vacancies at present.

The National Educational Welfare Board (NEWB) has a full complement of 13 members in accordance with Section 9 of the Education (Welfare) Act 2000. There are currently 9 Board members, including the CEO, and 4 vacancies.

The Family Support Agency (FSA) currently has 5 serving members including the Chairperson. The full complement of the Agency is 12 members in accordance with Section 10 of the Family Support Agency Act 2001.

The Office of the Ombudsman for Children does not have a Board.

All Board members are paid travel and subsistence as appropriate, in accordance with the provisions of the governing legislation, for attendance at Board meetings. A record of attendance at all meetings is maintained. Details of expenses for each meeting are not available in the manner requested by the Deputy. However, I can advise the Deputy that a total of €7609 was paid by the NEWB in travel and subsistence to members in respect of 17 meetings of the Board during 2010. Provisional figures for 2011 indicate that the FSA paid €22,181.40 to members for travel and subsistence in respect of 10 meetings of the Agency.

Governance arrangements for these agencies will be examined in my Department in the context of the review of delivery of family and children services and in the context of this Government’s commitment to Public Service Reform.

Clinical Indemnity Scheme

808. **Deputy Billy Kelleher** asked the Minister for Health, on the issue of the Health Service Executive’s refusal to allow umbilical cord blood collection, if he stated in a letter to the then Minister for Health Mary Harney on 25 February 2009 that he believed the State’s approach to the HSE’s refusal to collect umbilical cord blood is open to court challenge and is in conflict with constitutional principles in relation to the family; if he will explain the reason he has not

[Deputy Billy Kelleher.]

acted on his statement and requested that the HSE provide the service and so limit the State's potential liability in relation to this issue; and if he will make a statement on the matter. [40851/11]

823. **Deputy Billy Kelleher** asked the Minister for Health, on the issue of the Health Service Executives refusal to allow umbilical cord blood collection, if he stated on 28 June 2011 that the HSE should correct this anomaly that has not allowed the banking of cord blood cells in cases in which patients are anxious for this to happen and are prepared to fund the cost so that no additional cost is borne by the taxpayer; if he will explain the reason he has not acted on his own recommendation; and if he will make a statement on the matter. [40849/11]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 808 and 823 together.

Cord blood is a recognised source of stem cells. However, there are other sources of stem cells including bone marrow. The benefit of stem cells for a range of issues is being explored by scientists around the world. In these studies the use of stem cells have been derived from a variety of sources, not just cord blood. Thus, while cord blood receives significant attention, access to cord blood is not the sole route of access to the benefits of stem cells — either those currently proven or those which may emerge in the future. It is important to note that many benefits of stem cells currently discussed are at very early investigative stages and will require substantiation through clinical trials.

“Directed” harvesting of cord blood stem cells is currently facilitated in the public system. When clinically indicated by a consultant overseeing care, collection of cord blood for donation to an identified family member in high risk families is facilitated by HSE hospitals in collaboration with the Irish Blood Transfusion Service. In addition, where an identified clinical need arises, Ireland has access to cord blood stem cells through international stem cell banks and registries and this is also arranged by the Irish Blood Transfusion Service.

Hospitals and their maternity service teams face significant challenges in ensuring that a safe and high quality maternity care system is provided to mothers and their babies within available resources. “Undirected” harvesting of cord blood, or collection of cord blood for private use in low risk families is not provided publicly in Ireland at present.

The HSE has not issued any direction to hospitals prohibiting them from undertaking undirected harvesting of cord blood under contract with private companies. However, staff employed at hospitals operated or funded by the HSE cannot undertake the collection of cord blood on behalf of third party commercial entities, as this activity would not be covered under the Clinical Indemnity Scheme. A number of hospitals have advised their clinical staff about the indemnity issues arising in this regard.

It is open to hospitals wishing to accommodate staff who are directly employed by third party commercial companies to undertake the procurement of cord blood at hospitals operated or funded by the HSE, provided they ensure that a service level agreement is in place between the third party commercial entity and the hospital concerned.

The HSE will continue to ensure that evidence-based, safe, effective and high quality care is provided to patients and their families. To this end the HSE and my Department will keep the emergence of the clinical benefits of cord blood banking under review.

Health Services

809. **Deputy Gerry Adams** asked the Minister for Health the funding allocated by him to

services aimed at tackling domestic violence in County Louth, including women's refuges; the funding for these services in 2009, 2010, 2011; and the amount it will be in 2012. [41059/11]

Minister for Health (Deputy James Reilly): As this is a service matter it has been referred to the HSE for direct reply.

Medical Cards

810. **Deputy Sandra McLellan** asked the Minister for Health if he will expedite a medical card application in respect of a person (details supplied) in County Cork; and if he will make a statement on the matter. [41305/11]

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 Staff

811. **Deputy James Bannon** asked the Minister for Health if it is possible for a clerical officer (details supplied) to transfer from one Government Department to another or to a county council in order to minimise travel time and expense; and if he will make a statement on the matter. [1249/12]

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 Services

812. **Deputy Billy Kelleher** asked the Minister for Health if he expects frontline services to be affected following cuts announced in Budget 2012; and if he will make a statement on the matter. [1631/12]

Minister for Health (Deputy James Reilly): It is clear that 2012 will be a very challenging year for the health services. The combination of the savings measures, the absence of extra funding for unavoidable extra costs and service needs plus the further reductions in numbers employed will inevitably impact on services across all care programmes. The extent and nature of the impact on specific services will be set out in the HSE's National Service Plan for 2012, which was approved by the Board of the HSE and submitted to me on 23rd December. I am currently considering the Plan with a view to making a decision on it by the end of this week.

My Department has worked collaboratively with the HSE to develop the Plan in the context of the Comprehensive Review of Expenditure, the Programme for Government reform agenda and commitments for Mental Health and Primary Care. The Plan as submitted indicates at a high level the impact the savings measures will have on the various care areas, however, it would not be appropriate for me to discuss the details of the Plan in advance of my final decision. I can indicate that there will be a greater emphasis on maximising the level of services through innovation and more efficient use of the resources available.

The HSE itself acknowledges that there is a need to accelerate the process of health care reform and through the use of initiatives, such as the National Clinical Care Programmes, to move to models of care across all programmes that deliver services to patients and clients at the lowest level of complexity and the least possible unit cost. We hope to minimise the impact on services but the reality is that we are in very challenging times and there is going to be a consequence for every programme. We will be working hard with the HSE, the unions and our staff to find ways of changing how we do our business to identify means of maximising the

[Deputy James Reilly.]

resources we have and minimising the affects on the level of service provision. The full and successful implementation of the reform programme will be essential in our drive to minimise the adverse impact that the reduction in funding will have on patients.

Hospital Accommodation

813. **Deputy Pat Breen** asked the Minister for Health if he will clarify the situation regarding patients at a facility (details supplied); and if he will make a statement on the matter. [40777/11]

851. **Deputy Aodhán Ó Ríordáin** asked the Minister for Health the position regarding the situation in St. Brendan's Hospital, Grangegorman, Dublin, in which the Female Open Unit and the Female High Security Unit will be amalgamated; if he will ensure that he will maintain best medical practice in this regard; if he will give a commitment that a similar situation will be prevented in the future through extra supports or overtime for staff; and if he will make a statement on the matter. [41012/11]

893. **Deputy Joe Carey** asked the Minister for Health if he will report on the arrangements regarding the staffing of wards over the Christmas and new year period at a hospital (details supplied) in Dublin; and if he will make a statement on the matter. [41265/11]

Minister of State at the Department of Health (Deputy Kathleen Lynch): I propose to take Questions Nos. 813, 851 and 893 together.

Temporary arrangements were put in place at St. Brendan's Hospital, Grangegorman over the Christmas period to ensure continuity, quality and safety of services for all patients. Because of this a number of female patients had to be transferred from Unit 3B to a low secure ward on the Grangegorman Campus. I visited the hospital before Christmas and met with most of the women involved. I am satisfied that in the circumstances the best possible arrangements were put in place for these patients and that every effort was made to keep the disruption for them to a minimum.

Unit 3B had been due to reopen on the 16th January, however with the co-operation of management and staff, the HSE was able to reopen the Unit a fortnight earlier than anticipated and the female patients have now returned to Unit 3B.

Work is underway on the development of a 54-bedded replacement long stay facility as part of the Grangegorman Redevelopment Project. This new facility will provide patients with their own single bedrooms and ensuite facilities, therapy and rehabilitation spaces enhanced with courtyard settings and a light filled environment to maximise the benefits for patients for the duration of their recovery. Construction of the replacement unit is expected to completed in late 2012.

Nursing Homes Support Scheme

814. **Deputy Nicky McFadden** asked the Minister for Health if an application for nursing home support scheme in respect of a person (details supplied) in County Westmeath, subject to approval, will be backdated to the date of admission; and if he will make a statement on the matter. [40778/11]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Health Services

815. **Deputy Finian McGrath** asked the Minister for Health if it is correct that the Health Service Executive is looking for a 5.5.% cut to services for the blind. [40805/11]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The Health Service Executive's National Service Plan for 2012 is currently under consideration by the Minister and the Government.

Decisions in relation to funding individual care programmes and service levels for 2012 will not be made until the Minister approves the National Service Plan for 2012 in accordance with the Health Act 2004.

816. **Deputy Finian McGrath** asked the Minister for Health if he will not force a disability service (details supplied) to take a cut of 5.5.%; and if he will make this a priority issue. [40806/11]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The Health Service Executive's National Service Plan for 2012 is currently under consideration by the Minister and the Government.

Decisions in relation to funding individual care programmes and service levels for 2012 will not be made until the Minister approves the National Service Plan for 2012 in accordance with the Health Act 2004.

Drugs Payment Scheme

817. **Deputy Ciarán Lynch** asked the Minister for Health the total number of claimants under the drug payment scheme in 2010; the number who claimed three times or less; the number who claimed six times or less; the number who made more than six claims that year; and if he will make a statement on the matter. [40815/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): The information requested by the Deputy in relation to the Drug Payment Scheme is not readily available at this time. I have asked the HSE to supply this information and will forward it to the Deputy.

Pharmacy Regulations

818. **Deputy Billy Kelleher** asked the Minister for Health the cost to the health system of inappropriate prescribing and wastage of pharmaceuticals within the system; his plans to address the costs; and if he will make a statement on the matter. [40816/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): A number of studies have estimated the prevalence and cost of potentially inappropriate prescribing for different groups of patients. However, there is no overall estimate of the cost of potentially inappropriate prescribing in Ireland.

The HSE is implementing a range of initiatives to maximise the appropriate prescribing of medicines. These include working in partnership with key health professionals to develop pathways for quality prescribing, promoting the use of clinical protocols for the delivery of evidence-based prescribing, developing the role of community pharmacists and introducing patient-held prescribing records. In addition, the HSE Primary Care Reimbursement Service has introduced an on-line facility for GPs to review and self-audit their individual prescribing practice in comparison with the national average, which has been standardised for the individual GP's patient profile.

Health Services

819. **Deputy Michael Healy-Rae** asked the Minister for Health if he will review a matter (details supplied) regarding appointments; and if he will make a statement on the matter. [40827/11]

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.

Long-Term Illness Scheme

820. **Deputy Dan Neville** asked the Minister for Health the medication for psychiatric illness included in the long-term illness scheme. [40832/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): The Long Term Illness Scheme provides patients with a specified illness with medicines and appliances for the treatment of that illness without charge.

The illnesses covered by the scheme are acute leukaemia, mental handicap, cerebral palsy, mental illness (in a person under 16), cystic fibrosis, multiple sclerosis, diabetes mellitus, diabetes insipidus, parkinson's disease, epilepsy, phenylketonuria, haemophilia, spina bifida, muscular dystrophies, hydrocephalus and conditions arising from the use of thalidomide.

There are a number of medicines supplied under the Long Term Illness Scheme that can be used for the treatment of both mental illnesses and epilepsy or seizures. These medicines include lamotrigine, carbamazepine, pregabalin and clobazam. These medicines are only supplied under the Long Term Illness Scheme if the patient has one of the illnesses covered by the scheme. Patients aged 16 or over who require medication for the treatment of mental illness can obtain medicines under the GMS or Drug Payment Schemes.

Mental Health Services

821. **Deputy Simon Harris** asked the Minister for Health if he will outline in detail per service provider and geographic area the way he intends to spend the €35 million earmarked for the development of community mental health services in Budget 2012; and if he will make a statement on the matter. [40833/11]

822. **Deputy Simon Harris** asked the Minister for Health if he intends to establish a Directorate for Mental Health Services with full budgetary authority and accountability for the provision of mental health services here; and if he will make a statement on the matter. [40834/11]

837. **Deputy Maureen O'Sullivan** asked the Minister for Health if he is committed to putting in place a directorate for mental health services with full budgetary authority and accountability. [40906/11]

910. **Deputy Patrick Nulty** asked the Minister for Health the reason the €35 million investment in mental health services is now split three ways and not the originally intended purposes of developing community mental health teams and funding reach out as per the Programme for Government; the proportion of the €35 million that is going to these originally intended purposes; if he will provide an explanation of the meaning of mental health priorities; and if he will make a statement on the matter. [41392/11]

911. **Deputy Patrick Nulty** asked the Minister for Health the safeguards and monitoring procedures in place to ensure that the €35 million investment will be used for the development of community mental health services. [41393/11]

Minister of State at the Department of Health (Deputy Kathleen Lynch): I propose to take Questions Nos. 821, 822, 837, 910 and 911 together.

A special allocation of €35m for mental health was announced in Budget 2012 in line with the Programme for Government commitments. Details of how this funding will be apportioned are still being worked on in the context of the HSE's draft National Service Plan (NSP) for 2012 which is currently under consideration by the Minister. Final decisions in relation to funding of individual care programmes will become clear when the Minister approves the NSP for 2012 in accordance with the Health Act 2004.

Funding from the special allocation for mental health will be used primarily to strengthen Community Mental Health Teams in both Adult and Children's mental health services. It is intended that the additional resources will be rolled out in conjunction with a scheme of appropriate clinical care programmes based on an early intervention and a recovery approach. Some of the funding will also be used to advance activities in the area of suicide prevention and response to self-harm presentations and to initiate the provision of psychological and counselling services in primary care specifically for people with mental health problems. Some provision will also be made to facilitate the re-location of mental health service users from institutional care to more independent living arrangements in their communities, in line with *Vision for Change*. Mechanisms will be put in place to ensure that the funding is spent only for the purposes for which it is specified in the HSE Service Plan.

Deputies will be aware that the Government has already approved the drafting of legislation to give effect to changes in the governance of the HSE. This involves radical reform of the health service generally which will see the introduction of Universal Health Insurance (UHI). Significantly the new system of governance will involve seven Directorates, including a separate Directorate for Mental Health which will have full responsibility and accountability in that area. In this context, my colleague Minister Reilly intends to bring forward detailed proposals at a later date for the re-organisation of the HSE at directorate, regional and local levels in a manner which facilitates a smooth transition from the current governance arrangements to the proposed new structures.

Question No. 823 answered with Question No. 808.

Health Services

824. **Deputy Bernard J. Durkan** asked the Minister for Health if he is satisfied regarding the adequacy of services and funding to meet the requirements of those suffering from diabetes, with particular reference to potential savings arising from early diagnosis; and if he will make a statement on the matter. [40850/11]

Minister for Health (Deputy James Reilly): It is widely recognised that secondary or acute care alone cannot cope with the current and increasing burden of disease. This is true for many chronic diseases but diabetes in particular presents an opportunity for a more integrated disease management approach. Indeed Irish health policy recognises this, and more recently the policy framework for the management of chronic diseases in Ireland. Ultimately, the greatest benefit to patient well-being and the health service lies in the prevention, early detection and the management of complications of diabetes related complications; and in line with the Deputy's question it is recognised that reorganising systems into more integrated models presents opportunities for a more efficient and effective approach to the management of diabetes care.

The HSE National Clinical Programme for Diabetes — which includes the care of children and adolescents with diabetes — was established within the Clinical Strategy and Programmes Directorate. The purpose of the Programme is to define the way diabetic clinical services

[Deputy James Reilly.]

should be delivered, resourced and measured; and a clinician has been appointed to lead on the development of the programme, which has as its central aim to save lives, eyes and limbs of patients with diabetes.

The objectives of the National Diabetes Programme are to:

- Develop a National Retinopathy Screening Programme for Diabetes to prevent blindness and visual loss from diabetes;
- develop a footcare screening and treatment service to prevent foot ulceration and subsequent lower limb amputation;
- develop an Integrated Care Programme for patients with Type II Diabetes;
- improve Diabetes control (including paediatrics);
- develop a National Diabetes Register.

The national clinical leads for diabetes and paediatrics have met to discuss the issues involved in the care of children and adolescents with diabetes. They set up a working group to assess current services across the country, to agree a model of care, and to standardise these across the country. Their work includes the development of criteria for the use of Continuous Subcutaneous Insulin Infusion (CSII) therapy (insulin pumps) in children and adolescents with Type 1 diabetes as the benefits of CSII therapy are well established — particularly in children less than 5 years of age. They will also work on policy to prevent and aid the early detection of diabetes in young children and adolescents. This Group's work is continuing.

Finally, at national level a priority of the National Diabetes is to progress an Integrated Care model. Work is continuing in this regard in order to improve services available for this chronic disease across the health system.

825. **Deputy Simon Harris** asked the Minister for Health if his attention has been drawn to the excessive waiting times faced by patients for speech and language therapy assessment, and their subsequent treatment, at a location (details supplied); and if he will make a statement on the matter. [40853/11]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As the Deputy's question relates to service matters I have arranged for the question to be referred to the Health Service Executive for direct reply to the Deputy.

Hospitals Building Programme

826. **Deputy Seán Crowe** asked the Minister for Health if he will confirm that a substantial electrical contract has commenced in the eye and ear hospital; that the contract is time sensitive in view of drawing down European Union moneys; the amount of moneys involved; and if he will arrange for the Health Service Executive to make a statement on the matter outlining the cost of works being carried out and the savings, if any, that will be involved. [40854/11]

Minister for Health (Deputy James Reilly): The management and delivery of the health capital programme is a service matter. Therefore your question has been referred to the Health Service Executive for direct reply.

Medical Cards

827. **Deputy Tom Fleming** asked the Minister for Health if he will investigate the delay in

processing a medical card application in respect of persons (details supplied) in County Kerry; and the position regarding same. [40857/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Health Services

828. **Deputy Charlie McConalogue** asked the Minister for Health the current position of the review being undertaken by the National Paediatric Working Group in relation to the future provision of paediatric diabetic care; when he expects this group to report; and if he will make a statement on the matter. [40861/11]

Minister for Health (Deputy James Reilly): As this is a service matter, it has been referred to the HSE for direct reply.

National Clinical Programme for Diabetes

829. **Deputy Charlie McConalogue** asked the Minister for Health the number of centres expected to be included in the national Clinical Programme for Diabetes; if Letterkenny General Hospital, County Donegal, is included as one of these centres; and if he will make a statement on the matter. [40862/11]

Minister for Health (Deputy James Reilly): The Health Service Executive (HSE) National Clinical Programme for Diabetes — which includes the care of children and adolescents with diabetes — was established within the Clinical Strategy and Programme's Directorate. The purpose of the programme is to define the way diabetic clinical services should be delivered, resourced and measured; and a clinician has been appointed to lead this development and the programme, which has as its central aim to save lives, eyes and limbs of patients with diabetes.

The national clinical leads for diabetes and paediatrics have met to discuss the issues involved in the care of children and adolescents with diabetes. They set up a working group to discuss current services across the country; to agree a model of care and to standardise these across the country. Their work involves the development of criteria for the use of Continuous Subcutaneous Insulin Infusion (CSII) therapy (insulin pumps) in children and adolescents with Type 1 diabetes as the benefits of CSII therapy are well established — particularly in children less than 5 years of age. They will also work on policy to aid the early detection and prevention of diabetes in young children and adolescents. This group's work is continuing and any developments with regard to CSII therapy — including the matters raised by the Deputy — are being considered in the context of the HSE service planning process.

Hospital Staff

830. **Deputy Charlie McConalogue** asked the Minister for Health if he will sanction the appointment of a paediatric diabetes nurse specialist to Letterkenny General Hospital, County Donegal; and if he will make a statement on the matter. [40864/11]

Minister for Health (Deputy James Reilly): As this is a service matter, it has been referred to the Health Service Executive for direct reply.

Ambulance Service

831. **Deputy Michael McCarthy** asked the Minister for Health if he will issue a report on the

[Deputy Michael McCarthy.]

latest briefing by the Health Service Executive on the proposed changes to ambulance cover in counties Cork and Kerry; and if he will make a statement on the matter. [40865/11]

Minister for Health (Deputy James Reilly): Proposals for improving and modernising emergency ambulance services in Cork and Kerry include stations and crews moving from on-call to on-duty status. Being on-duty means our highly trained paramedic crews will be on site in their stations or in their vehicles to respond to calls, rather than having to go to the station when called out. This will drastically reduce deployment times for emergency vehicles.

On-duty status means that resources can be deployed dynamically. This involves vehicle location during a shift being based on need and demand patterns, rather than simply at a station, producing more flexibility and responsiveness. The dynamic delivery model means that an on-duty emergency ambulance will be available from within a region as required. This will produce better response times for the people in Cork and Kerry and a better service.

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

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

The National Ambulance Service (NAS) proposals are phased. In phase 1, stations in East Cork which currently have night time on-call will have crews rostered on-duty 24 hours a day, 365 days a year. The more rural stations (Castletownbere, Kenmare, Bantry, Skibbereen, and Caherciveen) will be involved in later phases. The service will be evaluated after each phase.

Finalisation of the HSE's proposals will depend on the outcome of the current industrial relations process, the HSE National Service Plan 2012 and realignment of existing resources within the HSE to support the reorganisation of NAS services in Cork and Kerry.

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

Medical Cards

832. **Deputy Billy Kelleher** asked the Minister for Health the reason a cancer patient (details supplied) in County Cork who made an application for a medical card in July and having supplied all the necessary information and had receipt of the paperwork confirmed by phone, has been asked for the fourth time to submit the same paperwork that was given on three previous occasions; and if he will make a statement on the matter. [40867/11]

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.

833. **Deputy Brendan Griffin** asked the Minister for Health if he is satisfied that the new centralised medical card application service is providing an efficient service to the people; and if he will make a statement on the matter. [40874/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): The Health Service Executive centralised the processing of all new medical card applications and renewals at the Primary Care Reimbursement Service (PCRS) with effect from 1st July 2011.

The Executive has stated that completed medical card applications are processed within 15 working days. Delays occur where applications are submitted without the supporting documentation necessary to complete the processing of the application. e PCRS currently processes and issues approximately 15,000 medical cards each week. Over 85% of complete applications are processed within 15 working days and PCRS are working to achieve the goal of processing all complete applications within 15 working days. The scale of the project by its nature means that confusion can arise from time to time in the early stages. As such issues arise they are dealt with as quickly as possible. Unfortunately, such issues can cause delays in the processing of some applications. I have raised this issue directly with the PCRS and I expressed my dissatisfaction that such delays have occurred. However, I understand that every effort is being made to accommodate applicants and to minimise delays.

834. **Deputy John McGuinness** asked the Minister for Health if a medical card application now under appeal will be expedited and approved in the case of a person (details supplied) in County Kilkenny. [40882/11]

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.

835. **Deputy Michelle Mulherin** asked the Minister for Health the position regarding an application for a medical card in respect of a person (details supplied) in County Mayo; when a decision may be expected; and if he will make a statement on the matter. [40897/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

General Medical Services Scheme

836. **Deputy Jack Wall** asked the Minister for Health the reason a person (details supplied) in County Kildare has to have a prescription signed twice before they can have it processed; and if he will make a statement on the matter. [40899/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): In order to obtain their medicines free of charge under the GMS scheme, medical card holders who are prescribed medicines at out-patient clinics are required to have a GMS prescription completed by their General Practitioner.

Question No. 837 answered with Question No. 821.

Medical Cards

838. **Deputy Catherine Murphy** asked the Minister for Health if he has considered amending the medical card criteria for self employed applicants who cannot provide an up to date tax assessment because of the level of their debts; in cases in which they are working with the Sheriff to settle their tax liabilities that a letter to that effect would suffice; and if he will make a statement on the matter. [40908/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): I have asked the Health Service Executive for a report on the issue raised by the Deputy. I will revert to the Deputy on the matter as soon as possible.

Community Care

839. **Deputy Noel Coonan** asked the Minister for Health the future plans for a community nursing home (details supplied) in County Tipperary; and if he will make a statement on the matter. [40910/11]

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. 840 answered with Question No. 18.

Medical Cards

841. **Deputy Dara Calleary** asked the Minister for Health when a medical card renewal application will be processed in respect of a person (details supplied) in County Mayo [40935/11]

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.

Primary Care Strategy

842. **Deputy John Lyons** asked the Minister for Health when funding for the proposed primary care unit (details supplied) will be made available; when building at the site will begin; and if he will make a statement on the matter. [40949/11]

Minister for Health (Deputy James Reilly): Following the publication of the 'Infrastructure and Capital Investment 2012-2016: Medium Term Exchequer Framework', the Health Service Executive commenced drawing up its capital programme for the multi-annual period 2012-2016. The Executive is required to prioritise the capital infrastructure projects within its overall capital funding allocation taking into account the existing capital commitments and costs to completion over the period. A draft capital plan for the period 2012-2016 has been submitted to my Department. My Department is reviewing the proposals and following up with the HSE where further details may be required.

The proposed plan requires my approval with the consent of the Minister for Public Expenditure and Reform. Details of the plan will be published by the Executive following its approval.

General Practitioner Services

843. **Deputy Jim Daly** asked the Minister for Health when he expects free general practitioner care for patients with long-term illness to be available; and if he will make a statement on the matter. [40951/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): The Programme for Government committed to reforming the current public health system by introducing Universal Health Insurance with equal access to care for all. As part of this reform programme the Government is committed to introducing Universal Primary Care within the first term of office of this Government.

Initially, free GP cover will be extended to persons in receipt of drugs and medicines under the Long Term Illness Scheme. Primary legislation is required to give effect to this commitment. It is expected that the new arrangements will be in place by the summer of 2012.

Health Services

844. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the impact on children's services for 2012 of the signalled 2% efficiency savings across the areas of disability, mental health and children's services; and if he will make a statement on the matter. [40957/11]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The Health Service Executive's National Service Plan for 2012 is currently under consideration by the Minister and the Government.

Mental Health Services

845. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the statistics for all known cases of elective mutism recorded in each of the past five years; the rate of breakthrough or progress made in these cases and historically; and if he will make a statement on the matter. [40961/11]

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.

Medical Cards

846. **Deputy Olivia Mitchell** asked the Minister for Health if his attention has been drawn to the problems being experienced by users trying to use the new online medical card application system; if these issues are being dealt with, to bring about the kind of efficiencies and savings upon which the Croke Park agreement is predicated; and if he will make a statement on the matter. [40968/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): The Health Service Executive centralised the processing of all new medical card applications and renewals at the Primary Care Reimbursement Service (PCRS) with effect from 1st July 2011.

The Executive has stated that completed medical card applications are processed within 15 working days. Delays occur where applications are submitted without the supporting documentation necessary to complete the processing of the application. The PCRS currently processes and issues approximately 15,000 medical cards each week. Over 85% of complete applications are processed within 15 working days and PCRS are working to achieve the goal of processing all complete applications within 15 working days.

In 2010, as part of the centralisation project, the HSE introduced a new website, *www.medicalcard.ie*, which enables people anywhere in the country to apply for, or renew a medical card through a simple and efficient application process. Thousands of applications are now submitted online every month. Applying online also gives applicants access to up-to-date information on the progress of their medical card renewal or application.

The scale of the project by its nature means that confusion can arise from time to time in the early stages. As such issues arise they are dealt with as quickly as possible. Unfortunately, such issues can cause delays in the processing of some applications. I have raised my concerns directly with the PCRS and I expressed my dissatisfaction that such delays have occurred. However, I understand that every effort is being made to accommodate applicants and to minimise delays.

Hospital Services

847. **Deputy Gerry Adams** asked the Minister for Health if he will provide an update on the work of the special delivery unit in tackling the issue of patients on trolleys at Our Lady of Lourdes Hospital, County Louth, in view of the fact that in recent days there have been in excess of 30 patients on trolleys; the procedures that have been put in place for when the additional money that has been allocated to the Louth-Meath area runs out to ensure that services are maintained and developed; and if he will make a statement on the matter.

[40977/11]

Minister for Health (Deputy James Reilly): During October, the SDU sought proposals from hospitals with significant numbers waiting on trolleys to reduce the number waiting during the months of November 2011 to January 2012 and in particular over the critical Christmas and New Year holiday period.

At the end of 2011 Our Lady of Lourdes in Drogheda was identified as one of eight hospitals that required very high support by the Special Delivery Unit (SDU). Based on comprehensive plans from the hospital I agreed that additional funding would be provided, on a strictly once off basis, to reduce waiting times between now and the end of 2011. The funding was to provide for initiatives which would help address issues such as delayed discharges which has a significant impact on the numbers of patients waiting on trolleys.

The SDU focused resources on OLOL and allocated once off funding of €0.725m to enable it to implement the various initiatives the hospital had identified as being key to alleviating the conditions in the emergency department.

These measures included:

- Extending the Medical Assessment Unit service including an increase in the opening hours /and from a five to a seven day a week basis.
- Opening 8 medical beds in Drogheda,
- Opening 28 low acuity beds in Louth/Navan hospitals to provide intermediate care discharge area,
- Opening 27 beds in community/ private facilities to accommodate delayed discharge patients,
- Various measures for early assisted discharge for medically fit patients including additional home care packages, home IVs, and additional aids and appliances.

Over €4.8m was made available to 16 hospitals throughout the country for specific planned outcomes. The SDU established a process of collecting numbers waiting each day at three specific points and rating each hospital as Green, Amber or Red.

To date, the initiative has worked well nationally with trolley numbers significantly down on the same period last year. The systems remains in a state of high alert to ensure that capacity is carefully managed as surgery programmes re-commence in hospitals on the week commencing 9th January.

I would also like to advise the Deputy that OLOL was successful in achieving the objective of having no one waiting over 12 months for inpatient or daycase surgery by December 31st 2011. Forty one hospitals reached this target with 2 hospitals (University College Hospital Galway and Merlin Park) failing to do so. This work will continue in 2012 to both maintain the 12 month maximum waiting time and to further reduce waiting times by the end of 2012.

Drugs Payment Scheme

848. **Deputy John Paul Phelan** asked the Minister for Health the reason the drug Pradaxa is not covered under either the medical card or drugs payment scheme; and if he will make a statement on the matter. [40987/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): Pradaxa is available on prescription to patients availing of the GMS and the Drug Payment Schemes for the prevention of blood clots in adult patients who have undergone elective hip replacement surgery or elective knee replacement surgery.

The HSE is assessing the availability of resources in 2012 to consider long term treatment with Pradaxa for the prevention of stroke in patients with atrial fibrillation. This is a complicated process with long term implications. The HSE will also take into account any clinical differences between Pradaxa and alternative anticoagulants. The HSE has written to all GMS doctors and community pharmacy contractors to clarify the position in relation to Pradaxa. The HSE will continue to update healthcare professionals in relation to the matter.

The HSE does not intend to disturb established therapeutic regimens for patients whose treatment with Pradaxa for the prevention of stroke was initiated prior to the recent clarification.

Hospital Accommodation

849. **Deputy Catherine Byrne** asked the Minister for Health the position regarding the number of beds currently available for drug rehabilitation, medical detoxification and community detoxification; if more beds will be made available in view of the recommendations by the working group on drug rehabilitation; and if he will make a statement on the matter. [40989/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): The information requested has been sought from the HSE. I will arrange to have it forwarded to the Deputy shortly.

Departmental Reports

850. **Deputy Aengus Ó Snodaigh** asked the Minister for Health if the review on the question of retaining or destroying the Guthrie cards has been completed; if he will publish the review; and whether families affected were consulted as part of the review procedure. [41000/11]

Minister for Health (Deputy James Reilly): To comply with Data Protection Legislation, a number of changes are required to the Newborn Screening Card and the National Newborn Bloodspot Screening Programme. I requested that the HSE undertake a review of the governance policy regarding the retention and disposal of Newborn Screening Cards (NSCs). A draft report on the agreed governance structures undertaken by the National Newborn Screening Programme Governance Group has been prepared. I expect to receive its final report shortly.

Question No. 851 answered with Question No. 813.

Health Services

852. **Deputy Finian McGrath** asked the Minister for Health if he will clarify a matter in respect of a person (details supplied) in County Cavan. [41013/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): EU Regulation 883/04 provides for and supports the movement of people within the EU/EEA and Switzerland. With regard to healthcare, the principle applied is that persons exercising their right to move and stay freely within the area do not suffer disadvantage. Therefore, a pensioner in receipt of a qualifying pension in a Member State is entitled to access healthcare in another Member State on the same basis as persons who are insured with and resident in that other Member State. In Ireland this means that on establishing entitlement the pensioner is granted a medical card and may access services on the same basis as medical card holders generally.

The Dental Treatment Services Scheme (DTSS) provides access to dental treatment for adult medical card holders. Patients with special needs, high risk patients and those who have greater clinical needs receive priority for treatment. A free oral examination every calendar year and free emergency dental treatment with a focus on relief of pain and sepsis are available to all eligible patients. The HSE is not required to meet the cost of expenditure on dental services that fall outside the terms of the DTSS.

853. **Deputy David Stanton** asked the Minister for Health further to Parliamentary Question No. 283 of 12 October 2010, the further progress that has been made regarding his plans to establish a centre of excellence for stroke victims in the Cork region; if he will provide details of when such a stroke unit or units will be operational; the staffing requirements and locations of same; and if he will make a statement on the matter. [41017/11]

Minister for Health (Deputy James Reilly): As this is a service matter, it has been referred to the Health Service Executive for direct reply.

Health Service Funding

854. **Deputy Alex White** asked the Minister for Health his funding plans for palliative care in 2012; the measure of a cut this sector can expect in their budget; if this reduction will be equal to those in other sectors; and if he will make a statement on the matter. [41027/11]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The level of funding available for the health budget this year, and the extent of savings required in the health sector, is being considered as part of finalising the HSE Service Plan 2012 which is currently underway. The HSE has statutory responsibility for the delivery of health and personal social services, and the question of funding specific care programmes, or individual non statutory care providers, can only be addressed in this context. The allocation of funding across care groups, including Palliative Care, has yet to be agreed. As was the case in previous years, the Executive will engage with voluntary providers to discuss services levels in 2012, in line with resources available. Part of this discussion will focus on the identification of savings designed to have minimum effects on the provision of services to patients

Medical Aids and Appliances

855. **Deputy Tom Fleming** asked the Minister for Health if he will urgently examine submission to the Health Service Executive for medical appliances in respect of a person (details supplied) in County Kerry. [41033/11]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As the Deputy's question relates to service matters I have arranged for the question to be referred to the Health Service Executive for direct reply to the Deputy.

Hospital Accommodation

856. **Deputy Joe Higgins** asked the Minister for Health if an assessment report has been carried out on the impact of the closure of 28 surgical beds at Connolly Hospital, Blanchardstown, Dublin. [41040/11]

Minister for Health (Deputy James Reilly): As this is a service matter, it has been referred to the HSE for direct reply.

Health Service Staff

857. **Deputy Joe Higgins** asked the Minister for Health if he will lift the embargo on recruitment to allow speech and language therapists to be appointed in the Blanchardstown area, Dublin, to replace four therapists who have left, leading to waiting lists of three years for many children. [41041/11]

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 Services

858. **Deputy Aodhán Ó Ríordáin** asked the Minister for Health if he will respond to correspondence regarding cutbacks in the health sector (details supplied); and if he will make a statement on the matter. [41043/11]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The level of funding available for the health budget this year, and the extent of savings required in the health sector, is being considered as part of finalising the HSE Service Plan 2012 which is currently underway. The HSE has statutory responsibility for the delivery of health and personal social services, and the question of funding specific care programmes, or individual non statutory care providers, can only be addressed in this context. The allocation of funding across care groups, including Palliative Care, has yet to be agreed. As was the case in previous years, the Executive will engage with voluntary providers to discuss services levels in 2012, in line with resources available. Part of this discussion will focus on the identification of savings designed to have minimum effects on the provision of services to patients.

Drugs Payment Scheme

859. **Deputy Billy Timmins** asked the Minister for Health the position regarding reimbursement of medication costs in respect of a person (details supplied) in County Wicklow; and if he will make a statement on the matter. [41044/11]

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

860. **Deputy Billy Kelleher** asked the Minister for Health the difference between the methodologies for calculating the length of time patients are waiting for more than 12 months using the maximum waiting time target versus the method used prior to July; and if he will make a statement on the matter. [41050/11]

861. **Deputy Billy Kelleher** asked the Minister for Health the difference between the methodologies for calculating the length of time patients are waiting for more than 12 months using

[Deputy Billy Kelleher.]

the maximum waiting time target versus the method used prior to July; and if he will make a statement on the matter. [41051/11]

862. **Deputy Billy Kelleher** asked the Minister for Health the number of patients who are waiting for more than one year for surgery in each hospital according to the Health Service Executive methodology of calculating waiting lists in tabular form; the same figure for this time last year; and if he will make a statement on the matter. [41052/11]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 860 to 862, inclusive, together.

In July of this year I requested that public hospitals ensure that, by the end of 2011, they have no patients waiting more than 12 months for treatment. In order to achieve this target a new calculation methodology was introduced, the new method is described as the 'Maximum Waiting Time Target'. The NTPF working on behalf of the Special Delivery Unit was first tasked with creating a comprehensive list of those persons — who if not treated — would be waiting for over 12 months by the 31st of December 2011.

The creation of such a list therefore had to effectively search into the future to estimate the number of people that might require treatment. In July of this year the NTPF established the list by ascertaining all the names of people who had been listed for treatment on or before the 31st of December 2010. The list contained approximately 14,000 names. It is clear that that data base had to include ALL of the patients who would have reached or exceeded a 12 month target on the 31st of December 2011. This list is referred to as the Primary Targeting List (PTL).

This explains why the list being operated by the NTPF for the SDU is calculated on a different basis to the list offered by the HSE in its performance reports. The HSE list, also compiled by the NTPF, is a snapshot and relates to those who had already been waiting longer than 12 months on a specific day.

The number of patients who are waiting for more than one year for surgery in each hospital now and this time last year are set out in the table below. The figures are from the Patient Treatment Register and show the numbers of patients waiting 12 months or more as of 30th December 2011. Forty one hospitals reached this target with 2 hospitals (University College Hospital Galway and Merlin Park) failing to do so. The NTPF will continue to work in 2012 to both maintain the 12 month maximum waiting time and to further reduce waiting times by the end of 2012.

30th December 2011

Hospital Name	Dec-10 > 12 mths	Dec-11 > 12 mths	Variation
AMNCH (Tallaght)	37	0	-37
Bantry General Hospital	0	0	0
Beaumont	155	0	-155
Cappagh Orthopaedic Hospital	12	0	-12
Cavan General Hospital	5	0	-5
Childrens University Hospital, Temple Street	54	0	-54
Connolly (Blanchardstown)	0	0	0
Cork University Hospital	183	0	-183
Kerry General Hospital	0	0	0
Kilcreene Orthopaedic	25	0	-25

Hospital Name	Dec-10 > 12 mths	Dec-11 > 12 mths	Variation
Letterkenny General Hospital	20	0	-20
Louth County Hospital	2	0	-2
Mallow General Hospital	0	0	0
Mater Misericordiae Hospital	79	0	-79
Mayo General Hospital	0	0	0
Mercy University Hospital	42	0	-42
Merlin Park Hospital Galway	25	4	-21
Midland Regional at Mullingar	24	0	-24
Midland Regional at Portlaoise	1	0	-1
Midland Regional at Tullamore	34	0	-34
Mid-Western Regional Hospital, Croom	2	0	-2
Mid-Western Regional Hospital, Dooradoyle	55	0	-55
Mid-Western Regional Hospital, Ennis	0	0	0
Mid-Western Regional Hospital, Nenagh	0	0	0
Monaghan General Hospital	0	0	0
Naas General Hospital	0	0	0
Our Lady of Lourdes Hospital, Drogheda	4	0	-4
Our Lady's Hospital for Sick Children Crumlin	139	0	-139
Our Lady's Hospital Navan	12	0	-12
Portiuncula General Hospital	0	0	0
Roscommon County Hospital	0	0	0
Royal Victoria Eye and Ear	1	0	-1
Sligo General Hospital	10	0	-10
South Infirmary — Victoria University Hospital	8	0	-8
South Tipperary General	0	0	0
St. Colmcille's Loughlinstown	0	0	0
St. James's Hospital	0	0	0
St. John's Hospital Limerick	1	0	-1
St. Luke's Hospital, Kilkenny	2	0	-2
St. Michael's, Dún Laoghaire	0	0	0
St. Vincent's University Hospital	11	0	-11
University College Hospital Galway	94	368	274
Waterford Regional Hospital	46	0	-46
Wexford General Hospital	0	0	0
Grand Totals	1083	372	-711

Hospital Services

863. **Deputy Éamon Ó Cuív** asked the Minister for Health if the Health Service Executive west has plans to transfer orthopaedic services from Merlin Park hospital to University Hospital Galway; if he agrees with its proposal; and if he will make a statement on the matter. [41053/11]

864. **Deputy Éamon Ó Cuív** asked the Minister for Health the impact of the non-replacement of nursing staff on elective orthopaedic surgery at Merlin Park hospital, Galway, by explaining the theatre activity; and the numbers on the waiting list waiting more than six months. [41054/11]

865. **Deputy Éamon Ó Cuív** asked the Minister for Health the corrective action he is taking to ensure the 6,000 persons on the orthopaedic outpatient waiting list in Galway will be seen; the way this will be done; and the amount of time it will take to be resolved. [41055/11]

866. **Deputy Éamon Ó Cuív** asked the Minister for Health his views that staff shortages are impacting on orthopaedic surgery in University Hospital Galway. [41056/11]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 863 to 866, inclusive, together.

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 were instructed to ensure that, by the end of 2011, they had no patients waiting more than 12 months for treatment. I can confirm that the vast majority of hospitals achieved this objective. This work will continue in 2012 to both maintain the 12 month maximum waiting time and to further reduce waiting times by the end of 2012.

With regard to the detailed information sought by the Deputy, as they are service matters, they have been referred to the HSE for direct reply.

Health Services

867. **Deputy Jim Daly** asked the Minister for Health the reason the palliative care budget for 2012 has been reduced by 5.5% as opposed to all other health sectors being reduced by just 2%; and if he will make a statement on the matter. [41064/11]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The level of funding available for the health budget this year, and the extent of savings required in the health sector, is being considered as part of finalising the HSE Service Plan 2012 which is currently underway. The HSE has statutory responsibility for the delivery of health and personal social services, and the question of funding specific care programmes, or individual non statutory care providers, can only be addressed in this context. The allocation of funding across care groups, including Palliative Care, has yet to be agreed. As was the case in previous years, the Executive will engage with voluntary providers to discuss services levels in 2012, in line with resources available. Part of this discussion will focus on the identification of savings designed to have minimum effects on the provision of services to patients.

Medical Cards

868. **Deputy Derek Keating** asked the Minister for Health if he will intervene and review an application for a medical card in respect of a person (details supplied) in Dublin 12; and if he will make a statement on the matter. [41065/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Health Services

869. **Deputy Finian McGrath** asked the Minister for Health if he will respond to correspondence regarding care in respect of a person (details supplied). [41067/11]

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.

National Treatment Purchase Fund

870. **Deputy Michael Healy-Rae** asked the Minister for Health if he will impress upon the National Treatment Purchase Fund the need to increase the fair deal funding to sustainable levels to ensure the future viability of Valentia Community Hospital, County Kerry; and if he will make a statement on the matter. [41105/11]

Minister of State at the Department of Health (Deputy Kathleen Lynch): Valentia Community Hospital is run by a voluntary organisation, Valentia Community Health and Welfare Association Ltd, and has a service level agreement with the HSE under Section 39 of the Health Act 2004. In order to qualify for the scheme, all private nursing homes and voluntary nursing homes which previously received funding for long-term residential care under section 39 of the Health Act 2004, including Valentia Community Hospital, must negotiate and agree a price for the cost of care for long-term residential care beds with the National Treatment Purchase Fund (NTPF). This is a necessary feature of the scheme due to the commitment by the State to meet the full balance of the cost of care over and above a person's contribution.

The NTPF is independent in the performance of this function and, in carrying it out, it must ensure value for money for both the individual and the State. The NTPF negotiates with each nursing home individually and may examine the records and accounts of nursing homes as part of the process. This method of negotiation is necessary in order to ensure that the State obtains the best value for each individual in a nursing home and to comply with competition law.

The Nursing Homes Support Scheme only applies to long-term residential care. Valentia Community Hospital can continue to have separate agreements with the HSE for the provision of other services, e.g. day care, respite and convalescence.

There have been ongoing discussions between the Board of Management of Valentia Community Health and Welfare Association Ltd. and the HSE with regards to future service provision. The HSE is continuing to engage with the Board of Management with regard to the future of services.

Medical Cards

871. **Deputy Niall Collins** asked the Minister for Health the position regarding a medical card in respect of a person (details supplied) in County Cork. [41112/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Hospital Services

872. **Deputy Gerry Adams** asked the Minister for Health if his attention has been drawn to a report from the Health Information and Quality Authority relating to the viability of services in the Cottage Hospital, Drogheda and St. Joseph's Hospital, Ardee, County Louth; and if he will publish this report. [41123/11]

873. **Deputy Gerry Adams** asked the Minister for Health if his attention has been drawn to the projected staffing levels for St. Joseph's Hospital, Ardee and the Cottage Hospital, Drogheda, County Louth, from February 2012; and if he will lift the recruitment embargo to ensure the proper running of these hospitals. [41124/11]

Minister of State at the Department of Health (Deputy Kathleen Lynch): I propose to take Questions Nos. 872 and 873 together.

As these are service matters they have been referred to the Health Service Executive for direct reply.

Health Services

874. **Deputy Gerald Nash** asked the Minister for Health if the Health Service Executive has conserved a series of works either on board or mural executed by a person (details supplied) and the measures it has taken to ensure their ongoing conservation and public display. [41139/11]

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

875. **Deputy Tony McLoughlin** asked the Minister for Health when a new medical card will issue in respect of a person (details supplied) in County Sligo. [41140/11]

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.

876. **Deputy Niall Collins** asked the Minister for Health if a new medical card with the correct expiration date will be issued to a person (details supplied) in County Cork. [41141/11]

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.

Care of the Elderly

877. **Deputy Niall Collins** asked the Minister for Health if a person (details supplied) in County Cork will be allocated a long-term stay bed. [41142/11]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Medical Cards

878. **Deputy Niall Collins** asked the Minister for Health if he will renew a medical card in respect of a person (details supplied) in County Cork. [41143/11]

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.

879. **Deputy Niall Collins** asked the Minister for Health if a medical card will be renewed in respect of a person (details supplied) in County Cork. [41144/11]

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.

Vaccination Programme

880. **Deputy Sean Fleming** asked the Minister for Health his policy in relation to obtaining

parental consent jointly when children are being vaccinated; and if he will make a statement on the matter. [41150/11]

Minister for Health (Deputy James Reilly): Consent must always be obtained before immunisation. In line with custom and practice, consent is only required from one parent.

Under the Guardianship of Infants Act, 1964, the mother is automatically given responsibility for her child. The father is also given parental responsibility if he is married to the mother at the time of the child's birth or if they marry after the birth of the child or if both adults adopt the child together. However, if a child is born outside of marriage, the mother is given automatic responsibility for all decisions relating to the child.

The Non-Fatal Offences Against the Person Act, 1997, Section 23 permits a minor who has attained the age of 16 to consent to treatment. At this age the individual is deemed to be sufficiently competent to give consent for a medical procedure. For any individual younger than this, parental consent is required, for example, for the administration of a vaccine. In 2011, the HSE established a National Consent Advisory Group in order to draft a national policy on consent for health and social care. I understand the work of the Group will be completed by the end of the year.

Hospital Services

881. **Deputy Michael Colreavy** asked the Minister for Health if he has considered establishing a minor cardiac unit at Sligo General Hospital; if it is proposed to incorporate a cardiac catheterisation laboratory as part of any planned development; the projected timescale of any proposed development; and if he will make a statement on the matter. [41161/11]

Minister for Health (Deputy James Reilly): As this is a service matter, it has been referred to the Health Service Executive for direct reply.

Hospital Services

882. **Deputy Michael Colreavy** asked the Minister for Health if he is considering bilateral arrangements for acute hospital services between Erne Hospital Enniskillen and Sligo General Hospital; if these considerations include services which could be supplied to patients from Fermanagh by Sligo General; and if he will make a statement on the matter. [41162/11]

Minister for Health (Deputy James Reilly): The Review of Health and Social Care in Northern Ireland, published in December last year, makes a number of references to co-operation between both jurisdictions. This includes a recommendation for the development of joint planning arrangements with the Republic of Ireland, including shared opportunities in tertiary and specialist care, procurement, services in the new hospital in the south west and services which straddle the border areas.

I support exploring areas of mutual interest where there is scope for co-operation and I have had discussions with Minister Poots in this regard. It is likely that this discussion will be further developed in the context of the implementation of the Northern Ireland Review.

I have asked the Health Service Executive to supply information to me on the specific matter raised in this question. When I receive that information, I will contact the Deputy about this matter.

Health Service Funding

883. **Deputy Gerry Adams** asked the Minister for Health the impact that budget cuts in

[Deputy Gerry Adams.]

budget 2012 will have on the provision of services aimed at tackling domestic violence in County Louth including women's refuges; if he will provide a breakdown of the funding allocated by him to these services and the purpose of the funding for these services in 2009, 2010 and 2011; what it will be in 2012; and if he will make a statement on the matter. [41163/11]

Minister for Health (Deputy James Reilly): As this is a service matter it has been referred to the HSE for direct reply.

Health Services

884. **Deputy Frank Feighan** asked the Minister for Health if he will examine the high cost of tooth extraction and the State subvention or health insurance assistance that is paid to dentists for the procedure in view of the fact that there still remains a cost to the public of €150 as an example; and if he will make a statement on the matter. [41199/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): Consultation fees charged to private patients by dentists 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 dentists to have regard to the overall economic situation in setting their fees. The Dental Council's Code of Practice published in April 2011 requires dentists to display private fees in a place where patients can view them before consultation.

Each private health insurer offers a wide range of different policies and plans. Health insurance contracts must provide a certain minimum level of cover prescribed in the relevant regulations. Currently single dental extractions are not covered as a minimum benefit for health insurance plans and therefore it is a matter for private health insurers as to what level of cover for dental treatment is provided under each plan. Private health insurance customers should be familiar with the level of cover they have under their policy and choose a policy according to their health cover needs.

Tax relief for fees charged to private patients by dentists is a matter between the patients and the Revenue Commissioners.

Health Service Staff

885. **Deputy Arthur Spring** asked the Minister for Health if the Health Service Executive appointed a person with project management qualifications and experience to oversee the transfer of medical card processing from local offices to the central office in Finglas, Dublin; and if he will make a statement on the matter. [41217/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Health Services

886. **Deputy Tom Fleming** asked the Minister for Health the steps he will take to address the issue of increasing numbers of persons who travel abroad for orthodontic treatment; and if he will make a statement on the matter. [41221/11]

887. **Deputy Tom Fleming** asked the Minister for Health if figures are available for the number of persons who travelled abroad for orthodontic treatment in 2008, 2009, 2010 and 2011; and if he will make a statement on the matter. [41222/11]

888. **Deputy Tom Fleming** asked the Minister for Health the reason there is a difference in costs that leads to an increasing number of persons travelling abroad each year for orthodontic treatment; and if he will make a statement on the matter. [41223/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): I propose to take Questions Nos. 886 to 888, inclusive, together.

The Health Service Executive provides orthodontic treatment to patients based on their level of clinical need. An individual's access to orthodontic treatment is determined against a set of clinical guidelines.

The Health Service Executive (HSE) does not refer patients abroad for orthodontic treatment. Neither does the HSE record the number of patients travelling abroad in a private capacity for orthodontic treatment.

Consultation fees charged to private patients by orthodontists are a matter of private contract between the clinicians and the patients.

The HSE is currently progressing with an independent review of Orthodontic and Oral and Maxillofacial Services, which will consider a number of service provision models. The outcome of this review will give guidance as to what changes will be desirable to provide the best possible model of care delivery, given the current resources available and expected future demand for the services.

Health Service Properties

889. **Deputy Éamon Ó Cuív** asked the Minister for Health the number of premises being rented by the Health Service Executive from general practitioners as primary health care units; his policy in relation to same; and if he will make a statement on the matter. [41232/11]

Minister for Health (Deputy James Reilly): The Health Service Executive has responsibility for the management and delivery of the health capital programme. I have, accordingly, referred your question on the number of primary care premise rented from GPs to the Executive for attention and direct reply.

The key objective of the Primary Care Strategy is to develop services in the community which will give people direct access to integrated multi-disciplinary teams of general practitioners, nurses, physiotherapists, occupational therapists and others. Modern, well-equipped Primary Care Centres (PCCs) are central to the effective functioning of Primary Care Teams. These enable multi-disciplinary services to be made available on a single site, provide a single point of access for users, and encourage closer coordination between health providers. The intention is that, where appropriate, PCCs will be provided by the private sector through negotiated lease agreements, where the developers in some instances may be GPs. The Exchequer will continue to fund the delivery of Primary Care Centres in deprived urban areas, small rural towns and isolated areas.

General Practitioner Co-operatives

890. **Deputy Éamon Ó Cuív** asked the Minister for Health his view on whether it is good practice for general practitioners to be renting or leasing buildings to pharmacies in the neighbourhood of their practice and more particularly on the same campus; his policy towards same; and if he will make a statement on the matter. [41233/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): Section 63 of the Pharmacy Act 2007 provides that it is professional misconduct for a pharmacist or pharmacy

[Deputy Róisín Shortall.]

owner to have beneficial interest in a medical practice, and for a medical practitioner to have a beneficial interest in a pharmacy.

The Act does not prohibit adjacent location of a medical practice or pharmacy, as long as there is no shared public access and no inappropriate financial arrangement, i.e. where there is a financial or other benefit in excess of what might be considered a normal tenancy relationship.

Health Service Funding

891. **Deputy Gerry Adams** asked the Minister for Health the funding the Health Service Executive will provide to support victims of domestic violence or aimed at tackling domestic violence in 2012; and the way this compares to funding in 2008, 2009, 2010 and 2011 [41250/11]

Minister for Health (Deputy James Reilly): The information sought by the Deputy is not readily available. However I have asked the Health Service Executive to supply this information to me and I will forward it to the Deputy as soon as possible.

892. **Deputy Gerry Adams** asked the Minister for Health the level of funding that will be provided to the SAFE Ireland, the national body representing domestic violence refuges and services, in 2012; the amount that was provided in 2008, 2009, 2010, 2011; and if he will make a statement on the matter. [41251/11]

Minister for Health (Deputy James Reilly): The information sought by the Deputy is not readily available. However I have asked the Health Service Executive to supply this information to me and I will forward it to the Deputy as soon as possible.

Question No. 893 answered with Question No. 813.

Health Services

894. **Deputy Willie O’Dea** asked the Minister for Health if the necessary supports and advanced medical treatments will be made available to a person (details supplied) in County Limerick; and if he will make a statement on the matter. [41276/11]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As the Deputy’s question relates to service matters I have arranged for the question to be referred to the Health Service Executive for direct reply to the Deputy.

Medical Cards

895. **Deputy Mattie McGrath** asked the Minister for Health when a decision will issue on a medical card application in respect of a person (details supplied) in County Monaghan; the reason for the delay; his view that this delay is unacceptable for a new application; and if he will make a statement on the matter. [41298/11]

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.

Community Care

896. **Deputy Billy Kelleher** asked the Minister for Health if he will list the name and number of patients of all community hospitals and public nursing homes in the country with fewer than 50 patients in tabular form; and if he will make a statement on the matter. [41299/11]

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.

897. **Deputy Billy Kelleher** asked the Minister for Health if he will list which community hospitals and public nursing homes in the country have been examined with a view to possible closure; and if he will make a statement on the matter. [41300/11]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Health Service Funding

898. **Deputy Clare Daly** asked the Minister for Health if he will reconsider granting the funding to a organisation (details supplied) in order to enable them to continue to operate in the new year in providing support for persons involved in the difficult occupation of caring. [41307/11]

Minister for Health (Deputy James Reilly): I wish to advise the Deputy that the application received by my Department in 2011 was for the ongoing employment of a co-ordinator for the organisation in question and as such is not within the general terms and conditions of the lottery grant scheme. Grants are generally awarded for once-off projects and applications come primarily from community groups and voluntary organisations with an involvement in the provision of health services to specific client groups, such as persons with an intellectual disability and/or physical disability or the elderly. Applications also come from national groups providing information and support for various disabilities and illnesses and groups with a specific interest such as providing holidays for the elderly, respite, equipment for hospitals or homes.

It should be also be noted that policy responsibility for matters relating to carers lies with the Minister for Social Protection.

Hospital Services

899. **Deputy Nicky McFadden** asked the Minister for Health if the National Children's Hospital will cater for both public and private patients; and if he will make a statement on the matter. [41311/11]

Minister for Health (Deputy James Reilly): The Children's Hospital of Ireland will provide for paediatric tertiary services nationally and paediatric secondary care for the greater Dublin area and will cater for both public and private patients.

The new hospital is designed to accommodate all patients in single rooms with en-suite facilities. Standards of in-patient accommodation will not depend in any way on private health insurance cover.

Ministerial Staff

900. **Deputy Catherine Murphy** asked the Minister for Health the names and salaries of each person serving as a special adviser and or the names and salaries of each person directly appointed by him or a Minister of State to any other position within his Department or his predecessor's Department on each of the following dates: 1 December 2009, 1 December 2010 and 1 December 2011; and if he will make a statement on the matter. [41350/11]

Minister for Health (Deputy James Reilly): The information requested by the Deputy is set out below in tabular format:

[Deputy James Reilly.]

01/12/2011

Name	Grade	Minister	WTE	Salary	
Mark Costigan	Special Adviser — Press and Communication	Minister Reilly	1	€92,672	
Sean Faughnan	Special Adviser	Minister Reilly	1	€80,051	
Thomas O'Leary	Personal Assistant	Minister Reilly	1	€954.20	per week
Paul Kiernan	Civilian Driver	Minister Reilly	1	€631.75	per week
David Gavin	Civilian Driver	Minister Reilly	1	€631.75	per week
Maev-Ann Wren	Special Adviser	Minister Shortall	0.5	€40,025	
Paul Cassidy	Personal Assistant	Minister Shortall	1	€1,014.28	per week
Sarah Lawlor	Personal Secretary	Minister Shortall	1	€702.38	per week
Bernard Lynch	Personal Assistant	Minister Lynch	1	€1,014.28	per week
Paul Dunbar	Personal Secretary	Minister Lynch	1	€517.06	per week
Steven Walsh	Civilian Driver	Minister Lynch	1	€631.75	per week
John Cummins	Civilian Driver	Minister Lynch	1	€631.75	per week

01/12/2010

Name	Grade	Minister	WTE	Salary	
Derek Cunningham	Special Adviser — Press and Communication	Minister Harney	1	€112,646 + allowance of €11,400	
Patricia Ryan	Special Adviser	Minister Harney	1	€138,655	
Catherine Dardis	Personal Assistant	Minister Harney	1	€56,007	
Rhonwen Hayes	Personal Assistant	Minister Harney	1	€56,278	
Liam Cullen	Special Adviser	Minister Andrews	1	€99,237	
Gareth Crowe	Personal Assistant	Minister Andrews	1	€49,638	
Angela Hoey-Reilly	Personal Secretary	Minister Andrews	1	€38,268	
Frances O'Loughlin	Personal Assistant	Minister Moloney	1	€51,068	
Antoinette Makim	Personal Secretary	Minister Moloney	0.45	€19,101	
Rose Mary McEvoy	Personal Secretary	Minister Moloney	0.55	€24,570	
John Edward Moloney	Civilian Driver	Minister Moloney	1	€631.75	per week
Don White	Civilian Driver	Minister Moloney	1	€631.75	per week
Eamon Brady	Personal Assistant	Minister Brady	1	€45,125	
Hannah O'Conner	Personal Secretary	Minister Brady	1	€47,036	
Padraig Harrington	Civilian Driver	Minister Brady	1	€631.75	per week
Patrick Kennedy	Civilian Driver	Minister Brady	1	€631.75	per week

01/12/2009

Name	Grade	Minister	WTE	Salary	
Derek Cunningham	Special Adviser — Press and Communication	Minister Harney	1	€122,384 + €12,000 allowance	
Patricia Ryan	Special Adviser	Minister Harney	1	€150,711	
Catherine Dardis	Personal Assistant	Minister Harney	1	€59,737	

Name	Grade	Minister	WTE	Salary	
Rhonwen Hayes	Personal Assistant	Minister Harney	1	€60,030	
Liam Cullen	Special Adviser	Minister Andrews	1	€107,485	
Gareth Crowe	Personal Assistant	Minister Andrews	1	€51,213	
Angela Hoey-Reilly	Personal Secretary	Minister Andrews	1	€38,206	
Frances O'Loughlin	Personal Assistant	Minister Moloney	1	€54,316	
Antoinette Makim	Personal Secretary	Minister Moloney	0.45	€19,258	
Rose Mary McEvoy	Personal Secretary	Minister Moloney	0.55	€26,072	
John Edward Moloney	Civilian Driver	Minister Moloney	1	€667.43	per week
Don White	Civilian Driver	Minister Moloney	1	€667.43	per week
Eamon Brady	Personal Assistant	Minister Brady	1	€46,558	
Hannah O'Conner	Personal Secretary	Minister Brady	1	€48,755	
Padraig Harrington	Civilian Driver	Minister Brady	1	€667.43	per week
Patrick Kennedy	Civilian Driver	Minister Brady	1	€667.43	per week

Departmental Programmes

901. **Deputy Denis Naughten** asked the Minister for Health if he runs a graduate internship programme; and if he will make a statement on the matter. [41365/11]

Minister for Health (Deputy James Reilly): The first year of postgraduate medical training, the intern year, is undertaken in a teaching/university hospital following which doctors can apply to commence training in the area of medicine in which they hope to specialise.

The Health Service Executive is examining the possible use of JobBridge, the National Internship Scheme introduced by the Minister for Social Protection, in the health sector. JobBridge provides work experience placements for a 6 or 9 month period to jobseekers either as new entrants to the labour market after education or training, or as unemployed workers wishing to learn new skills. The Scheme also gives jobseekers an opportunity to gain valuable experience to bridge the gap between study and work.

Medical Cards

902. **Deputy Bernard J. Durkan** asked the Minister for Health if and when a medical card will issue in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [41371/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Health Service Funding

903. **Deputy Aodhán Ó Ríordáin** asked the Minister for Health the position regarding funding for a society (details supplied) in 2012; and if he will make a statement on the matter. [41379/11]

Minister for Health (Deputy James Reilly): The HSE has confirmed the following figures regarding funding received by the Irish Osteoporosis Society: €250,000 in 2007; €250,000 in 2008; €225,000 in 2009; €205,000 in 2010.

In early 2011, the Irish Osteoporosis Society was originally allocated €150,000; however during last year the HSE raised concerns regarding the Society's compliance with the service level agreement and an interim payment of €15,000 was made to the Society. Department of Health

[Deputy James Reilly.]

officials and the HSE met with the Irish Osteoporosis Society in December 2011. The purpose of that meeting was to discuss further the issues and concerns that have arisen in relation to funding and these issues are currently being progressed.

Question No. 904 answered with Question No. 39.

Medical Cards

905. **Deputy Mattie McGrath** asked the Minister for Health when a decision will issue on an application for a medical card in respect of a person (details supplied) in County Tipperary; and if he will make a statement on the matter. [41384/11]

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.

906. **Deputy Mattie McGrath** asked the Minister for Health when a decision will issue on an application for a medical card in respect of a person (details supplied) in County Tipperary; and if he will make a statement on the matter. [41385/11]

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.

907. **Deputy Mattie McGrath** asked the Minister for Health when a decision will issue on an application for a medical card in respect of a person (details supplied) in County Tipperary; the reason for the delay in processing the additional information that was received on 7 November 2011; and if he will make a statement on the matter. [41386/11]

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.

908. **Deputy Mattie McGrath** asked the Minister for Health when a decision will be made on an appeal by a person (details supplied) in County Tipperary who was refused a medical card; and if he will make a statement on the matter. [41390/11]

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.

909. **Deputy Mattie McGrath** asked the Minister for Health when a decision will issue on an application for a medical card in respect of a person (details supplied) in County Tipperary; and if he will make a statement on the matter. [41391/11]

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.

Questions Nos. 910 and 911 answered with Questions No. 821.

912. **Deputy Mattie McGrath** asked the Minister for Health when a decision will issue on an application for a medical card in respect of a person (details supplied) in County Tipperary; and if he will make a statement on the matter. [41396/11]

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.

Long-Term Illness Scheme

913. **Deputy Arthur Spring** asked the Minister for Health the proposed start date for the new arrangements of free general practitioner care under the long term illness scheme in view of the fact that budget 2012 stated that primary legislation has to be introduced to extend this scheme. [41399/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): Free GP care will be extended to persons in receipt of drugs and medicines under the Long Term Illness Scheme. Primary legislation is required to give effect to this commitment. There will be an announcement in due course about the start date for the new arrangements. It is hoped that the new arrangements will be in place by early Summer.

Nursing Homes Support Scheme

914. **Deputy Denis Naughten** asked the Minister for Health if he will ensure that palliative patients are prioritised on the fair deal waiting list; and if he will make a statement on the matter. [41400/11]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The Nursing Homes Support Scheme provides financial support for long-term residential care services. The definition of long-term residential care services stipulates that the care services must be provided for a period of not less than 30 days or periods in the aggregate amounting to not less than 30 days within a period of 12 consecutive months.

The first stage in the application process for the scheme is a Care Needs Assessment which determines whether long-term residential care is the most appropriate setting for each individual. As such, everybody on the national placement list has been assessed as requiring long-term residential care.

The HSE issues financial approval to applicants in chronological order by date of determination. This is facilitated by the placement list which ensures equity nationally.

Health Services

915. **Deputy Clare Daly** asked the Minister for Health the place to which patients from Tallaght Hospital, Dublin, and St. James's Hospital, Dublin, are discharged into or referred to when they require step down care. [41413/11]

Minister for Health (Deputy James Reilly): Immediately following my appointment as Minister for Health, I set about establishing the Special Delivery Unit, the purpose of which is to unblock access to acute services by improving the flow of patients through the system. As a priority the SDU is addressing the issue of unacceptably long trolley waits.

The particular issues vary from hospital to hospital and some of the solutions will depend on local factors. As part of the process of forming the overall picture of the emergency department situation nationally, the SDU has identified fifteen hospitals which between them account for 80% of the trolley wait problem in the hospital system and Liaison Officers from the SDU are working proactively to support these sites. As part of this process some once off funding was made available to hospitals based on specific proposals to reduce waiting times and to help address issues such as delayed discharges. Adherence to the agreed criteria is being closely monitored by the SDU.

I can confirm that Tallaght Hospital and St. James's Hospital received funding of €294k and €140k respectively to enable them to implement measures aimed at reducing delayed discharges.

[Deputy James Reilly.]

In relation to the Deputy's query regarding where patients were discharged to, I have arranged for the question to be forwarded to the HSE who will respond directly to the Deputy.

HSE Budget

916. **Deputy John O'Mahony** asked the Minister for Health the budget for Health Service Executive corporate affairs division located at Dr. Steevens Hospital and Parkgate Street, Dublin, for the years 2009, 2010 and 2011 in tabular form; and if he will make a statement on the matter. [41414/11]

Minister for Health (Deputy James Reilly): I have referred this matter to the Health Service Executive for direct reply.

917. **Deputy John O'Mahony** asked the Minister for Health the budget for Health Service Executive corporate affairs division located at Dr. Steevens Hospital and Parkgate Street, Dublin, for the year 2012; and if he will make a statement on the matter. [41415/11]

Minister for Health (Deputy James Reilly): I have referred this matter to the Health Service Executive for direct reply.

Health Services

918. **Deputy John Lyons** asked the Minister for Health if a person (details supplied) in Dublin 11 will be included on the waiting list for dental or orthodontic treatment [41417/11]

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.

Medical Cards

919. **Deputy Patrick O'Donovan** asked the Minister for Health the position regarding an application for a medical card in respect of a person (details supplied); if the application will be expedited due to the seriousness of their condition; and if he will make a statement on the matter. [41418/11]

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.

Freedom of Information

920. **Deputy Catherine Murphy** asked the Minister for Health the reason the Health Service Executive did not issue any response whatsoever to the letter issued on the 14 of July 2009 in the case of a person (details supplied) which requested urgent information in accordance with standard freedom of information requests; the reason no response was issued by the HSE to subsequent requests for information in respect of same on 16 February 2011, 2 March 2011 and 28 March 2011; if the information requested in this case is subject to any restriction by the HSE; if so, if he will explain the reason for same; and if he will make a statement on the matter. [41420/11]

Minister for Health (Deputy James Reilly): As I have previously advised the Deputy, the Health Services Executive is an entirely separate organisation for the purposes of the Freedom of Information Acts and provisions exist within those Acts, through internal review and appli-

cation to the Information Commissioner, if a body fails to meet its statutory obligations in relation to FOI requests.

Medical Cards

921. **Deputy Billy Kelleher** asked the Minister for Health the number of medical card applicants that are contacted to supply further information on a county basis in tabular form; and if he will make a statement on the matter. [41444/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): I have asked the Health Service Executive for a report on the issue raised by the Deputy. I will revert to the Deputy on the matter as soon as possible.

922. **Deputy Billy Kelleher** asked the Minister for Health the number of new medical cards and renewal medical cards issued per month since January 2011 in tabular form; and if he will make a statement on the matter. [41445/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): I have asked the Health Service Executive for a report on the issue raised by the Deputy. I will revert to the Deputy on the matter as soon as possible.

923. **Deputy Billy Kelleher** asked the Minister for Health the number of applicants who are waiting for three, four, five, six, seven, eight, nine months and so on for a decision on either their medical card or renewal card in tabular form; and if he will make a statement on the matter. [41446/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): I have asked the Health Service Executive for a report on the issue raised by the Deputy. I will revert to the Deputy on the matter as soon as possible.

Hospital Services

924. **Deputy Sean Fleming** asked the Minister for Health when a person (details supplied) in County Carlow will be granted an appointment for an operation for a problem with cataracts on their eyes; and if he will make a statement on the matter. [41457/11]

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 were instructed to ensure that, by the end of 2011, they had no patients waiting more than 12 months for treatment. I can confirm that the vast majority of hospitals achieved this objective. This work will continue in 2012 to both maintain the 12 month maximum waiting time and to further reduce waiting times by the end of 2012.

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.

Medical Cards

925. **Deputy Arthur Spring** asked the Minister for Health the position regarding a medical card application in respect of persons (details supplied) in County Kerry; if and when the medical card will be issued; his views that a ten-month waiting period from the submission date of the application without a decision being made is acceptable; the reason the PCRS is requesting documentation that has been previously submitted; and if he will make a statement on the matter. [41458/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Hospital Services

926. **Deputy Billy Kelleher** asked the Minister for Health his plans to close or transfer services from Kinsale District Hospital, County Cork; and if he will make a statement on the matter. [41464/11]

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.

Accident and Emergency Services

927. **Deputy Finian McGrath** asked the Minister for Health his views on correspondence (details supplied) regarding waiting times in an accident and emergency department. [1017/12]

Minister for Health (Deputy James Reilly): I have said very clearly on many occasions that the situation in our hospital emergency departments where people must wait for unacceptably long periods on trolleys will not be allowed to continue. For this reason, one of my first actions as Minister for Health was to set about establishing the Special Delivery Unit. The SDU is establishing an infrastructure based on information collection and analysis, hospital by hospital, so that we will know what is actually happening in real time. It is providing information tools for hospital managers, including clinical managers, to map and measure bed capacity in their hospital depending on variations in for example the average length of stay of patients. This will allow us to begin to embed performance management in the system, to manage bed capacity and to sustain shorter waiting times.

The problems in our emergency departments are complex and they did not arise overnight. The particular issues vary from hospital to hospital and some of the solutions will depend on local factors. As part of the process of forming the overall picture of the emergency department situation nationally, the SDU has identified fifteen hospitals which between them account for 80% of the trolley wait problem in the hospital system. Eight Hospitals have been identified for very high support including the Mater. Liaison Officers from the SDU are working proactively to support these sites. I have also agreed that some additional funding may be provided, on a strictly once off basis, based on specific proposals from the hospital to reduce waiting times in the period 1 November 2011 to 31 January 2012 which will help address issues such as delayed discharges. Adherence to the agreed criteria will be closely monitored by the SDU.

The conditions and performance measures which the Mater and other hospitals will have to meet are as follows; for the remainder of the year and throughout January 2012 no patient will wait more than 23 hours in the hospital's Emergency Department. In addition the trolley wait target must be maintained at least 70% below the maximum daily trolley count since January 2010. Other conditions/performance measures include:

- Seven day ward/discharge rounds
- Achievement of all Acute Medicine Programme milestones
- Implementation of approved measures to effectively stream elderly patients.

In relation to the Mater some €0.78m has been approved to help alleviate emergency department pressures including:

- Assisted discharge packages
- Intermediate Beds
- Increased bed capacity within Mater for low acuity purposes
- Re-opening of 17 step down beds at St. Mary's Hospital, Phoenix Park.

I am pleased to report that there has been an improvement in the number of patients on trolleys in this period. I am aware that a complaint has been made to the Health Service Executive in relation to the matters raised by the Deputy and I have asked the Executive for their report once it is complete.

Housing Aid for the Elderly

928. **Deputy Éamon Ó Cuív** asked the Minister for Health his plans to extend the remit of the Health Information and Quality Authority to sheltered housing for the disabled and the elderly; and if he will make a statement on the matter. [1018/12]

Minister for Health (Deputy James Reilly): The Programme for Government contains a commitment to expand the Health Information and Quality Authority's (HIQA) inspection role into the area of residential services for people with disabilities along with a commitment to establish a Patient Safety Authority which will incorporate HIQA. Discussions are ongoing between my Department and HIQA to progress these commitments. At this time there are no plans to extend the remit of HIQA to sheltered housing for the disabled and the elderly.

Departmental Funding

929. **Deputy Peter Mathews** asked the Minister for Health the current and capital funding for 2011 and projected current and capital funding for 2012 for an organisation (details supplied) in Dublin 14; and if he will make a statement on the matter. [1035/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The Health Service Executive's National Service Plan for 2012 is currently under consideration by the Minister and the Government. Decisions in relation to funding individual care programmes and service levels for 2012 will not be made until the Minister approves the National Service Plan for 2012 in accordance with the Health Act 2004. As part of the Deputy's question relates to service matters for 2011 I have arranged for that part of the question to be referred to the Health Service Executive for direct reply to the Deputy.

Home Help Service

930. **Deputy Finian McGrath** asked the Minister for Health if home help hours will be extended in respect of persons (details supplied) in County Galway. [1037/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Health Services

931. **Deputy Simon Harris** asked the Minister for Health if he is satisfied with the waiting lists for speech and language therapy for children here; if he has had any discussions with the Health Service Executive regarding these waiting lists; his plans to reduce these lists as quickly as possible; and if he will make a statement on the matter. [1071/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): Any child that presents to the HSE's Speech and Language Therapy Service has an initial assessment to determine their individual need for therapy. The therapist in conjunction with the parent(s) or carer will determine the severity of the child's difficulties and prioritise them for therapy accordingly. The level of intervention is in line with clinical policy, age and severity of the presenting need. The waiting period for intervention is dependent on the nature and severity of the need following assessment.

The HSE aims to ensure that the resources available are used to best effect, in order to provide assessment and ongoing therapy to children and adults in line with their prioritised needs. Along with the significant investment in the area of speech and language therapists employed in recent years, a range of new approaches have been developed and are used in many Speech and Language Therapy services across the country. These include providing structures, training and support to parents /carers so that they can work to help improve the individual's speech and language. In addition, therapy is delivered in group settings where appropriate.

Speech and Language Therapy services for children with disabilities have been developed by individual service providers or former Health Boards over time and reflect the individual experience and expertise of providers in meeting local needs. This has led to variations in the way services are configured and, in relation to the provision of supports for children with disabilities, the HSE has recognised the need to enhance the level of consistency and standardisation in the way both early intervention services and services for school-aged children with disabilities are delivered.

The reconfiguration of existing therapy resources to geographic based teams for children and young people has been identified as a priority and was a "Key Result Area" in the HSE's National Service Plan 2011. National, regional and local level structures are being put in place to progress this initiative, which will have a positive impact on the provision of clinical services and supports for children with disabilities, including those with Speech and Language difficulties. The HSE manages the demand on its services in accordance with the level of resources available and the priority needs identified in each area.

Ambulance Service

932. **Deputy Seán Kenny** asked the Minister for Health the refurbishment works that were carried out at each ambulance station in the Dublin north-east region for the years 2008 to 2011, inclusive; the cost of each project; and if he will make a statement on the matter. [1100/12]

Minister for Health (Deputy James Reilly): As this is a service matter, it has been referred to the Health Service Executive for direct reply.

Drugs Task Forces

933. **Deputy Seán Kenny** asked the Minister for Health if he will provide a breakdown of

funding to the Dublin North East Local Drugs Task Force; the amount that is spent on salaries and administration; the amount that was spent on projects for the years 2009, 2010 and 2011; and if he will make a statement on the matter. [1101/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): A total of €1,228,782 has been allocated to Dublin North East Local Drugs Task Force (LDTF) from the Drugs Initiative in 2012. A comprehensive breakdown of the funding by salary and programme, including associated administrative costs, is not readily available. I will arrange to have this information forwarded to the Deputy as soon as possible. Details of Drugs Initiative expenditure relating to Dublin North East LDTF projects from 2009 to 2011 are set out in the following table:

Year	Expenditure
2009	1,225,795
2010	1,221,890
2011	1,224,256

EU Directives

934. **Deputy Simon Harris** asked the Minister for Health the steps he has taken to implement the European Directive on Traditional Herbal Medicinal Products, 2004/24/EC; the controls exercised by the Irish Medicines Board in this area; the ongoing consultation process that the IMB engages in with suppliers, retailers and users of herbal medicinal products; and if he will make a statement on the matter. [1102/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): Directive 2004/24/EC has been implemented into Irish law by the Medicinal Products (Control of Placing on the Market) Regulations, 2007. The Irish Medicines Board (IMB) is the designated competent authority in Ireland for implementation of this legislation. The IMB has established the traditional herbal medicinal products registration scheme, under which applications may be made for granting a certificate of traditional-use registration to herbal medicines. Herbal Medicines must now be manufactured under Good Manufacturing Practice (GMP) to ensure the quality and safety of the product. The IMB is currently engaged in the registration of herbal medicinal products.

An exceptionally long transition period of 7 years, allowing for the registration of traditional herbal medicines already on the market, ended in April 2011. Since 2004, the IMB has published guidance documents for consumers and for the herbal medicines industry, to assist those making applications under the Traditional Herbal Medicinal Products Registration Scheme. The IMB has also held information sessions for stakeholders on the requirements for the registration scheme and regularly meets with potential applicants to provide further guidance on the Traditional Herbal Medicinal Products Registration Scheme as required. During 2010, the IMB established a public consultation on herbal substances classification to give greater clarity to the industry as to whether products should be placed on the market as herbal medicinal products or as food supplements.

935. **Deputy Simon Harris** asked the Minister for Health the steps he has taken to implement the European Directive on Food Supplements, 2002/46/EC; the effect that this directive has had on the range and variety of vitamin products available to consumers here; and if he will make a statement on the matter. [1103/12]

Minister for Health (Deputy James Reilly): The Food Supplements Directive 2002/46/EC has been transposed into Irish law by Statutory Instrument No. 506 of 2007, which is implemented by the Health Service Executive, under a Service Contract Agreement with the Food Safety Authority of Ireland (FSAI). The Food Supplements Directive ensures that consumers in Ireland are protected by the harmonised EU rules on the sale of food supplements by setting out a general framework and detailed rules on vitamins and minerals which may be used in food supplements. It also provides the consumer with detailed information on the label to ensure an informed choice can be made.

I am not aware of any effect on the range and variety of products available to consumers in Ireland caused by the implementation of this Directive. It should be noted however, that there is a provision within the Directive for the European Commission to determine maximum and minimum levels of vitamins and minerals in food supplements and this matter remains under consideration at European Commission level.

EU Regulations

936. **Deputy Simon Harris** asked the Minister for Health the steps he has taken to implement the European regulation on nutrition and health claims, No. 1924/2006; the impact that this regulation has on consumers wishing to purchase herbal and alternative remedies; and if he will make a statement on the matter. [1104/12]

Minister for Health (Deputy James Reilly): The Regulation on Nutrition and Health Claims made on foods was introduced by the EU in 2006. It aims to protect consumers and facilitate consumer choice by ensuring that products placed on the market are safe and adequately labelled. An EU-wide list of permitted health claims for food was agreed at EU level in 2011. This followed an evaluation by the European Food Safety Authority (EFSA) to ensure that the claims were supported by sound scientific evidence. This list will now be referred to the EU Council and Parliament for further consideration.

Claims submitted for evaluation into effects of plant or herbal substances, commonly known as 'botanical' substances, have yet to be scientifically assessed. Pending this assessment by EFSA and further consideration by the EU Commission and Member States, these products may continue to be used in accordance with Regulation 1924/2006. My Department awaits the publication of the Commission's proposals in this regard. When finalised, the legislation will ensure a high level of protection for consumers and will facilitate choice of products that are safe and that are appropriately labelled.

Public Procurement

937. **Deputy Kevin Humphreys** asked the Minister for Health if his attention has been drawn to the fact that the Rotunda Hospital, Dublin, is in the process of rebranding its image including the commissioning of a new logo for use on all stationary and communications; if this process has been sanctioned by him; if he will provide the figures of the amount that has been spent to date; the amount that has been paid to any outside contractor for this rebranding process; the total cost to the taxpayer; the name of the contractor or company providing this service; if it went to public tender; the selection process that was used; if the selection process was performed by a member of staff; the position held by that member; and if he will make a statement on the matter. [1109/12]

Minister for Health (Deputy James Reilly): Procurement of goods and services is a service issue. Therefore your question has been referred to the Health Service Executive for direct reply.

Medical Cards

938. **Deputy Dara Calleary** asked the Minister for Health when a person (details supplied) in County Mayo, may expect to have their medical card application processed [1129/12]

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.

Services for People with Disabilities

939. **Deputy Simon Harris** asked the Minister for Health the progress made to date in implementing the commitments made in the programme for Government regarding funding and services for persons with disabilities; the time-frame for the implementation of the remaining measures; and if he will make a statement on the matter. [1135/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The provision of health and personal social services for people with disabilities was considered as part of a comprehensive spending review in 2011. In addition a Value for Money Review of Disability Services is due for completion in the first quarter of 2012 and the Report of the Expert Reference Group on Disability Policy will be submitted for Ministerial and Government approval within the same time frame.

Decisions in relation to funding individual care programmes such as disability services and service levels for 2012 will not be made until the Minister approves the Health Service Executive National Service Plan for 2012 in accordance with the Health Act 2004.

Departmental Offices

940. **Deputy Dara Calleary** asked the Minister for Health his view that he or any agency funded by him who own properties in office complexes in which a management company is in place, should take an active role in the running of such management companies including the appointment of a nominee to the board of the company in order to protect the investment of tax payers' money. [1155/12]

Minister for Health (Deputy James Reilly): I can confirm to the Deputy that my Department does not own any property and so the issue of participation in management companies does not arise. In relation to the Non Commercial State Agencies under my Department's remit, responsibility for the day to day administration of these bodies lies with their governing Boards. The Boards and management teams are fully aware of the necessity to protect public funds and there are ongoing efforts to achieve savings and increase efficiencies through mechanisms such as the Public Service Agreement and through the rationalisation of agencies.

Health Services

941. **Deputy Jack Wall** asked the Minister for Health the reasons a person (details supplied) in County Kildare has to pay over and above the cost of the retail product of his medication under the high-tech medicinal product scheme; and if he will make a statement on the matter. [1200/12]

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.

Hospital Waiting Lists

942. **Deputy John Lyons** asked the Minister for Health if he will require hospital consultants

[Deputy John Lyons.]

to provide data to him regarding the number of public patients they see each year; the number of scheduled days in a year they see public patients; if he will provide a breakdown of the number of persons on each priority waiting list; and if he will make a statement on the matter. [1201/12]

943. **Deputy John Lyons** asked the Minister for Health the maximum amount of time a public patient should have to wait for a routine appointment in the public health system; and if he will make a statement on the matter. [1202/12]

944. **Deputy John Lyons** asked the Minister for Health the steps he has taken to identify those hospital consultants who best manage their public waiting lists for routine appointments; if he will highlight these examples of best practice, to lower waiting times for routine appointments across the public health system; and if he will make a statement on the matter. [1203/12]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 942 to 944, inclusive, 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 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.

With regard to changes to consultants work practices, an immediate priority is to achieve more effective implementation of Consultant Contract 2008. I believe there is plenty of scope under the 2008 Contract, that provides for an extended working day, an increase in the length of the working week and structured weekend work, with consultants working as part of a team delivering the Clinical Directorate Service Plan, and the Croke Park agreement to achieve greater productivity from consultants. For example, increased consultant participation in patient discharges at weekends would more quickly free up beds for emergency admissions.

Medical Cards

945. **Deputy Mattie McGrath** asked the Minister for Health when an application for a medical card will be finalised in respect of a person (details supplied) in County Tipperary; and if he will make a statement on the matter. [1208/12]

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 Budgets

946. **Deputy Clare Daly** asked the Minister for Health if he will explain his previous statements that Tallaght Hospital, Dublin, is operating a break-even budget on a monthly basis, and yet his Department has stated that it must deal with it an accumulated deficit of €22 million at the start of the year and a deficit of €11 million in 2011 from within its own resources [1048/12]

Minister for Health (Deputy James Reilly): As I previously stated to the House, the hospital management along with the Board of Tallaght Hospital brought the 2011 budgetary overrun under strict control within agreed parameters and agreed to develop a further cost saving plan for 2012. The deficit referred to by the Deputy was incurred in previous years and will be addressed by the Hospital in conjunction with the HSE. As the Deputy will be aware, in the current financial circumstances all health services must be delivered within the resources available.

Question No. 947 answered with Question No. 15.

Health Services

948. **Deputy Mattie McGrath** asked the Minister for Health when, further to Parliamentary Question No. 220 on the 23 November 2011, a response will issue from the Health Service Executive; and if he will make a statement on the matter. [1239/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): I have again asked the Health Service Executive for a report on the issues raised by the Deputy. I will revert to the Deputy on the matter as soon as possible.

949. **Deputy Mattie McGrath** asked the Minister for Health when, further to Parliamentary Question No. 86 of 7 December 2011, a response will issue from the Health Service Executive; and if he will make a statement on the matter. [1242/12]

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

950. **Deputy Mattie McGrath** asked the Minister for Health when a decision will issue on an application for a medical card in respect of a person (details supplied) in County Tipperary; and if he will make a statement on the matter. [1246/12]

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

951. **Deputy Terence Flanagan** asked the Minister for Health the regulation he is going to bring in to regulate the cosmetic surgery industry in view of recent bad publicity; and if he will make a statement on the matter. [1250/12]

Minister for Health (Deputy James Reilly): Products such as breast implants which are used by the cosmetic surgery industry are classified as medical devices. The Irish Medicines Board (IMB) is the competent authority responsible for the regulation of medical devices on the Irish market. The IMB is currently monitoring recent safety issues concerning Poly Implant Prosthesis (PIP) breast implants in liaison with their European colleagues.

[Deputy James Reilly.]

Cosmetic surgery is also regulated through the regulation of cosmetic surgeons in accordance with the Medical Practitioners Act 2007. Under that Act, medical practitioners, including cosmetic surgeons, who practise medicine in Ireland must be registered with the Medical Council, which has responsibility for the registration of medical practitioners and the regulation of their activities. In addition, my Department is developing legislative proposals to amend the Medical Practitioners Act 2007 to make it mandatory for registration purposes for all medical practitioners engaged in clinical practice to have clinical indemnity cover in place. In a separate initiative, to further strengthen the regulatory environment overall, my Department is developing legislative proposals for the licensing of public and private health care providers and licensing of cosmetic surgery is being considered in this context.

Health Service Funding

952. **Deputy Michael Healy-Rae** asked the Minister for Health the State funding allocated to each of the following organisations (details supplied) in each of the years 2007 to 2011; and if he will make a statement on the matter. [1288/12]

Minister for Health (Deputy James Reilly): The following table sets out the funding that was allocated to the Irish Patients' Association between 2007 and 2011. No funding was allocated to Patients Focus or Patients Together during this period. I have also asked the HSE to reply to you directly in respect of any funding it may have made to the respective organisations.

Funding allocated to Irish Patients' Association

Year	€
2007	32,000
2008	3,000
Total	35,000

Hospital Services

953. **Deputy David Stanton** asked the Minister for Health further to Parliamentary Question No. 51 of 30 June 2011, the discussions he has had with the Health Service Executive in relation to the opening and staffing of the PET-CT scanner unit in Cork University Hospital; if he has received any indication from the HSE as to when the PET scanner will be operational; and if he will make a statement on the matter. [1296/12]

Minister for Health (Deputy James Reilly): As this is a service matter, it has been referred to the Health Service Executive for direct reply.

954. **Deputy Clare Daly** asked the Minister for Health if he will quantify in terms of cancelled operations and other medical procedures for 2012 in Tallaght Hospital, Dublin, arising from recent closure of the Burkitt ward and the imminent closure of the Crampton ward totalling 75 beds or 12% of the hospital's capacity all due to hospital management coping with a reduced budget. [1299/12]

Minister for Health (Deputy James Reilly): As these are service matters, they have been referred to the HSE for direct reply.

Health Services

955. **Deputy Michael Healy-Rae** asked the Minister for Health if he will ensure that funding to be provided in County Kerry for victims of sexual abuse and attacks will not be transferred from Kerry General Hospital to Cork University Hospital; and if he will make a statement on the matter. [1305/12]

Minister for Health (Deputy James Reilly): The sexual assault treatment unit (SATU) for the Cork and Kerry region is located in the South Infirmity Victoria University Hospital Cork. The provision of the service at a regional level was based on the sustainability of the service provision and ensuring that the skills, experience and training required by the clinical staff should be at a level which would be appropriate from a legal perspective when and if such cases come before the courts. A national review of the Sexual Assault Treatment Services undertaken in 2006 (O'Shea Report) indicated that the unit available for the Cork/Kerry area was seen as sufficient to meet the needs of the region.

I have been advised by the HSE South that a revenue provision of €100K funding for sexual assault treatment services in Kerry was provided and they have confirmed that this funding is incorporated into the Emergency Department's budget at Kerry General Hospital where victims of such violence will frequently present. The Emergency Department at Kerry General Hospital, provided on a 24/7 basis at the hospital, is often the first point of contact for such victims and where appropriate clinical care can be provided when necessary. Management of Kerry General Hospital have had a number of engagements with the Kerry Rape Crisis Centre with regards to the services and this communication will continue to ensure best practice is followed within the available resources. In the context of the current financial climate, the HSE is focussed on maintaining the current level and responsiveness of these critical services.

Water Quality

956. **Deputy Terence Flanagan** asked the Minister for Health his views on the use of fluoride in our drinking water and the associated health issues; and if he will make a statement on the matter. [1309/12]

999. **Deputy Clare Daly** asked the Minister for Health if he will explain the levels of fluoride in the Irish water supply; and the reason this chemical is included in view of the fact that it is banned in many countries. [1619/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): I propose to take Questions Nos. 956 and 999 together.

The Forum on Fluoridation, which reported in 2002, advised that the fluoridation of piped public water supplies should continue as a public health measure. One of the recommendations of the Forum was to amend the Fluoridation of Water Supplies Regulations, 1965 to redefine the optimal level of fluoride in drinking water from 0.8 to 1.0 parts per million (ppm) to between 0.6 and 0.8 ppm. Regulations were introduced in 2007 to give legal effect to this change.

The Irish Expert Body on Fluorides and Health, established in 2004, advises that the balance of scientific evidence worldwide confirms that water fluoridation, at the optimal level, does not cause any ill effects and continues to be safe and effective in protecting the oral health of all age groups. The report of the EU Scientific Committee on Health and Environmental Risks (SCHER), published in June 2011, has not made any findings of negative health or environmental effects concerning fluoridation of water. There are no plans to discontinue the policy of

[Deputy Róisín Shortall.]

fluoridation of public water supplies, which continues to make an effective contribution to oral health in Ireland.

Health Service Reform

957. **Deputy Micheál Martin** asked the Minister for Health if he has attended meetings regarding the special delivery unit in his Department; and if he will make a statement on the matter. [37017/11]

Minister for Health (Deputy James Reilly): I can confirm to the Deputy that I have attended several meetings regarding the Special Delivery Unit.

Question No. 958 answered with Question No. 18.

Mental Health Services

959. **Deputy Charlie McConalogue** asked the Minister for Health the number of dedicated child and adolescent inpatient mental health care places available here; and if he will make a statement on the matter. [40327/11]

Minister of State at the Department of Health (Deputy Kathleen Lynch): There are currently 36 child and adolescent psychiatric in-patient beds nationally — 12 in Dublin, 12 in Cork and 12 in Galway, with a further 16 beds to be commissioned during 2012 — 8 in Cork and 8 in Galway. It is also proposed to provide additional beds in the Dublin region and, in this regard, work has begun 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 work is due to commence shortly on the development of an 8 bedded interim facility at St. Loman's, Palmerstown.

Hospital Waiting Lists

960. **Deputy Bernard J. Durkan** asked the Minister for Health the extent to which he has or intends to put in place structures and procedures to eliminate waiting lists, identify the cause or causes contributing to such waiting lists or backlogs in terms of various procedures; the extent, if any, to which staff shortages or budgetary shortfalls continue to contribute to the bed decommissioning or ward closures, thereby interfering with smooth delivery and administration of services; the extent, if any, to which it has been possible to identify and isolate such issues; and if he will make a statement on the matter. [1052/12]

Minister for Health (Deputy James Reilly): 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 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.

I believe we must concentrate on getting the best possible services for patients from the budgets available to us. This means we need to focus on how beds are used, on the throughput of patients, on reducing length of stay to international norms and on having as many procedures as possible carried out as day cases rather than inpatient work.

The work of the SDU, together with implementation of the Clinical Care Programmes in the HSE, will help to improve the efficiency of our hospitals, allowing us to treat as many patients as possible within budget. I believe that pursuing efficiencies through these means will be a far more productive approach than debating the number of beds open or closed at any one time.

The emphasis for the HSE in 2012 will continue to be to make the most effective use of acute bed capacity through shorter length of stay, increased rates of day-of-surgery admission and more day surgery. In this way the acute hospital system can ensure that, within the level of resources available, it facilitates the maximum number of patients with safe, effective and efficient care.

Health Service Reform

961. **Deputy Bernard J. Durkan** asked the Minister for Health the extent to which policy-making in respect of general hospital services, community care and special hospital services is determined by the Health Service Executive or his Department; if, by a reference to each other or to use outside bodies, it is intended to ensure that some form of accountability for policy making is incorporated in the future structures of the health service; and if he will make a statement on the matter. [1338/12]

993. **Deputy Bernard J. Durkan** asked the Minister for Health his preferred options in respect of the operational structure for the health service in the future in view of the experiences of the past number of years; and if he will make a statement on the matter. [1608/12]

994. **Deputy Bernard J. Durkan** asked the Minister for Health when he expects to reconfigure the operational structures of the health services; and if he will make a statement on the matter. [1609/12]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 961, 993 and 994 together.

As a step toward achieving this goal, new governance arrangements will be made in regard to the HSE and these transitional arrangements will be given effect to by legislation which will be advanced as a priority. The transitional legislation will abolish the Board of the HSE and will replace the Board structure with a directorate structure. There will also be strengthened accountability arrangements for the HSE.

New administrative arrangements will be put in place in tandem with the proposed new legal structures. Under the new arrangements, seven key service areas will be the subject of a directorship — Hospital Care, Primary Care, Mental Health, Children and Family Services, Social Care, Public Health and Corporate/Shared Services. The new structure will provide clarity as regards the delivery of the relevant services under the responsibility of the Directors and greater financial transparency and accountability in assessing those services. The Director-

[Deputy James Reilly.]

ate team will be tasked with running the health services and preparing for the transformation required in the move to UHI. The transitional arrangements constitute a step in the process of transformation which will, over time, see the HSE ceasing to exist, as the health reform programme advances.

Disabled Drivers

962. **Deputy Dara Calleary** asked the Minister for Health the qualification criteria changes that have occurred in the motorised transport grant scheme in view of the fact that the applicants (details supplied) have heretofore been in receipt of the motorised transport grant scheme but have in recent months been refused under the scheme due to the fact that they do not meet the eligibility criteria. [1364/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The Motorised Transport Grant supports people with a severe disability to purchase/adapt a car where it is essential for him or her to retain employment. There have been no changes in the eligibility criteria outlined in the current circular issued by my Department which governs the scheme. The Motorised Transport Grant is administered by the Health Service Executive. Therefore, in relation to the two individuals mentioned, I have arranged for that part of the Deputy's question to be referred to the Health Service Executive, for direct reply to the Deputy.

Ambulance Service

963. **Deputy Pat Breen** asked the Minister for Health if he will report on progress made on a project (details supplied); and if he will make a statement on the matter. [1368/12]

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

964. **Deputy Sean Fleming** asked the Minister for Health when a medical card will be approved in respect of a person (details supplied) in County Dublin. [1373/12]

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. 965 answered with Question No. 36.

General Practitioner Services

966. **Deputy Terence Flanagan** asked the Minister for Health the measures he is taking to reduce doctors' fees which are between €50 to €70 per visit; and if he will make a statement on the matter. [1381/12]

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.

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 2012 to claimants of free drugs under the Long-Term Illness Scheme and in 2013 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.

Primary legislation is required to give effect to these commitments. It is hoped that free GP care for claimants of free drugs under the Long-Term Illness Scheme will be in place by early Summer. There will be an announcement in due course about the start date for this arrangement.

Hospital Services

967. **Deputy Brendan Smith** asked the Minister for Health the level of services provided at the minor injuries unit, Monaghan General Hospital; the proposals he has to restore the services to their former level; and if he will make a statement on the matter. [1383/12]

Minister for Health (Deputy James Reilly): The Government intends to publish a framework for the development of smaller hospitals, which will set out the way these hospitals provide services to patients and how they work within their regional hospital networks. The framework and its implementation is a priority of the Government.

In developing the framework, the Government is clear that:

- there is an important future role for smaller hospitals, in which they will provide services for more patients, not fewer;
- no acute hospital will close; and
- safety issues in all acute hospitals, large or small, must be fully addressed, by providing the right type of services in the right settings.

We also need to take into account the individual circumstances of each hospital, to recognise the need for regional solutions and, within the excellent context provided by the HSE's clinical programmes, to encourage local innovation in response to service issues that arise locally or regionally. The best solutions will vary between regions and within the overall context referred to there is no question of a 'one size fits all' approach. I have already said that the reorganisation of our acute system must involve a two way transfer of services between the larger and smaller hospitals, and that as much of the less complex acute treatment should be provided as close to a patient's community as possible. I expect that the model for reassignment of services will be a dynamic one, capable of adapting to the changing needs of patients and the health service, nationally, regionally and locally, and the evolving nature of medical treatment and technology. In relation to the detailed information sought by the Deputy, as this is a service matter, it has been referred to the HSE for direct reply.

Medical Cards

968. **Deputy Michael Healy-Rae** asked the Minister for Health his views on the recent reports that state that the average length of time to process a medical card is 90 days; his views on whether this is an acceptable time for persons to wait for a medical card; and if he will make a statement on the matter. [1389/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): The Health Service Executive centralised the processing of all new medical card applications and renewals at the Primary Care Reimbursement Service (PCRS) with effect from 1st July 2011. The Executive has stated that completed medical card applications are processed within 15 working days. Delays occur where applications are submitted without the supporting documentation necessary to complete the processing of the application. The PCRS currently processes and issues approximately 15,000 medical cards each week. Over 85% of complete applications are processed within 15 working days and PCRS are working to achieve the goal of processing all complete applications within 15 working days.

969. **Deputy Michael Healy-Rae** asked the Minister for Health his views on the processing of medical cards (details supplied); and if he will make a statement on the matter. [1395/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): I have asked the Health Service Executive for a report on the issue raised by the Deputy. I will revert to the Deputy on the matter as soon as possible.

Health Practitioners' Qualifications

970. **Deputy Gerry Adams** asked the Minister for Health further to Parliamentary Question No. 234 of 16 November 2011, if the training which is considered necessary for the person's qualifications to be recognised may be carried out by volunteering in a real working environment under the supervision of a senior colleague. [1405/12]

Minister for Health (Deputy James Reilly): The Deputy refers to an application, from the person whose details are supplied, to have his professional qualifications recognised under Directive 2005/36/EC for the purposes of seeking employment in the publicly-funded health service in Ireland.

This Directive applies to all EEA nationals wishing to practise a regulated profession in an EEA Member State other than that in which they obtained their professional qualifications. If the qualification is deemed not to be equivalent to the relevant Irish qualification, the host Member State must offer an applicant a compensation measure — an adaptation period or an aptitude test.

The Validation Unit of my Department, which administers the Directive in respect of the profession in question, has already engaged in considerable correspondence with the applicant on his application. He has been advised of his deficit, which is in clinical research. This deficit must be addressed by one of the compensation measures provided for in the Directive.

The role of the recognition process is not to conduct primary assessment/evaluation of professional training but rather to assess for equivalence to Irish reference standards the certification of previous professional training; accordingly the applicant has been recommended to undertake a taught research programme in which clinical research undertaken would be the subject of independent assessment. It is considered that this would meet the Directive definition of an Adaptation Period as the applicant would receive additional professional training within a supervised structure; and the outcome of this additional training in the conduct of clinical

research could be externally assessed prior to the further consideration of his application for recognition under the Directive. The applicant has been informed of this position and it is a matter for him to progress his application.

Hospital Waiting Lists

971. **Deputy John McGuinness** asked the Minister for Health if an early appointment will be made at the ENT Carlow in respect of a person (details supplied) in County Carlow; and if he will expedite the matter [1431/12]

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 were instructed to ensure that, by the end of 2011, they had no patients waiting more than 12 months for treatment. I can confirm that the vast majority of hospitals achieved this objective. During 2012 the SDU will support hospitals in the delivery of a 9 month maximum wait time for inpatient or day-case surgery.

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.

Medical Cards

972. **Deputy John McGuinness** asked the Minister for Health when a medical card will issue to a person (details supplied) in County Kilkenny; and if he will expedite the matter. [1432/12]

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.

973. **Deputy John McGuinness** asked the Minister for Health if a medical card will be issued to a person (details supplied) in County Carlow; and if he will expedite the matter. [1438/12]

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.

Ambulance Service

974. **Deputy John McGuinness** asked the Minister for Health if it is a change of policy that family members must provide patient cover in an ambulance when an elderly or ill member is being transported from one hospital to another as was required in the case of a 91 year old patient at St Luke's Hospital, Kilkenny; and if he will make a statement on the matter. [1439/12]

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

975. **Deputy John McGuinness** asked the Minister for Health if a medical card will be issued

[Deputy John McGuinness.]

as a matter of urgency in respect of a person (details supplied) in County Kilkenny; and if he will expedite the matter. [1441/12]

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.

976. **Deputy John McGuinness** asked the Minister for Health if a medical card will be issued to a person (details supplied) in County Kilkenny. [1442/12]

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.

977. **Deputy John McGuinness** asked the Minister for Health if a medical card will be issued immediately to a person (details supplied) in County Carlow; and if he will expedite the application. [1443/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Nursing Homes Support Scheme

978. **Deputy John McGuinness** asked the Minister for Health if he will expedite a response to an application under the nursing home support scheme which is now under appeal in respect of a person (details supplied) in County Kilkenny. [1446/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Medical Cards

979. **Deputy John McGuinness** asked the Minister for Health if a medical card will be issued as matter of urgency in respect of a person (details supplied) in County Kilkenny. [1447/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Health Practitioners' Qualifications

980. **Deputy Mary Mitchell O'Connor** asked the Minister for Health his views that there is an anomaly in a case (details supplied); and that it does not concur with the EU's recognition of professional qualifications as outlined in Directive 2005/36/EC. [1451/12]

Minister for Health (Deputy James Reilly): Registration of medical practitioners is a matter for the Medical Council. Your query has been forwarded to the Medical Council for direct reply to you.

Hospital Budgets

981. **Deputy Charlie McConalogue** asked the Minister for Health the amount of the decrease in the 2012 budget for Carndonagh Community Hospital, County Donegal, from 2011 as a result of the overall decrease in the health budget for 2012; and if he will make a statement on the matter. [1486/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The level of funding available for particular health services this year, and the extent of savings required in the health sector, is being considered as part of finalising the HSE Service Plan 2012 which is currently underway.

Medical Cards

982. **Deputy Michael McGrath** asked the Minister for Health the approximate number of persons who possess neither a medical card nor private medical insurance; the approximate number of medical card holders who are also in possession of private medical insurance; and if he will make a statement on the matter. [1506/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): The number of individuals covered by a medical card at the end of October 2011 was 1,694,658. As of the end of September 2011, the number of people who had private health insurance is 2,173,418. Some individuals may hold a medical card and private health insurance. The Department does not hold records of the additional data sought by the Deputy.

Health Service Expenditure

983. **Deputy Michael McGrath** asked the Minister for Health the approximate cost to the Health Service Executive arising from the 2% increase in the standard rate of VAT; and if he will make a statement on the matter. [1515/12]

Minister for Health (Deputy James Reilly): The decision to increase the higher rate of VAT from 21% to 23% was already agreed with the IMF and the European authorities, although it was originally intended to increase VAT by 1 per cent in 2013 and 1 per cent in 2014. The Government has decided, in the context of the budgetary challenges, to bring forward this measure, whilst committing not to increase the VAT rate past 23% during the lifetime of the Government.

The HSE is currently assessing the effect of the VAT increase in relation to its procurement budget but it is not possible at this stage to be definitive. An early estimate of the effect of the rate change has indicated that it could be of the order of €50m and this additional cost will be taken into account in the context of the National Service Plan for 2012.

Hospital Waiting Lists

984. **Deputy Seán Ó Feargháil** asked the Minister for Health if he will seek to have urgently required surgery expedited in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [1596/12]

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 were instructed to ensure that, by the end of 2011, they had no patients waiting more than 12 months for treatment. I can confirm that the vast majority of hospitals achieved this objective. During 2012 the SDU will support hospitals in the delivery of a 9 month maximum wait time for inpatient or daycase surgery.

[Deputy James Reilly.]

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.

Hospital Accommodation

985. **Deputy Bernard J. Durkan** asked the Minister for Health the number of policy decisions taken to close hospital wards or decommission beds throughout the country in each of the past three years to date in 2012; the administrative level at which such decisions were taken in the Health Service Executive, his Department or at ministerial level; and if he will make a statement on the matter. [1600/12]

987. **Deputy Bernard J. Durkan** asked the Minister for Health the extent if any to which general hospitals bed accommodation in the public sector has fluctuated in the course of each of the past four years to date in 2012; and if he will make a statement on the matter. [1602/12]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 985 and 987 together.

My Department has asked the HSE for the detailed information sought by the Deputy and I will be in further communication with him when it is to hand.

Community Care

986. **Deputy Bernard J. Durkan** asked the Minister for Health the total number of public nursing home wards closed or beds decommissioned in each of the past two years to date in 2012; and if he will make a statement on the matter. [1601/12]

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. 987 answered with Question No. 985.

Health Service Staff

988. **Deputy Bernard J. Durkan** asked the Minister for Health the total number of nursing staff employed on an agency basis throughout the public health sector annually in the past three years to date in 2012; and if he will make a statement on the matter. [1603/12]

Minister for Health (Deputy James Reilly): Up to 2011 information on the numbers of agency nursing staff employed across the public health sector was not routinely collected. However, since the introduction of new agency contracts early in 2011, information on the number of agency nursing hours worked has been collated in respect of the HSE services. From 14th March-30th November 2011 (the latest date for which information is available) the total number of nursing hours purchased under the HSE's agency contracts is 853,350 hours. This equates to approximately 600 WTE posts for this period of time. In addition, at end November 2011, there were 310 WTE staff in the nurse banks operated by the Dublin Academic Teaching Hospitals, which provide supplementary capacity in these hospitals.

989. **Deputy Bernard J. Durkan** asked the Minister for Health the total number of nursing staff other than agency staff employed throughout the public health sector on a part-time,

temporary or otherwise than on permanent basis; and if he will make a statement on the matter. [1604/12]

Minister for Health (Deputy James Reilly): The total number of nurses (other than agency nurses) employed in the public health service (by contract type), as at November 2011 (latest data), is as follows:

Nurses employed in the public health service

WTE Permanent Full-Time	WTE Permanent Part-Time	WTE Fixed-Term Full-Time	WTE Fixed-Term Part-Time	WTE Spec. Purpose Full-Time	WTE Spec. Purpose Part-Time	Total WTE excl. Career Break
24,556	8,536	1,350	664	311	178	35,595

990. **Deputy Bernard J. Durkan** asked the Minister for Health the total number of junior hospital doctors required on an annual basis throughout the public health sector; the extent to which this requirement can be matched to the number of doctors graduating on an annual basis; and if he will make a statement on the matter. [1605/12]

Minister for Health (Deputy James Reilly): Under the provisions of the Medical Practitioners Act 2007 the Health Service Executive (HSE) is responsible, in cooperation with the medical training bodies and after consultation with the Higher Education Authority, for undertaking appropriate medical workforce planning for the purpose of meeting specialist medical staffing and training needs of the health service on an ongoing basis. Specifically they must assess on an annual basis the number of intern training posts and the number and type of specialist medical training posts required to meet ongoing service requirements. They must also assess on an annual basis the need for and appropriateness of medical posts which are not specialist training or consultant posts. The relevant section of the Act was commenced in 2009 and the first annual assessment, covering the period July 2010 to June 2011 was published in 2010.

The HSE recently published their Annual Assessment of Non-Consultant Hospital Doctor posts for the period July 2011 to June 2012. This comprehensive document includes information on the numbers and types of doctors in training and outlines figures which will guide ongoing specialist training requirements. The report indicates a requirement in 2011/2012 of some 4,000 specialist training posts (563 at intern level, 2,087 at initial specialist training level and 1,374 at higher specialist training level). In addition there are approximately 900 posts required solely for service delivery. This HSE's annual assessment is available on the HSE website at www.hse.ie.

Community Care

991. **Deputy Bernard J. Durkan** asked the Minister for Health the extent to which the number of beds available in public nursing homes has been reduced on an annual basis over the past five years to date in 2012; the reason or reasons for any such reduction, whether the lack of adequate annual maintenance was or is a factor; and if he will make a statement on the matter. [1606/12]

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. 992 answered with Question No. 20.

Questions Nos. 993 and 994 answered with Question No. 961.

Medical Cards

995. **Deputy Seán Ó Fearghaíl** asked the Minister for Health if he will expedite an application for a medical card renewal in respect of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [1612/12]

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.

996. **Deputy Seán Ó Fearghaíl** asked the Minister for Health if he will expedite an application for a medical card renewal in respect of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [1613/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Hospital Staff

997. **Deputy Charlie McConalogue** asked the Minister for Health when a locum rheumatology consultant will be appointed to cover a maternity leave which has arisen at Our Lady's Hospital Manorhamilton, County Leitrim; and if he will make a statement on the matter. [1615/12]

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.

Hospital Services

998. **Deputy Charlie McConalogue** asked the Minister for Health the proposed date for the opening of the new medical assessment unit and emergency department at Letterkenny General Hospital, County Donegal; and if he will make a statement on the matter. [1616/12]

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. 999 answered with Question No. 956.

Hospital Staff

1000. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health further to Parliamentary Question No. 1006 of 14 September 2011, when a reply will issue from the Health Service Executive. [1621/12]

Minister for Health (Deputy James Reilly): In my reply to the Deputy on 24 November 2011, I provided the average salaries paid to medical consultants under the 2008 Contracts. The average salary paid to consultants who are working under the 1997 contract is €160,246. The Health Service Executive has advised that there are also 6 consultant psychiatrists working in the public health service under a Geographical Wholetime Equivalent without fees Contract. The salary for this contract is €151,800 per annum.

Dental Treatment Services Scheme

1001. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health further to Parliamentary Question No. 566 of 15 November 2011, when a reply will issue from the Health Service Executive [1622/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): The outstanding information sought by the Deputy in Parliamentary Question No. 566 of 15 November 2011 in relation to expenditure on the Dental Treatment Services Scheme which was introduced in November 1994 is as follows:

Year	Expenditure (millions)
1994	€0.036
1995	€8.1
1996	€10.9
1997	€14.9
1998	€18.0
1999	€20.8
2000	€38.0
2001	€41.6
2002	€45.7
2003	€49.8

Health Service Properties

1002. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health further to Parliamentary Question No. 419 of 6 December 2011, when a reply will issue from the Health Service Executive. [1623/12]

Minister for Health (Deputy James Reilly): Estate management of the Health Service Executive property portfolio is a service matter. Therefore your question has been referred to the Executive for direct reply. The information is being collated and will be provided as soon as possible.

State Agencies

1003. **Deputy Maureen O’Sullivan** asked the Minister for Health the number of State agencies currently financed by the Exchequer; the number of board members attending each State agency; the expenses issued for each meeting; if any review of the membership of board members is to be taken in order to monitor attendance levels or lack of attendance by any member; and if he will make a statement on the matter; and if he will make a statement on the matter. [2052/12]

Minister for Health (Deputy James Reilly): There are currently 10 State agencies financed by the Exchequer, the details of which are set out below. Any expenses incurred as a result of attendance at Board meetings are governed by the Travel and Subsistence Circulars issued by the Department of Finance and paid where appropriate. In relation to Boards and their members under my Department’s remit, responsibility for the administration of these bodies, including attendance at Board meetings lies with the Chairperson in conjunction with the Board.

Agency	Exchequer Funding	Maximum No. Board Members
Food Safety Authority of Ireland	100%	10
Food Safety Promotions Board	Funded between DoH and Northern Irish DoH	12

[Deputy James Reilly.]

Agency	Exchequer Funding	Maximum No. Board Members
Health and Social Care Professionals Council	100%	25
Health Information and Quality Authority	100%	12
Health Research Board	100%	10
Irish Medicines Board	14% — Exchequer — 86% self funding	9
Mental Health Commission	100%	13
National Cancer Registry Board	100%	7
National Treatment Purchase Fund	100%	9
Pre-Hospital Emergency Care Council	100%	17
National Paediatric Hospital Development Board	100%	13

Road Network

1004. **Deputy Tom Fleming** asked the Minister for Transport, Tourism and Sport if he will reverse the decision to abolish local improvement schemes; and if he will make a statement on the matter. [41405/11]

1005. **Deputy Tom Fleming** asked the Minister for Transport, Tourism and Sport if he will consider a scheme for pothole repairs for roads affected by the decision to abolish local improvements schemes; and if he will make a statement on the matter. [41406/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): I propose to take Questions Nos. 1004 and 1005 together.

The improvement and maintenance of regional and local roads, in its area, is a statutory function of each road authority in accordance with the provisions of section 13 of the Roads Act 1993. Works on such roads are a matter for the relevant local authority to fund primarily from its own resources but supplemented by State road grants.

Funding under the Local Improvements Scheme was provided for non-public roads but the maintenance and improvement of these roads is, in the first instance, a matter for the relevant landowner. In view of the current difficult financial circumstances and the consequential reduction in Exchequer funding, priority must go to maintaining public roads. Therefore, the decision was taken to suspend this scheme.

Insurance Industry

1006. **Deputy Brendan Griffin** asked the Minister for Transport, Tourism and Sport the position regarding insurance quotes in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [41407/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): Motor insurance is provided as a private contract between the supplier and the customer. Individual motor insurance quotations are not a matter in which I would have any direct involvement or responsibility.

There is no legal provision to compel an insurance company to reveal the reason a quote was refused. However, I understand that, in practice, where a quote is refused or considered to be so exorbitant as being tantamount to a refusal, there is a Declined Cases Agreement in place, operated by the Irish Insurance Federation, whereby a quote can be secured. The

Declined Cases Agreement exists to facilitate motorists meeting their obligation to have third party liability motor insurance.

Road Traffic Offences

1007. **Deputy Michael Healy-Rae** asked the Minister for Transport, Tourism and Sport his views that it is fair to impose penalty points on a person caught driving a car with a bulb blown as the driver may have started their journey with all lights working and a bulb could blow without their knowledge, they could then face prosecution and worse penalty points being put on their licence; and if he will make a statement on the matter. [1388/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): Driving a mechanically propelled vehicle at dusk, in adverse weather conditions and at night with defective lights is a significant road safety issue. The offence of driving a mechanically propelled vehicle with defective lights has been provided in road traffic legislation dating back to 1963 and is currently dealt with by way of summons to court. A maximum fine of €1,000 and/or three months imprisonment applies in respect of a first conviction.

While the 2002 Road Traffic Act brought the offence within the Penalty Point and Fixed Charge Systems, the relevant provisions have not been commenced to date. It is my intention to examine all penalty point and fixed charge notice offences listed in the 2002 Act but not yet commenced with a view to introducing a number of them this year. In this context, I will consider the appropriate level of points and fixed charge to be applied for each offence.

I am sure that the Deputy will agree that in relation to road safety offences, it is more efficient for members of the public, the Courts Services and An Garda Síochána that, where possible, such offences are dealt with through a penalty point and fixed charge notice system, rather than through the Courts.

Taxi Regulations

1008. **Deputy Dara Calleary** asked the Minister for Transport, Tourism and Sport when the review of the taxi industry will be completed. [40924/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): I expect to be in a position to submit the report of the Review Group on the taxi industry to Government for their consideration in the near future. It remains my intention to publish the report following its consideration by the Government.

Ferry Services

1009. **Deputy Jim Daly** asked the Minister for Transport, Tourism and Sport the reason Fáilte Ireland has not provided any financial support to a company (details supplied) in County Cork noting the strategic role it plays in bringing thousand of visitors to the Munster region each year; and if he will make a statement on the matter. [40932/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): Neither the Department of Transport, Tourism and Sport (or any of its agencies, including Fáilte Ireland) has a function in, or finance available for, the subsidisation or provision of a ferry service for this, or any other route. The provision of such funding is subject to strict EU State Aid rules. Such services must run on a commercial basis. However, where possible, the State tourism agencies have been very supportive of the Fastnet Line to assist its viability through active promotion and marketing and the provision of business support services.

[Deputy Leo Varadkar.]

Early on both Fáilte Ireland and Tourism Ireland were involved in discussions with the promoters to support the service through promotion and marketing, as is the case with other air and sea access routes. Subsequently advertisements were placed on a co-operative marketing basis in UK national and regional newspapers to promote the service to British tourists.

Fáilte Ireland also worked with the Fastnet Line to offer them business support training, including web presence, marketing, finance, sales and practical culinary and hospitality/customer service supports, designed to not only ensure a quality passenger experience but to deliver cost savings, increased sales and revenue and ultimately improve viability.

In addition, Fáilte Ireland granted BES certification to the enterprise to assist them in raising finance and the line launched a drive to raise €1.5m in funding.

As the delivery of those services is an operational matter for Fáilte Ireland I have referred the Deputy's question to the agency and asked that Fáilte Ireland supply more detailed information of the support that has been provided. Please advise my private office if you do not receive the information within ten working days.

Regional Airports

1010. **Deputy Jim Daly** asked the Minister for Transport, Tourism and Sport the State aid that is provided to regional airports and airlines to assist in bringing increases in numbers of tourists to the regions; and if he will make a statement on the matter. [40933/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): In accordance with EU regulations, my Department provides subvention to two airlines for the provision of scheduled air services on the Public Service Obligation (PSO) routes between Donegal and Dublin and Kerry and Dublin. The contracts for the provision of these services were awarded following an EU public tendering process. The contracts are for the three year period commencing on 3 November 2011 and involve an average subvention of €7.6 million per annum. These links, serving the two most remote regional airports, are expected to make an important contribution towards balanced regional development.

As an Island destination, direct convenient and competitive access services are important for inbound tourism. While the tourism agencies do not provide State aid to airlines or airports, Fáilte Ireland and Tourism Ireland are committed to working with air and sea carriers, airports and ferry ports and local tourism interests around the island to help maintain and develop our vital network of routes and services to facilitate overseas visits, by case-making and co-operative campaigns.

Tourism Ireland engages in co-operative marketing activity with carriers serving the regions from key markets overseas, highlighting ease of direct access, great value fares and inclusive packages. In Britain, Tourism Ireland focuses on a region-to-region approach to capitalise on access links between specific areas of Britain and the regions in Ireland. Tourism Ireland's co-operative marketing campaigns received a boost last autumn with an additional €9 million tourism marketing campaign supported by revenues from the air travel tax and involving matching funds from carriers.

In addition to the above funding, Exchequer support is provided to the regional airports under the Operational Subvention Scheme and the Capital Expenditure Grant Scheme.

Trans-European Transport Network

1011. **Deputy Michelle Mulherin** asked the Minister for Transport, Tourism and Sport the

reason the Arc from Belfast-Knock Airport-Cork is not included in the EU CER list of pre-approved projects under the proposals for the new European Parliament Regulations on the Trans European Transport Network; and if he will make a statement on the matter. [40985/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The European Commission published its proposals for the so-called “Connecting Europe Facility” (CEF) on 19 October last. The objective of the proposal — from a transport perspective — is to develop a multi-modal transport network for freight and passengers across Europe which is fit for purpose by 2030. The CEF proposal includes an appendix with details of 10 “pre-identified projects” which the Commission describe as Core Network Corridors. These have been identified by the Commission according to a specific methodology consistent with the overall objectives of the proposal — including, inter alia, projected traffic flows on the network. Ireland is included in one of ten priority “Core Network Corridors”. This is broadly defined as the “Dublin- London-Paris-Brussels” Corridor which also includes links to Belfast and Cork. It should be noted that member states are not free to include whichever links they so wish.

Knock Airport is included in the so-called Comprehensive Network which is set out in the Commission’s proposals for a Trans-European Network (TENS-T) which was published at the same time as the CEF proposal. The Comprehensive Network is intended to provide for seamless traffic flows to the Core Network — where the level of projected traffic flows and associated specifications are not as high as those for the Core Network.

The Commission’s CEF and TENS T proposals are currently being negotiated through the ordinary legislative procedure — i.e. with Council (Member State Governments) and with the European Parliament. The negotiations are still at an early stage and the proposals are likely to change over the course of the negotiation process. It is worth pointing out that the level of EU funding available for the development of the Core Network under the CEF (€21 bn) represents under 10% of the estimated overall costs associated with the upgrade works envisaged to the transport network across Europe (€250bn). In other words, it would require Member States to provide the remaining 90%. As the proposals stand, inclusion in the Core Network would legally oblige Member States to ensure delivery of the upgrades / enhancements envisaged by 2030 or potentially face infringement proceedings and fines.

Therefore it is important to understand that TENS T is not aspirational. Rather it involves very onerous financial commitment on individual member states. As the regulations stand, including the ‘Arc’ as proposed by the Deputy would Ireland to build a fully electrified ERTMs railway between Belfast, Knock and Cork by 2030 which is neither affordable nor is it supported by any cost benefit analysis. Moreover, Belfast is located in the United Kingdom and the UK Department of Transport is not proposing to include a link from Belfast to Derry in the Core rail network.

Air Services

1012. **Deputy Martin Ferris** asked the Minister for Transport, Tourism and Sport the reason an EC stamp on a travelling seat for a disabled person is not acceptable to Aer Lingus to be allowed be taken on board one of their flights but is by other airlines, including Swissair, the carrier of a non-EU State. [41001/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The issue raised by the Deputy is an operational matter for Aer Lingus and one in which I have no function.

Road Network

1013. **Deputy Patrick O’Donovan** asked the Minister for Transport, Tourism and Sport if he

[Deputy Patrick O'Donovan.]

will confirm the position regarding the future of local improvement schemes; and if he will make a statement on the matter. [41014/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The current expenditure for regional and local roads will be reduced significantly over the next few years. Cuts of the magnitude proposed necessitated that some very good and worthwhile projects be curtailed.

In making adjustments to the regional and local roads budget the primary aim has been, as far as is possible, to protect previous investment in the road network and use the available funding to maintain and restore public roads, including those in rural areas.

To that end, it was necessary to discontinue grants under the Local Improvements Scheme achieving a saving of €5 million. While the importance of this scheme to rural communities and in assisting local development projects on non-public accommodation roads is acknowledged, the maintenance and improvement of these roads is, in the first instance a matter for the relevant landowner.

Given that the priority in using scarce resources in the current difficult economic climate is to maintain public roads it is not possible to assist with any works on non-public roads and therefore this scheme has been suspended and not abolished. If and when the financial position of the State improves, it will be possible to re-open this scheme.

It should be noted that the individual local authorities could operate this or a similar scheme using their own resources, should they consider such spending to be a priority.

Local Authority Services

1014. **Deputy Charlie McConalogue** asked the Minister for Transport, Tourism and Sport if there is any financial assistance available from him towards the provision of swimming lessons; and if he will make a statement on the matter. [41035/11]

Minister of State at the Department of Transport, Tourism and Sport (Deputy Michael Ring): Under the Local Authority Swimming Pool Programme, which is administered by my Department, grant aid to a maximum of €3.8 million is provided to Local Authorities towards the capital costs only of new swimming pools or the refurbishment of existing pools. My Department does not provide financial assistance to groups or individuals to offset the cost of swimming lessons.

Road Network

1015. **Deputy Charlie McConalogue** asked the Minister for Transport, Tourism and Sport the position regarding the N11 Rathnew to Arklow road improvement scheme, County Wicklow; and if he will make a statement on the matter. [41037/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): As Minister for Transport, Tourism and Sport, I have responsibility for overall policy and funding in relation to the national roads programme. The planning, design and implementation of individual road projects is a matter for the National Roads Authority (NRA) under the Roads Acts 1993 to 2007 in conjunction with the local authorities concerned.

Noting the above position, I have referred the Deputy's question to the NRA for direct reply. Please advise my private office if you don't receive a reply within 10 working days.

Sports Capital Programme

1016. **Deputy Michael McCarthy** asked the Minister for Transport, Tourism and Sport the terms and conditions that exist for sporting organisations that wish to apply for funding under the national lottery programme; and if he will make a statement on the matter. [41070/11]

Minister of State at the Department of Transport, Tourism and Sport (Deputy Michael Ring): The terms and conditions for the most recent round of the Sports Capital Programme, are available on the Department's website *www.dttas.ie*. These are, of course, subject to change for any future rounds of the Programme.

Harbours and Piers

1017. **Deputy Michael McCarthy** asked the Minister for Transport, Tourism and Sport the number of projects planned for the Kinsale and Baltimore areas once the transfer of the functions of Baltimore Harbour Board to Cork County Council has been completed; the total amount of funding which has been ringfenced to provide for such projects; the project name, projected completion date and the corresponding amount of funding being provided for each in tabular form; and if he will make a statement on the matter. [41072/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): My Department administers capital grant payments to Harbour Authorities operating under the Harbours Act 1946 in respect of priority remedial works to protect the fabric of the Harbours and to facilitate their transfer to local control.

Kinsale and Baltimore Harbours transferred to Cork County Council on the January 2012. My Department will provide funding for remedial works for a further two years. It has indicated to Cork County Council that it is planning to provide €2.5million in total for remedial works at Kinsale and Baltimore harbours in 2012 and again in 2013, subject to Exchequer funding being available.

The Department wrote to Cork County Council in December 2011 seeking an application for funding for urgent remedial works required at both Harbours in 2012.

It is planned to examine all applications for funding in January with a view to allocating available funds as soon as possible thereafter.

Sustainable Transport

1018. **Deputy Brendan Griffin** asked the Minister for Transport, Tourism and Sport the position regarding the development of a cycle-walk way between Tralee and Fenit; if he supports the initiative; if Iarnród Éireann is liaising with Kerry County Council on the matter; and if he will make a statement on the matter. [41086/11]

Minister of State at the Department of Transport, Tourism and Sport (Deputy Alan Kelly): I am fully supportive of the Tralee to Fenit Greenway. Given the project's potential to contribute to both sustainable transport goals and to local tourism, the funding commitment from my Department remains in place. While the route is primarily a matter for Kerry County Council to progress, I understand that they are experiencing difficulties due to encroachment onto CIE lands. I therefore raised this specific issue with CIE and have communicated the need to ensure such encroachment is addressed.

Public Transport

1019. **Deputy Mary Mitchell O'Connor** asked the Minister for Transport, Tourism and Sport

[Deputy Mary Mitchell O'Connor.]

the percentage, on average, by which Dublin Bus tickets have increased over the past five years; and if he will make a statement on the matter. [41165/11]

1020. **Deputy Mary Mitchell O'Connor** asked the Minister for Transport, Tourism and Sport the percentage, on average, by which Bus Éireann tickets have increased over the past five years; and if he will make a statement on the matter. [41166/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): I propose to take Questions Nos. 1019 and 1020 together.

Since December, 2009, decisions in relation to increases in public transport fares on subvented services are subject to the approval of the National Transport Authority (NTA). I have requested the NTA to furnish details of fare increases since December 2009 directly to you. Please advise my private office if you do not receive a reply within ten working days. Prior to 3rd December, 2009, Ministerial approval was required for increases in standard single fares by CIÉ. In August 2006 CIÉ sought a fares increase of 9-10% to cover expected cost increases in 2007. Ministerial approval was granted for an average 2.75% increase with effect from 1st January, 2007.

In October 2007, CIÉ applied for a fares increase of 8-10% to cover increased operating costs and the provision of additional services. Ministerial approval was granted for an average 5% increase in fares with effect from 1st January, 2008.

In September, 2008 CIÉ submitted an application for a 20% fare increase due to a decline in the Group's finances as a result of increasing fuel, labour and other costs, the loss of fuel duty rebate and changing demand for services. Ministerial approval was granted for an average 10% fare increase with effect from December, 2008. There were no fare increases sought or granted in 2009.

1021. **Deputy Mary Mitchell O'Connor** asked the Minister for Transport, Tourism and Sport the percentage by which the costs of Dublin Bus have increased since 2006; and if he will make a statement on the matter. [41167/11]

1022. **Deputy Mary Mitchell O'Connor** asked the Minister for Transport, Tourism and Sport the percentage by which the costs of Bus Éireann have increased since 2006; and if he will make a statement on the matter. [41168/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): I propose to take Questions Nos. 1021 and 1022 together.

Total operating costs of Dublin Bus increased by 8% in 2010 over the 2006 figure. 2010 is the last year for which the company's Annual Financial Statements are available. The equivalent figure for Bus Éireann was 13%. Both companies have implemented major cost recovery programmes in recent years, including a pay freeze for all staff since 2008. Further cost saving measures, in addition to marketing and promotional initiatives to increase revenue and passenger numbers, will be required to address operating deficits.

It should be noted that some of the higher operating costs relate to the higher cost of fuel as well as the abolition of the fuel rebate. Also, pay increases under social partnership agreements would have been a factor. The Annual Report and Financial Statements for Dublin Bus and Bus Éireann are published annually on the respective company websites and on the CIÉ website.

1023. **Deputy Mary Mitchell O'Connor** asked the Minister for Transport, Tourism and Sport the number of bus routes that avail of the port tunnel as a percentage of the number of buses exiting the city along this route; and if he will make a statement on the matter. [41169/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): Under the Public Transport Regulation Act 2009, the National Transport Authority (NTA) has responsibility for the provision of public bus passenger services under the award of public service contracts. In addition, the responsibility for the public passenger bus route licensing was transferred under Statutory Instrument No. 566 of 2010 from my Department to the NTA with effect from 1 December 2010.

I have forwarded your correspondence to the NTA for attention and direct reply. If you do not receive a reply within ten working days please notify my private office.

Cycle Facilities

1024. **Deputy Simon Harris** asked the Minister for Transport, Tourism and Sport his policy regarding the need for large urban local authorities to have in place a cycling officer; if his attention has been drawn to the role that cycling officers play; and if he will make a statement on the matter. [41253/11]

1025. **Deputy Thomas P. Broughan** asked the Minister for Transport, Tourism and Sport if he will outline any new measures he is considering to enhance facilities and infrastructure for cyclists around the country; if he will indicate if he has liaised with the Department of the Environment, Community and Local Government in relation to the vacant Dublin City Council cycling officer post; if he has recommended that DCC are facilitated in retaining and filling this post; and if he will make a statement on the matter. [41296/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): I propose to take Questions Nos. 1024 and 1025 together.

The Programme for Government commits to continued investment in the National Cycle Policy. My Department is implementing that commitment through, inter alia, continued improvement of facilities and infrastructure for cyclists. I am also pleased that strong levels of investment in smarter travel including funding for additional cycling facilities have been secured under the multi-annual capital funding framework to 2016.

I expect that funds will be made available to local authorities for the development of urban cycle lanes, greenway cycling trails and to progress the delivery of a national cycle network.

In addition to funding new cycling infrastructure my Department is working with local authorities in the regional cities to develop proposals to establish schemes similar to the very successful Dublin Bike rental scheme there.

The National Cycle Policy also includes an objective that local authorities appoint a cycling officer to oversee the formulation and delivery of local cycling policy. It is however a matter for local authorities to determine how best to secure implementation of this National Cycle Policy objective.

I am, of course, aware of the situation that arose in Dublin City Council with the proposed termination of the contract of their cycling officer. The means of implementation of the National Cycling Policy recommendation is entirely a matter for Dublin City Council. I also recognise that Dublin City Council has shown great commitment to the promotion and development of cycling in recent years.

Ministerial Staff

1026. **Deputy Catherine Murphy** asked the Minister for Transport, Tourism and Sport the names and salaries of each person serving as a special adviser and or the names and salaries of each person directly appointed by him or a Minister of State to any other position within his Department or predecessors Department on each of the following dates; 1 December 2009, 1 December 2010 and 1 December 2011; and if he will make a statement on the matter. [41355/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The names and salaries of each person serving as an advisor to Minister Varadkar and his predecessor on each of the dates 1st December 2009, 1st December 2010 and 1st December 2011 are set out in Table 1.

The names and salaries of each person directly appointed by Minister Varadker, Minister of State Alan Kelly, Minister of State Michael Ring and by their predecessors on each of the dates 1st December 2009, 1st December 2010 and 1 December 2011 are set out in Table 2.

Table 1 — Advisors

Name	Position:	Salary @ 1st December:		
		2009	2010	2011
Jimmy Fegan	Special Advisor to: Minister Dempsey	€107,485	€99,236	€105,837
Stiofán Nutty	Minister of State Cuffe		€96,295	
Brian Murphy	Minister Varadkar			
Olive Stephens	Press Advisor to: Minister Dempsey	€97,109	€92,672	€80,051
Sean Fitzpatrick	(Temp) Minister Dempsey	€88,179		
Nick Miller	Minister Varadkar			
John Carroll	Policy Advisor (in lieu of Personal Assistant) Minister Varadkar			€48,520

Table 2 — Other Appointments

Name	Position	Salary @ 1st December:		
		2009	2010	2011
Maggie Conway	Personal Assistant: Minister Dempsey	€55,030		€52,925
Joanne O'Toole	Minister Dempsey		€43,818	
Tim Kearney	Minister of State Cuffe		€49,035	
Suzanne McGreal	Minister of State Ring			€43,715
Tracey McGee (Workshare)	Minister of State Kelly			€43,715
Michelle Cooney (Workshare)	Minister of State Kelly			€43,715
Una Grehan	Personal Secretary: Minister Dempsey	€43,095	€40,612	€45,940
Clare McKeever	Minister of State Cuffe		€28,632	
Mary Donohoe	Minister Varadkar			
Maggie White	Minister of State Ring			€47,755

Name	Position	Salary @ 1st December:		
		2009	2010	2011
Deirdre Ryan	Minister of State Kelly Civilian Driver:			€34,195
John O'Shea	Minister Varadkar			€32,965
James O'Grady	Minister Varadkar			€32,965
Gerard Murphy	Minister of State Ring			€32,965
Peter O'Donnell	Minister of State Ring			€32,965
Gerald Slattery	Minister of State Kelly			€32,965
Dylan Denyer	Minister of State Kelly			€32,965

Departmental Programmes

1027. **Deputy Denis Naughten** asked the Minister for Transport, Tourism and Sport if he runs a graduate internship programme; and if he will make a statement on the matter. [41370/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): My Department supports both the Work Placement Programme run by FAS and the JobBridge Internship Scheme run by the Department of Social Protection and Solas.

The Department has facilitated six JobBridge graduate interns of 9 month durations and one four-week graduate internship through the EC funded Project “European Integration Scholarship — Speak European” during 2011.

Public Transport

1028. **Deputy Simon Harris** asked the Minister for Transport, Tourism and Sport the other public transport bodies that are to be included in the Leap card scheme; if Dublin Bikes is to be included in the scheme specifically; and if he will make a statement on the matter. [41421/11]

1033. **Deputy Thomas P. Broughan** asked the Minister for Transport, Tourism and Sport if he will report on the recent introduction of the Leap card; the take-up of the Leap card since its introduction; the estimate of the number of Leap cards that will be in circulation by the end of 2012; the total cost of introducing the Leap card; and if he will make a statement on the matter. [1140/12]

Minister of State at the Department of Transport, Tourism and Sport (Deputy Alan Kelly): I propose to take Questions Nos. 1028 and 1033 together.

Responsibility to develop, procure, implement, operate and maintain the integrated ticketing system in the Greater Dublin Area (GDA) became the function of the National Transport Authority (NTA) with effect from 30th September 2010 in accordance with section 58 of the DTA Act 2008.

The Leap card was launched for sale on 12th December 2011. I am advised that 25,000 Leap Cards have been issued, with almost 180,000 transactions having been carried out using these cards. Given the time of year the NTA is satisfied with the level of usage so early into the phased implementation of the Leap Card.

The Leap Card scheme has been launched on the services of Dublin Bus, Luas and Dart and Commuter rail in the GDA. As part of the planned phased approach in introducing the scheme, the Leap Card will be available for use on Bus Éireann commuter services in the GDA within the next few months.

[Deputy Alan Kelly.]

This year the Leap Card will also be made available on a number of privately owned licensed public transport providers and a trial with Matthews Coaches on the Bettystown to Dublin route has already commenced with further routes to follow.

To date €48 million has been spent on the project out of a budget of €55.4 million; this is within budget and the expenditure to date is in line with expectations. The remaining spend of just under €7 million is to complete the implementation of the project on the other transport operators including across a number of privately operated services as well as for the introduction of additional functionality for cardholders, including auto top-up, price capping, transfer discounts as well as the inclusion of prepaid tickets onto the Leap Card.

The introduction of these new functions, together with the incorporation of Bus Éireann and a number of privately operated services, taken with the considerable discount offered to Leap Card users over cash fares will make the Leap Card very attractive to all members of the public and will likely bring the number of cards into circulation by the end of 2012 to be in excess of 150,000 cards.

With regard to Dublin Bikes, the NTA has held preliminary discussions with Dublin Bikes with a view to integrating the services with the Leap Card and a number of options and technical challenges are being investigated with a view to determining the feasibility of integration.

National Car Test

1029. **Deputy Michael Healy-Rae** asked the Minister for Transport, Tourism and Sport the position regarding the National Car Test in respect of a vehicle (details supplied); and if he will make a statement on the matter. [41439/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): Goods vehicles are subject to roadworthiness testing under European Communities (Vehicle Testing) Regulations 2004 (S.I. No. 771 of 2004). In these Regulations a “goods vehicle” is defined as a “mechanically propelled vehicle, or an articulated vehicle, constructed or adapted primarily for the conveyance of goods or burden of any description whether or not the vehicle is used for such a purpose”. The motor taxation class of a goods vehicle is not considered in Vehicle Testing Regulations and has no bearing on the periodic roadworthiness testing obligations of a goods vehicle.

Accordingly, all goods vehicles, whether taxed as private or commercial (including small vans) are legally required to undergo a periodic roadworthiness test at a Commercial Vehicle Test Centre one year after first registration and every subsequent year thereafter on the anniversary of its first registration.

Public Transport

1030. **Deputy Jerry Buttimer** asked the Minister for Transport, Tourism and Sport the bodies that have access to information regarding journeys of persons using the Leap card; the length of time such information is retained; if this information is available to the gardaí or security forces without the necessity of obtaining a warrant; if personal information obtained from persons using the Leap card is used and sold for commercial purposes; and if he will make a statement on the matter. [1061/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): Responsibility to develop, procure, implement, operate and maintain the integrated ticketing system in the Greater Dublin Area (GDA) became the function of the National Transport Authority (NTA) with effect from 30th September 2010 in accordance with section 58 of the DTA Act 2008.

I understand from the NTA that the Authority fully respects the right to privacy of Leap Card holders, and does not collect any personal information about cardholders without their clear permission. Any personal information which is received by the Authority is treated strictly in accordance with the Data Protection Acts 1988 and 2003. Any personal data is only held for the length of time necessary for the operation of the Leap Card scheme and the data that is retained is the minimum necessary for the purposes disclosed to the cardholder.

The Leap Card scheme does not collect information that will enable the tracking of the movements of any individual. The Scheme will only record the fact that a transaction record originated from a specific transport operator, along with the date and an approximate time; it does not record or retain the name or location of the departure or arrival locations be they stations or bus stops.

At no time will information provided by cardholders be disclosed to any third parties (other than as set out in the Leap Card Terms and Conditions) unless in accordance with the law. Disclosure of personal data to An Garda Síochána is only permitted in certain limited circumstances as set out in the Data Protection Acts 1988 and 2003. These include where disclosure is necessary to prevent injury or damage to the health of an individual, where such disclosure is required by law or where disclosure is made to the Gardaí in relation to a criminal investigation.

Departmental Bodies

1031. **Deputy Seán Kenny** asked the Minister for Transport, Tourism and Sport the name of each member of the board of the Dublin Airport Authority; the date on which each member was appointed; their record of attendance at meetings of the authority since their appointment; when individual terms are up for renewal; and if he will make a statement on the matter. [1091/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The information as requested by the Deputy, regarding membership of the Board of the Dublin Airport Authority (DAA), is as follows:

Director	Date of Appointment	Date of Expiry of appointment
Declan Collier	04.04.2005	Contract ends on 3 April 2012*
Gerard Collins	05.11.2009	06.11.2012
Barry Nevin	24.03.2005	01.10.2013
Michael Lenane	30.09.2009	01.10.2013
Mary McCabe	01.12.2008	01.10.2013
Thomas Guilfoyle	30.09.2009	01.10.2013

*The Chief Executive Officer is an *ex officio* member of the Board of the DAA. Mr. Collier has informed the Board he will not be seeking to renew his current contract which ends in April 2012.

The above information is available on the Department's website at www.dttas.ie.

Details of attendance at Board meetings are included in the DAA Annual Report. A copy of each Report is lodged in the Library of the Houses of the Oireachtas on the day of publication of the Accounts.

Rail Services

1032. **Deputy Seán Kenny** asked the Minister for Transport, Tourism and Sport the number of passengers who took the Dublin to Rosslare rail service, the Dublin to Sligo rail service, the Dublin to Galway rail service, the Dublin to Cork rail service and the Dublin to Tralee rail service for the years 2009, 2010 and 2011; and if he will make a statement on the matter. [1092/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The issue raised is a matter for Iarnród Éireann. I have referred the Deputy's question to the company for direct reply. Please inform my private office if you do not receive a reply within ten working days.

Question No. 1033 answered with Question No. 1028.

Departmental Agencies

1034. **Deputy Dara Calleary** asked the Minister for Transport, Tourism and Sport the discussions, correspondence or meetings he had with the National Roads Authority regarding a road project (details supplied) since his appointment in March; if his attention has been drawn to any change in policy within the NRA in relation to this project; his plans for dealing with the NRA in relation to this project; and if he will make a statement on the matter. [1145/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): As Minister for Transport, Tourism and Sport, I have responsibility for overall policy and funding in relation to the national roads programme. As part of this responsibility both I, and my Departmental officials, engage with the NRA on a regular basis on these issues.

However, within the funding and policy framework set by my Department, the assessment and prioritisation of individual projects remains a matter for the NRA under the Roads Act. The planning, design and implementation of such projects is also a matter for the National Roads Authority (NRA) under these Acts working in conjunction with the local authorities concerned.

With the above position in mind I have forwarded the Deputy's Question to the Chief Executive of the NRA and asked him to respond within 10 days. If you do not hear from the NRA in that time please let my private office know.

Departmental Offices

1035. **Deputy Dara Calleary** asked the Minister for Transport, Tourism and Sport his view that he or any agency funded by him who own properties in office complexes in which a management company is in place, should take an active role in the running of such management companies including the appointment of a nominee to the board of the company in order to protect the investment of tax payers' money. [1160/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The Office of Public Works (OPW) arranges the procurement of office and other accommodation required for the Department of Transport, Tourism and Sport and State funded bodies under the aegis of the Department. In addition rental agreements for premises are entered into by individual State funded bodies.

Since the ownership of these buildings is not vested in the Department or the bodies under its aegis the most appropriate body to consider the Deputy's proposal would be the OPW.

Road Network

1036. **Deputy Peter Mathews** asked the Minister for Transport, Tourism and Sport if the National Roads Authority or the local council is responsible for maintaining the road surface on the N11; and if he will make a statement on the matter. [1214/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): As Minister for Transport, I have responsibility for overall policy and funding in relation to the national roads programme. The construction, improvement and maintenance of individual national roads, is a matter for the National Roads Authority 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.

1037. **Deputy Patrick O'Donovan** asked the Minister for Transport, Tourism and Sport the position regarding the proposed plans for the M20/N21 Cork to Limerick road incorporating the Adare bypass; if the projects have been fully withdrawn from planning; if the county councils have been communicated with regarding the release of constrained lands for planning permission applications; and if he will make a statement on the matter. [1232/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): As Minister for Transport, I have responsibility for overall policy and funding in relation to the national roads programme. The construction, improvement and maintenance of individual national roads, is a matter for the National Roads Authority 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.

Public Transport

1038. **Deputy Joe Higgins** asked the Minister for Transport, Tourism and Sport the reason behind the increase in Dublin Bus fare rates since 1 January 2012 (details supplied); and his views that the new rates are counter-productive in encouraging persons to use public transport. [1234/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The issue raised is a matter for the National Transport Authority. I have referred the Deputy's question to the Authority for direct reply. Please inform my private office if you do not receive a reply within ten working days.

State Airports

1039. **Deputy Kieran O'Donnell** asked the Minister for Transport, Tourism and Sport his plans for the future development of Shannon Airport; and if he will make a statement on the matter. [1237/12]

1040. **Deputy Kieran O'Donnell** asked the Minister for Transport, Tourism and Sport his plans for the future strategic development of Shannon Airport; and if he will make a statement on the matter. [1238/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): I propose to take Questions Nos. 1039 and 1040 together.

In October last, I appointed consultants to carry out a study of options for the future ownership and operation of Cork and Shannon airports. The consultants were asked to provide wide ranging advice on all possible options. I received their report in December and I am currently considering their analyses and recommendations. I intend to bring proposals with regard to the future of both airports to Government as soon as possible.

Tourism Industry

1041. **Deputy Seán Kyne** asked the Minister for Transport, Tourism and Sport the position regarding the plans for The Gathering, the plans for regional participation and role to be played by strategically significant tourist areas such as Connemara. [1254/12]

1058. **Deputy Eoghan Murphy** asked the Minister for Transport, Tourism and Sport if he will provide a progress report on The Gathering 2013 project. [1497/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): I propose to take Questions Nos. 1041 and 1058 together.

I presented proposals for “The Gathering 2013” at last October’s 2011 Global Irish Economic Forum. The National Tourism Development Authority, Fáilte Ireland is the lead agency for the implementation of The Gathering initiative and is also responsible for the development of tourism in the regions.

The event will be the biggest tourism initiative ever staged in Ireland and will consist of a year-long programme of festivals, events and other gatherings in every region of the country. The aim is to bring an additional 325,000 overseas visitors to Ireland.

A Project Board has been established by Fáilte Ireland to oversee planning and delivery of the event, chaired by Ann Riordan, former Chair of Dublin Tourism, and supported by a small executive team drawn mainly from the tourism agencies. The Project Board will be supported by a “Council of Champions” which will act as a forum to engage the wider community at home and abroad to support the event.

I have referred the Deputy’s questions to Fáilte Ireland for additional reply. Please advise my private office if you do not receive a reply within ten working days.

Clamping Industry

1042. **Deputy Seán Kyne** asked the Minister for Transport, Tourism and Sport his plans to regulate the practice of clamping vehicles, particularly on private property and with regard to the ambiguity that can exist in relation to this practice. [1255/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): I am aware of a range of issues which have been raised by members of the public regarding difficulties they have encountered with elements of the clamping industry. While current legislation permits local authorities to clamp vehicles in public places, either directly or by contract with a clamping company, there is no legislation covering clamping on private property.

In line with the commitment in the Programme for Government to regulate the vehicle clamping industry, I recently presented a discussion document to the Joint Oireachtas Committee on the Environment, Transport, Culture and the Gaeltacht, outlining the issues involved in regulating the industry, my proposals on the shape of appropriate legislation and inviting their views. When the Committee’s views have been received, I anticipate that appropriate legislation will be brought before the Oireachtas.

Tourism Industry

1043. **Deputy Seán Kyne** asked the Minister for Transport, Tourism and Sport if he will report on the numbers of overseas visitors to Ireland in 2011; the way these figures compare with those of the past four years; and the targets being set for 2012. [1256/12]

1052. **Deputy Marcella Corcoran Kennedy** asked the Minister for Transport, Tourism and Sport if he will provide an update on the number of overseas visitors here in 2011; and his targets for 2012. [1377/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): I propose to take Questions Nos. 1043 and 1052 together.

Statistics in relation to overseas visits to Ireland, like other official statistics, are compiled and published by the Central Statistics Office (CSO), under the Department of the Taoiseach. Final figures for 2011 are still being compiled. However, the Overseas Travel Survey for the first 11 months of 2011 was published by the CSO on 9 January and it reports that there were 6,001,100 overseas visits to Ireland in that period, representing an increase of 6.8% compared to the corre-

sponding period of 2010. Numbers of visits to Ireland grew from all our main market areas, including Great Britain, our largest and most important tourism market.

The number of overseas visits to the Republic of Ireland for 2010 was 6,037,100, the number of overseas visits for 2009 was 6,927,500 while the number of overseas visits for 2008 was 7,839,000. 2011 is therefore on track to see growth in overseas visits to Ireland for the first time since 2007.

The target for growth in overseas visits, set out in the 2012 Marketing Plan of Tourism Ireland, the agency with responsibility for marketing Ireland as a holiday destination overseas, is to increase visit numbers to Ireland by a further 4.5% in 2012.

1044. **Deputy Seán Kyne** asked the Minister for Transport, Tourism and Sport his views on the effects of the measures contained in the jobs initiative for tourism and tourist-related businesses. [1257/12]

1054. **Deputy Pat Deering** asked the Minister for Transport, Tourism and Sport the impact the reduction in VAT has on overseas visitors; and if the reduction in revenue is justified by this change. [1399/12]

1059. **Deputy Eoghan Murphy** asked the Minister for Transport, Tourism and Sport his views on the tourism measures contained within the jobs initiative and their impact on helping tourism here regain cost competitiveness and support employment. [1498/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): I propose to take Questions Nos. 1044, 1054 and 1059 together.

The Jobs Initiative introduced a reduced 9% VAT rate from July 1st on a range of services, including hotels and restaurants. The Government also halved employers' PRSI for those on modest wages and introduced a visa waiver scheme that makes Ireland more accessible for tourists from important new and emerging markets. These measures were aimed at supporting the creation and maintenance of employment within the tourism sector as well as helping tourism businesses lower their cost base, and allowing them to offer a more competitive product to tourists. Finally, the reduced VAT rate for tourism and leisure related products and services was important in order to correct a perception of Ireland being an expensive place to visit. This latter point is particularly important in terms of the British tourist market, which is our main source of visitors and the market from which we have lost most share in the past number of years.

At this stage it is too early to accurately assess the impact of these measures on either tourism numbers or on employment in the sector. With regard to tourism numbers, we will need to consider the figures over a longer period of time to properly assess the impact of the initiative. In relation to the impact of the measures on sustaining employment in the tourism sector, the most recent figures from the CSO only relate to Quarter 3 of 2011 and do not fully measure the impact of the Jobs Initiative. It will be later this year before we can begin to properly form a view on the effect of these measures on competitiveness and employment.

I am, however, pleased to report that overseas tourism numbers have increased by 6.8% to the end of November in comparison to the same period last year. I am also encouraged that employment in accommodation and food services increased by 6,000 over the six month period to end September, 2011. I have every confidence that the tourism industry will have exceeded the targets set for 2011 when the full year statistics are available in approximately one month from now.

Furthermore, as mentioned above improving the perception amongst both domestic and overseas visitors that holidaying in Ireland offers good value for money was an important part of the Jobs Initiative measures. In this regard, I would draw the Deputies attention to the most recent Consumer Price Index which shows that in the year to November 2011, the price index for Restaurant and Hotels is down 0.9% and for Recreation and Culture related products and services is down

[Deputy Leo Varadkar.]

1% for the same period. The overall CPI was up 2.9% during that same period. Furthermore, it should be noted that the Restaurant and Hotels index is at its lowest level since March 2007, whilst the Culture and Recreation index is at the lowest level since March 2006.

These price reductions were driven by a wide number of factors, including the VAT reduction, and are showing the increased competitiveness of the Irish tourist market. Delivering value for money is a crucial to the recovery of the Irish tourist market, and this improving cost competitiveness is an important part of that.

1045. **Deputy Seán Kyne** asked the Minister for Transport, Tourism and Sport the main strategy to sustain and increase tourist numbers on a regional basis, in particular the west; and his views on the role being played by the State agencies under his remit. [1258/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The Government recognises that tourism is very important to all regions of Ireland. It generates total revenue of the order of €5 billion and employs an estimated 180,000, spread throughout the country and much of this in rural areas.

The Government's Jobs Initiative last year placed the tourism and hospitality sector at the heart of our economic recovery, recognising its vital contribution to employment, economic activity and foreign revenue earnings. The VAT reduction on a range of labour-intensive tourism services from 13.5% to 9% with effect from 1 July 2011 enhances further the competitiveness of our tourism product. The new Visa Waiver Scheme will encourage visitors from emerging markets to add Ireland to a trip to the UK. The Government has also significantly reduced the cost of employing people by halving employers' PRSI for those on modest wages.

In addition, the necessary structures to deliver "The Gathering" in 2013 are being put in place. This year will be critical in starting our marketing efforts to help achieve the target we have set of bringing an extra 325,000 visitors to Ireland.

We are beginning to see a recovery across the various overseas source markets for Ireland with year-on-year growth of just under 7% in visit numbers in the first eleven months of 2011.

Operational responsibility for promotion and development of tourism in individual regions, rests with the State tourism agencies. The Government is providing more than €138 million to support tourism in 2012 across a diverse range of activities including overseas and domestic marketing, investment in the development of tourism product and vital business supports to tourism enterprises.

Road Network

1046. **Deputy Michael Healy-Rae** asked the Minister for Transport, Tourism and Sport if he will review toll charges (details supplied); and if he will make a statement on the matter. [1310/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The statutory power to levy tolls on national roads, to make toll bye-laws and to enter into toll agreements with private investors in respect of national roads is vested in the National Roads Authority (NRA) under Part V of the Roads Act 1993 (as amended by the Planning and Development Act 2000 and the Roads Act 2007). Noting the above position, I have referred the Deputy's Question to the NRA for direct response. Please advise my private office if you do not receive a response within 10 working days.

1047. **Deputy Andrew Doyle** asked the Minister for Transport, Tourism and Sport his intentions regarding the funding of the public private N11 motorway improvement scheme; if this includes the application of a toll on motorists using the road; and if he will make a statement on the matter. [1365/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): As Minister for Transport, Tourism and Sport, I have responsibility for overall policy and funding in relation to the national roads programme. The implementation of individual national road schemes, including the N11 Arklow-Rathnew/N7 Newlands Cross PPP, is a matter for the NRA under the Roads Acts 1993-2007.

The funding arrangements as proposed for the N11 PPP project involve annual availability payments in accordance with the terms of a contract between the NRA and the PPP operator and do not involve the application of tolls.

Ambulance Service

1048. **Deputy Pat Breen** asked the Minister for Transport, Tourism and Sport if he will report on the progress made to date in relation to a project (details supplied); and if he will make a statement on the matter. [1367/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The discussions that took place in January 2011 related to an Aero Medical Pilot Scheme for the West Clare area. The pilot scheme was to identify suitable landing sites in that area from which air ambulance transfers could take place for critical patients. The current helicopter craft in use by the Irish Coast Guard (an S61 model) requires certification relating to specific landing sites to enable it to carry out such missions. The pilot scheme highlighted the very sizeable degree of work and cost involved in the project.

However, a new Coast Guard helicopter contract is now in place and provides for a new generation of helicopters, a S92 model, entering service. The S92 aircraft, the first of which will be based in Shannon later this year, will be fully certified from the outset to allow it to undertake the air ambulance services envisaged.

Taxi Regulations

1049. **Deputy Gerry Adams** asked the Minister for Transport, Tourism and Sport the steps taken to ensure enforcement of taxi regulations in Dublin city over the Christmas period; the way this compared with enforcement in previous years including Garda checkpoints; if his attention has been drawn to the suggestions that there was a large increase in taxis from the surrounding counties and drivers with no licences working in the city over the holiday period; and if he will make a statement on the matter. [1372/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The regulation of the taxi industry, including all matters relating to the implementation and enforcement of the provisions of the Taxi Regulation Act 2003, is the overall responsibility of the National Transport Authority (NTA). Authorised persons may be appointed under Section 49 of the 2003 Act to perform the enforcement functions necessary to support the regulation of the taxi sector. Members of the Gardaí are deemed to be authorised persons under the 2003 Act.

Information in relation to enforcement duties performed by the NTA compliance officers over the Christmas period, and comparisons with previous years, is retained by the NTA. I have referred the Deputy's question to the NTA for direct reply. Please advise my private office if you do not receive a reply within ten working days.

As part of the Taxi Regulation Review, enforcement matters were among a range of important issues examined. I hope to be in a position to announce the outcome of the Review shortly.

Clamping Industry

1050. **Deputy Marcella Corcoran Kennedy** asked the Minister for Transport, Tourism and Sport his plans regarding the regulation of clamping; and if he will outline his plans on this issue. [1375/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): I am aware of a range of issues which have been raised by members of the public regarding difficulties they have encountered with elements of the clamping industry. While current legislation permits local authorities to clamp vehicles in public places, either directly or by contract with a clamping company, there is no legislation covering clamping on private property.

In line with the commitment in the Programme for Government to regulate the vehicle clamping industry, I recently presented a discussion document to the Joint Oireachtas Committee on the Environment, Transport, Culture and the Gaeltacht, outlining the issues involved in regulating the industry, my proposals on the shape of appropriate legislation and inviting their views. When the Committee's views have been received, I anticipate that appropriate legislation will be brought before the Oireachtas.

Road Safety

1051. **Deputy Marcella Corcoran Kennedy** asked the Minister for Transport, Tourism and Sport the numbers of road fatalities in 2011; the way they compare to previous years; if he will provide a breakdown by county of same; and if he will outline his priorities for road safety in 2012. [1376/12]

1057. **Deputy Eoghan Murphy** asked the Minister for Transport, Tourism and Sport the numbers of road fatalities in 2011; the way they compare to previous years; if he will provide a breakdown by county of same; and if he will outline his priorities for road safety in 2012. [1496/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): I propose to take Questions Nos. 1051 and 1057 together.

Statistics show that there were 186 fatalities on Irish roads in 2011. This represents the lowest number of annual fatalities since records began, is a reduction of 26 (or 12.5%) on 2010 and is half the number of fatalities (376) of ten years ago in 2002. The challenge for everyone involved, including legislators, enforcement agencies and the road users is to make sure that the 2011 figure is not exceeded. The initiatives undertaken by Government Departments and agencies such as the Road Safety Authority and An Garda Síochána has brought about a change in driver culture and resulted in the improvement of recent years. I will ensure that, in 2012 and future years, the same priority will be given to road safety matters.

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 analysis of road safety collision statistics. Therefore, a breakdown of the fatalities figure can only be provided by the RSA.

I have referred that part of the Deputy's question to the Road Safety Authority for direct reply. Please advise my private office if you don't receive a reply within 10 working days.

Question No. 1052 answered with Question No. 1043.

Departmental Agencies

1053. **Deputy Marcella Corcoran Kennedy** asked the Minister for Transport, Tourism and Sport the progress made regarding State agency rationalisation; and his plans in this area for 2012. [1378/12]

1060. **Deputy Eoghan Murphy** asked the Minister for Transport, Tourism and Sport the progress made with regard to State agency rationalisation; and his plans in this area for 2012. [1499/12]

1062. **Deputy Joe McHugh** asked the Minister for Transport, Tourism and Sport his rationalisation of the State agencies and bodies that are funded and commissioned by his Department; and if he will make a statement on the matter. [1598/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): I propose to take Questions Nos. 1053, 1060 and 1062 together.

The Government set out in the Public Service Reform document published on 17th November 2011 a comprehensive State agency rationalisation programme. The Plan is available on *www.per.gov.ie*.

I refer the Deputy in particular to Appendix IIa which lists all State bodies, including those under the aegis of my Department, which are to be rationalised, amalgamated or abolished in 2012 and Appendix IIb which lists the candidate bodies for critical review by end June 2012.

Developments so far in relation to agencies for which I have responsibility are that Dundalk Port Company merged with Dublin Port Company on 12 July 2011. Tralee and Fenit Harbour Authority transferred to the control of Kerry County Council with effect from 1 October 2011. Baltimore and Skibbereen Harbour and Kinsale Harbour transferred to the control of Cork County Council, and Arklow Harbour transferred to the control of Wicklow County Council, with effect from 1st January 2012.

A ports policy review is at an advanced stage and I hope to publish a revised policy document in the coming months. Port company restructuring is one of the issues being considered as part of the policy review.

I also recently announced that Dublin Tourism is being merged with its parent body — Fáilte Ireland — as part of the rationalisation programme.

Question No. 1054 answered with Question No. 1044.

Public Transport

1055. **Deputy Thomas P. Broughan** asked the Minister for Transport, Tourism and Sport the public transport projects that commenced in 2011; the public transport projects that were completed in 2011; the public transport projects that will commence in 2012; the public transport projects that will be completed in 2012; and if he will make a statement on the matter. [1423/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): Funding for Public transport infrastructure in the Greater Dublin Area (GDA) is provided to the National Transport Authority (NTA) for allocation to projects and programmes. In 2011 projects funded included the following—

- The Luas extension to Citywest and Saggart was completed and opened for service in July 2011;
- A new Park and Ride facility with 350 spaces was opened for Luas users at the Carrickmines Stop on the Green Line;
- Work also progressed on the City Centre re-signalling project which will facilitate a greater number of train paths through the city centre;
- A project to install Wi-Fi on the Dart and commuter rail fleet commenced in 2011 and this will be completed in 2012;
- 60 new buses for Bus Eireann PSO routes were funded in 2011 and will enter service in 2012;
- Preliminary works commenced on the new Marlborough Street public transport Liffey bridge in November last and the new bridge is scheduled for completion in 2013;
- The new integrated ticketing system for the GDA, the Leap Card, was launched at the end of 2011 and this will be further developed throughout 2012;

[Deputy Leo Varadkar.]

- Numerous smaller projects were also completed last year by Irish Rail and the RPA including the upgrade of various stations on the railway network and accessibility improvements at stations;
- Almost 200 projects under the traffic management /sustainable transport investment programme were on-going or completed last year in the GDA such as the resurfacing of bus and cycle lanes in Dublin City along primary routes (co-funded with the NTA); and
- Work on the Lucan QBC in Chapelizod, involving bus priority and traffic management from the village to the N4, continued last year and will be completed in 2012.

For 2012 in the GDA work will progress on completing or further developing existing projects such as the Marlborough Street bridge, integrated ticketing, City Centre re-signalling, bus refurbishment and replacement, continued roll-out of RTPI and station improvements and upgrades. In addition, Dublin Bus will be facilitated to place an order this year for 80 new buses for delivery in 2013. Subject to approval of the Railway Order preliminary work will commence on Luas BXD. Funds will also be provided to allow the future proofing of the Metro North project at the location of the new Mater Adult Hospital site. The traffic management programme will also be continued during the year.

Outside of the GDA the following projects were the main beneficiaries of funding in 2011:

- Iarnród Eireann continued work on the 3rd Railway Safety Programme 2009-2013 with track improvements and associated works, signalling projects, level crossings closures, new on track equipment and improvements with safety management systems;
- Iarnród Eireann also took delivery of 51 new railcars in 2011 and these will begin to enter service shortly on intercity and commuter routes;
- A project to install Wi-Fi on the remainder of the existing Inter-City fleet commenced in 2011;
- Iarnród Eireann also continued work on a number of other small multi-annual Programmes, including the Road Crossing Automation Programme, the Platforms and Car-Park extensions Programmes and the Elimination of Speed Restrictions Programme, of which work was completed at Limerick Junction in early 2011. Under the Road Crossing Automation Programme, the works currently underway on the Westport, Sligo and Waterford lines will be completed early this year and the next phase of works will be on the Galway, Westport, Limerick and Cork routes;
- Progress also continued during 2011 on a number of ticketing projects including the installation of Automatic Ticketing Machines. This programme will continue in 2012.
- A number of traffic management and bus priority measures were also completed in the provincial cities

The priorities in 2012 outside the GDA for Iarnród Eireann will be the completion of the projects listed above and the continued roll-out of the Railway Safety and Road Crossing Automation Programmes. Planning permission was received for both Oranmore and Crusheen stations along the Western Rail Corridor in 2011. Some funds will be provided to commence construction of one of these stations in 2012. In addition, further progress will be made in the delivery of traffic management and bus priority measures in the provincial cities.

Road Network

1056. **Deputy Seán Ó Fearghaíl** asked the Minister for Transport, Tourism and Sport if he will give renewed consideration to policy in relation to the construction of on line motorway service stations in view of the economic climate currently prevailing; and if he will make a statement on the matter. [1489/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): As Minister for Transport, Tourism and Sport, I have responsibility for overall policy and funding in relation to the national roads programme. The planning, design and implementation of individual road projects, including the provision of service areas, is a matter for the National Roads Authority (NRA) under the Roads Acts 1993 to 2007 in conjunction with the local authorities concerned.

Within its capital budget, the assessment and prioritisation of individual projects is a matter in the first instance for the NRA in accordance with Section 19 of the Roads Act.

Noting the above position, I have referred the Deputy's question to the NRA for direct reply. Please advise my private office if you do not receive a reply within 10 working days

Question No. 1057 answered with Question No. 1051.

Question No. 1058 answered with Question No. 1041.

Question No. 1059 answered with Question No. 1044.

Question No. 1060 answered with Question No. 1053.

Cycle Facilities

1061. **Deputy Terence Flanagan** asked the Minister for Transport, Tourism and Sport if he will provide funding for 2012 for the completion of the S2S cycleway in view of the decision by An Bord Pleanála to provide planning for the Clontarf promenade part of the scheme; and if he will make a statement on the matter. [1502/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The development of cycle routes similar to that proposed is driven in the first instance by the relevant local authorities around the country. My Department has provided funding to Dublin City Council, at a cost of approximately €5.5 million, for the recently completed city centre elements of the Dublin Canals Premium Cycle route. The route runs from Portobello to the junction of Upper Sheriff Street and the overall design envisaged a link between the S2S and Canals route on the north side of the River Liffey.

The primary funding source, however, for the provision by local authorities of sustainable transport infrastructure within the Greater Dublin Area (GDA) is the National Transport Authority's (NTA) sustainability funding and it is a matter for the NTA to prioritise and fund projects in the GDA from this allocation.

Question No. 1062 answered with Question No. 1053.

Tourism Industry

1063. **Deputy Charlie McConalogue** asked the Minister for Transport, Tourism and Sport the spectator numbers for the Irish Open 2011; the economic impact for the country and for the immediate area; and if he will make a statement on the matter. [1617/12]

1064. **Deputy Charlie McConalogue** asked the Minister for Transport, Tourism and Sport if he will provide a breakdown in numbers between foreign visitors and home visitors for the Irish Open 2011; and if he will make a statement on the matter. [1618/12]

Minister of State at the Department of Transport, Tourism and Sport (Deputy Michael Ring): I propose to take Questions Nos. 1063 and 1064 together.

Data on spectator numbers for the 2011 Irish Open is primarily a matter for the organisers of the event, the European Tour.

As sponsors of the event in question, Fáilte Ireland may be in a position to assist in relation to the Deputy's queries. I have referred the Deputy's Questions to Fáilte Ireland for direct reply. Please advise my private office if you do not receive a reply within ten working days

Marine Safety

1065. **Deputy Joe McHugh** asked the Minister for Transport, Tourism and Sport the initiatives he has undertaken to improve the number of fishermen wearing lifejackets; and if he will make a statement on the matter. [38957/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): Statutory requirements in relation to the wearing of personal flotation devices (PFDs) on fishing vessels are set out in the Fishing Vessel (Personal Flotation Devices) Regulations 2001 (S.I. No. 586 of 2001) as amended by the Fishing Vessel (Personal Flotation Devices) (Amendment) Regulations 2008 (S.I. No. 63 of 2008).

Under the Regulations, every fishing vessel shall carry a suitable personal flotation device for every person on board. The personal flotation device shall be worn at all times by the crew of the fishing vessel, when on the exposed deck of the vessel, or, in the case of open undecked vessels, on board the vessel, whether at sea, in harbour or coming to and from moorings. Furthermore, the Regulations require that the skipper of a fishing vessel shall take all reasonable steps to ensure that all crew members wear a personal floatation device in accordance with the Regulations. The Merchant Shipping Act 1992 provides that if there is a contravention of these Regulations, the owner and (if the vessel is in use) the master of the vessel are each guilty of an offence and each is liable, on summary conviction, to a fine not exceeding €5,000 or to imprisonment for a term not exceeding 6 months, or to both.

The requirement for there to be a PFD available onboard for all crew-members is checked as part of the safety surveys that all commercial fishing vessels are required to undertake. The requirements for the wearing of a PFD are also communicated to fishers during these surveys and in addition, guidance on the selection of PFDs for use on board fishing vessels is conveyed through the issuing of Marine Notices from my Department.

Departmental Agencies

1066. **Deputy Maureen O'Sullivan** asked the Minister for Transport, Tourism and Sport the number of State agencies currently financed by the Exchequer; the number of board members attending each State agency; the expenses issued for each meeting; if any review of the membership of board members is to be taken in order to monitor attendance levels or lack of attendance by any member; and if he will make a statement on the matter. [2056/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): My Department provides current expenditure funding for twelve agencies. The number of Board members for each agency together with details of directors' remuneration, including expenses, is set out in the Agency Annual Report. Details of Board membership are also available on my Department's website.

The management of directors and their attendance is a matter for the Board Chairperson. However, I would expect the Chairperson to bring it to my attention if there were a problem with the attendance record of any director.