



DÍOSPÓIREACHTAÍ PARLAIMINTE  
PARLIAMENTARY DEBATES

**DÁIL ÉIREANN**

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

*Déardaoin, 16 Feabhra 2012.*

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# DÁIL ÉIREANN

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## DÍOSPÓIREACHTAÍ PARLAIMINTE PARLIAMENTARY DEBATES

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### TUAIRISC OIFIGIÚIL OFFICIAL REPORT

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IMLEABHAR 756

VOLUME 756

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*Déardaoin, 16 Feabhra 2012.*  
*Thursday, 16 February 2012.*

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

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*Paidir.*

*Prayer.*

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#### **Leaders' Questions**

**Deputy Éamon Ó Cuív:** As the Tánaiste knows, chaos is looming in our capital city due to the inability of the Fine Gael-Labour led city council to organise fair and effective refuse collection. Despite the mirth of some Government backbenchers, this problem could be a considerable health hazard and could do enormous environmental damage. I do not know whether the Government has been struck by the huge problem that will arise if up to one quarter of the refuse of the city is not collected. I understand there are some who have not had their waste collected for the past six weeks. In reality, the problems we are now confronted with should have been foreseen by the council before it took the decision on privatisation.

**Deputy Emmet Stagg:** Tell the county manager.

**Deputy Éamon Ó Cuív:** It is not good enough for the Government to wash its hands of this matter. Has the Minister met the majority parties and Dublin City Council to have this problem dealt with? Has he examined his powers under the legislation to deal with this issue, which is now becoming an emergency, in view of the fact that Dublin City Council seems incapable of resolving it? Could the Tánaiste give me clear answers to both of those questions?

**The Tánaiste:** This is a matter for the management of Dublin City Council. The Taoiseach replied to questions on this a couple of days ago and the Minister for the Environment, Community and Local Government responded to a Topical Issue debate on the subject the day

[The Tánaiste.]

before yesterday. The position is that there is a problem affecting approximately 18,000 of a total of 140,000 households in Dublin with a refuse collection service. The Minister's view, which I support and echo, is that the company concerned should be flexible about the requirement of people to pay the up-front charge. It has made it clear that householders who were formerly Dublin City Council customers can pay in moieties. The company should be mindful that other options are open to householders in a competitive waste collection market. It should also be mindful of the position of the Government in the programme for Government, namely, that it is considering the introduction of a tendering process for waste collection services in local authorities. There was public consultation on that aspect of the issue. It concluded in September and the Minister published the submissions that were made and the commentaries thereon. The matter will be considered by the Government.

A sensible approach needs to be taken. There is a transition from Dublin City Council to a private company in regard to the collection of waste. Such transitions are always difficult and have associated problems. The company involved in this matter needs to exercise some flexibility regarding former Dublin City Council customers who are to become its new customers.

**Deputy Éamon Ó Cuív:** The Tánaiste knows very well that the company has made it absolutely clear that it will not be flexible or collect the 18,000 bins that would have to be collected every week. It is a little disingenuous of him to state he is just going to stand back while the city is overcome by a huge amount of uncollected rubbish. There is a serious health hazard and the Government has a responsibility for public health. Therefore, for it to wash its hands of this issue is disingenuous.

We are but a month from St. Patrick's Day, when thousands of people from home and abroad will visit the city. We want the city to be showcased to the world at such times. Due to the ineptitude of the Government and the Government parties, which control Dublin City Council, it is, unfortunately, quite likely that visitors leaving Ireland will refer to Dublin as "dear old dirty Dublin". We do not want that.

**An Ceann Comhairle:** Could we have a question?

**Deputy Éamon Ó Cuív:** I ask the Tánaiste once again——

**Deputy Brendan Howlin:** The Deputy should not be putting that on the record.

*(Interruptions).*

**Deputy Éamon Ó Cuív:** Other than stating pious platitudes, what action does the Minister with ultimate responsibility for local government intend to take to deal with this issue and to ensure the city will not be turned into a cesspool with waste? Will the Minister for Health deal with the health hazard issue?

**The Tánaiste:** I am not going to take any lecture from Deputy Ó Cuív on issues relating to pollution and waste. He spent the past few months going around the country encouraging people not to pay a modest charge for the registration of their septic tanks.

**Deputy Timmy Dooley:** That is not true.

**The Tánaiste:** The position is quite clear, as I have said. There is a transfer of waste collection services in Dublin from Dublin City Council to a private company. An issue arises that affects 18,000 of the 140,000 householders concerned. It is a problem and must be dealt with. The position of the Minister for the Environment, Community and Local Government is absolutely

and clearly known to Dublin City Council, the company and, not least, the public because he made it clear in the House.

**Deputy Billy Kelleher:** Mr. Draghi is telephoning Deputy Mathews.

**The Tánaiste:** The position is that, in this period of transition, there should be flexibility. The company concerned needs to exercise this flexibility. The Government's policy on waste services is set down in the programme for Government. The company concerned is aware of that. There are other options that can be pursued if the company concerned does not show the flexibility that is required to ensure there is a collection service for the householders of Dublin and that there is a reasonable arrangement made for the payment of the charges.

**Deputy Mary Lou McDonald:** I want to raise with the Tánaiste the plight of the residents of Priory Hall. More than 250 residents are in temporary accommodation since they were evacuated by a court order on 14 October 2011, well over 100 days ago. Is the Tánaiste aware that, despite the fact the evacuated residents have been out of their homes for several months, his colleague, the Minister for the Environment, Community and Local Government, Deputy Hogan, still refuses to meet with them?

Will the Tánaiste agree that the plight of the residents has been compounded by a decision of the management of Dublin City Council to appeal the High Court ruling requiring the council to assist them with their emergency housing needs? That appeal is before the Supreme Court for mention this morning. The Tánaiste's party, and Fine Gael, have repeatedly and correctly criticised the policies and the neglect that led to the property bubble——

**Deputy Ray Butler:** Will Deputy McDonald name the Priory Hall developer?

**Deputy Mary Lou McDonald:** ——lax planning, building and fire safety regulations and enforcement.

**Deputy Anthony Lawlor:** Name the developer.

**Deputy Michael McCarthy:** Who was the developer?

**Deputy Aodhán Ó Ríordáin:** Name him.

**An Ceann Comhairle:** Order, please.

**Deputy Mary Lou McDonald:** The Priory Hall evacuees were failed by the State on all these grounds.

**Deputies:** Name the developer.

**An Ceann Comhairle:** Would Members please respect the Deputy?

**Deputy Mary Lou McDonald:** Does the Tánaiste recall that the reason the residents were evacuated was because Priory Hall did not comply with fire safety and was a danger to their lives? This week marks the 31st anniversary of the Stardust tragedy which should be a constant reminder to all of the terrible consequences of neglect of fire safety.

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

**Deputy Mary Lou McDonald:** Will the Government take the Priority Hall matter in hand? Will the Minister for the Environment, Community and Local Government, Deputy Hogan,

[Deputy Mary Lou McDonald.]

meet with the residents? Will he help to co-ordinate the search for a solution involving all concerned — the Minister himself, the residents, Dublin City Council and the banks?

**Deputies:** And the developer.

**The Tánaiste:** The Priory Hall residents were failed in the first instance by a Sinn Féin developer.

**Deputies:** Hear, hear.

*(Interruptions).*

**Deputy Pádraig Mac Lochlainn:** That is a disgrace. The developer is a political opponent of Sinn Féin. That is an absolute disgrace.

**Deputy Brian Stanley:** That is Sticky propaganda.

*(Interruptions).*

**Deputy Pádraig Mac Lochlainn:** The Tánaiste should withdraw that disgraceful remark.

*(Interruptions).*

**An Ceann Comhairle:** Order. Will Deputy Mac Lochlainn resume his seat?

**Deputy Pádraig Mac Lochlainn:** The Tánaiste should withdraw that remark. The developer is a political opponent of Sinn Féin. We stood against him over the years.

**An Ceann Comhairle:** Can I have a reply to the Deputy's question, Tánaiste?

**The Tánaiste:** I will not withdraw. The Priory Hall residents were failed by a developer who, when Sinn Féin was going respectable put on an Armani suit, like so many others——

**Deputy Dessie Ellis:** Will you stop?

*(Interruptions).*

**Deputy Pádraig Mac Lochlainn:** That is a disgrace. He is an opponent of Sinn Féin.

**Deputy Brian Stanley:** Hold on to your Sticky propaganda.

**The Tánaiste:** In this particular case, the developer in question constructed a development which has left these people out of their homes.

**Deputy Martin Ferris:** The Tánaiste's Dear Great Leader from North Korea has passed away.

**Deputy Brian Stanley:** That is a Sticky lie.

**The Tánaiste:** There is not one Member who does not feel the deepest sympathy for the residents in Priory Hall. A terrible thing happened there. People bought their homes with hard-earned money and invested their hopes and futures in that building only to discover it is not fit for purpose.

Efforts are being made by different people to find the best outcome for the households concerned. I met with the representatives of the residents, as did as my colleague, the Minister

of State with responsibility for housing and planning, Deputy Jan O'Sullivan, who is working to find a solution to this problem.

Options on accommodation were discussed and assessed. Until there are final agreements, however, it is too early to say what the result will be without causing further confusion and anxiety. There are also Supreme Court proceedings, which as Deputy McDonald said, are up for mention today and the court will adjudicate on several issues. It would not be appropriate for me to comment further on that until the court finishes its business.

Dublin City Council sought an early hearing on the matter of its appeal to the Supreme Court against the order of the High Court that the council meets the cost of the alternative accommodation required for the evacuated residents. The issue in the appeal is whether the High Court was entitled to make orders under section 23 of the Fire Safety Act 1981 requiring the council to pay the costs incurred by the residents. The order to pay such costs has serious implications for the taxpayer and the city council in its role as a fire authority.

The overriding priority at Priory Hall is to ensure the best outcome of the households concerned and to facilitate as early as possible a return to their own homes. In this respect, it will be necessary to ensure these homes are made fit for purpose and the costs for doing so should fall where they should. The Minister for the Environment, Community and Local Government has asked Dublin City Council to do all in its powers to achieve the objective and has asked his Department to continue to liaise with the council in this regard.

**Deputy Mary Lou McDonald:** The Tánaiste should know dodging answering questions with the kind of inaccurate waffle he delivered at the beginning of his response is unedifying.

**Deputy Pat Deering:** It is the truth.

*(Interruptions).*

**An Ceann Comhairle:** The Deputy is entitled to a reply.

*(Interruptions).*

**Deputy Mary Lou McDonald:** It is a bit ironic that the man who lectures on respectability comes from an outfit that was very close to North Korea and was quite adept at running off dodgy fivers.

**Deputy Jerry Buttimer:** What about Colombia?

**Deputy Mary Lou McDonald:** The Tánaiste might remember his own past too.

*(Interruptions).*

**An Ceann Comhairle:** Can I have some order please for the Deputy?

**Deputy Mary Lou McDonald:** The Tánaiste did not answer the question as to why the Minister for the Environment, Community and Local Government, Deputy Hogan, refuses to meet with the Priory Hall residents.

**Deputy Finian McGrath:** He is dodging again.

**Deputy Mary Lou McDonald:** The Tánaiste claims there is a priority and an urgency around making these homes safe, with which I agree. However, there is no signal of urgency on the part of the Government. This contrasts sharply with the urgency with which it moved a statutory instrument to award over €17,000 extra to the Minister of State for housing and planning,

[Deputy Mary Lou McDonald.]

Deputy Jan O'Sullivan, for the glory of her attending Cabinet meetings which is actually part of her job description.

**An Ceann Comhairle:** Can I have your question Deputy as you are over time?

**Deputy Jerry Buttimer:** What about Sinn Féin's Westminster expenses?

**Deputy Michael McCarthy:** What about Sinn Féin fund-raising?

**Deputy Jerry Buttimer:** Deputy Mac Lochlainn is quiet now.

*(Interruptions).*

**An Ceann Comhairle:** Can I have your question Deputy as you are over time?

**Deputy Jerry Buttimer:** You are quiet now Pádraig.

**Deputy Mary Lou McDonald:** When will the Minister for the Environment, Community and Local Government, Deputy Hogan——

**Deputy Jerry Buttimer:** You are quiet now Pádraig.

**Deputy Emmet Stagg:** They take the Queen's shilling all right.

**Deputy Pádraig Mac Lochlainn:** Calm down Jerry.

**An Ceann Comhairle:** Will the Sinn Féin Members give their deputy leader a chance?

**Deputy Mary Lou McDonald:** When will the Minister for the Environment, Community and Local Government, Deputy Hogan, meet with the residents concerned? What proactive strategy has the Government to address the issues at hand? Much as with the previous question on waste management in Dublin city, it is not acceptable for the Minister for the Environment, Community and Local Government, Deputy Hogan, to take two steps back and wash his hands of these important matters. Can we have a straight answer to when he will meet with the Priory Hall residents?

**The Tánaiste:** The Minister of State with responsibility for housing and planning, Deputy Jan O'Sullivan, has met with the residents of Priory Hall and is actively involved in dealing with this with Dublin City Council. She will meet again with the residents if that is necessary. The Government has considered the significantly difficult set of circumstances the residents of Priory Hall have found themselves in as a result of the appalling actions of the developer. That is where this problem——

**Deputy Mary Lou McDonald:** As a result of no regulation.

**Deputy Brendan Howlin:** It was the developer.

**Deputy Kathleen Lynch:** It is a disgrace.

**Deputy Pádraig Mac Lochlainn:** It was down to no regulation.

**An Ceann Comhairle:** Will Deputy Mac Lochlainn allow the answer to the question? We are over time as it is.

**The Tánaiste:** The Government will not carry the can for dodgy developers irrespective of with whom they have been associated.

**Deputy Mary Lou McDonald:** And neither will we.

**The Tánaiste:** Sinn Féin is closer to him than anyone in the Government.

**Deputy Pádraig Mac Lochlainn:** Anthony McIntyre is his agent. Is he a friend of Sinn Féin?

**An Ceann Comhairle:** Would you stay quiet, please?

**The Tánaiste:** The residents in this estate have a significant problem that needs to be addressed. There is a court action which is related to it which must take its own course. In the meantime, the Minister of State with responsibility for housing and planning, Deputy Jan O'Sullivan, is dealing with this issue. She has met with the residents of Priory Hall and will do so again. She is in touch with Dublin City Council on the issue. The Government will do everything it possibly can to get this issue resolved, the residents of Priory Hall back into their homes as quickly as possible—

**Deputy Mary Lou McDonald:** Except the Minister for the Environment, Community and Local Government will not meet the residents.

**The Tánaiste:** No, that is not the case.

**Deputy Mary Lou McDonald:** Will you answer my question then?

**The Tánaiste:** Deputy McDonald seems to be more interested in what the Minister is doing than she is in the residents.

**Deputy Jerry Buttimer:** Hear, hear.

**The Tánaiste:** The Government is interested in getting the residents of this estate back into their homes as quickly as possible. The Minister of State for housing and planning is dealing with that.

**Deputy Finian McGrath:** The residents want to meet the Minister for the Environment, Community and Local Government. That is the crux.

**Deputy Joe Higgins:** Can I return to the lead item on many news programmes this morning with the residents of our capital city being bullied and blackmailed by the private waste collection company, Greyhound? Greyhound, let us remember, was handed a contract for a crucial public service in our city just a couple of weeks ago. I ask the Tánaiste why, when questioned about the issue this morning, he adopted the demeanour of a previous Taoiseach who addressed questions about problems as if they existed on another planet.

**Deputy Eric Byrne:** Deputy Higgins told people they should not pay.

**Deputy Joe Higgins:** Does the Tánaiste agree that, on the contrary, he should feel ashamed, diminished and humiliated as a result of this action?

**Deputy Eric Byrne:** Deputy Higgins should be a happy man now.

**Deputy Joe Higgins:** The reason I ask him about his responsibility for this situation is because he is the leader of the Labour Party. A member of his party occupies the position of Lord Mayor of Dublin. His party has 19 out of 52 councillors, which is the biggest group by far.

**Deputy Emmet Stagg:** And growing.

**Deputy Joe Higgins:** He is also Tánaiste of this State and with his Fine Gael allies he has a crushing majority on Dublin City Council.

**Deputy Eric Byrne:** The Deputy misled 18,000 people. He should apologise to them.

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

**Deputy Joe Higgins:** In view of that, does it sit well with the Tánaiste that he has presided over the privatisation of this crucial public service——

**Deputy Eric Byrne:** That is all due to Deputy Higgins.

**Deputy Joe Higgins:** ——and handed it to a company which has moved its corporate centre to an offshore island so that it does not need to publish its profits——

**An Ceann Comhairle:** We are over time.

**Deputy Brendan Howlin:** We are way over time.

**Deputy Joe Higgins:** ——and can arrogantly treat the hard-pressed citizens of our capital city in this manner? The Tánaiste is acquiescing in a cringing fashion to the troika's demand for massive privatisation in our bigger public services and State agencies but does this debacle give him pause for thought before creating further debacles? What is the Labour Party going to do today to resolve this problem for the people of Dublin and guarantee them the proper public service that previous local authorities provided as long ago as Victorian days?

**Deputy Kevin Humphreys:** Without Deputy Higgins undermining them.

**The Tánaiste:** I have no difficulty——

**Deputy Finian McGrath:** Answer that one, Deputy Humphreys.

**Deputy Kevin Humphreys:** No problem.

**Deputy Eric Byrne:** Listen to the reply now. The Deputy told them not to pay.

**An Ceann Comhairle:** Deputies, please.

**Deputy Eric Byrne:** I apologise.

**The Tánaiste:** I have no difficulty in discharging my responsibilities but Deputy Higgins has a bit of responsibility himself.

**Deputies:** Hear, hear.

**The Tánaiste:** He spent years going around this city to encourage people not to pay their charges to Dublin City Council and the other local authorities.

**Deputies:** Hear, hear.

**Deputy Joan Collins:** Here we go.

**Deputy Willie O'Dea:** What about all the Labour councillors who opposed it?

**The Tánaiste:** I will repeat it for the Deputy.

**Deputy Joe Higgins:** I heard the remark but the Tánaiste's chorus came in at the wrong time.

**The Tánaiste:** The Deputy spent years encouraging people not to pay their bin charges to Dublin City Council and other local authorities and as a consequence undermined the viability of the service being provided by the local authorities.

**Deputies:** Hear, hear.

**The Tánaiste:** Consequently the service ended up being privatised.

**Deputy Michael McCarthy:** Disgraceful.

**The Tánaiste:** I have always been amazed that when Deputy Higgins was going around the city with his mates to encourage people not to pay their charges to the city council and council charges I never heard him arguing they should not pay their charges to the private collectors who were competing with the local authorities.

**Deputy Eric Byrne:** That is right.

**The Tánaiste:** He did more to undermine the public service that was being provided by the public authorities in Dublin than anybody else.

**Deputies:** Hear, hear.

**The Tánaiste:** He should not be surprised now if the consequence of his actions is that Dublin City Council and the other local authorities ended up privatising their services.

In respect of this privatisation and the transfer of services to a private company, there have been big problems in the transition. I have already stated that 18,000 householders are experiencing difficulties with their waste collection service. That is being dealt with. The Minister for the Environment, Community and Local Government has clearly stated his position on it and I set out the Government's position this morning. That company should exercise flexibility at this point in time in respect of the collection of the waste and arrangements for payment. I have also made it clear that, in the event of this not happening, the Government has indicated its alternative approach to the future of the waste collection service.

The Government is discharging its responsibilities for this matter and it is time that Deputy Higgins took some responsibility for his own actions and the consequences of his role in the privatisation of the bin collection service.

**Deputy Dessie Ellis:** Did the Labour Party councillors vote for it?

**Deputy Eric Byrne:** Deputy Ellis never paid his bin charges.

**Deputy Dessie Ellis:** I certainly have not.

**An Ceann Comhairle:** Would you mind——

**Deputy Dessie Ellis:** They voted on the basis of giving a waiver. Poor people and senior citizens were betrayed by the Labour Party.

**An Ceann Comhairle:** Deputy Ellis——

**Deputy Dessie Ellis:** I remember where they stood on charges. Their own leader opposed them at the time.

**An Ceann Comhairle:** —address matters through the Chair, please, or else you can do it outside.

**Deputy Dessie Ellis:** I cannot listen to this without—

**An Ceann Comhairle:** The Deputy will have to learn to listen.

**Deputy Aodhán Ó Ríordáin:** Sinn Féin voted for bin charges.

**Deputy Dessie Ellis:** I never did.

**An Ceann Comhairle:** Deputies, please allow Deputy Higgins his right to reply. We live in a democracy.

**Deputy Paul Kehoe:** They did a lot of damage elsewhere.

**Deputy Joe Higgins:** I knew the Tánaiste would try to divert the question in exactly the way he did.

**Deputy Arthur Spring:** So clever.

**Deputy Brendan Howlin:** Does he have a script?

**An Ceann Comhairle:** Please Deputies, this is not funny.

**Deputy Joe Higgins:** For this reason—

**Deputy Bernard J. Durkan:** The Ceann Comhairle is right.

**Deputy Joe Higgins:** —I refer to what does not lie, namely, the history of this issue. There was a fresh faced councillor in Dún Laoghaire in the 1980s—

**Deputy Emmet Stagg:** Deputy Boyd Barrett.

**Deputy Joe Higgins:** —who put out a statement that he was the first councillor in the country to propose and win the abolition of the water rates. The same councillor, in a new manifestation—

**An Ceann Comhairle:** The Deputy is supposed to be asking a supplementary question not giving a lecture on history.

**Deputy Joe Higgins:** —in Democratic Left in the late 1980s and early 1990s—

**An Ceann Comhairle:** I am well aware of the history of Deputy Gilmore. I worked with him long enough. Would you mind asking your supplementary question?

**Deputy Jerry Buttimer:** Ask Deputy Finian McGrath to rewrite it.

**Deputy Joe Higgins:** Seriously—

**An Ceann Comhairle:** I am very serious but this is a supplementary question lasting one minute.

**Deputy Paul Kehoe:** Maybe ask Deputy Joan Collins for another line.

**Deputy Joe Higgins:** It is impossible to focus on an issue in a meaningful way when the various choruses constantly try to throw me off.

**Deputy Emmet Stagg:** If you cannot stand the heat, get out of the kitchen.

**An Ceann Comhairle:** Please.

**Deputy Joe Higgins:** Deputy Stagg, I know that you——

**Deputy Emmet Stagg:** Heat and kitchens.

**An Ceann Comhairle:** Please, we have had enough of this.

**Deputy Joe Higgins:** His thwarted political ambitions have a lot more to do with his outbursts here than anything I can say.

**An Ceann Comhairle:** Deputy Higgins, through the Chair please.

**Deputy Joe Higgins:** He made your seat in 1987 in campaigns against the local rates.

**An Ceann Comhairle:** I am going to call an end to this if the Deputy does not conclude.

**Deputy Joe Higgins:** In a new reincarnation, Democratic Left——

**Deputy Brendan Howlin:** In 1872.

**Deputy Joe Higgins:** ——he stated that the PAYE taxpayers whom his party represented had already paid enough tax for local services and should not have to pay again. Fast forward to 2003 and Deputy Gilmore——

**An Ceann Comhairle:** The Deputy is way over time.

**Deputy Joe Higgins:** ——as Labour Party spokesperson on the environment, stated——

**An Ceann Comhairle:** I am not interested in quotations.

**Deputy Brendan Howlin:** It is a mini-series.

**Deputy Joe Higgins:** ——that by further introducing a measure——

**An Ceann Comhairle:** Deputy, please ask a supplementary question.

**Deputy Joe Higgins:** How can I ask my question——

**An Ceann Comhairle:** The Deputy is nearly three minutes over.

**Deputy Joe Higgins:** ——when the baying hyenas over there——

**Deputy Martin Heydon:** Ask a question.

**Deputy Joe Higgins:** I would be finished——

**An Ceann Comhairle:** We are three minutes over time.

**Deputy Joe Higgins:** With respect——

**An Ceann Comhairle:** What is the Deputy's supplementary question?

**Deputy Joe Higgins:** —the Ceann Comhairle is supposed to protect my rights.

**An Ceann Comhairle:** I am trying to protect them but if the Deputy started addressing—

**Deputy Joe Higgins:** The fact is that the baying hyenas in the Labour Party put me off all the time. I cannot—

**Deputy John Lyons:** Would the Deputy ask his question?

**A Deputy:** Like the handball against the haystack.

**Deputy Joe Higgins:** I put to the Tánaiste his words to the then Minister in 2003.

**Deputy Michael McGrath:** They do not want to hear it.

**Deputy Joe Higgins:** He said that by further introducing a measure to make it legal for local authorities to refuse collections to households which had not paid, the then Minister, Mr. Cullen, was introducing a compulsory bin tax.

**An Ceann Comhairle:** The Deputy is over time.

**Deputy Joe Higgins:** He said that the Labour Party would oppose the new proposal and—

**An Ceann Comhairle:** That is the end of it. I call the Tánaiste to reply.

**Deputy Joe Higgins:** —that it was opposed to back door taxation.

**An Ceann Comhairle:** I ask the Deputy to resume his seat, please. I call on the Tánaiste to reply.

**Deputy Joe Higgins:** By 2003 the vast majority of—

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

**Deputy Joe Higgins:** —those authorities had privatised their refuse services.

**An Ceann Comhairle:** The Deputy should have some respect for the Chair.

**The Tánaiste:** This is February 2012 and 18,000 householders in this city are having difficulty having their refuse collected. A problem has arisen following the arrangements made by the management of Dublin City Council. That is the problem that needs to be resolved. Deputy Higgins should take his head out of the archives and get real about—

*(Interruptions).*

**Deputy Joe Higgins:** It is a policy for the Labour Party—

**Deputy Timmy Dooley:** The Tánaiste relied on them a fair bit over the years.

**The Tánaiste:** —the problems people have in the here and now. There is a problem in Dublin city in the here and now, and that is the problem the Minister for the Environment, Community and Local Government is dealing with.

**Deputy Mary Lou McDonald:** He is not dealing with it.

**The Tánaiste:** That is the problem the Government is dealing with. We have stated the approach we are taking and that is what we will concentrate on getting resolved so that the people in this city can have their waste collected with a reasonable arrangement in place for the collection of the charges that apply to it.

**Deputy Dessie Ellis:** Will there be a waiver for some of them?

### Order of Business

**The Tánaiste:** It is proposed to take No. 5, Finance Bill 2012 — Second Stage (resumed) and No. 12 — statements on the action plan for jobs. It is proposed, notwithstanding anything in Standing Orders, that the proceedings on the resumed Second Stage of No. 5 shall, if not previously concluded, be brought to a conclusion at 1.15 p.m. today; and the following arrangements shall apply to No. 12: opening statements not exceeding 20 minutes in each case shall be made by a Minister or Minister of State and by the main spokespersons for Fianna Fáil, Sinn Féin and the Technical Group, who shall be called upon in that order and who may share time; the statements of each other Member called upon shall not exceed ten minutes; Members may share time; and a Minister or Minister of State shall be called upon to make a statement in reply which shall not exceed ten minutes.

*11 o'clock*

**An Ceann Comhairle:** There are two proposals to put to the House. Is the proposal for dealing with No. 5, Finance Bill 2012 — Second Stage (resumed), agreed to?

**Deputy Pearse Doherty:** It is not agreed. Again the Government is using a guillotine on very important legislation. I am sure the Tánaiste is well aware that the legislation, of which his party is fully supportive, allows for tax breaks to the super wealthy in the form of €635,000 which would be free from tax for people coming from overseas. I am sure he is also aware that the Finance Bill allows for some of the most well paid officials in the public sector to be able to dip into their private pensions in order not to pay the penalties that would be imposed on them at the time of retirement if their pension pot was more than €2.3 million. Very few people would be able to avail of that provision.

**An Ceann Comhairle:** We are not debating the Finance Bill now.

**Deputy Pearse Doherty:** Some Ministers may be included among those who could avail of it. There is trend with the Government to impose a guillotine. We in Sinn Féin are opposed to the guillotine. We should allow people to speak on Second Stage if they so desire. I ask the Tánaiste to give a commitment to the House that there will not be a guillotine on Committee Stage or Report Stage as his party and other parties demanded when we dealt with Finance Bills previously. We should be able to discuss and debate each amendment in full and vote upon it at the end.

**Deputy Joe Higgins:** Once again Fine Gael and Labour are doing exactly the opposite of what they argued for during the many years they were in opposition — the arbitrary guillotining of crucial legislative measures. The Finance Bill enshrines all the disastrous austerity provided for in the budget of a few months ago — slashing services and attacking living standards with detrimental effects in general on our society — in order to bail out the bondholders and speculators. At the same time it introduces new elements such as bribes for bounty hunters who are supposed to come here with no obligation to create jobs but under the pretence they will. With a wage of up to €500,000 a year they can get massive tax breaks compared with our people on top of whom new taxes have been imposed. We need time for a proper debate to allow every Deputy who wants to contribute, which has not been the case so far.

**Deputy Éamon Ó Cuív:** Can the Tánaiste confirm that no guillotine will be imposed on Committee Stage to give Members a chance to go through the Bill section by section and line by line in order to deal with all the serious issues that have been raised? On Committee Stage it is often possible to do a much more forensic job on these issues than is possible on Second Stage.

**The Tánaiste:** The Finance Bill provides that there will be no increases in income tax for working people this year for the first time in a number of years and provides for changes in capital taxation — the kinds of changes that Sinn Féin and Deputy Higgins call for in theory and then oppose in practice.

**Deputy Pearse Doherty:** That is not true. We supported those aspects.

**The Tánaiste:** The Finance Bill, which provides incentives for the creation of jobs——

**Deputy Mary Lou McDonald:** What jobs?

**The Tánaiste:** ——to address the needs of the 440,000 people who are out of work and is now being opposed by the same people——

**Deputy Pearse Doherty:** And the tax breaks.

**The Tánaiste:** ——has already been debated on Second Stage since Tuesday. We propose to conclude the Second Stage debate today in accordance with the arrangements I have proposed. Regarding Committee Stage, as I understand it, the committee itself normally makes arrangements for the timetabling of the handling of the Bill. I know that in the past there were arrangements where time was allocated for groups of sections, etc. The arrangements it makes for the timetabling of taking the Bill on Committee Stage are a matter for the committee. However, it is proposed that the Second Stage conclude today.

**An Ceann Comhairle:** I am putting the question. The question is——

**Deputy Pearse Doherty:** On a point of order——

**An Ceann Comhairle:** What is the point of order?

**Deputy Pearse Doherty:** Is it not the case that the House orders how the committee would deal with the Finance Bill on Committee Stage and the timeframe?

**An Ceann Comhairle:** That is correct.

**The Tánaiste:** We are a democratic institution — the committee decides.

**An Ceann Comhairle:** The House will ultimately——

**Deputy Pearse Doherty:** I seek clarification. Is it the House that decides or the committee that decides?

**An Ceann Comhairle:** It is, yes.

**Deputy Pearse Doherty:** It is the House, so the Tánaiste stands corrected. Can he answer the question whether there will be a guillotine as is proposed on Committee Stage?

**An Ceann Comhairle:** We are not going through this again. I am putting the question.

Question, “That the proposal for dealing with No. 5 be agreed to,” put and declared carried.

**An Ceann Comhairle:** Is the proposal for dealing with No. 12, statements on the action plan for jobs, agreed? Agreed.

**Deputy Éamon Ó Cuív:** In answer to a recent parliamentary question I was given to understand that the legislation to amend the law on civil registration of deaths, births and marriages would be introduced by the end of the year — in fact it was being worked upon when I was in the Department. This deals with matters such as embassy marriages and the registration in this jurisdiction of deaths of Irish residents which occur abroad. Why is it not on the list of legislation for the Department of Social Protection? When will the legislation be published? At what stage is it? I could not find it anywhere on the list of legislation even though I am getting promises in response to parliamentary questions that we will have it by the end of the year.

**The Tánaiste:** The civil registration amendment Bill is on the C list. The heads are being drafted and it is expected to be published later this year.

**Deputy Mary Lou McDonald:** Will the Tánaiste indicate when we can expect the fiscal responsibility Bill and the treaty establishing the European Financial Stability Mechanism Bill? Will the Tánaiste indicate to the House when the Attorney General will give the Government advice in respect of the fiscal compact treaty referendum or the austerity referendum? Will the Tánaiste give the House a guarantee that when the Attorney General comes forward with her advice, it will be published in the public interest?

**The Tánaiste:** It is expected that the fiscal responsibility Bill will be taken later this session. There are two Bills relating to the European Financial Stability Facility. I will introduce a European Communities (Amendment) Bill. The heads of this Bill have been approved by the Government and it will be introduced this session. A separate and related Bill will be introduced by the Minister for Finance.

**Deputy Mary Lou McDonald:** When during this session? That was a rather open-ended answer. Will the Tánaiste be more precise?

**The Tánaiste:** It will be towards the end of the session. The Bill from the Department of Finance will follow it. The Attorney General has yet to present her advice on the treaty and the conclusion of the European summit in January.

**Deputy Mary Lou McDonald:** Will the Government publish it when it is presented?

**An Ceann Comhairle:** I am afraid that is not a matter for the Order of Business.

**Deputy Mary Lou McDonald:** I will take that as a “No”.

**Deputy Willie O’Dea:** The Tánaiste will be aware of a welcome development yesterday, that is, the conviction of an individual for the murder of one of my constituents, the late Shane Geoghegan. The Tánaiste may also be aware that it is likely that further proceedings may be taken against other people arising from yesterday’s conviction. Is the Tánaiste satisfied that the anti-gangland legislation of 2009 is sufficiently robust to enable further prosecutions to take place?

**An Ceann Comhairle:** I appreciate that this is a serious matter but we cannot ask about it now unless legislation is promised.

**Deputy Willie O’Dea:** A raft of criminal justice legislation has been promised. I simply wish to know if it will be considered in that context.

**An Ceann Comhairle:** Will that be considered?

**The Tánaiste:** I join Deputy O’Dea in welcoming the conviction yesterday. We all recall with horror when Shane Geoghegan was killed. I welcome the conviction yesterday. It does not bring back Shane and that is the awful sentence that families must live with after something like this occurs. The Garda Commissioner has expressed his satisfaction that the existing legislation is adequate. The adequacy of the legislation and getting convictions is something the Minister for Justice and Equality has under continuous review.

**Deputy Billy Kelleher:** By the way, the Labour Party opposed the legislation when it was in Opposition.

**Deputy Bernard J. Durkan:** Will the Tánaiste indicate when it is intended to move Second Stage of the betting (amendment) Bill, which is on the pink sheets. It is an imminent promise. This relates to the regulation of the betting industry and it will bring about necessary changes.

Other legislation promised for some time and regarded as urgently required includes the collective investment schemes consolidation Bill. This has been referred to as necessary legislation in recent times. When is it likely to come before the House? Have the heads been discussed and to what extent?

There are two final points. Apropos of the points made by Deputy O’Dea and the Tánaiste, the criminal justice (victims rights) Bill was promised and it is in the C section. Its purpose is to strengthen the rights of victims of crime and of their families and to give effect to the proposed EU directive. As a result of recent court cases wherein victims have been prosecuted as well, this is appropriate legislation to bring forward now.

A final tranche of legislation is urgently required. I am sorry for delaying the Order of Business with this but, unfortunately, all this legislation was promised when I was sitting on the far side of the House. The Criminal Law (Sexual Offences) Bill is to implement the recommendations of the second interim report of the Joint Committee on the Constitutional Amendment on Children to protect vulnerable persons against sexual exploitation and abuse.

**The Tánaiste:** The betting (amendment) Bill is being worked upon as a priority and we expect to publish it this session. I do not have a date for the second matter raised by Deputy Durkan. Preliminary work is under way on the Criminal Justice (Victims Rights) Bill but it is impossible to indicate a publication date at this stage. The final Bill Deputy Durkan referred to is expected later this year.

**Deputy Michael Healy-Rae:** What is the position of the proposed regulations for the Water Services (Amendment) Act in light of the shocking Environmental Protection Agency report which has emerged last night and today confirming that almost half of the State’s sewerage treatment plants in urban areas fail to meet EU standards?

**An Ceann Comhairle:** Thank you.

**Deputy Michael Healy-Rae:** There are 529 of these plants. It has been proven that they are not working.

**An Ceann Comhairle:** We cannot have a debate on it. We will get the information. What are you looking for exactly?

**Deputy Michael Healy-Rae:** Will the Government now admit that it is going after the wrong people when it comes to the septic tank regulations?

**An Ceann Comhairle:** No, Deputy. You know as well as I do how this works. Please resume your seat.

**Deputy Michael Healy-Rae:** It has been proven by the EPA report that 529 of the State's treatment plants are not operating properly.

**An Ceann Comhairle:** Perhaps you could table a Parliamentary question. That is not for the Order of Business.

**Deputy Michael Healy-Rae:** I believe the Tánaiste wishes to answer it.

**An Ceann Comhairle:** Are you concerned about the regulations?

**Deputy Michael Healy-Rae:** Yes. Will the Tánaiste admit that they have missed——

**An Ceann Comhairle:** Deputy, will you please resume your seat? We have a time limit. Other Deputies wish to contribute.

**The Tánaiste:** The EPA report underscores and supports the urgency and priority that the Government is giving to issues of water pollution. Certainly, the Government will not shirk its responsibility in bringing forward legislation. When statutory instruments, to which the Deputy referred, are made they are laid before the House and it is then a matter for Members how they wish to deal with the secondary legislation.

**Deputy Michael McGrath:** As the Tánaiste is aware, the Financial Services Ombudsman, Bill Prasifka, has confirmed that almost 7,300 complaints were received by his office in 2011. He has called for additional powers to publish the complaints record of individual financial institutions. We have published a simple legislative amendment which would give him this power and I will move it during Private Members' time as soon as I can. Will the Government be openminded about such a change?

**The Tánaiste:** The report of the Financial Services Ombudsman is being considered by the Minister for Finance. If he considers that legislative change is necessary then he will bring proposals to Government in that regard.

**Deputy Michael McNamara:** I wish to raise the serious matter of the misleading of the House, albeit inadvertently, by the Minister for Health, Deputy James Reilly. In answer to a parliamentary question——

**An Ceann Comhairle:** Sorry Deputy. This is not for the Order of Business.

**Deputy Michael McNamara:** It is not but under Standing Orders I wish to raise the misleading of the House.

**An Ceann Comhairle:** No. Under Standing Order 40A, you have a right as a Deputy to make a written complaint to me about the inadequacy of a reply which you believe is not in order. I will consider any such request and deal with it appropriately.

**Deputy Michael McNamara:** The Minister addressed each and every request——

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

**Deputy Michael McNamara:** I am afraid I cannot.

**An Ceann Comhairle:** You will, or else you will leave the House.

**Deputy Michael McNamara:** I cannot resume my seat.

**An Ceann Comhairle:** Then leave the House, Deputy.

**Deputy Michael McNamara:** Misinformation has been provided to the House by our health services and by the authority tasked with running the health services.

**An Ceann Comhairle:** You will now leave the House. I gave you a way out. You will not show that disrespect to the Chair. Leave the House.

**Deputy Michael McNamara:** I cannot.

**An Ceann Comhairle:** You will leave the House.

**Deputy Michael McNamara:** I will not leave the House. I was elected under a promise of improving health services in the mid-west.

**An Ceann Comhairle:** You will leave the House.

**Deputy Michael McNamara:** The HSE is running rings around the Minister for Health and I will not be silenced.

**An Ceann Comhairle:** I have asked you to leave the House. You leave me no option but to name you if you do not leave the House.

**Deputy Michael McNamara:** I will not leave the House until this issue is addressed.

**An Ceann Comhairle:** I am sorry Deputy. I told you how to deal with the issue. Provision has been made only recently——

**Deputy Michael McNamara:** That applies if an issue is not——

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

**Deputy Michael McNamara:** It should address each and every request for information. The Minister for Health addressed every request but he provided——

**An Ceann Comhairle:** Resume your seat.

**Deputy Michael McNamara:** No, a Cheann Comhairle I will not leave until this has been dealt with.

**An Ceann Comhairle:** Then leave the House. I name the Deputy.

**Deputy Billy Kelleher:** The Labour Party said to people before the election that there was no problem.

### **Suspension of Member**

**An Ceann Comhairle:** I move: “That Deputy Michael McNamara be suspended from the service of the Dáil.”

**Deputy Emmet Stagg:** The Deputy is leaving the House.

**Deputy Pearse Doherty:** I thought he would not leave until it was resolved. We will support Deputy McNamara. We will vote to keep him in.

**An Ceann Comhairle:** I am afraid he is being named anyway, so I will put the question and it is up to the House to decide whether he be named or not.

Question put.

The Dáil divided: Tá, 83; Níl, 36.

Tá

Barry, Tom.  
Breen, Pat.  
Bruton, Richard.  
Butler, Ray.  
Buttimer, Jerry.  
Byrne, Eric.  
Cannon, Ciarán.  
Carey, Joe.  
Conaghan, Michael.  
Conlan, Seán.  
Connaughton, Paul J.  
Conway, Ciara.  
Coonan, Noel.  
Corcoran Kennedy, Marcella.  
Costello, Joe.  
Coveney, Simon.  
Creed, Michael.  
Creighton, Lucinda.  
Daly, Jim.  
Deasy, John.  
Deenihan, Jimmy.  
Deering, Pat.  
Doherty, Regina.  
Donohoe, Paschal.  
Dowds, Robert.  
Doyle, Andrew.  
Durkan, Bernard J.  
English, Damien.  
Farrell, Alan.  
Feighan, Frank.  
Ferris, Anne.  
Fitzgerald, Frances.  
Fitzpatrick, Peter.  
Flanagan, Charles.  
Flanagan, Terence.  
Gilmore, Eamon.  
Harrington, Noel.  
Heydon, Martin.  
Howlin, Brendan.  
Humphreys, Heather.  
Humphreys, Kevin.  
Keating, Derek.

Keaveney, Colm.  
Kehoe, Paul.  
Kenny, Seán.  
Kyne, Seán.  
Lawlor, Anthony.  
Lynch, Ciarán.  
Lynch, Kathleen.  
Lyons, John.  
McCarthy, Michael.  
McFadden, Nicky.  
McHugh, Joe.  
McLoughlin, Tony.  
Mathews, Peter.  
Mitchell, Olivia.  
Mitchell O'Connor, Mary.  
Murphy, Eoghan.  
Nash, Gerald.  
Neville, Dan.  
Nolan, Derek.  
Ó Ríordáin, Aodhán.  
O'Donovan, Patrick.  
O'Mahony, John.  
O'Reilly, Joe.  
O'Sullivan, Jan.  
Perry, John.  
Phelan, John Paul.  
Reilly, James.  
Ring, Michael.  
Ryan, Brendan.  
Shatter, Alan.  
Sherlock, Sean.  
Shortall, Róisín.  
Spring, Arthur.  
Stagg, Emmet.  
Stanton, David.  
Timmins, Billy.  
Tuffy, Joanna.  
Twomey, Liam.  
Wall, Jack.  
Walsh, Brian.  
White, Alex.

Níl

Broughan, Thomas P.  
Browne, John.  
Collins, Joan.  
Cowan, Barry.  
Doherty, Pearse.  
Dooley, Timmy.  
Ellis, Dessie.  
Ferris, Martin.  
Flanagan, Luke 'Ming'.  
Fleming, Sean.

Fleming, Tom.  
Grealish, Noel.  
Halligan, John.  
Healy-Rae, Michael.  
Higgins, Joe.  
Kelleher, Billy.  
McConalogue, Charlie.  
McGrath, Finian.  
McGrath, Mattie.  
McGrath, Michael.

Níl—*continued*

McLellan, Sandra.  
 Martin, Micheál.  
 Moynihan, Michael.  
 Murphy, Catherine.  
 Naughten, Denis.  
 Nulty, Patrick.  
 Ó Caoláin, Caoimhghín.  
 Ó Fearghaíl, Seán.

O'Dea, Willie.  
 O'Sullivan, Maureen.  
 Penrose, Willie.  
 Pringle, Thomas.  
 Ross, Shane.  
 Stanley, Brian.  
 Tóibín, Peadar.  
 Troy, Robert.

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

Question declared carried.

### **Finance Bill 2012: Second Stage (Resumed)**

Question again proposed: "That the Bill be now read a Second Time."

**Deputy Noel Harrington:** Anybody in the jobs market or the wider economy might be wondering what goes on in here and would scratch their heads with incredulity. I have great sympathy for the Ceann Comhairle and the officials. It is unreal.

This Finance Bill relates to the first budget in its entirety from this Government and I am pleased that the main priority has been job creation. I welcome the launch of the action plan for jobs earlier this week and I am particularly pleased with the joined up thinking that will reduce the bureaucracy that business throughout the country must encounter and deal with on a daily basis. We must work with these small businesses to ensure their survival so they can grow and rebuild our country. It is from those micro-businesses that the recovery will come. Many business owners work up to 100 hours per week trying to survive, keep the business viable and provide staff with jobs. We must reward hard work and everybody who gets up in the morning to work will be giving assistance to those out of work in this regard. I welcome measures to assist jobseekers in gaining suitable employment and training. It is essential to give our people the dignity of having a job and bringing a wage home each week to provide for themselves, their families and to help with their communities.

I note that the public is becoming very intolerant of those who target social welfare benefits and do not wish to contribute to society by working for a reward. These are a minority of people but it is a regrettable fact of life that some people seek to maximise those benefits through different methods. The days of achieving or targeting a life on social welfare should come to an end. That is not to take away from the thousands of genuine social welfare recipients who are unable to find work or receive payments under the many schemes in the Department of Social Protection. The public must know that its money funds such efforts, and like those who make false insurance claims, those who target a social welfare lifestyle are taking from the public's pocket.

Up to this point today there is a website that has advertised up to 50 jobs throughout this country of all levels and scales, so there are jobs out there. There is a big disconnect between those receiving welfare and getting training and those who are on the next step. Jobs will not fall into people's lap so they must seek them out. My constituency of Cork South-West is largely dependent on agriculture, tourism and fishing, where the work is hard and rewards are well earned. It is initiative that keeps those communities going, and such efforts must be supported by this Finance Bill. I strongly recommend the measures in this Bill, including those to

stimulate the recovery of the property sector and stamp duty measures in the agricultural sector. These are strong initiatives and I support the Finance Bill in that regard.

**Deputy John Paul Phelan:** I am glad to have the opportunity to say a few words on the Finance Bill and welcome its introduction. There are many provisions in the Bill which I strongly support. I listened to much of the debate yesterday evening, with many contributors from the Government and the Opposition. Many in the Opposition who spoke late last night condemned it out of hand and universally failed to point out that one of the key provisions of the budget and this Finance Bill is the removal of the universal social charge from incomes under €10,036, which is a significant positive move by the Government to ensure that those on the lowest incomes are not caught by the universal social charge as it was introduced by the previous Government. I applaud the Minister for that.

There have been some difficulties in implementing the changes to the mortgage interest relief regime, which I support. It was important for the Government to include measures in the budget and the Finance Bill to try to help those who are most exposed to the difficulties in the economy. In this instance, the Government is offering increased mortgage interest relief to those who bought property at the top of the market. That is to be welcomed. We have to ensure the system is able to cope with the implementation of the changes that were announced on budget day.

I echo Deputy Harrington's comments about the changes being made to certain matters relating to property, specifically farm transfers and farm partnerships. Although the overall cost of these measures will be relatively small, they have the potential to have a significant beneficial impact on the agriculture sector, which has done better in recent years than in previous years. There is more confidence in the sector at this time. More young people are considering a future in farming. We need them to get involved. Any small incentives that promote the transfer of land between generations and the development of farm partnerships across the country are to be welcomed. I commend the Minister, Deputy Noonan, for what he announced in the budget in that regard and is enacting in the legislation before the House.

I would like to welcome another initiative that was announced by the Minister on budget day. I refer to the introduction of a foreign earnings deduction that will apply when individuals do business in any of the BRICS countries, which are Brazil, Russia, India, China and South Africa. Any promotion of business links between Ireland and the economies in question, which are among the strongest in the world at present, is to be welcomed. I ask the Minister to consider extending the operation of this initiative to the CIVET countries — Colombia, Indonesia, Vietnam, Egypt and Turkey — in next year's budget. The countries in question, which are just below the rank of the BRICS countries, have reasonably sophisticated financial systems, controlled inflation and a soaring young population. I suppose they are primed to do very well economically in the next few years. If the initiative that is being put in place with regard to the BRICS countries is successful, I do not see any reason it could not be extended over time to assist businesses that operate between Ireland and the tier of countries I have mentioned. When the Minister is reviewing the success of the BRICS initiative, perhaps he will examine the possibility of extending it to the CIVET countries at some future stage.

**Deputy Pat Breen:** I welcome the opportunity to speak on the Finance Bill 2012. In welcoming the Bill, I pay tribute to the Minister, Deputy Noonan. Since his appointment as Minister for Finance, he has brought confidence to the country. He has worked hard to stabilise the public finances and, especially, the banking system. The budget he introduced last December was hard but fair. The Minister has echoed that since the budget. There are positive signs that suggest the Irish economy is recovering. When the Minister introduced this Bill in the House on Tuesday evening, he said "we are on track to bring the deficit below 3% of gross domestic

[Deputy Pat Breen.]

product, GDP, by 2015, the banking system has been recapitalised and the economy returned to growth last year". Those signs are very encouraging. When the NTMA sold €3.5 billion of bonds recently, it was the first time private investors bought Government bonds since September 2010. This encouraging development, which increases confidence, was welcomed by the European Commission.

Events in Europe and on the international stage will always present a challenge for the Irish economy. Last Monday, Moody's adjusted its ratings for nine European countries. It is encouraging that Ireland's rate was not adjusted. We are going in the right direction. When one considers the approach Moody's has taken to countries like the UK, Austria, France, Spain and Italy, it is clear the decision not to change Ireland's rating shows the Government has brought confidence back to the economy. It needs to be emphasised that events in Greece last week are totally different from the Irish situation. The Greek Parliament voted in favour of a second bailout, this time worth €130 billion. As a result, it will have to make €3.1 billion in cuts. This is a huge challenge for the Greek Government. I hope it will be able to restore confidence. Equally, I hope the 26 other member states will agree to the bailout. The situation in this country is not the same as that in Greece. We do not have riots, disruption and fires, etc.

Although the unemployment rate of 13.5% in this country is high, I believe the measures taken by the Government, including last year's jobs initiative and the recent jobs action plan, when taken in conjunction with the Bill before the House, show that job creation is a top priority for the Government. As I travel around County Clare, it is clear to me that the role of small and medium sized enterprises is extremely important. They play an important role in the local economy and throughout the country. Clearly, small businesses that provide four, five or six jobs represent the cornerstone of the economy. Although the recent unveiling of the action plan was not a jobs announcement, it shows the Government is working with businesses in a different way. We are changing the way we support businesses. This ambitious plan will bring confidence and create a positive vision.

I accept that money is scarce. We have to do much more with less money. It is extremely important that we help small and medium sized enterprises by ensuring they can access credit. We are pursuing the whole idea of a one stop shop. There needs to be less red tape. New initiatives are being undertaken to help the Irish diaspora. We are offering a €4,000 finder's fee to those who attract business to this country. The development capital fund of €150 million will help larger businesses. All of that is important as we try to restore this country's viability, competitiveness and employment levels. There is much more to be done. The Taoiseach has travelled to the United States today to encourage more US investment in this country. It is important to note that 13,000 jobs were created by IDA Ireland last year.

I am pleased to have had an opportunity to speak. I welcome the Finance Bill 2012. I am sorry I did not have more time, as I could have said much more. It is extremely important that there is some positive news.

**Deputy Billy Kelleher:** I welcome the opportunity to speak on the Finance Bill 2012 and give an overview of a few points that are important in the context of the economy. I will speak about where Ireland is at present and what we should do to address the major challenges we face. In the last year, the Government parties have started to appreciate the difficulty of governing in straitened economic times. Before last year's general election, they seemed to be singing a very different tune. We must go beyond that now. We should accept the need to create positivity in Ireland. We need to send a strong message to the international community to the effect that Ireland is capable and willing to introduce difficult measures with a maturity and a belief that it can come out the other side. When we debate these issues in this House, it is

important that we are honest about what we can do. We should set out what we expect of the Government, of ourselves as parliamentarians and of the people.

This budget and the legislative measures included in the Bill before the House copperfasten the memorandum of understanding that was signed by the Irish Government and the troika a number of years ago. We are on a collective journey along that pathway. Regardless of whether people have opposed that approach, that is where we are now.

In the context of sovereignty it is highly regrettable that we have outside interference in how we run our affairs and are now benchmarked by an outside agency, which reviews the Government's performance and basically awards it marks to allow the State to access funding for the provision of funding services. The key issue, however, is that were it not for the support provided by the troika, Ireland would not be in a position to provide public services. Those who consistently undermine the agreement and memorandum of understanding must spell out from where they would secure the funding to pay the costs of running hospitals, education facilities, policing and the other public services which depend on the State's ability to access funding from current sources. While all of us want the State to be able to access bond markets as quickly as possible, it would not make sense to re-enter the bond markets at a higher interest rate than is available to us now. We should avail of all opportunities to access funds at the lowest possible interest rate.

The difficulties experienced by the State are magnified across the rest of Europe. The problems of Greece and other countries must be addressed in a European context. I am very disappointed with the European Commission as an institution because it has failed in its basic objective of ensuring cohesion and solidarity within the European Union. The Commission has stood on the sidelines and allowed the Franco-German alliance to run the affairs of Europe. This does not correspond to my belief that the European Union is a group of nations co-operating and acting in solidarity with one other. Unfortunately, Chancellor Merkel and President Sarkozy have undermined the European Commission which, through its silence, has effectively supported the Franco-German alliance. It should have stood up and demonstrated strength when it was most needed.

Most European Union member states have entered into the fiscal compact and agreed a new treaty. We should now explore ways of strengthening the institutions which play an important role in ensuring the Union works. The reason we want it to work is not political or ideological but because we want to provide opportunities and employment for citizens.

The fiscal compact does not go far enough in addressing a fundamental issue, namely, the role of the European Central Bank. The remit of the bank must be extended beyond the requirement to ensure inflation remains at a low rate. Notwithstanding the treaty, we will have to address the role and remit of the European Central Bank and its obligation to stimulate the European economy. In the United Kingdom, for example, the Bank of England is engaged in quantitative easing amounting to €350 billion, whereas the ECB is standing idly by. It will not even enter the bond market to purchase bonds and drive down yields in support of various sovereigns. While we often discuss the European Central Bank in abstract terms, it also has a fundamental impact on the daily lives of citizens.

The Fianna Fáil Party supports the fiscal compact but believes it will not resolve our current difficulties. The compact is akin to drawing up fire protection measures when a house fire breaks out when one must, first and foremost, quench the fire. This European Central Bank must become more proactive in ensuring the eurozone is stabilised. This will involve some form of quantitative easing and support for sovereign bonds to ensure yields stabilise.

It is disturbing to note that the Franco-German alliance was involved in a form of regime change in Greece and Italy, a development in which the European Union was complicit.

[Deputy Billy Kelleher.]

Whether we like the elected governments of Greece and Italy is not the point. The issue is that these governments were elected by their citizens. Nevertheless, the European Union and Franco-German alliance consistently undermined the heads of various states. This is unacceptable as the European Commission is obligated under the treaties to stand up for small nations and ensure the treaties are honoured and obeyed. In recent times, the treaties have been consistently trampled on.

While I accept that every state and government will pursue its own interests, Germany and France are taking a short-sighted view. If they want to have a cohesive Europe in which countries act in co-operation and solidarity with one another, they have much work to do. They must understand that their current stance of President Sarkozy and Chancellor Merkel is having a corrosive effect on the noble and worthy ideal of a Europe at peace with itself and providing prosperity and opportunities for its citizens. This issue will have to be revisited in the broader context of the debate on a referendum on the proposed treaty, should the Attorney General advise that a referendum is required. I am not sure when she will report to the Government on the matter. If we have a referendum, it is critical that we discuss these issues. They must also be discussed across the eurozone and broader European Union because all the research shows that citizens mistrust the institutions of the European Union and believe they are being governed by unelected elites in Brussels who are far removed from the everyday difficulties they experience. For this reason, it is critical that we have a strong debate on the democratisation of the European institutions, their accountability to the people of Europe and the requirement on them to respect and uphold the various treaties that have been ratified by the member states since the foundation of the European Economic Community. For all these reasons, I would welcome a broader discussion both here and across the European Union.

While I try to remain positive, it is difficult to do so when one reads the Government's action plan on jobs. I do not say this disrespectfully. The Government was elected on the basis of a number of principles. It is an accepted fact that it has deceived the public by reneging on the commitments made prior to the general election. When one considers the commitments made in the programme for Government and its view that jobs are the central tenet of its economic recovery programme one must conclude that the action plan is a shallow document which would have had the same effect had it never been published. It is an aspirational text masquerading as a detailed plan.

**Deputy John Perry:** It was not drawn up by consultants.

**Deputy Colm Keaveney:** It is a good document.

**Deputy Billy Kelleher:** In the foreword the Taoiseach states jobs are the central tenet of Government policy. When one reads through the document, however, one finds that it does not live up to expectations in terms of the commitments made both in the foreword and the programme of Government.

We know what is wrong with the country. There is no demand or confidence and credit is not flowing to small and medium sized businesses, as the Minister of State is aware. I was a Minister of State in the same Department and we tried everything to get the banks to lend. They are failing to do so and consistently lying to the Government about how much they are lending. I will offer my full support, which may not amount to much, to the Government if it stands up to the banks. The pillar banks have received billions of euro in support from taxpayers through recapitalisation, yet they refuse to provide credit to small and medium sized businesses, the life blood of the economy. For how much longer will they squirrel away the

money provided under the recapitalisation process? We all know they are refusing to lend and using the funding instead to reduce their debt to asset ratio. This is having a devastating impact on the broader economy. The 440,000 people who are unemployed will not be able to return to work, irrespective of Government action plans and commitments, unless the banks are forced to lend to the small and medium business sector to get the economy moving again. The banks and Enterprise Ireland used to provide expert support by assessing the traditional banking methods of a business plan, looking at profit and loss and the accounts of businesses. For many years banks were lending on the asset base rather than on the actual commercial venture. Unfortunately, they have now stopped lending on the asset base and are not getting involved in assessing business plans, even to those with experience. Their principle is to refuse to lend. One can broaden that to the whole mortgage area. As Deputies, we all have stories of people who are being refused mortgages. It is the policy of banks now that before they grant a mortgage they will ask for an evaluation of a house. When that is submitted the banks will claim it is not the genuine worth of the house and will decline to grant the mortgage. Although the claim is mortgage-approved the money cannot be drawn down. That is happening wholesale throughout this country. When Mazars and other consultants eventually examine this they will have to bore down to the basic fact that the banks are telling the Government lies on a continuing basis. I can safely state every Deputy in the House has evidence to show this. Whether by the whip or the carrot, banks must now be forced or encouraged to open up finance and let credit flow.

We talk about seed capital, research and development and investment, which are all credit-dependent. We have a wonderful entrepreneurial instinct in this country. In our small and medium-sized sector there are people who are willing to get up, invest their own money, take risk, roll up their sleeves and get stuck in. They need support now. I acknowledge the good points of this budget in regard to research and development and seed capital, which are critically important. However, we are asking the small and medium-sized sector to respond with one hand tied behind its back because it cannot access credit. This must be addressed.

There are two key issues in respect of trade and inward investment. In the first place, people must have confidence in the country. I welcome every opportunity the Government can take to promote Ireland as a place in which to do business and attract foreign direct investment. Such investment is of critical importance to this country, given the large multinational companies located here and the embryonic spin-offs they create. We can look to our excellence in software. One of the main reasons we have excellent people in this area is the initial establishment of some of these multinationals in the 1980s. That spawned, first, expertise and second, a nucleus built up around those same multinationals that has produced a second generation of the most wonderful and exciting software companies which locate in this country. One need only go up the road to Digital Hub to see what is being achieved. We are internationally recognised as a country which excels in software and design solutions and it is critical that we maintain that reputation. In that regard, those measures in the budget in respect of encouraging and fostering seed capital and investment in research and development are very important.

There is a second issue we must consider. Politics has been played out in its regard for a long time; it has been debated all over the country and there have been protests on the streets. We must put our universities on a sound financial footing. I do not know how we will do this politically because everybody opposes it or promises to oppose it; then they change their mind. Whatever way it can be done, we must protect our universities. If they want to compete and not only keep the brightest students in the country but produce the brightest students in the world, they must have the necessary resources. If universities are starved of resources only one thing will happen — they will drop down the league table. The best and the brightest will not

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work in them as professors, lecturers and academic researchers; the best and brightest students will not attend them.

That issue must be addressed in the short and medium term because there may be long-term implications for our competitiveness and our ability to attract the best international and multinational companies to this country. The Googles of this world and the other major players in IT and other high-end sectors such as life sciences and medical devices have stated they are having difficulty recruiting at the top end. That is something that must be addressed very quickly. If word goes out that our labour market does not have a pool of the necessary expertise those companies could easily change their view and look elsewhere. We have a wonderful product and a wonderful workforce and there is a critical mass across the various specialties throughout the multinational sector. It is critical to have investment in third level education and the co-operation of third level institutions in linking with businesses and industry, both in research and development and in the establishment of a strong commercialisation of research. We must do a great deal of work in this area.

Recently, I was in Taiwan and attended a university and research facility which applies for five patents a day. These vary from the smallest to the largest but that university churns out the best kind of student and the country has a wonderful international research and development set-up. We must aim at that which means having a stimulus and support for universities, with tax reliefs and vouchers to encourage and foster research and development among companies and universities, and the consequent commercialisation by patent of their ideas into the broader world. If this is not done very soon and this area does not receive continued support another type of signal will be sent out.

If we want to continue to attract the best kind of foreign direct investment we must stand firm and united in this House in regard to our corporation tax rate. This is supported by all parties, which is welcome. When I travelled abroad promoting the country there were times when this was difficult because the commentary would make one believe Ireland was almost as bad as Zimbabwe. We should always be conscious of this. Of course, we can be critical and objective but we must not be inflammatory and try to achieve a political advantage by denigrating the name of this country. We should all be very conscious of this because there is an impact when people speak irresponsibly about Ireland. It resonates across the world in a negative way even as Ministers, Enterprise Ireland, IDA Ireland and ambassadors traipse around the world trying to promote a positive image.

I support this work; I did it myself and it is critically important. As an island nation we will live or die by our exports and the view we should not be out there promoting our country is very short-sighted. We should not try to undermine Enterprise Ireland and IDA Ireland in what they are trying to achieve. I have stated publicly it is important that ministerial trade missions go ahead, even in this difficult and straitened time. We must send a very positive message that this country is open for business, that not alone can it keep its house in order and will go through with the difficult decisions that must be continued in the coming years but, more important, our economy is functioning, our corporation tax is being maintained, we will continue to invest in our universities and turn out the best qualified people and we are a capable and intelligent people. I believe this will attract further foreign investment and we will increase our exports as we have done dramatically in recent times. We must continue to sell a positive message around the world. I am in Opposition and it would be very easy for me to throw scorn and ridicule but our nation's position is a little more serious than that. Ultimately, it is about providing opportunity.

I refer to the discussion on promissory notes and related matters. The Minister for Finance must use every opportunity to try to encourage a broader debate on the role of the European

Central Bank. It is critical and central to how Europe will function in the years ahead. There must be more obligation on the ECB, not only to address inflation but to become involved in a stimulative role in encouraging economic growth.

**Deputy Alex White:** I am sharing time with Deputy Colm Keaveney. I welcome the opportunity to speak on the Finance Bill 2012. It is interesting that we can reflect on the different atmosphere in which the Finance Bill debate is being conducted compared to this time last year when the Finance Bill was debated in the closing days of the last Dáil. Many things have changed since then and political atmosphere and the opportunity for discussion, discourse and debate on these issues has freed up in the year since that politically chaotic situation in this House and in the country. It is important to reflect on that because the atmosphere in which these debates take place is extremely important.

Deputy Kelleher referred to Greece and countries that have far more acute pressures and it is important to reflect on the fact that we can debate in a democratic Parliament where we are free to exchange ideas, views and principles on the main economic and financial policy of the country for the next year. I agreed with much of what Deputy Kelleher had to say and it is welcome that he supported much of the thrust of the Finance Bill. He had points to make about the action plan for jobs but that debate is due to start in one hour's time. I did not know that colleagues would be referring to that document in any detail so I did not bring it with me. That is for this afternoon. Some of the points raised by Deputy Kelleher in respect of incentivising SMEs and that programme of work, some of which he is familiar with because of his involvement as a former Minister of State in that Department, are contained in the action plan for jobs. It is not sufficient to pick up the booklet and say there is nothing in it. It cannot be said that there is nothing in it, which is manifestly untrue, even if Deputy Kelleher wants to argue that it is insufficient or does not go far enough.

Some 11 months ago, a new Government was formed by my party, the Labour Party, and Fine Gael. We talk about the mandate of political parties and the mandate of this Government is a pooled mandate, a combination of the mandate for Fine Gael and the mandate for the Labour Party. We agreed a number of basic important questions in the programme for Government, such as the configuration between tax and public expenditure cuts. We agreed that the deficit had to be reduced within a period of time and agreed to take an aggressive stance on jobs. We considered that actions do not go far enough but it is not true to say the Government sat back and did nothing on the question of jobs. Within a number of months, an initiative was brought forward and the job plan was published this week. People can say that wider questions should be addressed, such as the strategic investment and the searing problem of the availability of credit, which is difficult to address. Certain areas of the economy require the strategic intervention of the State and State money, whether through the proceeds of the partial sale of State assets through NewERA or locating State funds in circumstances where the private sector has pulled back. It happens in every recession that the private sector is found wanting and sometimes the public sector must step in. I do not underestimate the difficulty for the Government in achieving that policy outcome. Money is short, the availability of funding is short and capital programmes had to be cut but we should not abandon it and the Government does not intend to do so. There is a role for stimulus measures to be taken by the State in the period ahead. I agree that the action plan for jobs is a very fine document and contains proposals, plans, objectives and targets that will do a great deal for the creation of jobs but we must go further.

By analogy, the fiscal compact is worthy of support given what it contains but it does not give us all of the answers to the questions we face. It goes no further than what it claims to do, which is to introduce a degree of fiscal discipline within the eurozone. It does not purport to be the solution to all problems. Deputy Kelleher's reflections on the future role of the Euro-

[Deputy Alex White.]

pean Central Bank are well taken but it remains a problem. Whether a national central bank or the novel idea of a European Central Bank, there must be measure of independence for central banks. Whether the Bank of England, the Central Bank of Ireland, central banks in other countries or the European Central Bank, its remit within the economic and monetary policy of an entity such as the eurozone, which is still an experiment, is such that one must guard against it becoming the political plaything of an individual country or even of the European Council. I know Deputy Kelleher is not suggesting that and we must always have a measure of independence for the European Central Bank.

On the point that we have gone so far with the fiscal compact and must go further, there is a looming problem of sovereign debt in Europe. It is not just for this country but for the wider community and it has not been settled. The German emphasis on fiscal discipline is a reality and if the proposals are not inimical to our interests, we should support it. The debate on the role of the European Central Bank, whether it involves euro bonds or addressing sovereign debt across the eurozone, must come to a head and be addressed in the near future.

I look forward to going through the Finance Bill on Committee Stage in the Select Subcommittee on Finance. It contains many technical proposals, which the Minister flagged in the budget. These include tax incentives, each of which can be justified in its own right in so far as I have had a chance to look at them. However, I agree with people who say we must be on our guard against policy-making based on tax incentives because we have had a bad experience in this area over the past ten or 15 years. Too many of our tax incentives were predicated on incentivising people in respect of property. Now we want to incentivise people into productive activity, such as through the relief on research and development. We should do that but also guard against the possibility that they go too far, go on for too long or are at risk of abuse. The Minister and the Government are alive to it because there are limitations to an economic policy that relies too much on tax incentives in achieving its objectives.

There has been reform in this House but we need to be more involved in the budgetary process as committee members and as Members of the Dáil. The Minister for Public Expenditure and Reform has written to all committees inviting them to take a more active role on budget 2013, particularly the expenditure side. It is vital because the day is gone when we all file in here in December, hear what the Minister has to say and file through the lobbies before leaving. We must be active parliamentarians on these issues. We know the specifics for next year. They are 2.25% and 1.25% in expenditure cuts and tax measures, respectively.

It is not a huge mystery for us to get down to the work of looking at where savings should be made on the expenditure side and on the revenue side. When the Joint Committee on Finance, Public Expenditure and Reform went to Berlin recently to meet members of the German finance committee it was believed, for some reason, by the press in Dublin that we went to conduct some sort of investigation into why there was a leak from the committee. We went for no such reason.

If I found anything embarrassing about that episode it was that there appeared to be a level of discussion in the German Parliament about budgetary options for Ireland prior to there ever being such a debate in this Parliament. That cannot be allowed to happen again. There is a constitutional prerogative that the Minister for Finance introduces a budget to the Parliament for the approval of the Dáil which I respect and understand but there is a lot of room for involvement and input from Members of this House, not just on the expenditure side which will happen through the committees, but also on the revenue side.

**Deputy Colm Keaveney:** I broadly welcome the provisions of the Finance Bill and what it represents. It is a continuation of the process of the onerous task by the Government parties

of returning the finances of the State to a sustainable condition while protecting services and tackling the legacy of chronic unemployment left by the last Government. It is also important in terms of our efforts to regain full economic sovereignty and repair our damaged international reputation as a consequence of the previous Administration.

While SARRC provisions contained in the Bill can be difficult to defend from a social justice point of view, in that they grant generous tax breaks to those on very large incomes, they will be justified if, and only if, they lead to the creation of jobs and investment. Similar provisions have been successful in other countries such as France and the Netherlands. Ireland is facing increasing competition for winning significant inward investment from projects across the euro-zone and further afield.

We need to reinforce our position as a place to do business and as one of the leading countries in the world for securing inward investment. This measure and others in the Bill underpin the message that Ireland is open for business. The benefits of such schemes are not just the creation of jobs but the transfer of technical and management ability and the building of informal but crucial personal relationships that exist across the global economy.

I have a number of reservations concerning SAARC but I will focus on one. I refer to the restriction on how many days a person partaking of the scheme may be absent from the State and the practicalities and demands around that criteria. It is likely, and probably predictable, that the markets we are trying to attract will of necessity require travel across the globe from this country and such people are likely to breach the criteria set out in the 30 day reference period in the Bill.

There is also the issue of such persons being able to take annual leave. They are entitled to nine bank holidays and 20 days annual leave. That places a difficult restriction on the capacity of the type of person we are trying to attract to be actively involved in the global economy. It would be a shame if such a provision, with the best of intentions set out in the Bill, would combat the potential abuse of the programme and, in effect, make it unattractive. Perhaps the Minister could examine that in the context of progress on the Bill.

It would also be well worthwhile for the Minister to examine SAARC and how it will be judged and benchmarked. It is intended that the programme is due to end on December 2014 and a review of its success should be conducted then, with a view to seeing if it should be extended beyond that reference period. We should also examine whether it was a success in the first instance.

While broadly welcoming the Bill, I would like to comment on what it is missing in the context of some glaring absences. I draw attention to some of the opposition to cuts to services and schemes we heard from both sides of the House in recent weeks. Members of the Labour Party and Fine Gael are trying to have it every way in the dialogue on how to re-establish our finances at a sustainable position.

While some decry many of the cutbacks, they refuse to discuss the possibility of raising income tax or introducing any form of wealth tax, even a temporary one. It is time for some Members in the House to show some maturity and realise that unlike Fianna Fáil, we have the aim of getting the Government working for the people, getting them back to work and protecting services. That will involve supporting measures in the House and Seanad rather than decrying in public meetings that a cut was the fault of someone at Cabinet.

On high earners not paying their fair share, it is unfortunate that the Bill has again failed to tackle the issue of highly paid hospital consultants being able to avoid PRSI elements of their income and availing of exemptions which are not available to ordinary PAYE workers. My colleagues, Deputies Conway and Humphreys, have performed an excellent public service in unearthing the extent of the earnings hospital consultants derive from their access to public

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assets and the personnel of public hospitals and the value lost to Revenue from the failure to levy PRSI on consultant incomes.

Deputy Conway has pointed out that the abolition of exemptions on the unearned income of all workers and other income streams of those employed in the Civil Service and public service recruited prior to 1995 would yield a total of €74 million in additional PRSI in any one year. A further €62 million in additional PRSI could also be secured from workers' unearned incomes. It is time that this injustice and other similar loopholes be addressed and closed off. This is essential if ordinary workers are to have faith in the fairness of the taxation system. The current arrangements are not and never have been sustainable on a financial or social justice grounds.

While I am on the topic of PRSI, I refer to the difficulties of those who were self-employed but now find themselves out of work following the closure of their businesses. Like many Deputies, every week I see constituents who ran small businesses which generated tax returns, income tax and VAT and which employed many people for years. As a consequence of the failure of the economy such self-employed people find themselves with little or no opportunity to access welfare entitlements.

As the Minister is aware, small and medium enterprises are the backbone of this economy and provide the bulk of employment in our society. We wish to encourage the entrepreneurial environment but we need to provide a safety net for those involved in businesses should they fail to pay personal tax and PRSI contributions, in terms of the business they generate in communities. While not directly appropriate to this Bill, it is an issue that needs to be addressed. It is an issue of fairness. I ask the Minister to contribute some of his effort over the course of the next months to consider self-employed people who are falling through the cracks in society as a consequence of their endeavours to access social welfare.

Like many Deputies, I have followed the developments in Greece and have witnessed the scenes of protest on television. Near anarchy seems to have overtaken the country with the regular deployment of riot police and the use of tear gas. I sympathise with the people of Greece. We are not in any position to engage in any *schadenfreude*.

However, the contrast between Greece and Ireland is stark. Some Members opposite seem at times to see an opportunity in terms of their political agenda to see Ireland to turn into Greece. I am pleased to say we are doing a good job in keeping social peace in this country and the credit for that belongs to the maturity of the Irish people in recognising the nature of the challenge the Minister has before him. Credit is also due to the political system. Unlike Greece, we have helped maintain peace and order because we have joined together the two largest political parties in the country to engender confidence among the people.

I also acknowledge the work of the social partners. We should consider the benefits of the protection of industrial peace brought about by the Croke Park agreement. Any talk of breaking that agreement should take into account the serious consequences that would follow for this country's reputation internationally in the context of the requirement to secure further foreign direct investment. It is incumbent on all social partners to be responsible at this time and to remember their broader social responsibilities for the future of the country.

**Deputy Peadar Tóibín:** Over 12 months ago the current Minister spoke on the Finance Bill of the outgoing Fianna Fáil Government, saying the Bill “contains virtually no proposals to encourage economic growth and job creation and in fact certain provisions of the Bill have a very severe impact on the most vulnerable in society”. His opposition to the provisions of the Fianna Fáil Bill were correct, detailed and forceful. Another Minister, Deputy Joan Burton,

said, “We have had enough of the tired old mantras, namely, that there is no alternative” and called for a plan B.

It was on that basis that Fine Gael and the Labour Party went to the people. They promised change, they promised a new approach and promised to put the needs of the people to the fore. The actions of this Government to date could be construed as “under new management but business as usual”. It is hard to identify a period when parties put forward their manifestoes and then moved so quickly to reverse so many policy positions after entering government.

The decisions taken by this Government have undermined the Irish economy, have without embarrassment continued the bank bailout and have maintained excessive unemployment, increased long-term unemployment and accelerated business closures. There is a severe and significant cost to this policy and our businesses, our main streets, our communities and our young people are paying the cost.

On top of the economic impact the decisions of the Government have undermined the political process. It was not elected to deliver austerity or to continue to hand Irish money over to bankers, bondholders and developers. It was not elected to agree a treaty that would hand over more sovereignty to Europe and then try to sneak it through by denying the people of Ireland their say. It is astounding that the Government only a year in office is already living in fear of the electorate. We now have Ministers mangling the meaning of words by stating that such a referendum would be undemocratic. Such are the contortions of a cornered and confused Fine Gael Party and Labour Party.

We were told that austerity was required to regain our economic sovereignty and build growth but time has laid this rhetoric bare. We were told the bailout was necessary to ensure that credit started to flow around the economy but with time this lie also has become clear. The budget and subsequent Finance Bill are in many ways a declaration of dependence. This Bill will be seen by future generations as the point when the new Government threw off the pretence of the slogan “Yes we can” and started instead with the mantra “No, we cannot do anything else”.

The Finance Bill outlines a pathway to a weaker less effective health service, to a threadbare social welfare safety net, to a withered and shrunken capital investment programme and to a third rate education system for a first class generation. The Bill also outlines a pathway to emigration for hundreds of thousands of people in this State, much of it forced and not, as the Minister blundered, “a lifestyle choice”.

The worst aspect of this is that many in the Government parties know what is required. They know the damage that this budget and economic policy will do to the country but they do not have the courage to follow their convictions. Government Deputies and Ministers are risk averse. They are weighed down with undue deference to the austerity evangelists in Germany and France. The Government has been captured by the Civil Service and its role is to now front press statements and conferences and let others do the thinking.

Last year in the debate on the Finance Bill, the Minister put down a number of criteria by which the worth of a Finance Bill could be judged. He said that budgetary measures should be “examined politically and socially, and economically proofed so that the social consequences of each proposal are known and we do not enter blindly into proposals that would hurt vulnerable people”. This is a common sense and workable proposition but the Minister has not followed his own advice. No proofing of his Bill is evident.

It is clear that the proposals contained in budget and Finance Bill target the most disadvantaged and vulnerable. The cuts to rural schools and education will affect those who are most disadvantaged, following the lead of the last Government. Teachers for the children from the Traveller community were cut, because the thinking was Travellers would not make a big deal

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about the issue and the settled community would not campaign against it. Special needs assistants were then attacked, along with English as an acquired language teachers and home-school liaison teachers. Now small rural schools and DEIS schools are having resources cut, with career guidance counsellors, who often work with children who can turn to no other adult. Communities are being attacked with the imposition of septic tank charges and household charges, broadcast charges, water charges, increases in VAT and increases in third level fees, part of an attack on the education system in a state that already spends below the OECD average on education.

The Government then has the cheek to spin its desire to build a knowledge economy. It wants to do that but it will not spend any money to do it. At the same time the Government has offered huge tax incentives to property developers through reductions in stamp duty and commercial gains tax holidays and through the SARP scheme offer tax write offs to the highest paid.

In his contribution to the debate on last year's Finance Bill, Deputy Noonan put forward a principle for assessing such a Bill when he state, "The economic consequences of each proposal should be measured to ensure it does not have an adverse effect on growth and job creation and preferably, that it has a positive impact in these areas". Applying these tests to this Finance Bill throws up a number of contradictions. The Government spins job creation and growth on a daily basis but behind the spin there is no substance. The State will spend less than €0.5 billion on all enterprise development agencies while spending €4.3 billion on bailing out banks and their bondholders. This shows clearly where the priorities of the Government really lie.

This week the Government unveiled an action plan for jobs which was free of funds and targets. At the press conference, a confused Taoiseach said there would be 100,000 net jobs created. The Minister of State in the Department of Education and Skills then went on the "Prime Time" programme and was asked how many gross jobs would be necessary to achieve that level of net job creation and he replied 300,000 or 400,000. Which is it? It cannot be both, or if it is both it indicates there is no planning or direction. The Government is skilled in delivering scripted soundbites but when it comes to the detail that makes a difference to the hundreds of thousands of people who are unemployed, it is completely lacking in knowledge.

Since 2009 Enterprise Ireland, the IDA and county enterprise boards have had their funding reduced. The European micro-finance facility has been available since last March and put down €200 million to leverage up to €500 million in order to offer funding to all the states involved so they could channel it to small enterprises. It is shocking that while 11 countries have drawn down their funding, the Irish Government has drawn down none. Bulgaria has managed to draw down funds but this Government sat on its hands. Money from the European globalisation fund is supposed to be spent on unemployed individuals who are at the end of their tether, yet the Government cannot get it together so that these people can be properly trained and educated.

VAT increases will hit low and middle-income earners disproportionately, pushing many into poverty. In addition, there are hundreds of thousands of working poor. People are foregoing meals so that their children can eat. Parents must decide which child can visit the doctor or dentist, while others are selling their cars because they cannot afford petrol. Some people are buying five-gallon drums of heating oil to heat their homes because they cannot fill the oil tank. Meanwhile, the Government increases the VAT rate which will have negative economic consequences.

The struggling retail sector has lost about 50,000 jobs in recent years. That sector was promised an end to upward-only rents, but that has not happened. The Government has decided to

create a competitive disadvantage for retailers south of the Border. The Minister says that a 3% VAT rate differential will not make much difference. It will not make a difference for someone earning €170,000 per annum but every penny counts for the thousands of working poor in this State. Similarly, increases in VAT and carbon taxes mean that jobs will be lost, businesses will close and tax receipts will fall. That is nothing new, however, because we have seen exactly the same policies for the last four years, with the same results — tax receipts declining, investment falling and unemployment remaining static or rising.

Last year, 76,000 people left the State, which means that over 1,400 people were forced to emigrate every week. Sinn Féin has said it will try to work with the Government to relieve this situation but the only way to do so is to synchronise VAT levels North and South. The Government has said it cannot do that but it would have a willing ear from Sinn Féin in the administration in the North. The Government's "No, we can't" statement reflects a parochially-minded Administration that lacks ambition.

We welcome some parts of the Finance Bill, which should be enhanced, such as tax incentives for R&D and export supports. However, it is unclear how some businesses — especially ones which are not making a profit — could avail of such incentives in practice. Last year, the Minister said the objectives of the Finance Bill must be to do no harm to growth or creation, yet capital investment will be reduced by €700 million, making 9,000 people unemployed in one fell swoop. The reduction in public services will add an additional 6,000 people to the number of jobs lost. As a result of this Minister's decision, thousands of families will make their way to Australia and Canada where they will settle down. Grandchildren will build relationships with their grandparents via Skype. Thousands of families will be broken due to these decisions.

The budget was good for property speculators who constitute the least productive element in the economy. It reduced stamp duty on commercial property by 4% and gave a seven-year capital gains tax holiday to new commercial property purchases. I challenge the Minister for Finance to detail the cost of these budgetary measures and the exact number of jobs that these tax incentives will create. Will he bring the same level of clear definition that the sound-bite Taoiseach brought to the announcement of 100,000 jobs on Monday?

Despite promises by Fine Gael Deputies in my own county of Meath, the Finance Bill did nothing to reverse the Government's cuts to pensions of former Tara Mines workers. Tara Mines' pensioners had 10% of their annual income cut by the Government in the last so-called jobs initiative through the pension levy. This is symbolic of the deep inequality created by Government policy. On one level, the Government gives property speculators — who were very much at home in the Galway tent — a tax break. On the other hand, it cuts the pensions of those who did dangerous work to the best of their ability in a mine in County Meath. This is central to the inequity involved.

Last week, the *Sunday Independent* reported that the Government's policies are doubling the amount of tax on individuals earning between €15,000 and €17,500 per year. The next category was from €20,000 to €25,000, which also saw an increase.

**Deputy Michael Creed:** That is because they were exempted.

**Deputy Peadar Tóibín:** They have all been exempted, that is my point. The only section that benefited from the Government's policies were those earning over €2 million and they had a net decrease in tax levels.

In the 1790s, the idea of a progressive tax was introduced by economists. The idea was that the more one was paid, the more one would be taxed. In a liberal democracy people have come to the view that it is a good idea. Nonetheless we have a ridiculous situation where the Govern-

[Deputy Peadar Tóibín.]

ment said it will not tax labour, but in fact it is not taxing wealth. Most of the income of low earners goes on spending, so tax increases for them will bring about decreased consumer demand. The Minister for Finance must know that demand is at the centre of our economic problems, yet low and middle income earners are being relentlessly attacked by Fine Gael and Labour Deputies.

There is another way. Speaking on the Finance Bill last year, the then Opposition Member, Deputy Joan Burton said, “The central charge against austerity politics is that it hinders the essential need for growth. Austerity, as the sole component policy, is a naked triumph of ideology over economic pragmatism”. However, Labour and Fine Gael Deputies have taken money from those earning between €15,000 and €17,500 per annum and are giving it to people earning over €2 million a year. The facts speak for themselves. That is what the Minister has achieved so far.

**Deputy Joe McHugh:** There would be no money left under Sinn Féin’s plan.

**An Leas-Cheann Comhairle:** Our time is limited so please allow Deputy Tóibín to continue.

**Deputy Peadar Tóibín:** I will educate the Deputy on this. He has two ears and one mouth, so he should try to double up on listening.

The truth of the quote is lost on the new Government. My party colleague, Deputy Pearse Doherty, made clear on Tuesday the type of policies we would use in response to the Government.

**Deputy Joe McHugh:** There is no alternative.

**Deputy Peadar Tóibín:** There is an alternative. There is a plan B because Fine Gael said so last year. Labour also said last year that there was a plan B, but what is it?

**Deputy Joe McHugh:** At least Fianna Fáil had money when they were spending it. Sinn Féin does not have any money.

**Deputy Peadar Tóibín:** Jobs and growth are the starting point and the yardstick by which all these decisions must be made. Sinn Féin would not tolerate the transfer of wealth from the people of Ireland to bondholders, bankers and developers. Sinn Féin would invest in job creation, enhancing competitiveness and delivering for today and tomorrow. We would use the National Pensions Reserve Fund——

**Deputy Joe McHugh:** That is gone.

**Deputy Peadar Tóibín:** There is €5 billion there.

**Deputy Michael Creed:** You cannot spend it twice.

**Deputy Peadar Tóibín:** We would also use the European Investment Fund.

*(Interruptions).*

**An Leas-Cheann Comhairle:** We do not have much time. I will call the Deputy later. Deputy Tóibín has one minute left.

**Deputy Peadar Tóibín:** How can I answer the question if the Deputy does not listen? I telephoned the European Investment Bank as part of our pre-budget submission——

**Deputy Michael Creed:** That is a change for Sinn Féin to telephone a bank.

**Deputy Peadar Tóibín:** —and asked whether money was available for projects concerning investment in broadband development. This State has the 25th fastest broadband speed out of 27 states in Europe. I asked if it would be possible for this country to draw down 50% of that investment at 1%.

It said it would and that it would be interested in discussing it with me. I had to explain to it that I was not a Government Deputy and was in opposition, and consequently did not have the authority to discuss it. It said it was awaiting a call from the Government on the issue.

There are major funds in private pension companies and these companies could be incentivised to invest in retrofitting and broadband development and infrastructure, yet the Government has no proposal in this regard. Job creation and growth should be at the centre of our EU policy but they are not. We recognise such an approach would require leadership and courage but these obviously do not exist on the Government benches.

The Government parties should return at least to the platform on which they were elected. They should undo their mistakes of the past year and bring forward a Bill that actually means business on jobs, and which does not just comprise soundbites and confusion from the Government Deputies. We would welcome the support of such a Bill. Unfortunately, the Bill before us fails the people and the economy. It also fails the test set by its own author last year.

**Deputy Olivia Mitchell:** I welcome the opportunity to speak on this Bill. As I said at the time of the budget, a budget that takes money out of the economy will never be popular. However, our commitment to the public at the time of the last election was that we would regain sovereignty by getting our finances back under control. That requires a complex and difficult two-track approach involving the reduction of spending and simultaneously growing the economy by creating the conditions for sustaining jobs. The latter requires making the economy more competitive by introducing reforms and trying to reduce costs, and by providing for the incentives in the Bill. Already we have seen the progress that has been made. There have been improvements in competitiveness and a return to growth, driven by a surge in exports from our important employment sectors.

I listened over the past two days to the Opposition's contributions. One of its attacks was that the Bill represents a return to failed policy. Nothing could be further from the truth. It actually dismantles many of the measures that were at the root of our economic collapse. More important, it seeks to return us to a successful regime such as that of the late 1990s, when we were competitive, innovative and efficient. At that time, 1,000 jobs per week were added to the economy. Many of the measures in the Bill are aimed at the financial services sector. Approximately 21 measures in this regard provide high-end sustainable jobs.

The Opposition also criticised us by stating the measures in the Bill are minor technical ones. They are but that is the nature of finance Bills. Minor technical measures can have major economic effects. Has the Opposition already forgotten the role of the minor technical property tax measures in bringing this economy to its knees? The most minor of tax measures require intense scrutiny. To think otherwise is to fail to understand what a finance Bill is about. Of necessity, some of the measures are modest but they prioritise jobs, which must be the focus of what we do.

A further criticism of the Bill is that it does nothing for vulnerable people. The best thing we can do for vulnerable people is to provide them with jobs, or provide as many people as

[Deputy Olivia Mitchell.]

possible with jobs so we can return to paying taxes we can afford. That is the focus not only of the budget but also of the Action Plan for Jobs 2012, announced by the Government this week.

Vulnerable people were not forgotten in the budget owing to the measure promised on mortgage interest relief. I very much welcome this. I also welcome the announcement this week by certain lenders that they will now provide negative equity mortgages. This is essential, certainly for the thousands of my constituents with expanding families who are trapped in small apartments. For economic reasons, in addition to social ones, we need a mobile workforce now more than ever.

**Deputy Dan Neville:** I welcome again the Minister's allocation of €35 million for mental health services. It is important that this allocation be managed and spent properly in conjunction with the HSE. There are several reasons for this. First, the delivery of mental health services is disjointed. Of vital importance is the immediate appointment of a director of mental health services to ensure the €35 million will be spent on developing the multidisciplinary teams so as to introduce a proper community-based mental health service and reduce reliance on inpatient services. We have the highest requirement for inpatient mental health services in Europe.

Some €25 million was allocated by the former Minister for Health and Children in 2006, and there was a further allocation of €25 million in 2007, but this money was not spent on mental health services. Some 50% of the funding was hived off, and this information was obtained through the Freedom of Information Act by an NGO. Rather than tackling the problem, the then Minister decided not to give further moneys to the service.

It is urgent that the money spent on the National Office for Suicide Prevention be managed, that the increased budget, from the promised €35 million, be managed, and that there be a director for the office. This appointment is vital. I tabled a parliamentary question yesterday on the appointment and was informed by the Minister that it is an issue for the Health Service Executive. I put it to the Minister, and indirectly to the Minister of State, that this is surely a national issue. With 600 people dying from suicide per annum, it is an issue for the Oireachtas and requires departmental accountability. The director of the National Office for Suicide Prevention is required to ensure the office's resources will be spent as effectively and efficiently as possible.

**Deputy Michael Creed:** Governments do not create jobs.

**Deputy Peadar Tóibín:** The Government is the biggest employer in the State.

**Deputy Michael Creed:** They certainly do not create sustainable jobs but they have the potential to create the environment in which businesses create jobs. Equally, they have had and have the potential to create an environment in which unsustainable economic policies undermine businesses.

Let me dwell on the concept of the one-stop shop. My experience of local authorities and county enterprise boards is that there are the good, the bad and the indifferent. We cannot afford the bad or the indifferent in regard to the one-stop shop; we need to be ruthless in appointing its staff. The staff need to be proactive in offering assistance to enterprises. In 2012, the environment for the retail sector will be really difficult. Those employed in the one-stop shops need to be proactive and to talk to those businesses in difficulty. Many businessmen have not taken a penny out of their businesses in recent years and are teetering on the brink of collapse. It is critical to ensure proactive State supports rather than wait for somebody to arrive with a new idea.

Deputy Keaveney outlined how cheated the aforementioned businessmen are by the social welfare code. They discover that if their businesses fail, in spite of their having provided gainful employment for themselves and their employees, they are left with nothing while the employees are covered by their PRSI contributions. We need to reform the social welfare code to deal with this.

Credit is critical to economic recovery. There is a real danger that our economic recovery will be substantially creditless. Many businesses cannot obtain finance for starting up, development and growth. Working capital has been withdrawn. Notwithstanding that we have invested billions of euro in revenue in the covered institutions, there is no evidence that businesses are being assisted proactively by banks to contribute to economic recovery. There needs to be regular monitoring and dialogue with the covered institutions to ensure they deliver on their side of the bargain.

**Deputy Joe McHugh:** I welcome aspects of the Finance Bill, especially the extension of mortgage interest relief, the reduction in stamp duty to try to stimulate commercial transactions and the capital gains tax holiday to attract foreign investment in Irish property. I want to speak about the third element. I have spoken to the Minister about it. On Committee Stage, I would like the Minister to consider the possibility of extending the tax holiday to domestic businesses that are just surviving. Sometimes survival is not enough to get credit from lending institutions. Say a business with access to agricultural land sold it to reinvest back into its business. Is there a possibility the capital gains tax on that transaction could be reduced if there is a guarantee the business is reinvesting the moneys released?

*1 o'clock*

**Minister for Finance (Deputy Michael Noonan):** I thank those Members who contributed to this debate. Committee Stage will allow us to examine all the Bill's details over several days.

It is somewhat depressing during a debate on a finance Bill to have Opposition spokespersons, one after another, not contribute a single new idea to resolving the country's economic problems. The Fianna Fáil-Sinn Féin Opposition is negative. We know what they are against but we still do not know what they are for. Not one single constructive idea came from the Fianna Fáil-Sinn Féin Opposition.

**Deputy Peadar Tóibín:** I made ten suggestions in my speech.

**Deputy Michael Creed:** A little humble pie would be in order.

**Deputy Michael Noonan:** It took the Republican movement 25 years to wreck the economy in Northern Ireland. Fianna Fáil did the job down here quicker than that and without firing a shot. Both Fianna Fáil and Sinn Féin have wrecked the economies of both parts of the island.

**Deputy Peadar Tóibín:** Are we on Easy Street at the moment?

**Deputy Michael Noonan:** It is probably no wonder they find it hard to come up with constructive ideas when it comes to debating legislation like the Finance Bill.

We have a scattering of socialists in the Opposition who still think, despite the rubble of the Berlin Wall, that socialism is the answer. They should recall two of the countries in bailout programmes were put there by socialist governments. A socialist government in Portugal wrecked its economy. A socialist government in Greece put it in the position in which it finds itself now. However, there was a certain legacy from a centre right party that preceded that government. Again, I did not hear any constructive ideas coming from the socialist Indepen-

[Deputy Michael Noonan.]

dents. The principle drive in opposition is the Fianna Fáil-Sinn Féin axis, however, and it still has no answers at all.

Regarding the special assignee relief programme, SARP, I would make the point to Deputies Michael McGrath, Pearse Doherty and Catherine Murphy that the production of a cost-benefit analysis for this scheme would involve pure supposition on potential uptake and the knock-on potential for additional job creation. As I have previously indicated, the exemption will be provided for an introductory period of three years until tax year 2014, at which point it will be reviewed. In tandem with our corporation tax rate, this relief will help us to compete for foreign direct investment.

Several Deputies raised linking the relief available under SARP to investment and job creation. I must make it clear this scheme is designed to reduce the costs of businesses in assigning key individuals to the Irish-based operations of their employers by ensuring such individuals are not out of pocket as a result of taking up such an assignment. However, job retention is also a valid policy objective of the scheme.

While Deputies Michael McGrath and Pearse Doherty expressed concerns the relief could be used to assign an individual to wind down a project or business, the requirement that an individual must be assigned for a minimum period of one year for the SARP to apply should protect the Exchequer. Deputy Michael McGrath also suggested the 30-day limit on the amount of time that a qualifying individual under SARP can spend outside the State should be relaxed, which will be examined on Committee Stage.

Deputy Pearse Doherty asked about the model on which SARP was based. It is loosely based on the relief available in the Netherlands. I can assure Deputy Michael McGrath that Irish citizens who are the subject of assignments back in Ireland under SARP will qualify for the scheme provided they have not paid tax in the previous five years in Ireland.

Deputy Nulty referred to the scheme of relief that SARP will replace. I understand there was little take-up of that scheme and, accordingly, it was not helping Ireland to compete for foreign direct investment with other European countries. Deputies Halligan and Clare Daly made points regarding evaluation of the scheme that SARP will replace. That scheme was unsuccessful and there are no data on which to base an evaluation of it.

I noted Deputy Michael McGrath's comments on the foreign earnings deduction. It is only at the end of the tax year that the total number of days spent in the BRICS — Brazil, Russia, India, China and South Africa — countries can be ascertained. However, similar to SARP, it will be introduced on a trial three-year basis. Deputy Sean Fleming suggested the requirement to be present in the relevant countries abroad for ten days in a single trip is too onerous. This condition was also raised by others and I propose to consider the matter on Committee Stage.

The changes to the research and development tax credit scheme were broadly welcomed. However, it was suggested the measure to reward key employees is too restrictive in nature. This is a new measure and I am introducing it on the basis that it will not cost the Exchequer anything. My Department and the Office of the Revenue Commissioners will be monitoring the use of this measure closely.

Deputy Lyons also mentioned the Canadian research and development regime which gives generous tax breaks to the gaming industry in particular. Our research and development scheme is subject to state-aid rules, a restriction to which our Canadian colleagues do not have to adhere.

I thank Deputy Michael McGrath and Deputy Pearse Doherty for broadly welcoming the changes to the universal social charge, USC. As Deputy Pearse Doherty pointed out, the

exemption increase from €4,004 to €10,036 will remove some 330,000 income earners from the charge to the USC and will benefit part-time and low paid workers. Deputy Michael McGrath said the move for the USC to a cumulative system would claw-back €11 million more than the exemption would cost. The estimated full year costs and savings from these measures are broadly similar. The important point is the savings made from moving to a cumulative system has allowed me to remove 330,000 low-paid workers from liability to USC and on a cost neutral basis.

Deputy Colreavy welcomed my proposals introducing an enhanced scheme of stock relief for registered farm partnerships. These proposals, part of a range of measures related to farming, reflect the Government's commitment to supporting and facilitating growth and expansion in the key agrifood economic sector.

Deputies Pearse Doherty and McDonald spoke at length about the impact of income tax changes from the previous Government's budgets and Finance Bills. If they consult the 2012 budget book they will see, set out in tables, that families on low and middle incomes do not see any increase in their income tax liability as a result of my budget. I thank Deputy Donohoe for making this very point during the debate. During the election we promised we would not increase income tax and we have kept that promise.

I thank Deputies Michael McGrath, Catherine Murphy and Donohoe for welcoming the mortgage interest relief measures provided for in the budget. Deputy Kevin Humphreys and Deputy Troy felt it was not targeted enough. First, the measure is limited to the four-year period when house prices were at their peak. Second, the measure is limited to first-time buyers who purchased their first property in that particular period. Third, the relief is applied to the interest on the loan and is most effective in the early years of a mortgage when the interest portion of the repayment is at its highest. This measure was promised in the election and the programme for Government. We are fulfilling that promise too.

I thank Deputies Harris, Heather Humphreys and O'Reilly for welcoming the changes to mortgage interest relief and the USC.

I agree with Deputy O'Reilly that the measures being introduced on civil partnership taxation in this Bill are positive in terms of social equality. I promised to introduce these measures during a Seanad debate on the tax implications of the civil partnership legislation and I am fulfilling that commitment.

Deputy Stanley described the removal of the tax exemption for the first 36 days of illness benefit and occupational injury benefit as an attack on the sick. That is simply not the case. The exemption is being removed because in some instances individuals who were in receipt of one of these benefits in addition to being paid by their employers had a higher take home pay than when they were working. This measure is being introduced to deal with absenteeism and the possibility, particularly within the public service, that one could earn more money by taking six weeks off intermittently during the year than by going to work. We cannot allow the tax code to provide for that type of situation.

Deputy Healy mentioned the possibility of introducing a wealth tax and Deputy Donnelly suggested a similar measure. Deputy Healy suggested the potential yield from such a tax could be €10 billion — a big figure. Given that the tax returns for 2010 show that fewer than 5% of all taxpayers had incomes in excess of €100,000 and fewer than 1% of had income over €200,000, the base for a wealth tax on individuals with income over €100,000 is quite small. Capital gains tax and capital acquisitions tax are, in effect, taxes on wealth. This Bill increases the rate of both of these taxes from 25% to 30% to align the rates with the high earners restriction.

[Deputy Michael Noonan.]

Deputy Healy also mentioned tax exiles. This Bill makes provision for the budget announcement that the citizenship condition for the domicile levy should be abolished. I thank Deputy Nash for acknowledging the change to the domicile levy. I also announced in the budget my intention to undertake a public consultation process on our tax residency rules.

Deputy Nulty asked why the National Pensions Reserve Fund could not be used for investment in Ireland. The Government announced the establishment of the strategic investment fund in September 2011. The strategic investment fund will, following appropriate legislative changes to the statutory investment policy of the National Pensions Reserve Fund, channel commercial investment from the NPRF towards productive investment in the Irish economy.

In response to the points raised by Deputy Donnelly on public service pay and increments, my colleague, the Minister for Public Expenditure and Reform, is vigorously pursuing further cost saving measures that are fair, targeted and appropriate across the public service.

In regard to living standards, budget 2012 introduced a package of adjustment measures totalling €3.8 billion. I assure Deputy Donnelly that the Government is aware of the impact these measures are having on the living standards of our citizens but stress that we cannot spend money we do not have.

Deputies Stanley and McConalogue raised the issue of bondholder repayments. This is not an issue for the Finance Bill and the Deputies will be aware that the Government has committed to ensuring there is no forced or coerced involvement by the private sector burden sharing on senior bank paper on Irish sovereign debt without the agreement of the ECB.

Deputies Fleming and O'Donnell raised the matter of availability of cheap alcohol. I acknowledge this is a problem which needs to be addressed and the Minister of State at the Department of Health, Deputy Shortall, is considering a number of options in this regard. Deputy Fleming also referred to the large number of illicit cigarettes available in this country. In 2011 Revenue enforcement officers seized 109 million cigarettes with a retail value of €46 million and 11,158 kg of tobacco with a retail value of €4 million, as well as securing a large number of convictions as a result. Figures to date in 2012 show that 2.6 million cigarettes with a retail value of €1.13 million and 1,572 kg of tobacco with a retail value of €582,000 have been seized, with further convictions secured.

I thank Deputies Phelan and Kevin Humphreys for their support for the measures contained in the Bill to combat revenue offences. In regard to the concerns expressed by a number of Deputies, including Deputies Dooley and Heather Humphreys, the Bill includes specific additional powers for Revenue to investigate serious tax criminality, including oil laundering and cigarette smuggling.

In regard to the VAT issues raised by Deputies Doherty and Fleming, the budgetary increase in the standard VAT rate was part of a general package of revenue raising measures and is in line with the commitments made in the programme for Government and the EU-IMF programme. The €670 million raised by this VAT increase will go some way towards funding other areas of Exchequer expenditure. This 2% VAT increase will not disproportionately affect those who are less well off. The increase in the standard rate of VAT will have no impact on the price of basic food, domestic fuels, children's clothes and shoes or oral medicines and it will not affect the rate of VAT applied to hotel and restaurant services or housing, construction and labour intensive services. Deputies Fleming and Donnelly asked whether the estimates for the VAT increase take into account consumer behaviour. The projections for personal consumption in 2012 on which the VAT forecasts are primarily based take account of the rate changes, along with other factors affecting household spending. I will investigate the issue raised by Deputy Harris regarding VAT on historic houses and gardens.

In regard to the suggestion by Deputies Murphy and Flanagan to ring-fence carbon tax revenue for retrofitting homes, it is the general practice to take an overall view of priorities rather than ring-fence revenues for specific purposes in the context of expenditure decisions, which are of course dependent on Exchequer revenues. In this regard, receipts from taxation, including the carbon tax, are used to fund energy efficiency among other things. The Minister for Communications, Energy and Natural Resources published the affordable energy strategy on 27 November 2011.

I advise Deputy Stanley that the issue of local authority loans is a matter for my colleague, the Minister for the Environment, Community and Local Government. However, I am aware that his Department is preparing updated guidance for local authorities in consultation with the County and City Managers' Association.

I thank the many Deputies who made considered and useful contributions to this debate. A small number of matters are being considered for inclusion on Committee Stage and I look forward to another informed discussion. Consideration will, of course, be given to any constructive suggestions put forward over the course of the debate.

Question put.

The Dáil divided: Tá, 93; Níl, 45.

Tá

Barry, Tom.  
 Breen, Pat.  
 Bruton, Richard.  
 Burton, Joan.  
 Butler, Ray.  
 Buttimer, Jerry.  
 Byrne, Catherine.  
 Byrne, Eric.  
 Cannon, Ciarán.  
 Carey, Joe.  
 Conaghan, Michael.  
 Conlan, Seán.  
 Connaughton, Paul J.  
 Conway, Ciara.  
 Coonan, Noel.  
 Corcoran Kennedy, Marcella.  
 Costello, Joe.  
 Coveney, Simon.  
 Creed, Michael.  
 Daly, Jim.  
 Deasy, John.  
 Deenihan, Jimmy.  
 Deering, Pat.  
 Doherty, Regina.  
 Donohoe, Paschal.  
 Doyle, Andrew.  
 Durkan, Bernard J.  
 English, Damien.  
 Farrell, Alan.  
 Feighan, Frank.  
 Ferris, Anne.  
 Fitzgerald, Frances.  
 Fitzpatrick, Peter.  
 Flanagan, Charles.  
 Flanagan, Terence.  
 Hannigan, Dominic.  
 Harrington, Noel.  
 Harris, Simon.  
 Heydon, Martin.  
 Howlin, Brendan.

Humphreys, Heather.  
 Humphreys, Kevin.  
 Keating, Derek.  
 Keaveney, Colm.  
 Kehoe, Paul.  
 Kelly, Alan.  
 Kenny, Seán.  
 Kyne, Seán.  
 Lawlor, Anthony.  
 Lynch, Ciarán.  
 Lynch, Kathleen.  
 Lyons, John.  
 Mathews, Peter.  
 McCarthy, Michael.  
 McFadden, Nicky.  
 McGinley, Dinny.  
 McHugh, Joe.  
 McLoughlin, Tony.  
 Mitchell, Olivia.  
 Mitchell O'Connor, Mary.  
 Mulherin, Michelle.  
 Murphy, Eoghan.  
 Nash, Gerald.  
 Naughten, Denis.  
 Neville, Dan.  
 Nolan, Derek.  
 Noonan, Michael.  
 Ó Ríordáin, Aodhán.  
 O'Donnell, Kieran.  
 O'Donovan, Patrick.  
 O'Mahony, John.  
 O'Reilly, Joe.  
 O'Sullivan, Jan.  
 Penrose, Willie.  
 Perry, John.  
 Phelan, John Paul.  
 Rabbitte, Pat.  
 Reilly, James.  
 Ring, Michael.  
 Ryan, Brendan.

Tá—*continued*

Shatter, Alan.  
 Sherlock, Sean.  
 Shortall, Róisín.  
 Spring, Arthur.  
 Stagg, Emmet.  
 Stanton, David.  
 Timmins, Billy.

Tuffy, Joanna.  
 Twomey, Liam.  
 Varadkar, Leo.  
 Wall, Jack.  
 Walsh, Brian.  
 White, Alex.

Níl

Adams, Gerry.  
 Boyd Barrett, Richard.  
 Broughan, Thomas P.  
 Browne, John.  
 Calleary, Dara.  
 Collins, Joan.  
 Cowen, Barry.  
 Crowe, Seán.  
 Daly, Clare.  
 Doherty, Pearse.  
 Donnelly, Stephen S.  
 Dooley, Timmy.  
 Ellis, Dessie.  
 Ferris, Martin.  
 Flanagan, Luke ‘Ming’.  
 Fleming, Sean.  
 Fleming, Tom.  
 Higgins, Joe.  
 Kelleher, Billy.  
 Kirk, Seamus.  
 Kitt, Michael P.  
 Lowry, Michael.  
 Mac Lochlainn, Pádraig.

Martin, Micheál.  
 McConalogue, Charlie.  
 McDonald, Mary Lou.  
 McGrath, Finian.  
 McGrath, Mattie.  
 McGrath, Michael.  
 McGuinness, John.  
 McLellan, Sandra.  
 Murphy, Catherine.  
 Ó Caoláin, Caoimhghín.  
 Ó Cuív, Éamon.  
 Ó Fearghaíl, Seán.  
 Ó Snodaigh, Aengus.  
 O’Dea, Willie.  
 O’Sullivan, Maureen.  
 Pringle, Thomas.  
 Ross, Shane.  
 Smith, Brendan.  
 Stanley, Brian.  
 Tóibín, Peadar.  
 Troy, Robert.  
 Wallace, Mick.

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

Question declared carried.

### **Finance Bill 2012: Referral to Select Sub-Committee**

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

That the Bill be referred to the Select Sub-Committee on Finance pursuant to Standing Order 82A(3)(a) (6)(a).

Question put and agreed to.

### **Action Plan for Jobs 2012: Statements**

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** I thank the House for making time available to debate this matter. No case is more compelling in Ireland at the moment than that of addressing the jobs crisis. Everyone elected to the Chamber is aware that in the past three years almost 350,000 jobs have been lost. Sadly, most of these have been lost by people under the age of 30 years. These are the people who will drive the economic future of the country. There is an absolute obligation on everyone in society to get in behind action to tackle the jobs crisis. I approach this debate in an open manner. We are keen to hear and develop ideas.

The purpose of the Action Plan for Jobs 2012 is to harvest what can be done across Government within the next 12 months and to set it out in a coherent way and set about implementing it. When we reflect on previous major strategies, whether to address climate change or health, we find that what went wrong was a failure to implement change or to hold people to account in the move from the good idea to delivering it in a coherent way. This is despite that these were well-placed ambitions

We believe this plan is different in an important way. Each measure has a responsibility assigned to it. The Taoiseach will play a central role in monitoring the delivery of each responsibility. As every one in the House is aware we come to this crisis recognising that a fundamental shift has occurred in the economy. Fundamental damage has been done to the economy. It is not a question of trying to get back to where we were with some stimulus package, even if we could afford it. This is about major change across many sectors. This has inspired the programme of actions and reform that the Government has undertaken on many fronts.

The Minister, Deputy Michael Noonan, has undertaken a major restructuring of the banking system. Without this restructuring and the creation of pillar banks that have the ability to lend we could not get the economy going. The Minister, Deputy Joan Burton, is undertaking a major transformation of employment services. Over the years, people have rightly been critical of the system in Ireland whereby often welfare was conditional on being idle and one was paid only if one was idle. The concept the Minister is developing is that people should be supported to be active, to develop their potential, to get opportunities and to move on with their lives. This is a fundamental shift in the way we think about the challenge.

The Minister for Education and Skills, Deputy Ruairí Quinn, is undertaking a major change of the training network. We all understand that the FÁS system probably got caught in a certain view of the world associated with the construction boom and, as a result, it lost ground. We need a more modern system of training focused on where the opportunities in our economy will come from. This is part of the major reform agenda. We must reorient our tax system to emphasise the importance of enterprise as opposed to property. The Minister for Finance, Deputy Michael Noonan, has undertaken this work. This is another considerable shift.

The work undertaken by the Minister for Public Expenditure and Reform, Deputy Brendan Howlin recognises that we own assets such as the National Pensions Reserve Fund. There are State assets available and we must think of innovative ways to use these resources to drive the necessary infrastructure of the future. The creation of a €1 billion infrastructure fund is central to this.

The new approach this document encapsulates holds that creating, promoting and supporting employment is not the concern of one or two Departments, it is the concern of every one and every Department can contribute. Each of the 15 Departments has put forward actions as part of this programme and 36 agencies have put forward actions as well. The idea is to put jobs first and foremost and this is what the Government has set about. At the same time we must do a good deal of work to correct the public finances.

Much restructuring remains to be done but there is a central goal which people have bought into. We have every right to be optimistic about our capacity to rebuild the economy and its employment base. Some of the most ambitious and creative companies in the world pick Ireland as the location of choice in which to set up companies. Despite the difficulties in the economy we continue to have one of the highest rates of business start-up in Europe. More and more people have the courage to take on the difficult task of setting up their own business and ensuring they generate customers and make the business succeed. These are fundamentals on which we can build.

[Deputy Richard Bruton.]

We have set out what I believe to be ambitious but realistic targets in respect of the net employment increase and other targets. This ambition has been clearly articulated by the Taoiseach time and again in his declarations that he wants to make Ireland the best small country in the world in which to do business by 2016. This will involve a good deal of re-working of the system.

We are a team. The Minister of State, Deputy John Perry, is working on the small business dimension and examining how to audit the licences and the obligations that companies are subject to. The Minister of State, Deputy Sean Sherlock, is examining how we use the vast investment we have made over many years. Credit is due to previous Governments for creating this investment. We have invested in research and development capability in our higher education institutions. The challenge is to move from being a ship builder and of creating these individual areas of excellence to being an Admiralty where one organises and directs the resources to create commercial opportunities and to create companies and enterprises that can succeed. This is the task of reorientation we must carry out in this Department.

The sad truth is that Ireland forgot what it was to succeed in a small open economy. We got carried away believing that property could do it for us and, sadly, through the noughties we lost export market share. Each year, six years in a row, we lost export market share which was the lifeblood of our small open trading economy. Now that the crash has come, significantly more damage has been done than that property simply led us astray. Take for example the skill choices that young people made when choosing what to do in college. Approximately 10% of those who started in the year 2000 chose technology, an important sector where there are now huge skill shortages. In the boom years, those selecting this option fell from 10% fell to 3.5%. Therefore, it was not just that we got too expensive, but that other parts of our system became distorted through the choices people were making as to what they felt would build a strong future for us. The task of reorienting our system will need a major transformation that will involve many other Departments along with our own.

This is about going back to basics. The role of individuals willing to start a business is crucial and we must ensure that we provide the best opportunities we can to ensure those willing to take that risk have the best chance of success. It is for this reason that we are reorganising the local enterprise support service. The county enterprise boards have done great work, but we recognise now that there are gaps in that system and that small companies hit a ceiling in that system and do not have the chance to progress seamlessly to programmes that could help them develop and become major exporters and companies. We believe it is important to have a seamless ladder between Enterprise Ireland and the local enterprise office, setting standards for those local offices and for the local authorities. The local authorities have huge potential to shape economic development. They can make the licensing and planning procedures easier to undertake and make it easy to comply with requirements. They can create opportunities for procurement and thereby create an environment in which businesses can succeed.

It is important to see the reform we will undertake, in which the Minister of State, Deputy Perry, will play a central role, as not just about creating a one-stop shop, but about creating a location where the excellent new ideas on enterprise formation will be fed through Enterprise Ireland and where there will also be a new attitude to enterprise within the local authority system. This is ambitious, but it is right to be ambitious in this area. This first experience for small businesses starting up is crucial and we want to make it easier for them to succeed. We are also developing a micro-finance project. We recognise that banks, particularly at the current time, do not want to touch the very small start-up company, such as the one that needs approximately €20,000 to get started. Banks will not be interested in the administration and risk involved with that. Therefore, we must intervene in that area and are doing so.

We also need to see established companies expand and grow without being taken over by a foreign company because they have grown to a certain stage and capability. Therefore, we are putting in place a development capital fund of €150 million which is aimed at companies that are growing fast or at well established companies in traditional sectors that are not clients for venture capital but which need equity to go to the next level without being taken over by foreign interests. This fund is an important initiative.

We also want to see more companies break into new export markets. In that regard, I welcome the initiative proposed by the Minister for Finance, Deputy Noonan, which will be implemented this year and which will allow tax relief for placing people in the BRICS countries. These are emerging markets and while we are doing well in those markets, we are doing so from an extremely low base. The total percentage of trade from all the BRICS countries is less than 5%. These are rapidly growing markets and we need to recognise that and build our part of that market. We are also stretching further by setting up a first-time exporter division within Enterprise Ireland for the many companies that have never exported. We are targeting approximately 1,800 companies that do not export but which have the capacity to get a foot on the export ladder. This initiative is an important statement on how Ireland needs to transform for these markets.

There are practical ways in which we can help businesses win new contracts. We have looked specifically at how we can get public procurement more oriented towards innovative small companies so as to help them break into this area. As other Members are aware, it is always disconcerting to travel abroad and find some wonderful Irish companies doing business in places like India, China or America but to realise that they have not been able to get even one customer in Ireland for their innovative product. If we want to see small companies succeed, we must give them this first break.

The action plan also hopes to focus on developing sectors where we can stake out a lead. We have mentioned many of these areas, but ours is not an exhaustive list. We recognise that action can be taken in key sectors, some of which are traditional sectors like the agrifood business. Horizon 2020, which was developed by the last Government has put ambition on the map for agriculture and the food sector. It is important we deepen and strengthen this. However, there are new sectors, such as digital gaming and cloud computing. These offer opportunities in areas where Ireland has critical mass and can build success. We need to ensure the State nurtures these opportunities and that no obstacles stand in the way. When looking at sectors in which we can stake out a future, we must also look to see we have the skills base right, the access to investment capital and that we exploit the cluster we have and get people together to collaborate. We must ensure we have the research facilities to support those new sectors and that these are properly oriented towards the needs of the companies. This is an important theme of the action plan.

We must also recognise that foreign investment is vital. A high proportion of our exports — too high to be honest — comes from foreign owned companies. While it is great to see a major name, like Hewlett Packard last week, deciding to expand in Ireland, it would be even better if we could see some of the new dynamic companies establishing and starting their business in Ireland. This is an opportunity we intend to target. If one visits places like Silicon Valley, one will see that more than half of the companies that have started up there are not owned by US citizens, but by people who have chosen Silicon Valley as a location which has the dynamism to help them thrive. I believe we have that similar environment. We have many of the best companies in the world and we have many of the best skills in the world, particularly in the IT and medical device sectors. We also have a good research base, a good corporate tax regime, a good business environment and now have venture capital funds in place with the capacity to fund companies.

[Deputy Richard Bruton.]

Therefore, Ireland can now say it is the go-to place for start-ups, particularly in certain sectors. We need to sell this vision. Just as the IDA actively pursues well established companies and seeks to get them to establish here, we need to supplement the work Enterprise Ireland does in identifying international players who could start first time businesses. We are very fortunate to have Dylan Collins as one of the ambassadors for this initiative. He is a serial entrepreneur in the digital gaming sector and has set up many successful companies, such as Havok. Someone like him can tell his peers what it is like to do business in Ireland and we need to exploit such opportunities.

I am pleased that an idea that came from the consultative process is being realised through the Succeed in Ireland idea. This is the idea to give a finder's fee to Irish people, or non-Irish people, who introduce a new company — typically a small company — which decides to use Ireland as a gateway to develop its European business. The IDA is an exemplary authority, but it cannot be in every location. All resources are strained and this idea is a worthwhile project to access the diaspora to look and work on Ireland's behalf to identify companies that could successfully locate and develop from an Irish base. We are looking forward to launching the details of this project next month.

We should also recognise that some of the basics must be got right, including the competitiveness of our economy. Difficult changes have had to be undertaken; we know all about this in the public service and in many private companies which have been restructured. Work practices have changed and wages have come down. We must ensure that right across the board we get a more competitive economic structure. This will include reform of legal services and cost of access, which is important, and consideration of our skills base to ensure the sort of choices and facilities we offer are cost-effective and recognise the needs of enterprise. That is really important to our long-term competitiveness. We must examine our research investment and get the best out of it.

There is an agenda across the costs and infrastructure that is crucial to create the environment where businesses can succeed. We are fortunate that over the past two years there has been a very significant improvement of almost 20% in our unit wage costs relative to the rest of Europe. That has given us a significant edge and is the reason we are now doing well in export markets. We must copperfasten this success and it should not be eroded at the first sign of recovery. We should examine what structural changes we can make in our economy to get all the different sectors, including energy, public service costs and red tape, addressed appropriately.

I have introduced this plan to the House and it is a really important first step. Action Plan for Jobs 2012 will be followed by another plan in 2013 and subsequent years because we recognise the need for relentless attention to this challenge. It is not a question of doing this and thinking we can rest on our oars. This debate is about hearing the best ideas from people, although this must happen with the knowledge that we are living in constrained times. People must recognise that we have limited resources. Much of this is about using our money in a smarter way to leverage activities by others who can support the challenge we face.

**Deputy Willie O'Dea:** I wish to share time with Deputy McGuinness.

**Acting Chairman (Deputy Thomas P. Broughan):** Is that agreed? Agreed.

**Deputy Willie O'Dea:** I have listened carefully to the Minister and at the outset I should say that I do not for a moment doubt his sincerity or enthusiasm for the difficult task he faces. As somebody who continues to live in the country, I sincerely hope the Government will succeed

in creating more jobs and that unemployment rates will fall rapidly, and as soon as possible. I acknowledge that the Government inherited a difficult position but our current state is extremely grim and somewhat frightening.

In 2009 the official unemployment rate stood at 11.8% and it rose to 13.7%, unfortunately, in 2010. Last year — the first year in the life of the current Government — the rate increased to 14.2%. Statistically, there are 443,000 people unemployed but that does not tell the full story. Up to 77,000 people have emigrated in the past 12 months, not to see the world as the Minister for Finance suggested but rather in search of employment. That is more than 200 people a day.

The structure of unemployment is also serious. Of the 14.2% of the population who are unemployed, some 8.8% represents people who have been more than a year on the live register, or the long-term unemployed. There is another category, the “very” long-term unemployed, who have been on the live register for more than two years, and these people are rapidly approaching a pretty hopeless state. They account for a third of the unemployed, with approximately 120,000 people who have been unemployed for more than two years. That is grim reading.

The Minister has a very tough job and I do not doubt his enthusiasm or sincerity, as I noted. The bar that the Minister must surmount has been raised by a number of actions undertaken, not by him personally, but by the Government of which he is a member. For example, there was a decision in the budget to increase value-added tax, VAT, by 2%, from 21% to 23%. That comes at a time when the domestic economy is lying prostrate, with retail spending down for the 47th consecutive month, according to recent statistics. The Minister is aware that VAT is a highly regressive form of taxation, which tends to disproportionately affect the poor. It seems somewhat contradictory that the centrepiece of the Government’s jobs initiative last May was a reduction in VAT for some sectors, as this seems to have been reversed — in part at least — by a VAT increase in the budget. This comes at a time when the Government’s statistics show that 54% of the people in this country over the past 12 months have reduced their spending on essentials such as groceries. Those statistics also indicate that 5% of the people, or one in every 20 families, gets by from one end of the week to the other by not paying gas or electricity bills, which is very serious. The decision to increase VAT is a job destroyer.

Another decision taken in the budget was to make it more difficult and expensive for small firms, in particular, to let go people. I know a number of small and medium sized firms which have had to downsize to survive. The net result of the Government’s decision on redundancy payments is that it is now two and half times more expensive to let go somebody in this country than it is in our nearest neighbour and competitor, the United Kingdom. The Government has cited the position in other countries, such as Sweden and Denmark etc., but the scenario in those states is completely different and we should not compare apples and oranges. It is estimated that this action will load another €250 million on business costs at a time when most firms in the country are struggling to survive. That is a job destroyer.

I know of firms that are approaching a crisis. As it will be difficult to downsize and make people redundant, these companies would prefer to go out of business altogether. I spoke to a businessman in Limerick last week who wanted to expand his operation but he is afraid to do so in case his plans do not work out and he will have to downsize again; the cost of redundancy is putting him off. That is another job destroyer. There is raft of costs and hidden charges in the budget which will destroy jobs.

In every town and city, and even in the rural areas, the level of commercial rates is destroying jobs. I have read the document as carefully as I can but there is no commitment in the plan to do anything about this, to the best of my knowledge. The Minister has stated we are relying

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on local authorities to act decently but a one-line amendment to the valuation legislation could have provided an inability to pay clause, which would do more than all the hopes and expectations that local authorities would act responsibly. If one authority acts responsibly and another does not, is a distortion not created? Why not allow an inability to pay clause across the board?

Most forms of direct taxation are progressive in that the more one earns, the more one pays. Commercial rates are an obvious exception as a business would pay commercial rates irrespective of profitability, even if money is being lost hand over fist. If a business is starting up and is making a loss until it can get properly established, commercial rates must be paid. I do not know what the Minister has been told about what local authorities are doing with regard to freezing or reducing commercial rates but in my city, the majority of businesses are unable to pay those rates. There have been all sorts of deals with the local authorities but some businesses have even had to renege on those deals which involved a reduction in commercial rates.

Some of them have not been able to comply with the instalment arrangements that were made. Many people who would like to establish small businesses, and might have access to the finance needed to do so, are being deterred by the extent of commercial rates in this country. There is no plan to deal with that.

Crippling rents have torpedoed businesses in urban areas across the country, particularly Dublin. Many retail outlets have gone out of business. We are familiar with the difficulties encountered by companies like O'Brien's sandwiches, Superquinn, Chartbusters, Arnotts, Hughes & Hughes and Golden Discs. Thousands of retailers have gone out of business as a result of the legal inflexibility of this country's landlord and tenant legislation, which is totally orientated in favour of property rights, takes no account of economic reality and destroys jobs.

The Minister will be aware of a campaign that the Labour Party ran from one end of the country to the other. It got plenty of publicity for the campaign, which lasted 18 months. It said it had received legal advice to the effect that upward-only rents could be abolished. Unfortunately it did a U-turn when it came into Government. I do not want to cast aspersions on any individuals but I suspect that the Labour Party has many of the same legal advisers that it had before last year's general election. I would be intrigued to discover how the legal advice has suddenly changed.

**Deputy Sean Sherlock:** What is Fianna Fáil's policy?

**Deputy Willie O'Dea:** We will introduce legislation on this subject in the near future. The Minister of State will have a full chance to consider Fianna Fáil's policy when it is debated.

**Deputy Sean Sherlock:** In other words, it has no policy at the moment.

**Deputy Willie O'Dea:** We have a policy. Unlike the Labour Party, we will follow through on it.

**Deputy Sean Sherlock:** We will wait for that.

**Deputy Willie O'Dea:** The Government has announced a new set of retail guidelines, apparently at the behest of the troika. Does the troika understand what is going on here? Has it considered what the net result of this will be? Major operators will come here to buy greenfield sites at rock bottom prices. They will be able to provide plenty of parking facilities, etc., at a time when we are trying to reverse a trend that was established when the heart was torn out

of town and city centres. If we allow such a free-for-all to operate, we can forget about the regeneration of cities and towns.

Insurance costs are another factor in cost competitiveness. Health insurance costs have skyrocketed as a direct result of a decision that was taken by the Minister for Health with regard to private beds in public hospitals. That outcome could have been foreseen. The Government's policy is to introduce a universal health insurance scheme. Given that so many people are dropping out of health insurance at the moment, I suggest that by the time the Government scheme comes into operation — in eight years' time, or whatever the target is — nobody will be paying for health insurance.

Another aspect of cost competition is the cost of legal services. I support the efforts of the Minister for Justice and Equality to deal with this matter. Although I admire the speed and enthusiasm with which he has introduced his policy it is the wrong policy. I am prepared to forecast, on this date in February 2012, that when the Legal Services Regulation Bill 2011 comes into effect, it will give rise to an increase, rather than a decrease, in legal services. It will increase elitism. It is wrong and misguided. The Minister should be man enough to listen to the valid criticisms of this Bill that have been made. He should go back to the drawing board. I do not doubt his sincerity when he says he wants to control legal costs but I suggest the legislation he has drawn up will do the reverse. I look forward to pointing out exactly what I mean when we debate the Bill next week.

Every Government has a duty to control energy costs, which present a major challenge to business, while at the same time ensuring there is a supply of energy. Ireland continues to be relatively expensive in this respect. That is likely to be exacerbated by the withdrawal of the temporary rebate for large energy users.

With regard to competition policy during the debate on the Competition (Amendment) Bill 2011, the Government refused to accept an amendment I tabled that would have allowed civil fines to be imposed when organisations and businesses act in an anti-competitive way. As a result, the legislation in question, which was passed by the Dáil recently, will be largely ineffective. The Minister, Deputy Bruton, seemed to indicate that we can export our way to full employment. That is very misguided. The chief executive of the Irish Exporters Association, Mr. John Whelan, recently said:

We cannot underestimate the challenges ahead for exporters . . . Steps must be taken to support those companies looking to target markets in the rapidly growing economies in Asia, Middle East and Africa, particularly small and medium businesses, who must be supported to take risks and seek out new markets.

As the Minister pointed out, exports to the BRIC countries account for less than 4% of all Irish exports. Such exports grew by less than 5% in 2011. The average increase in exports to the BRIC countries across the 27 EU member states was 22.5%. The Irish Exporters Association is forecasting that total exports will grow by 3% in 2012, with a heavy emphasis on the United States.

The chief executive of the association has correctly noted that this level of export growth is significantly less than the 5% level that is necessary to deliver the Irish economic and employment recovery levels that are implicit in the EU-IMF programme targets. He said that additional pressure for public expenditure cutbacks will result from such a level of export growth to ensure debt to GDP benchmarks are adhered to.

I acknowledge the Minister's remarks about the previous Government's investment in innovation. When one examines what has been done and what is being done in innovation, it strikes one as a case of "as you were". No new ideas that are bold or radical are emerging. In 2010,

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under the last budget allocation to Science Foundation Ireland by the previous Government, there was an undertaking to retain the existing research centres and add to them. That is precisely what is being done. It does not require a great stretch of the imagination to say there is a bright future in cloud computing. The Government's plan does not make clear how we will take full advantage of that as a country. A great leap of the imagination is not needed to realise that the digital games industry in this country, which has substantial potential, needs to be better organised. I read a detailed Forfás report to that effect during the year. The principles of that report are repeated in the Government's plan. I look forward to seeing how they will be achieved. I wish the Government the best of success with that.

The Minister said it is intended that a net 100,000 jobs will be created under this plan. I recently asked him for a gross figure of how many jobs that will entail. We are aware that employment will be lost and the workforce will be growing. The Minister told me that the plan entails the creation of 200,000 jobs. On a television programme an hour previously, a Minister of State, Deputy Cannon, said that between 300,000 and 400,000 jobs would need to be created. That was a gross figure. I want the Minister to clarify where exactly we are on that. Are we plucking figures out of the air?

I welcome the proposal to provide for an evaluation of performance every three months. I look forward with great interest to seeing how it will work. I have no doubt the Government will say after three months that it has had success in some areas but there has been conspicuous failure in a certain Department headed by a specific Minister. We will look forward to the reports in question.

**Deputy John McGuinness:** I welcome the action plan. I was particularly pleased to hear the Minister say that this area will receive relentless attention. I acknowledge that much of the report relates to activity rather than action that will be taken today. The Government has effectively abolished the county enterprise boards. During an earlier debate, the Minister for Finance, Deputy Noonan, asked Deputies not to come to the House without offering solutions. He was perfectly right to say that. I admired the Minister, Deputy Bruton, when he took a similar stance in opposition. It is on the record that when I was a Minister of State, I commented on the contribution that was being made by Deputy Bruton. However, I have to say that since he was appointed as Minister for Jobs, Enterprise and Innovation, very little of the action he promised when he was in opposition has been delivered on in Government. Dumbing down the county enterprise boards and merging them with county councils will not do the business for the Government. They are being merged with entities which have outsourced to the private sector the only profitable area of their operations, waste collection, because they have been unable to make money out of it. Local authorities cannot even make a profit from housing where they have a captive audience. Instead, they are proposing to outsource rent collection and local authority housing or transfer responsibility for this function to a single agency.

Local authorities do not have the commercial mindset required to understand the needs of the small and medium business sector in local communities. The county enterprise boards have created many jobs through small businesses and have acquired a reputation for doing business in local communities. The Government's decision to dismantle the boards is a retrograde step which should be revisited.

What are the various Ministers in the Department of Jobs, Enterprise and Innovation doing? With responsibility for the county enterprise boards having been transferred to the Minister for the Environment, Community and Local Government and the Minister for Foreign Affairs and Trade assuming responsibility for Enterprise Ireland and trade missions, the Department

has been left with little else to do other than engage in rhetoric. That will not solve the problems of today.

My party in government promised the small and medium enterprise sector money through the banks. The Government did not learn from the failure of the banks to deliver on this promise and it does not have a game plan for solving the problem. Why does it not use the country enterprise boards to fund credit unions, as is being done on a voluntary basis, and allow them to provide soft repayable loans to small businesses? The banks are not lending money and are doing a disservice to the economy. Regardless of what steps the Government takes, businesses will not function without capital. The banks will not provide them with the money they need. The statistics the banks provide the Government are false. If a bank restructures an overdraft, it records this transaction as a new credit line, as the Minister of State, Deputy Perry, must know from his background in business. The Government must understand this issue if it is to tackle the problem.

The Government argues we must expand trade with the BRIC countries — Brazil, Russia, India and China — and claims to have an Asian strategy. Under what part of this strategy did it close down the representative office in Taiwan, which costs €50,000 per annum? Why did it close an office which allowed Irish companies to avail of trade agreements between Taiwan and China to protect their entities that are trading with China? I have made submissions to the Taoiseach and Minister for Foreign Affairs and Trade requesting that they reverse this decision immediately.

I ask the Minister to bring the company consolidation legislation, which brings together in one Bill the 1,300 sections of 15 different companies Acts, before the Committee on Jobs, Social Protection and Education. The enactment of such legislation would speak volumes to indigenous businesses and indicate to those who wish to invest in this country that we have in place modern legislation which they can understand.

I hope the Minister will make further arrangements to have the House discuss small business in much greater detail than it is doing today. I ask him to follow his beliefs on the legislation governing joint labour committees, which he knows will not work for the 20,000 businesses that create 200,000 jobs locally. I ask him to return to the position he held while in opposition and follow his own beliefs.

**Deputy Peadar Tóibín:** The jobs crisis is one of the biggest issues, if not the biggest issue, facing the State. Some 440,000 people are unemployed and the unemployment rate has remained static since the Government came to power. In addition, long-term unemployment has increased by 14.5% to a shocking 200,000 people. Recent research found that the unemployment rates for 15 to 19 years olds and 20 to 24 year olds currently stand at 45% and 33%, respectively. These are staggering figures which indicate we have a lost generation.

At the same time, 76,000 people emigrated last year. This amounts to 1,346 people per week, of whom the majority are young people. Last year, in excess of 1,600 companies became insolvent, as did thousands of sole traders. Behind these statistics lie individuals who invested their heart, soul and savings in their businesses and a large number of workers, many of whom have been left with only a future of unemployment.

As one of a large number of new Deputies, I find it immensely frustrating to witness the lack of action on jobs. Behind the mountain of spin and press releases on job creation, there is damningly little substance. It has become apparent in the past year that some Ministers have little or no experience or knowledge of enterprise and job creation. This is a dangerous position for the State to be in at this juncture.

[Deputy Peadar Tóibín.]

I had hoped the announcement of the Action Plan for Jobs 2012 would be a turning point which would demonstrate that job creation was the main priority of the Government and Taoiseach. However, as the announcement was made, it became despairingly clear that this all singing and all dancing document was mainly a rehash of existing announcements and policies. While the document contains a number of small and potentially beneficial initiatives, it is short on substance. At its launch, an apparently confused Taoiseach stated it would create 100,000 new jobs. However, when asked in the House to set out the targets in detail he blustered that it would be easier to count the seagulls over Phoenix Park, a bizarre answer to an important question. When RTE put the same question to the Minister of State with responsibility for training and skills he indicated the Government would create 300,000 or maybe 400,000 jobs gross. One cannot have two targets. What we saw on television was a Minister flounder as he tried to answer a question on a jobs plan which, at its core, is flawed. The responses of the Taoiseach and Minister of State were extremely telling as they indicated that the entire plan is a substance-free press statement and that we have a soundbite scripted Taoiseach who is free of pivotal detail.

In business one has the term: “One cannot manage if one does not measure against targets.” How will the Government know if its plans are working on a quarterly or annual basis? How will it know what changes to make and what economic levers to pull to address problems? The absence of quarterly or even annual job creation targets shows the Government is not attempting to manage or measure. The only target we have is a statement from the Department of Finance that unemployment will remain at 14% this year. This figure is based on an excessively optimistic growth figure of 1.6%. When will Ministers receive a briefing from the Department that the projected growth rate of 1.6% is pie in the sky?

On a point of order, I ask the Ministers present to listen to my contribution. In announcing the Action Plan on Jobs the Minister was at pains to point out that it would be delivered within existing budgets and without additional finance. The budget for Enterprise Ireland has been reduced by 14.3% since 2009, while the budget for city and county enterprise boards has been reduced by 30% in the same period and the budget for the IDA has been reduced by €10 million since last year.

The amalgamation of a number of some of the enterprise bodies is a cause for concern. As Deputy McGuinness noted, the decision to merge county enterprise boards with local authorities is a potentially dangerous development. Most small businesses regard local authorities as entities to which they pay rates and charges. While most local authorities do a good job, their staff are generally not orientated towards enterprise or jobs. We have also heard that an administration function will transfer to Enterprise Ireland. I would like to tease out how this will be done. What impact will Enterprise Ireland have on the county enterprise boards and what will be its new function in respect of local authorities?

**Deputy Richard Bruton:** A service level agreement type of model will be used.

**Deputy Peadar Tóibín:** Councillors must exercise some degree of local control over the enterprise agencies.

Under its Action Plan for Jobs, the Government aims to create up to 400,000 jobs on a reduced budget. This would be next to impossible in a period of economic growth and inward investment. Right now, private investment is in serious retraction and this Government has intensified the level by pulling its own investment out of the State. That means creating jobs without funds. When the funds are going in the opposite direction it will be almost impossible. It is clear the priority is neither jobs nor people. We need not look at the words or the rhetoric

but at the actions. On 31 March this State will put €3.1 billion into Anglo Irish Bank, almost seven times the amount it gave to the three enterprise agencies tasked with creating jobs, developing exports and creating foreign direct investment.

The austerity policies the Government is inflicting has pushed demand off a cliff. The decision to implement regressive taxation, including VAT increases etc, undermines the notion that the priority is jobs. If that were the case why has this Government not found a mechanism to deal with upward-only rents? These rents undermine competitiveness. The rents in this State are 100% the European average. If the minimum wage was 100% the European average this Government would engage very quickly. In the past 46 months the retail sector lost 55,000 jobs and 40,000 further jobs appear to be under major pressure. Retail Excellence Ireland recently discovered that rent accounted for between 20% and 40% of costs in retail businesses in this State, as opposed to a European average of 6.5%. Grafton Street is the second most expensive street in Europe and the fifth most expensive in the world. All other streets in the State are a formula of that expense. This is unsustainable in the medium to long term.

Fine Gael and the Labour Party are hiding behind unpublished advice from the Attorney General on this issue. We believe they have buckled under the lobby of wealthy landlords. However, Retail Excellence Ireland has legal opinion which identifies that action in this regard is possible. The proposals of micro finance and credit guarantee schemes are welcome but there is a major delay involved. This might not come about until May or June when thousands of businesses will have closed. Given that €23 billion has been put into recapitalisation of the banks in the past year the need for a loan guarantee scheme shows up the nonsense of the Government's policies. The Government should ensure the low interest rates these banks now enjoy from the ECB are passed on to small business.

The European Union has also operated the European Progress Microfinance Facility, which I mentioned to the Minister's colleague, the Minister of State, Deputy Perry. Last March €200 million was made available in this development and eleven countries drew it down. How much did Ireland draw down? The Minister has guessed it — a big fat zero.

I am pleased this Government has recognised the need to invest in and support new industries and to provide support for research and development, cloud computing and the gaming industry. However, even in the mid to long term, that potential for job creation pales into insignificance when one considers that 1,300 people leave our shores every week through emigration. Little or nothing is being done for the domestic economy even though 72% of employment is found in small and micro-sized industry. These sectors are most affected by the negative cuts of the Labour Party-Fine Gael Government. They need targeted support. In the House I asked the Minister if he would develop an emergency enterprise unit, perhaps as part of his Department or of an existing agency. I telephoned the Department which stated there was no way in which it could access or engage with businesses such as Spicers bakery, an example from a large number of small Irish businesses that have been on the go for generations but which are being forced to contract radically because of the environment they are in. A unit such as this could go into a small business, look at its costs and infrastructure and see whether there are other elements outside the core business of the company, for example, bad property debts etc, that could be hived off in some way while the core business remained functional. However, the answer seems to be no. There is hand-wringing and shaking of heads when a business closes even though it costs €20,000 per year for each individual who goes on the dole, never mind the personal costs to those individuals.

We asked the Government to do something about the size of contracts and even in this document we can see an ambition to reduce contracts. However, the Government is going in the opposite direction by centralising the entire procurement process which makes contracts

[Deputy Peadar Tóibín.]

bigger and makes it more difficult for small businesses to get the jobs. There is the example of Bord Gáis, which has a contract for €500 million over the coming ten years. That will have the effect of pushing out small contractors who were employed in that infrastructure until recently.

At a macro level, therefore, the Government has turned the State into a debt repayment agency. What we need is a Keynesian type of counter-cyclical stimulation. In January alone 750,000 jobs were created by the Obama Administration. The United States is obviously much bigger than Ireland and its economy is much more closed than our small open one but the Government must take a leaf from that kind of Keynesian policy. It could invest in infrastructure now. It could download funds from the European Investment Bank and the European Progress Microfinance Facility, the European investment fund and could create competitiveness. That would be jobs intensive and would also make this country attractive to foreign direct investment in future.

The second issue in which the State must involve itself is domestic business. It must cut costs and make small businesses competitive and must look at the cost of upward-only rents, credit, energy etc. The third issue is to reform the enterprise development sector giving entrepreneurs access to mentoring, training and grants, and a neutral space away from the local authority that would be clean and professional where they could bring new businesses and try to sell to their new customers.

Fourth, we must develop the all-Ireland economy. It must be noted that in this 124-page document seven lines were given to that idea. Right now we have IDA Ireland, Enterprise Ireland, Invest NI and a plethora of embassies around the world that duplicate their roles. If they were rationalised and focused on the growing economies such as those of the BRIC countries there would be extra funds available which could be harvested to increase the output of these organisations. There is no effort to bring Invest NI, the IDA and Enterprise Ireland and the expensive embassy infrastructure into alignment.

How many jobs has the embassy in South Africa created in the past year, or the consulate in New York? How many jobs have each of the 76 embassies around the planet created? Has there even been a cost benefit analysis? If one asked a small Irish business which used an office abroad for its exports how much profit that office was making the answer would be on the tip of its tongue. Unfortunately, I very much doubt it is on the tip of the Minister's tongue.

We welcome that the Taoiseach has taken responsibility in this regard even though he and his Ministers remain somewhat confused as to the exact number of jobs, gross and net, they expect to take out of this plan. The Taoiseach is now on the hook with the responsibility of job creation in this State. It is a heavy responsibility and one that Sinn Féin will not allow him to shirk.

**Deputy John Perry:** It certainly will not.

**Deputy Brian Stanley:** I welcome the opportunity to speak in this debate, one of the most important debates of the past 11 months since we were elected as Deputies. We all agree that jobs must be the number one priority not just because they are important in the drive to get the economy back on track but also, and more important, to meet the needs of the people the economy should serve.

I shall deal with IDA Ireland and its strategy. Although I and my party support the move towards inward investment which forms an important part of the jobs infrastructure, I wish to consider the regional performance of the IDA. Last year, the IDA performed better than normally, which is welcome. It was 20% up in respect of the number of jobs it brought in throughout the State in 2011. In Laois-Offaly, however, there was no improvement in the IDA's

performance; it actually got worse. In spite of good infrastructure the situation deteriorated. There are now 17,993 people unemployed in Laois-Offaly, in spite of massive emigration.

The two counties have good infrastructure, with Laois served by the N7, N8 and the N80, which connect to the ports, airports and major cities. Offaly is connected by the N6 and N80 and both counties have good rail connections. The number of IDA-backed companies in Laois has fallen from four to two in 2011 and employment in these companies fell from 124 to 100 people, an all-time low. Offaly did not fare much better. The number of IDA-backed companies remains stuck at ten, while those working in such companies dropped by 47 last year.

The total amount allocated to IDA-backed companies in Laois came to a grand total of €370,000 in 2005-10, the smallest amount in the State. The total for Offaly, which does not fare much better, is €510,000 over that five-year period. This compares to €6.4 million in Westmeath, which is deserved by the good people of Westmeath, and €40 million in Kildare. It is very poor and weak and I ask the Minister to take note of it. The number of client visits in Laois in 2011 amounted to two, with one in Offaly. This is appalling when there is good infrastructure, business parks and empty units. As a councillor, I asked the IDA about this point and why it is not paying attention to Laois and Offaly. Westmeath had 15 visits, rightly so, and Dublin had 150 visits in 2011 and 197 in 2010.

There is clearly an imbalance and in the midlands region. We can contrast the difference between the number in Westmeath with the number in the two more southern counties in Leinster. I do not argue against Westmeath because there should be 15 visits but I ask why the IDA is not dealing with Laois and Offaly. There is something wrong and the taxpayers in Laois are asking me to ask the Minister and the Taoiseach what is happening with their money. This is a publicly funded organisation, which is we fully support and from which we want better results. We must ask why we are not getting a bang for our buck in Laois and Offaly.

In order to get good economic development, we need balanced regional development. The Minister understands that we should have balanced regional development but it is not reflected in our industrial development policies. I ask the Minister to raise this with the IDA. Regions such as the midlands must be prioritised and jobs must be created.

We must have affordable access to child care if lone parents are to be brought back into training and employment. Some 60% of them are already at work, despite the myths. However, community crèches will not survive without good community employment schemes. These are necessary to provide training and skills to allow those working in them to move on to more permanent employment. I ask the Minister to take this on board because progression to full-time employment is important. It is cost-effective, a good service is provided and there is a 20% progression rate despite the recession. I asked the Minister to take it on board.

Regarding construction, vacant local authority housing stock lies around the country and is under the control of local government. Why are we not renovating it and getting rent into the council? On an economic basis, we should renovate and insulate those houses and let them so that local government receives rent. This also addresses housing needs and creates employment in the process.

We need to move quickly with wind power, reduce the amount of imported fuels and create energy security. Whether on the right or left of the political divide, we all agree that we need energy security. We need to retrofit houses. The Institute of International and European Affairs estimates that 1.4 million houses require an upgrade to bring them to the C1 standard, which will save €1,496 per year for the average household and reduce our energy costs. This could be financed through a ten-year bond, where people continue to pay the same energy bill and repay the difference to a green fund. I ask the Minister to take this point on board.

**Deputy Catherine Murphy:** I propose to share time with Deputies Luke ‘Ming’ Flanagan, Maureen O’Sullivan and Pringle. Aspects of the jobs plan are welcome and I hope the target of 100,000 jobs will be exceeded, even though it is a round figure and was picked out of the air. The net increase in the number of jobs is a key issue. I welcome a number of measures and have criticisms of a number of others. There are also elements missing from this plan, one of which is the fact that the National Pensions Reserve Fund should be used if we are serious about creating a large number of jobs.

The opening section of the jobs plan relates to the economic outcomes from investment in research. The document makes reference to PhD students and a number of actions. At the moment, there is a showcase at the RDS where colleges have offerings on postgraduate courses. By comparison with last year, only a trickle of people are turning up because of Government policy of pulling the support for grants at postgraduate level. People are voting with their feet. It is one thing being aspirational but another to put the policies in place. These people can potentially create jobs at a high level.

I worry when I see reference to reducing the cost of doing business, with the first point of the plan a proposal to enact legislation to reform wage setting mechanisms. So many other factors have an impact on the cost of business, including energy, rates, upward-only rent reviews and insurance. We want high-value jobs and the focus on this concerns me.

The Legal Services Regulation Bill is being cited as reducing costs but the elaborate framework introduced in the Bill could end up costing us more than is the case at present. The Government asks local authorities to exercise restraint in setting rates for businesses but it cannot have it both ways. The Government cannot cut the budgets of local authorities and then tell them to exercise restraint on rates. That is aspirational and if it is to be more than this, the Government must do something about it. We know about Irish Water, which is a long-term proposition. We do not know how long some of the elements of this plan will take and many of them are not costed. It is welcome that there will be a quarterly review and that targets will be set. These are necessary if we are to deliver something.

Springboard is being criticised by those who look to take on people. They say that they cannot turn a plumber into an IT professional in 18 months, which may be the case. I have asked the Minister about county enterprise boards on a number of occasions. A compromise has been reached. Two Ministers will now have responsibility, one for Enterprise Ireland and one for local authorities. There are a lot of questions in regard to leases and the number of staff that will transfer across. We need to have an enterprise culture to deliver on it. The jury is very much out on that. We want to see returns very quickly.

I welcome some of the initiatives on the green economy, if the plan goes beyond being aspirational. There are great opportunities. We could be to the forefront in many initiatives. The green IFSC idea was never taken seriously by Fine Gael and the Labour Party. Developing a brand or a GM-free island would be well worth considering. I am sure we will have another opportunity to address these issues on an incremental basis.

**Deputy Luke ‘Ming’ Flanagan:** I would love an hour to talk about the plan because it is the most important thing that has come before the House. I like the idea that the Government will do something about competition and rates. I cannot welcome the plan because it is a plan to fail. Even if the Government succeeds and no jobs were lost in the meantime, there will still be 350,000 people unemployed in this country in four years time. What is the plan for them?

If it does not have a plan, can it kindly tell the Minister for Social Protection, Deputy Burton, to stop goading people who were on the dole, accusing them of being useless and telling them they should be ashamed of themselves and should be looking for jobs? There are no jobs out

there. The Government has admitted that in four years time there will not be jobs for 350,000 people. It should kindly treat people on the basis that it will not find them a job and not make them feel bad for having to rely on social welfare.

One important element in creating jobs is that the skills are available to fill them. An important part of doing that is having guidance counsellors in schools to guide people along a certain path. I have been told guidance counsellors are gone and it is up to principals to allocate resources. We are told we have to face reality, that the country has no money and that we have to do this. It is the equivalent of cutting down all the signposts in Dublin and selling them for scrap to pay off the national debt, but not taking into account the fact that no tourist will know where to go.

I agree we have to become more competitive but I do not think the Government wants to. When we discussed the competition Bill it was made quite clear that no matter what provisions were included if they were not funded they would not have any effect. I said the Government could include the death penalty for a person and his or her family for not following competition law, but the reality is that if there are only two gardaí in the country, the same number as in a village about five miles from my town, it will not succeed. If the Government wants competition to work it has to fund it. We were told the amount of money available would be limited. If that is the case the Government is not very dedicated.

I agree that rates should be reduced. How will the Government make that happen? It will not make it happen under the current local government system. I have personal experience of hell from my six years in Roscommon County Council. I thought I was in heaven the day I became mayor — I would be able to drive down rates, sit in at budget meetings and find bits and pieces that could be saved. We did not get all the information we looked for. We were given a document with emotional phrases to the effect that if rates were cut the pool or library would be gone, which might not go down well with constituents. When we looked for further information I found there was no power. Local government is a joke in Ireland.

The Government wants to save money, make the country more competitive and reduce rates. The mayor of Roscommon was refused access to figures because there is no democracy at local government level. Rates could be reduced if there were directly elected mayors in Roscommon and Leitrim. I would find a way to cut rates without cutting services. Why can we not be given that power? It would go a long way towards making this country more competitive.

We cannot have a situation where the Government says it will reduce rates while at the same time the person who is has the opportunity to reduce them is told by a director of finance he or she will leave if any more information is sought. The Government should change that and do something about funding competition, and then I will believe what it is saying. Otherwise, like my family before me where 19 out of 20 of us had to go to London, my children will have to do the same and I will not sit idly by and watch that happen.

**Deputy Maureen O’Sullivan:** Losing one’s job is probably one of the most devastating things that can happen to somebody. It is a life defining and life changing moment because of all the feelings that come with it. Graduates are affected but I am concerned about 40 and 50 year olds who find themselves unemployed for the first time in their lives. They can feel worthless because of not being able to contribute to the household. There are endless days with no focus to them.

When we had a Private Members’ motion on mental health we found there were direct links between recession and the economic downturn, which have serious effects on people’s mental health. I hate using the term “suicide” in a threatening way but I have no doubt some of the

[Deputy Maureen O'Sullivan.]

reasons for the increase in the numbers of people taking their lives very tragically in this country has been because of the economic downturn.

One would hope that with every Government Department and over 35 agencies and offices involved with actions to support job creation and job retention we will see radical change. The monitoring group is positive. There will be quarterly reports on the work and the action delivered. The plan will be continually measured and, it is to be hoped, delivered on. All the paper plans are worthless unless they can deliver. I hope there is also an action plan if they are not.

There is a lot in the plan about encouraging foreign direct investment. We have a lot going for us as a country. We have a well educated English-speaking workforce. Particular skills might be missing but our young people are imaginative, creative, innovative and inventive. We see this all the time in craft fairs, markets and at the Young Scientist and Technology Exhibition. We have a mild climate and are not subject to natural disasters like other countries.

Foreign direct investment has generally been beneficial for communities but also for investors. There are ambitious plans in this regard. I note one deals with education services. There was a presentation to the Joint Committee on Foreign Affairs and Trade in which authorities said having foreign students in this country is a very lucrative area.

I am sure economists can give me the arguments in favour of incentives. I find one section quite bizarre, namely section 14 on the special assignee relief programme. There will be tax breaks for people coming into the country. Some 30% of salary will be exempt from tax for up to five years and there are provisions for holiday homes in the countries of origin. One aspect which really affected me is the financing of children's education. It seemed to give a thumbs up for fee paying schools in this country. What is wrong with non-fee paying schools? Much money is given to fee paying schools to the detriment of other aspects of education.

On indigenous start-ups, as others have said we need banks to start to release funding and take on board the sound business plans available. They can be criticised but the banks must have an open policy with the money they have been given.

We also have to be more proactive on job retention. I know of small businesses which are in trouble. A small injection of funding would have kept them going. I met a man who runs a small business some months ago. He employed 20 to 30 people and dealt in construction but a major developer went into NAMA or to sunnier climates to make more profits. He was left high and dry and had to let people go.

There are great opportunities in tourism, particularly in terms of culture and sport. Many commemorative events are coming up.

I refer to community employment schemes. They have provided fantastic services to many communities, in terms of child care, home school, care for the elderly and care for the disabled. They were done at a fraction of what it would have cost the State to provide those services.

I chaired a meeting last night of Debt and Development Coalition Ireland that looked at development aid. Given our finances are dictated by the World Bank and IMF, the discussion was on the countries of the global south, in Africa, Asia and Latin America, which have been receiving these loans, as we are now. The loans were given to those countries in the knowledge that those countries could not repay them and that they would drive them into further poverty. The loans were given in the interests of the creditors and political and business economic elites in those countries and the policy conditions attached have devastated the recipient countries, with local industries such as cotton being decimated following the opening up of the markets. I hope we are not going down that road but if history teaches us anything it is that we do not learn from history. The facts are there, however, to show what the IMF and World Bank have

done to these countries and we are now borrowing from them and I hope we do not end up in the same situation.

**Deputy Thomas Pringle:** Much has been made of this jobs initiative, which is probably the fourth announcement that has been made in the year since the Government came to power. The spin in the plan is remarkable, with much of it being stuff one would imagine the IDA, Enterprise Ireland, the county enterprise boards, local authorities and the Department of Jobs, Enterprise and Innovation should already be doing. Why must we dress it all up again in a glossy plan so the Taoiseach, Tánaiste and Minister for Jobs, Enterprise and Innovation can have a grand launch? I was amazed how much of it is actually what those people should be doing anyway. Why do we have the IDA if all this has to be put in place? I hope it has already been doing all these things. This was an occasion for spin, dressing up the plan and saying it would provide 100,000 jobs to get good PR for the Government for a week.

I was amazed when reading the plan to see one of its actions is the development of a simple, one page guide for small business entitled “Managing out of the Crisis”. I urge the Taoiseach to send that to Brussels as soon as it is ready because it will be a magic panacea for everyone to get a one page guide on how to get out of the crisis. It is beyond belief it would be considered for inclusion as an action, that we would condense this all to one leaflet and hand it around small businesses in the hope it will keep them going. In one town in Donegal, five small businesses have closed since Christmas, with 20 to 30 part-time jobs lost and owner occupiers out of business. It is a pity we could not give them this leaflet before they got into bother otherwise they would have been able to keep going. It beggars belief.

In the section on the agrifood industry, there is only one mention of aquaculture, to develop offshore fin fish farms. There will be two or three offshore fin fish farms and that is the height of the Government’s expectations for aquaculture between now and 2020. We can take it the Government has written off all the aquaculture businesses on the coast already. In Donegal there are at least three companies that are ready, willing and able to create jobs if only the Government could get its act together and sort out licensing arrangements. It would be much better to spend time sorting that out in vital areas, where the potential exists for 1,500 to 2,000 jobs but there is no mention of it at all.

The plan then refers to the creation of 150 jobs in fish processing between now and 2020. How do we even know this? When I contacted BIM about the Killybegs report on job creation to ask where these jobs in fish processing were, I was told it was a secret. How will the jobs be verifiable? We will never know if they are there and that seems to be the whole point.

There were three mentions of ICT and broadband in the 270 actions, with mention of 100 bits per minute broadband for schools and a lot of waffle about a next generation broadband taskforce and agreeing targets. We have come up with another fudge where some places will have access to fibre power broadband while others must depend on mobile or satellite broadband. Donegal no doubt will have to depend on satellite and mobile because it looks like the Government has no intention of rolling out a proper broadband infrastructure. That, however, could create jobs and foster local enterprise by providing fibre power access for businesses and people across the State. To provide the fibre optic network to every town in the country of more than 1,500 would cost just one year’s promissory notes’ payments for Anglo Irish Bank, payments we must make for the next 20 years. Imagine what we could do if we had control of that money for the next 20 years.

**Deputy John Deasy:** I will focus on key action 2.2, to do with the county enterprise boards. The plan refers to Enterprise Ireland working with local authorities to establish a new network of local enterprise offices in each local authority. The new LEOs will combine the enterprise

[Deputy John Deasy.]

service of the previous CEBs and the work of the business support units in the local authorities. This is a bad idea. It is a bad idea to let some local authorities anywhere near an enterprise support service. Why? Because in some cases local authorities are completely removed from the realities of the commercial world. I would go so far as to say that in some cases they represent the exact opposite of the mentality needed to create jobs right now. Senior officials in many local authorities have no business being involved in any new structure to replace the city and county enterprise boards because they do not have the skills.

I have limited experience of the private sector and for those who come from the private sector and end up serving on a county council, they quickly realise the mindset is very different. Senior managers in county councils in my experience have the “us versus them” attitude in many cases, with “them” being the business sector. They spend their careers squeezing rates out of businesses, they do not spend their careers facilitating business ideas. The concept of risk and reward does not thrive in the public sector. When it comes to senior management, it is more a case of safety first, of keeping the head down and not upsetting the manager. Local authorities are not organisations that have the ability to create wealth or drive growth right now. The concepts of commercial creativity, risk, the desire to make money, the basic elements of economic development, are not exactly found in the denizens of our local authority system and they should have little to do with any new structure when it comes to start-up businesses.

What did we find out this week? According to a report in the *Irish Independent* most local authorities are overdrawn or running a deficit. In many cases directives to reduce costs and borrowings are still being ignored. Effectively, many local authorities are incapable or unwilling to balance their budgets. Now we want to kick start indigenous growth and house it in local authorities. The *Irish Independent* reported that councils are haemorrhaging cash, while rules on public sector recruitment are being flouted, contracts are being awarded without being advertised and hundreds of millions of euro are owed in uncollected rates and taxes. We are now seriously contemplating abolishing some of the local authorities because they cannot run their finances.

If any new structure is enveloped into the local authority system, political influence and all that goes with it becomes involved. All new structures must be separated completely from local politics and the clientilism that goes with it. For the record, I expressed this opinion to the Minister for Jobs, Enterprise and Innovation’s staff some months ago. I am led to believe this was not his idea or approach and I am glad to hear that because this is idiotic. It might not have been his approach but he made a mistake ceding this to the Department of the Environment, Community and Local Government and local authorities. It demonstrates a stunning lack of understanding on the part of central Government about how local government operates. This will set local business development back 20 years.

The Minister for Finance said earlier that one should not come down here if one does not have a solution. One of the solutions is not to do this and leave it alone. We would be better off doing so, frankly, rather than putting these structures into local authorities. By all means, we should assess the productivity of each of the enterprise boards and the people who work in them, and integrate this into Enterprise Ireland. However, local authorities — which in some cases are the least business-friendly structures in the country — should be kept away. This element needs to be stripped out of this plan as it was a mistake. The Minister has lost me on this plan. I will vote for the legislation that goes with it but if the plan is still in it, I will do so with major reservations.

**Deputy Anthony Lawlor:** I am extremely happy with parts of this plan. As regards the initial targets, it is commendable that the Minister should commit 270 actions to paper. It is also

commendable that the Taoiseach and the Minister should be answerable to the House on a quarterly basis for progress on foot of these actions.

I wish to refer specifically to the hugely important role education plays in the jobs market. Ireland has always prided itself on its education system and we depend on it for highly skilled workers who attract foreign investment here by multinational companies. There is a major link between the multinational sector and our highly skilled workforce. The action plan contains an important initiative concerning the STEM subjects, science, technology, engineering and maths, which have a strong link to multinational companies.

In my own county of Kildare, there is a positive scholarships initiative between NUI Maynooth, Kildare County Council and local businesses. These scholarships will cater for students taking STEM subjects. Part of the reason our education system is so important is due to foreign direct investment which requires a highly skilled workforce. The announcement by Hewlett Packard of 280 new jobs in Kildare and Galway is very welcome. The fact is that companies like HP are willing to take on extra highly skilled staff. Some people may say that it does not have a benefit for the general economy but there is a trickle-down effect. It has been proven that companies like HP and Intel have a knock-on effect in the local economy with up to six jobs for every one they create. There is therefore a huge benefit stemming from such activity.

The multinationals are seeking students who begin cultivating their skills as early as possible. Efforts should be made to introduce students to the STEM subjects in the primary school system. It is a sad fact that currently primary schools spend as much time on Irish as on mathematics. When one considers it, however, spending time on maths is more likely to generate a job for a student than studying Irish. I spoke to a parent recently who said her daughter, who loves mathematics, is worried that she will fail Irish in her leaving certificate. If that girl fails Irish in the examination she will not be allowed to enter any of our universities. We should consider removing compulsory Irish as a requirement for university entrance, otherwise we will exclude many people who have an interest in pursuing a university course.

I am a member of the Committee on Jobs, Social Protection and Education which has identified the important link between education and foreign direct investment, and is so vitally important for the future. I commend the Government's sense of accountability for the targets that have been set in the Action Plan for Jobs.

**Deputy Dara Calleary:** I welcome the chance to speak on the latest jobs plan from the Government. If we had not been here last April and December for the previous plans, we might have more respect for this one. I have a lot of respect for the Minister, Deputy Bruton, and his departmental team but I get the feeling that we have been here before. We had the jobs initiative in April 2011, which possibly had some good things in it. For example, the VAT rate for tourism was more than likely responsible for some job creation in the tourism sector. When one looks at the figures, however, there are more people unemployed now than at this time last year. We have had more announcements of plans than jobs being created since the Government took office.

As regards accountability, I welcome the fact that Ministers will answer to the House concerning their parts of the plan, but what happens if they do not deliver? It is unlikely that they will come in here and say "We couldn't do this". The Government has a huge majority so all we can do is give them a rap on the knuckles saying "Go and do your homework properly and come back again". Accountability means Ministers appearing before a committee, but I am concerned because so many Departments are involved. We need a central committee that would hold Departments to account. I am not talking about Ministers who are all genuinely committed, but the departmental machinery does not understand how serious this problem is.

[Deputy Dara Calleary.]

They need to be brought in before one central committee and held responsible for what their Departments are doing. If that were done, we might actually move towards delivering some of the targets in the Action Plan for Jobs.

Much of the focus has been on assimilating county enterprise boards into local authorities. Deputy Deasy is right to say that many local authorities do not get it. They feel that the business and enterprise sector pays rates, and should move away after that. In changing this area, however, we should not lose focus on county enterprise boards.

The Minister is right to say that, between small SME start-ups and multinationals, we have lost a middle cohort of people who want to create jobs. I have an enormous respect for Enterprise Ireland whose work in promoting Ireland abroad is fantastic. I have had the honour of accompanying a few foreign trade missions and I have seen the phenomenal work they do. Enterprise Ireland identifies high potential start-ups. For example, the Action Plan for Jobs focuses on targets for gaming. Two years ago, nobody knew what gaming was but because of Enterprise Ireland's work we can justifiably say that it will create jobs. Nonetheless Enterprise Ireland still does not understand the small and medium enterprise sector. Local SMEs find themselves caught in the middle — too big for the county enterprise boards, but too small for Enterprise Ireland.

The Leader partnership companies are missing from the jobs plan. In rural areas, these companies offer significant grant assistance. Also missing from the plan are towns designated as gateways and hubs in the national spatial strategy. Businesses within such towns are excluded from accessing funds under the Leader programme, even though such towns have high unemployment. That decision needs to be reviewed, particularly given our ongoing engagement with Europe. If Leader is about creating jobs, towns like Ballina and others are dependent on the rural economy and so a link can justifiably be made.

Deputy Lawlor and others spoke about the strong record of inward investment, although it did not suddenly arise in the past ten months. All the big names are here, and small supplier companies extract the benefits. Enterprise Ireland should put in place a system so that when large companies come into an area there will be a tightly focused supplier programme enabling suppliers to upskill and supply them. In that way they can create a business stream for them. Deputy Lawlor referred to the announcing of 300 jobs, but it is a question of spin-off jobs. The programme to which I refer would allow us to maximise the jobs. What occurs at present is haphazard, or it occurs when someone has cop-on locally within the enterprise board or the development company. We need to focus on what I propose.

Everyone tends to criticise the focus on multinational companies coming to the country. We should celebrate their doing so. That they are responsible for nearly 350,000 direct jobs here should be celebrated. They do more to spread the Irish message and the innovation-island message than any Government, regardless of hue, could do. If a company makes a decision to invest in this country, its doing so reverberates throughout the investment community. That is more important than anything any of us can do.

The Taoiseach finally realised — he was not too sure about it this time last year — that Governments cannot create jobs. It is confidence and investment that do so. Rather than disparaging multinationals by stating they would come anyway, we should realise they would not. We need their support.

I spoke before against budgetary decisions in the presence of the Minister of State, Deputy Perry, and am sorry if I sound like a broken record. The increase in the VAT rate by 2% was in our four year plan but was not to be implemented immediately.

I am like a dog with a bone in respect of the redundancy rebates. What has been done in respect of them is wrong. The justification given for them in the social welfare legislation by the Minister for Social Protection, Deputy Burton, was that we could not pay for the TalkTalks and Dells of this world. I agreed with her on that so I tabled a parliamentary question on how many such companies actually received the redundancy rebate. I asked for the breakdown in terms of large, small and medium-sized employers. The Minister stated the Department does not have the information.

The difficulty with what has happened and the manner in which it has happened is that it is the small guy again who will take the brunt of the decision. The decision should be reviewed in the context of next year's budget. Perhaps we should set a ceiling such that if a company with 50 employees or less must make a redundancy, it will get the 70% or 75% and bigger companies will get less. The bigger companies can afford it and small ones cannot.

I have no doubt that decisions were taken, in the weeks preceding the introduction of this plan, to lay off people who might not otherwise have been laid off because of the fear that a bigger rebate would have to be paid.

With regard to upward-only rent reviews, there is much talk about the constitutional convention in respect of social issues. That is very important but we are being told this problem cannot be addressed because of the Constitution. This was known before the election, which reflects the joys of being in government. The constitutional convention should examine this issue. It should have job creation at its heart in addition to social issues. If there are provisions in our constitution that, for whatever reason, are blocking the support of enterprise in a way that was never envisaged, such as the clause on upward-only rent reviews, we should change the Constitution. We have changed it for much less important reasons. I hope that in the construction of the constitutional convention, which I gather is a Labour Party creation, an enterprise clause will be slotted in and that this issue will be focused on.

In three months, we will see the colour of the money and what accountability actually means. I have no doubt the Minister for Jobs, Enterprise and Innovation, Deputy Bruton, and the Ministers of State, Deputies Sherlock and Perry, have no difficulty coming to the House to answer for their actions but my difficulty concerns the system behind them, which involves so many Departments that must come here to be answerable. Committees on enterprise, education, social protection, agriculture and tourism are involved. Within the Houses, there should be one committee responsible for the plan. Nobody should be able to hide behind a sectoral committee. The function of the committee I propose should be to monitor, on an all-party basis, the implementation of the jobs plan and to be responsible for its delivery. If we did this, it would do a lot of good for parliamentary democracy.

**Deputy John Perry:** That is a good idea.

**Deputy Regina Doherty:** I congratulate the Minister on the very welcome plan launched on Monday of this week. Its implementation improves supports for job-creating businesses and removes barriers to employment creation across the economy. It pays attention to the key areas of supporting home-grown businesses, encouraging foreign investment and competitiveness and targeting key sectors where the Government has identified strong potential for employment growth.

The range of measures proposed by the Government will achieve the necessary growth to stimulate jobs and strengthen our economy, thereby making businesses more competitive. First, the Government has had to provide evidence to the international community and investment sectors that the borrowing and spending spree of the previous Government, which nearly broke Ireland plc and placed the country in such dire debt, is now firmly over. The Government, to

[Deputy Regina Doherty.]

the annoyance of the Opposition, has demonstrated its control over our deficit and has started to pay off our debts.

Until the Government made these critical decisions, most leading high-tech and finance companies delayed decisions about major investments and new research projects in Ireland. The first priority of the Government is to create jobs and give businesses the support they have asked for by introducing reforming measures that will attract vital foreign investment to Ireland and allow local businesses to expand and flourish.

These initiatives will attract many multinational businesses to Ireland and add to the expansion of existing enterprises. The Minister has quite rightly pointed out that, as a society, we must all become obsessed with job creation. The Opposition has criticised our plan to create 200,000 jobs over two four-year enterprise cycles as over-optimistic but we must be optimistic and look forward. As a people, we can only create economic growth if we get the country back to work. The comprehensive range of measures that the Minister introduced will achieve this.

The Government's announcement that it will not increase income tax or corporation tax is crucial to attracting as much inward investment as possible and sustaining existing businesses. We already have great success stories, such as the fantastic growth in the agriculture sector and a reputation for excellence in research and development. The latter is still recognised internationally.

The launching of a diaspora finder's fee will help tap into communities such as the 48 million people in the United States who claim Irish descent, and this will motivate investors to consider Ireland. We could not get much better than the recent plaudits from Bill Clinton encouraging investors to think about Ireland.

The manufacturing sector is the first sector of a total of 20 mentioned in the report with growth potential. The report suggests it can provide 20,000 new jobs over the next five years. I welcome in particular the establishment of the new micro-finance fund, which will result in investment in small companies, seeking sums of less than €25,000, that will create jobs.

I am particularly interested in some of the comments made after the announcement on Monday. Mr. Danny McCoy of IBEC stated the plan contained a range of practical measures that will create jobs. It is vital that all Departments work together to tackle unemployment and create the best conditions for growth and recovery. Businesses will create jobs. Our Government has a major role to play in putting the right environment in place. The Small Firms Association commended the Government for recognising the key role small firms have to play in the economy.

There is no magic bullet but the plan can promote more optimism across the economy and communities, which have been decimated by the previous Government. It will take a while to absorb the integrated list of actions on creating jobs but the plan will have an impact. All the new measures are steps in the right direction, namely, towards putting the country and its citizens back on the road to recovery, thereby restoring our self-confidence and putting Ireland back on the map of the world economy as open for business once again.

**Deputy Simon Harris:** I very much welcome the opportunity to speak on this important initiative. I begin by rebutting what I have heard from some Opposition speakers, although not all of them. They stated the latest action plan on jobs lacks credibility because it follows on from other measures. Their argument misses the point entirely. The Government has said consistently — the Minister of State and the Minister, Deputy Bruton, said so as recently as this week — that this plan is the latest instalment and builds on other difficult plans and actions of the Government to try to get this country back on the road to economic recovery. Most

specifically, I refer to the Finance Bill, Second Stage of which has now been passed, the jobs initiative, considered earlier in the Government's term, the intensive and ongoing negotiation with our partners in Europe and the IMF and the very difficult decision to recapitalise our banks because every functioning economy needs a functioning banking sector.

This plan is the latest step. There is no magic bullet and the plan builds on what has been done to date. It is important that this debate is taking place when the Taoiseach is in the United States, for what I believe is the second time in five days. Just like a politician canvasses door to door during an election looking for votes, we need our Taoiseach and every apparatus of the State to canvass every potential investor across the globe. I applaud the Taoiseach for leading that effort. It is also important we instruct our embassies and all State agencies working around the world that this must be their focus too. Embassies must be more than just diplomacy and lavish functions but also become trade missions to bring about jobs and investment into Ireland.

One criticism I heard about this jobs plan is that it is overly ambitious. That is a badge that all Members on this side of the House will wear with pride. The country needs the Government to be overly ambitious. We have to set targets that one would not usually have to set in normal economic times. These are not normal economic times. The 400,000 plus people on the live register need the Government to be overly ambitious.

Many of the good initiatives in this plan are targeted. We saw in the jobs initiative how targeted measures work when they resulted in 6,000 extra employed in accommodation and food services, 3,000 extra in wholesale and retail and 20,000 extra in work placement and training places. Broad-brush approaches do not work.

The most exciting element about this jobs plan is that beside every one of the 270 specific measures is the name of the organisation accountable for delivering it. Deputy Calleary was correct that the success of this plan will not just be down to the Ministers, Deputies Bruton and Perry, and the Government. It is about every State agency accepting responsibility for the delivery of its target. It may be worthwhile examining Deputy Calleary's suggestion to have a committee of the House that can hold the agencies responsible to account. From my membership of the Committee of Public Accounts, I know the opportunity to hold people to account leaves little room for hiding.

In a plan with 270 measures not everything can be a big ticket item nor does it need to be. Many small changes can sometimes have a large impact in the day-to-day running of a business. The jobs plan singles out 15 key action areas which will be central to job promotion. Among these is the establishment of the one-stop shop to provide small and micro-enterprises with supports at local level.

I also welcome changes to the county enterprise board structure with which some Members disagree. We need a national consistency in the services provided by Enterprise Ireland. If we are talking about real local government reform, what local government system in any developed country does not have enterprise and job creation at its heart? There is room for great progress to be made in this area.

The changes to the public procurement process are to be welcomed. Allowing small and medium-sized enterprises to have a clearer path to accessing State contracts is welcome.

Chapter 6 is the most exciting in the plan because it addresses the issue of transposing the plan to local communities. If we want to get people off the live register, apart from doing what the Taoiseach is doing now in the United States, we need to empower the community leaders in all our constituencies. In Bray, County Wicklow, people got together from the local council and the Chamber of Commerce to set up a Bray economic think-tank which is actually creating jobs using similar suggestions from this plan. I know the Minister of State enjoys being

[Deputy Simon Harris.]

on the road and meeting with businesses. I hope he will take this plan to communities, bring it to life and explain to people how the plan's recommendations and actions can make a difference in every town and village.

Debates such as this and some degree of an oversight committee are central to ensuring this plan progresses.

**Deputy Joan Collins:** In his opening remarks, the Minister for Jobs, Enterprise and Innovation, Deputy Bruton, said this jobs plan marked a new approach. I wish it did because job creation is key to the country getting out of the economic quagmire it is in due to its over-reliance on the construction industry while not concentrating on indigenous job creation over the past ten years.

There is nothing new in this plan. It is actually the third big fanfare of a jobs plan we have heard from the Government so far. Last April, it projected up to 102,000 jobs would be created by 2015. That projection was reduced in December by the Department of Finance to 62,000. Now we are told there will be 100,000 new jobs by 2016 with 200,000 by 2020. That is an eight-year wait for 200,000 people to get a job. What about the remaining 250,000 on the live register or those emigrating? This is what we really must contend with.

The Taoiseach claims Ireland is the best small country in which to do business. Who are we competing with — the Cayman Islands, Jersey, the Isle of Man? Is it about incentivising top earners and multimillionaires with low taxes, which is not new anyway? A policy based on austerity, along with an acceptance of a collapse in domestic demand and activity in the domestic economy, coupled with a hope that exports will keep the overall economy's head barely above water, is incompatible with claims the Government's priority is job creation.

With the collapse in domestic demand, a reliance on the private sector is like whistling in the wind. Since 2009, non-financial corporate profits rose by €2.6 billion to €37.8 billion but since 2007, investment has declined by €30 billion. There has been a strike of capital by private industry over this period. Some Members claim this is the opportunity to open this up and give confidence back to the private sector. I am not convinced that will happen. The idea of selling off parts of successful State companies to create a structural development fund of €1 billion is economic vandalism. To quote the Tánaiste, Deputy Gilmore, it is economic treason.

The State instead should be used to create new jobs. I do not agree with the Government's position that it is not its responsibility to create jobs but to create the environment to create jobs. When we do not get investment from private industry, as is happening now, it is the Government's role to step into the breach to create jobs in key economic areas which can support long-term investment. State investment in modern industry through State companies must commence using €5.3 billion from the National Pensions Reserve Fund as the investment strike in the private sector continues. There must be no privatisation of our State companies.

Reliance on foreign direct investment incentivised by low corporate tax has failed with up to 100,000 qualified people on the dole and 4,000 postdoctoral researchers in casual employment. This cohort must be enabled to contribute to Ireland rather than to other countries through emigration. State companies such as the ESB, Coillte and An Post could begin to develop advanced modern industry in areas such as offshore wind and other clean energy generation, super fast broadband, food processing, pharmaceuticals, electronic devices etc. Such industries, efficiently run and with an effective corporation tax of 4% to 7%, would give a far greater return to the Irish people than that provided by multinational companies. State-owned industries would not be subject to pull-outs such as with Dell, TalkTalk, Aviva and MBNA.

A Government-sponsored programme of necessary public works would play a significant role in job creation and give confidence back to the country. In addition to the public capital programme, the Government should put in place a programme to ensure not fewer than 150,000 people are taken off the dole and working in three months. Such a programme should be maintained for at least five years.

Examples of key economic areas that such a programme could target includes child care. Up to 30,000 child care workers could be trained and employed to provide high quality public child care in a national child care infrastructure. Unfortunately, however, in the small number of existing community employment schemes that provide child care, there is a concern they will be closed.

Significant adult literacy and numeracy problems have been identified by the OECD as affecting the long-term unemployed. Training and employing 10,000 adult education teachers to provide literacy, numeracy, computer application and language courses to the long-term unemployed with a target of obtaining FETAC level 5 in five years to open the way to third level courses would be another important State programme. There is considerable interest in cloud computing at present. Computer software training and conversion courses could be provided through the institutes of technology for unemployed workers with third level maths qualifications.

The money for these initiatives is available. We have been condemned for failing to indicate where the money can be found but we are ignored when we point out that assets of €219 billion have been proven to be available. If these assets were taxed at a rate of 5%, the State could invest €10 billion in jobs. If they were taxed at 10%, €20 billion could be injected into the economy. We could also increase the tax rate for those earning more than €100,000.

There are grounds for hope but the Government is looking in the wrong direction. If it asked these millionaires to be patriotic by investing in job creation in the Irish economy, we would be in a better situation to bring people back into the workplace over the next five years. Public works programmes would create offshoots in terms of small private industries that could play a key role in giving confidence to workers and putting money into people's pockets and the local economy. The current environment of small businesses and pubs closing and vacant buildings springing up in the heart of our communities is impacting negatively on people's morale. If we get the message into the public domain that the money is available for these programmes we could build hope and confidence among the people.

**Deputy Gerald Nash:** I welcome the Government's jobs action plan as a timely and necessary intervention. I wonder how the members of the previous Government can maintain a straight face when speaking about job creation given their failure to grasp the enormity of the unemployment problem at a time when the crisis was growing. They vowed on several occasions to tackle the scourge of unemployment but only on the basis of one press conference at a time. I am familiar with unemployment and I am aware that many of my colleagues in this House have a similar understanding. I know how human dignity and self-worth can be compromised and undermined. This is why the Government is sincere when it says it is obsessed about jobs.

When I asked the people of County Louth and east County Meath for their votes, the message was repeatedly delivered that we need to restore the conditions necessary to create jobs. We began that task as soon as we entered power with the jobs initiative, which introduced the national internship scheme and successfully targeted VAT cuts at the tourism and hospitality sectors. Thousands of jobs were created last year as a direct result of that targeted intervention.

[Deputy Gerald Nash.]

The grand pledges we heard from the previous Government, which were backed by little more than vague promises, insulted the intelligence of the Irish people and damaged the faith of the unemployed. This plan is distinguished by the honesty of its ambitions. It is clear that we are prepared to be held to account for its success or failure. Creating jobs involves a series of complex and interconnected tasks. There is no silver bullet. We are targeting sectors of the economy that can grow and we will work together to identify what we can do better than any other country in the world.

In the arts sector, which is of particular interest to me, we will double the number of people working in the film and audiovisual sector over the lifetime of the action plan for jobs. Without the leadership of the then Minister for Arts, Culture and the Gaeltacht, President Higgins, 20 years ago nobody would have believed that we could create a productive film industry that would create thousands of jobs and cement Ireland's place on the international film production stage. Approximately 5,000 people work in the film and audiovisual sector at present and we aim to double that figure to 10,000 over the next few years with State support. The creative industries will flourish under this plan. Few other sectors have shown as much innovation and imagination. Our unique arts and culture offering exemplifies what is best about Ireland and what it means to be Irish. I am confident the sector can deliver the job increases outlined in the plan.

The assimilation of county enterprise boards into the local authority structure will be beneficial for both the enterprise boards and the local authorities. The performance of local authorities in developing enterprises has been patchy, to say the least. The enterprise structure and philosophy can imbue local authorities with a more pro-enterprise approach. Local authorities have a key function in job creation, as we have seen in the impact of Louth County Council's economic development unit under the leadership of the county manager, Con Murray, and former head of the IDA, Padraic White.

I am very enthusiastic about the potential for the export unit in Enterprise Ireland and baffled as to why that issue has not been addressed previously. Anecdotal evidence suggests that dozens of small and medium enterprises in my area alone could benefit from advice from Enterprise Ireland on creating jobs through exports.

Procurement has long been an issue for small and medium enterprises in this country, which believe they are not adequately supported in benefiting from State contracts. It is important that we deal with this issue. The replies to a series of parliamentary questions I recently put to Departments and State agencies indicate that our performance is improving in terms of awarding contracts to businesses based in the Republic of Ireland. It is important in these times of limited Exchequer funding and constrained capital projects that we target local industries because otherwise we would be throwing good money after bad. We need to achieve value for every euro we spend on jobs.

The most significant measure in this action plan is that Ministers and State agencies will be made accountable. It takes an action orientated approach. I agree with previous speakers that accountability needs to inform everything we do to create jobs. That has been a failing in previous approaches, which merely amounted to cosmetic exercises.

Deputy Harris pointed out that our international embassy network needs to focus on trade. The Government took a deliberate decision to include trade with foreign affairs. It is important that every Irish Embassy is heavily imbued with the attitude that it also has a job creation agenda. We have seen the benefit of that in recent times.

**Deputy Aodhán Ó Ríordáin:** I appreciate the opportunity to speak on this plan. Obviously the plan does not happen in isolation and relates to a number of different strategies, some of which have attracted criticism just as the jobs initiative had originally. That jobs initiative was launched almost a year ago. Figures recently published indicate there were 6,000 additional jobs in the hotel and catering sector which had benefited from the reduction in VAT. The people want to see these sorts of decisive measures taken by the Government and the connectivity between the measures in terms of the pensions levy and the result. Regarding this jobs plan, the Government, which is leading the country, needs to come up with a narrative about why we are doing this and where we want to go.

Debate adjourned.

### Topical Issue Matters

**Acting Chairman (Deputy Joanna Tuffy):** I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 27A and the name of the Member in each case: (1) Deputy Michael P. Kitt — the position regarding Kiltormer sewerage scheme, Ballinasloe, County Galway; (2) Deputy Robert Dowds — the high cost of burials in Dublin and the inadequacy of legislation for local authorities to regulate graveyards; (3) Deputy Mattie McGrath — the need to provide adequate resources to the Garda to deal with crime in rural areas; (4) Deputy Willie Penrose — the need to address, through the social welfare system, the plight of self-employed persons who find themselves unemployed; (5) Deputy Simon Harris — the ongoing situation in Syria; (6) Deputy Michael Healy-Rae — the need to control the seal population; (7) Deputy Éamon Ó Cuív — the effect the cut in materials and training allowances will have on the community employment schemes run by the Galway Centre for Independent Living and the need to ensure these services are available; (8) Deputy Michael McNamara — phase 2 of the Limerick northern distributor road; (9) Deputy Thomas P. Broughan — the need to resolve the problems of residents of Priory Hall, Dublin; (10) Deputy Alan Farrell — the decision by FÁS to discontinue training courses in Balbriggan, County Dublin; (11) Deputy Sean Fleming — the position of staff of the Equality Authority based in Roscrea, County Tipperary; (12) Deputy Robert Troy — issues arising from the closure of Columb Barracks, Mullingar, County Westmeath; (13) Deputy Aodhán Ó Ríordáin — the process to expunge the criminal records of all persons convicted and detained as minors within residential institutions; (14) Deputy Seamus Kirk — the degree to which patient safety and front-line services will suffer following publication of the HSE Dublin north-east service plan; (15) Deputy Dara Calleary — the need to allow the Finance Services Ombudsman to provide comprehensive details in cases in which he has upheld complaints against financial institutions; (16) Deputy Derek Keating — the need for a co-ordinated transport policy to address issues such as overhead costs, tolls, fuel costs and truck insurance policies for those in the haulage industry; (17) Deputy Brian Stanley — the failure of almost half of the State's sewage treatment plants to meet EU standards; (18) Deputy Mick Wallace — the loss of guidance counsellors from Gorey community school, County Wexford; (19) Deputy Dessie Ellis — the disbandment of the Dublin Fire Brigade panel; and (20) Deputy Anne Ferris — the need to advertise that people can continue to use their medical cards with GPs and pharmacists while waiting for new cards to be issued.

The matters raised by Deputies Dara Calleary, Willie Penrose, Alan Farrell and Michael P. Kitt have been selected for discussion.

## Topical Issue Debate

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### Financial Services Regulation

**Deputy Dara Calleary:** Yesterday the Financial Services Ombudsman's report for 2011 was published. It highlighted the continuing problems we have by shining a light on the way the financial industry often treats its customers. Some 7,300 complaints were made to the Financial Services Ombudsman against financial institutions in 2011 relating to three broad sectors: banking, insurance and investments. Almost €2.25 million was repaid or awarded in compensation to customers of financial institutions last year on the direction of the Financial Services Ombudsman.

In 2009, the former holder of the office, Mr. Joe Meade, signalled his intention to write to the Minister for Finance to request that the Financial Services Ombudsman be given legislative authority to name particular institutions when it is in the public interest. I pay tribute to the work of Mr. Joe Meade as the Financial Services Ombudsman. He was a champion of consumer rights and his relaxed style did much to demystify his office and show people there was a redress mechanism. His successor, Bill Prasifka, has continued that trend and repeated the call, during an interview on "Morning Ireland" this morning, for the power to name these institutions.

We need to ensure the public has access to accurate information about how financial service providers are treating customers and how they behave when their shortcomings are pointed out. It is accepted that there is little, if any, public confidence in the Irish financial system at the moment. Deputies and Senators get daily complaints about the manner in which financial institutions are treating their customers, particularly as they pursue loans and debts. While I recognise that a code of conduct exists, this is more often breached than adhered to. Many people feel intimidated and unsure about how to report a breach of that code or how to engage with their bank or financial institution. The way to resolve this is through greater transparency about the performance of individual institutions.

The common themes in respect of the complaints are the sale of commission-driven financial products without regard to their suitability and the treatment of elderly customers, many of whom were sold long-term or high-risk bonds that were completely unsuited to their needs. I wish to highlight the case of a couple in their 70s who had deposited their life savings of €345,000 in one of our banks. In 2005 they were encouraged to put their money in a managed fund to get a better return. In 2008 they were again approached by the bank which advised them of a significant drop in the value of the fund. It was only at this point that they were fully informed about how the investment was managed, in particular that 70% of the initial €345,000 was based on the performance of the stock market. To make matters worse, if they withdrew their money at that stage, they would be hit with a €9,000 penalty. Thankfully the Financial Services Ombudsman found in their favour. However, we cannot name the bank involved under the present regulations.

In July 2011, Mr. Prasifka initiated a round of public consultation on the publication of information on the complaints record of financial service providers. He pointed out that the publication of such information would require an amendment to the legislation. My colleague, Deputy Michael McGrath, published a straightforward Bill in December that would extend the necessary powers to the Financial Services Ombudsman to bring this information into the public domain. For confidence to return to the system, we need to get such information into the public domain. We have submitted the Bill for consideration in the lottery for the Dáil

sitting on 2 March. I hope it will be selected for debate and that the Minister will consider supporting it.

**Minister for Finance (Deputy Michael Noonan):** I thank the Deputy for raising this important issue. The issue the House is debating is whether a financial service provider which has been found by the Financial Services Ombudsman to have acted in an unfair manner should be named. This issue is the subject of discussions between the Financial Services Ombudsman and the Department of Finance.

Before I talk about these discussions I would like to talk about the important role played by the Financial Services Ombudsman. The Irish Financial Services Ombudsman's Bureau came into being in April 2005 and a measure of its great success has been its growing profile among consumers and industry. The role of the Financial Services Ombudsman is central in underpinning consumer confidence in the effectiveness of the regulatory regime, complementing the role of the Central Bank in safeguarding consumer interests. The Financial Services Ombudsman exercises an independent statutory function, operating in a strictly balanced and transparent fashion to investigate cases where individuals may have suffered as a result of, for example, misconduct by a financial institution or a failure to play fair with customers. The Financial Services Ombudsman is responsible for ensuring that unresolved complaints from customers of financial service providers are investigated, mediated and adjudicated upon. The importance of having an out-of-court adjudication complaints system for consumers who are not satisfied with the decisions of financial service providers cannot be overemphasised. Deputies should consider how difficult and expensive it would have been for the large number of consumers who have used the services of the Financial Services Ombudsman's Bureau not to have had an effective out-of-court dispute resolution mechanism to deal with their complaints. The cost of litigation might have served to dissuade many from pursuing their grievances. The costs for financial services bodies in defending complaints through the court system would also add significantly to operation costs.

I now turn to the discussions that are taking place between the Financial Services Ombudsman and my Department about the issue that is before the House. In July 2009, the then Financial Services Ombudsman wrote to the then Minister for Finance. In his letter he referred to comments made by various media personnel and other commentators at that time about the extent to which published decisions of the Financial Services Ombudsman should name the financial services provider. He went on to request he be given the option, if he considered it to be in the public interest, to name an institution that had been subject to one of his decisions. He outlined two reservations he had about naming institutions against which he had made findings. His first was that complainants may be less inclined to bring a complaint if they felt they might be named. His second was that institutions might take a more defensive line and might appeal findings more to the courts if they felt they were to be named anyway. However, despite these reservations, he said that he was requesting the option to name publicly an institution that had acted wrongly. The reason he gave for this was that it could be a preventative measure and that the threat of being named could act to ensure that malfeasance, when discovered, would be easily rectified and be less likely to recur.

The former Financial Services Ombudsman also suggested certain safeguards that should be included in any legislation that would give him this power. The first was that he be given sole discretion as to whether an institution should be named and that he would not be required to provide names in every case. The second was that the complainants would not be named. The third was that he would have statutory privilege covering the naming of institutions. He also said that criteria would have to be established to ensure the naming was done in a fair manner.

[Deputy Michael Noonan.]

Following receipt of the letter from the Financial Services Ombudsman, my Department sought legal advice to help inform the deliberations to formulate a clear policy position. As Members will appreciate, this is a complex issue that requires detailed examination prior to bringing forward legislation. For example the criteria for publishing would have to be identified in the legislation. Any amendment to the current legislation must be validated, justified and applied in an objective and reasonable manner to all financial service providers.

My Department requested that the Financial Services Ombudsman consult with industry to better inform the debate. In 2011 the Financial Services Ombudsman invited submissions from all interested parties on the issue of publication of information on the complaints record of financial service providers. While inviting submissions, the Financial Services Ombudsman also set out its preliminary views on the form that such a disclosure could take. The Financial Services Ombudsman received a total of nine submissions, including one from an individual and eight from individual financial service providers and industry stakeholder representative groups. All submissions have been published on the Financial Services Ombudsman website.

**Acting Chairman (Deputy Joanna Tuffy):** Minister, you are over time. I will take a supplementary question and return to you afterwards.

**Deputy Dara Calleary:** I welcome the tone of the response so far. If the Minister wishes to conclude he should carry on.

**Deputy Michael Noonan:** On 5 January 2012 the Financial Services Ombudsman wrote to my Department. He referred to several of the submissions in which concern was expressed about how information on the complaints record of financial service providers might be presented. Assurances were sought that the information would be presented in a manner that was verifiable, robust, properly contextualised and not misleading. In addition, some submissions expressed a reservation about identifying individual financial service providers in case summaries.

In the Financial Services Ombudsman's biannual reviews, information on findings is given in two forms. First, information is aggregated into three general categories: investment, banking and insurance. Second, within each general category the information is broken down by product type. All information is aggregated across all providers so that no individual provider is identified. The information provided under each category is similar, that is, total number of complaints, complaints upheld, complaints upheld in part, complaints not upheld and total amount of compensation awarded. The annual report provides case summaries on an anonymous basis and details from the findings are redacted so that neither the complainant nor the provider can be identified.

The Financial Services Ombudsman is now proposing that the biannual review could provide a further breakdown of the information provided by the financial service provider. Accordingly, for each financial service provider information would be provided on the total number of complaints, the number of complaints upheld, the number of complaints upheld in part, the number of complaints not upheld and the total amount of compensation awarded. To give an accurate picture of the complaints record of each financial service provider, information about the relative market share of the provider would also be provided. Wherever possible, this would be done using information already in the public domain especially as referenced in other frequent regulatory reporting. For example, for insurance products the relevant metric would be the number of policies in force or the number of people covered by those policies. For banking products the relevant metric might be number of accounts or number of particular products in force. The Financial Services Ombudsman also stated that he would fully engage with the

industry to develop the most appropriate manner of presenting market share information for each relevant product and that case summaries identifying the financial service provider should only be presented where there was a compelling public interest to do so and this would be specifically provided for in legislation. He went on to state that such a compelling public interest would include the need to inform potential customers that certain financial products may carry risks that customers would otherwise be unaware of in the absence of such a disclosure.

The Financial Services Ombudsman also suggested that any legislative regime would incorporate several elements. It should set out a requirement to publish information on the complaints record of financial service providers on a regular basis, that is, every six months. It should provide the Financial Services Ombudsman with the flexibility with regard to the format of the presentation of the information. I wish to inform the Deputy that I am currently considering the Financial Services Ombudsman's proposals on the naming issue. Once I have clarified the legal issues involved I will bring the appropriate proposals to Government.

### **Social Welfare Code**

**Deputy Willie Penrose:** I hope there is some leniency with my time. I thank the Ceann Comhairle for selecting this important issue for debate in the Dáil. We are all aware of the importance of having a safety net in place in the social welfare system for when one falls into personal difficulties such as illness or where one loses one's job unexpectedly. It is important that people who find themselves in these positions have seamless access to the welfare system and that they receive due payments in accordance with their contribution rates as laid down in law.

Like many colleagues in the House, during the course of the recent general election campaign I encountered hundreds of self-employed people throughout my constituency of Longford-Westmeath who had become unemployed unexpectedly. This occurred due to the downturn, due to illness, for other reasons or due to a closure of the business. Such people are liable for PRSI payments under the class S rate of 4% which entitles them to access long-term benefits such as the State pension contributory or the widow's, widower's or surviving civil partner's pension contributory. It can be gleaned from the foregoing that this does not qualify them for jobseeker's benefit irrespective of how long they have been making contributions. These people are compelled to recourse to jobseeker's allowance which, as we are aware, is means-tested.

For many formerly self-employed people this turns out to be their first encounter with the social welfare system. This has turned into an emotive, tortuous and complex process in so far as the assessment must reflect the income that the self-employed person might expect to get from his or her business in the following 12 months or so. Generally, this is posited upon what he or she has earned during the previous 12 months. A minute examination of the previous year's activities and income arising is then gone through. Most people do not have one euro left at that stage. It is rather like looking for last year's snow in the middle of spring. It is an exhaustive process that takes a long time and it taxes everyone's patience. These people are left in limbo without any income to pay for the essentials of living, such as keeping food on the table or keeping a roof over their heads.

The fall-back advice is to go to the community welfare officer. However, this is not a straightforward process. One's history must be reviewed and an assessment must be carried out and this is part of the vicious cycle. In the meantime the self-employed applicant is not even a statistic on the unemployment register. By virtue of this consequence alone, such people do not qualify for participation in the various schemes or opportunities that might arise therefrom. They are left in no man's land. They feel bruised and isolated and deeply irritated and understandably so.

[Deputy Willie Penrose.]

As a result of these situations I have encountered in recent years I specifically requested that a commitment should be included in the programme for Government to examine the feasibility of providing social insurance cover for self-employed persons. I compliment the Minister on establishing the advisory group on tax and social welfare to progress this issue and to establish whether cover is technically feasible and financially sustainable. I realise the Department must go through this process.

We should not forget that many of these people who were self-employed also provided valuable employment for others. Many were sole traders or partners and found themselves to be victims in so far as money due from the main contractor or sub-contractor which may have gone out of business did not materialise or else they were subject to part payment, ultimately leading to the collapse of the self-employed person's business. This is why they find themselves going to the Department.

We must confront this issue and address it in a positive and constructive way. We must address the plight of the self-employed. From my discussions with self-employed persons I believe that given the opportunity they would be willing to contribute to a special rate of PRSI contribution. I accept that this would likely be significant but it would enable them upon cessation of employment by virtue of a downturn or other circumstance to qualify for benefits immediately and have access to the full range of social welfare insurance benefits that arise from making contributions at a given level or class. This may not mean such a person would be entitled to the full range of social welfare benefits but it should correspond to the appropriate class. As an accountant, the Minister will be acutely aware of this and will be better able to understand it than most.

I do not believe this would open the floodgates although I understand the Minister will have some concerns in that regard. Many self-employed persons must register as an employer. Self-employed people never receive any recognition for their role as tax collectors who furnish payments to the Exchequer on a monthly basis and must employ people to do so.

It is time the issue of the exclusion of self-employed people from the social welfare system was faced and addressed in a positive way. That is the least these people deserve. I compliment the Minister on making a good start.

**Minister for Social Protection (Deputy Joan Burton):** I thank Deputy Penrose for raising this important issue which is critical for the people, families and communities affected by the loss of employment by so many self-employed people. Not only did these people employ themselves and their families, but they employed many others, particularly in the construction area and allied sectors.

Self-employed persons are liable for PRSI at the Class S rate of 4%, which entitles them to access long-term benefits such as the State pension, contributory, and widow's, widower's or surviving civil partner's pension, contributory. Ordinary employees who have access to the full range of social insurance benefits pay Class A PRSI at the rate of 4%. In addition, their employers make a PRSI contribution of 10.75% in respect of their employees, resulting in the payment of a combined 14.75% rate per employee under full-rate PRSI Class A. For employees earning less than €356 per week, the rate of employee's PRSI is 4.25%

Any changes to the PRSI system to extend the full range of social insurance benefits, including jobseeker's benefit, to self-employed persons would have significant financial implications and would have to be considered in the context of a much more significant rise in the rate of contribution payable.

I established the advisory group on tax and social welfare last year to meet the commitment made in the programme for Government. The advisory group will, *inter alia*, examine and report on issues involved in providing social insurance cover for self-employed persons in order to establish whether such cover is technically feasible and financially sustainable. In addition, the actuarial review of the social insurance fund, which is due to be completed in mid-2012, will examine this matter. Obviously, since the crash, the social insurance fund has gone into significant deficit and that is part of our problem and we must find a way to get the social insurance fund to grow so we can meet all the requirements on the fund.

Self-employed workers may establish eligibility to assistance-based payments such as jobseeker's allowance. They can apply for the means-tested jobseeker's allowance if their business ceases or if they are on low income as a result of a downturn in demand for their services. In general, their means will take account of the level of earnings in the past 12 months in determining their expected income for the following year and, in the current climate, account is taken of the downward trend in the economy. As in the case of a non-self-employed unemployed claimant of jobseeker's allowance, the means of the person's husband, wife, civil partner or cohabitant will be taken into account in deciding on entitlement to a payment.

I share the Deputy's memory of the snow last year and of the distress of families that found themselves in the unfortunate position described so eloquently by Deputy Penrose.

**Deputy Willie Penrose:** Even in trying to bring equality to the system, is it not the case that all current earnings from self-employment are taken into account and there are no disregards as there are in similar cases where people are not self-employed? Also, earnings are assessed as gross income less the work related expenses.

Notwithstanding the Minister's comment on the actuarial review and the significant deficit, we should not resile from confronting this problem. The mark of this Government will be to do something new. This is a reforming Minister and she can leave her mark on the social welfare system by dealing with this issue. She should not resile from the issue and if it is necessary for the self-employed to pay at a rate of 20%, so be it. At least then when they have to go to the social welfare office in four year's time — hopefully the situation will have changed and that will not be necessary — they will be able to get an immediate payment. We must put food on the table today and there is no use promising utopia tomorrow. We must look after the people. Self-employed people have basically been written out of the script, but I do not intend to allow that situation continue. I have had a taste of that situation myself, so I know the two sides of the coin, as does the Minister.

I know the review group is to come back with a report, but the Minister must not allow that report gather dust nor let reports gathering dust become the hallmark of the Government. She must act on the report and bring it to an Oireachtas committee where we can debate it. She will find people from the self-employed sector more than willing to participate in that debate and to make positive progress.

**Deputy Joan Burton:** I appreciate the Deputy's comments and views. Our social insurance must change to accommodate the fact that many more people will, at some point in their working lives, be self-employed, be self-employed contractors or set up a small family company, for example, in the construction industry. In some cases, employers have structured employment so people who would formerly have been deemed employees, are contractors and self-employed. We cannot call our system a universal social insurance system unless we take account of these patterns of employment. Many of the self-employed people mentioned by Deputy Penrose are people who worked in construction, whether plumbers, carpenters or something else. Traditionally, these people would have been employed as employees, but the manner in

[Deputy Joan Burton.]

which the construction industry has developed over time has meant that many of these people became self-employed subbies. Often they were left waiting for payment and this, in turn, contributed to their distress.

I am conscious that currently, in law, even if people have the wherewithal and wish to make a contribution, they are unable to do so and many self-employed people have made that point to me personally. Self-employment covers a wide range of jobs and professions. Barristers are self-employed and we often do not think of some of the wide range of people in various jobs and professions as self-employed. I know from speaking to many of these people, not only those in the construction sector, that many of them are interested in being allowed to make a contribution so they will have some cushion of safety in the event their business or employment goes south.

### **Employment Support Services**

**Deputy Alan Farrell:** I want to provide the context for this issue. In 2010 some 20 courses were offered to residents of Balbriggan and the surrounding areas in the FÁS facility. In 2011 the number of courses was reduced to 12 and as of last month there is none. In terms of the number of people unemployed in the area, in 2010 that figure was 3,000, in 2011 it was 4,000 and now in 2012, it is almost 5,000, of which some 25% are under 25 years of age. In the most recent and previous census, Balbriggan was the second fastest growing urban centre in the State, just behind Dublin 15. However, it is now in the unfortunate position of having no training courses available for those seeking employment.

I accept what FÁS has said with regard to the effectiveness of the courses in generating employment for participants. At the same time, it is incumbent on the State to do what it can to upskill individuals who, for various reasons but through no fault of their own, find themselves unemployed. Balbriggan is a town of 15,000 people and for that number of its population to be unemployed is shocking. A number of arguments have been made for relocating the courses and for sending Balbriggan residents 30 km to the Baldoyle facility. However, the travel allowance provided to these social welfare recipients is only €20. A single ticket from Balbriggan to Baldoyle is €4.70 and it amounts to €33 per week there and back for attendees. That may not seem like much money to some but it is a significant amount for social welfare recipients attempting to upskill in order to more readily find employment.

What is the rationale behind stopping courses in the Balbriggan facility and will the Minister of State reconsider the decision to discontinue courses there, given the growth in the town and obvious difficulties with employment in the area? A large number of potential students are under 25 and some may not have third level qualifications and use FÁS or SOLAS as an opportunity to upskill. I am interested in the Minister of State's comments.

**Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon):** I thank Deputy Farrell for giving me the opportunity to clarify this very important issue. The organisation of FÁS training is an operational matter for that body but I am pleased to let the Deputy know that I have been informed that officials in FÁS training services have not made a decision to discontinue the provision of training courses in the Balbriggan area.

The FÁS training centre in Baldoyle has responsibility for the operation and administration of contracted training in north Dublin, which includes the Balbriggan area, and in 2011 the training centre conducted a performance review of its training portfolio and provision over the previous two years. This review, in conjunction with the FÁS training strategy and corporate objectives, determined the initial 2012 portfolio and the allocation of training provision within north Dublin, including the Balbriggan area. As I am sure the Deputy can appreciate, in light

of the prevailing economic and financial conditions, it is imperative that training courses achieve critical performance measurements and value for money to ensure continuing budget allocation.

The FÁS analysis of the training courses delivered in the Balbriggan area highlighted that in some cases the required training outcomes, particularly placement into employment, were not achieved, and consequently the initial 2012 allocation of training provision in the Balbriggan area has been adjusted. The FÁS training centre in Baldoyle is currently in the process of reviewing the allocation of contracted training provision for 2012 and as part of this process the centre will review training provision within Balbriggan and other areas with a view to identifying training requirements that are in line with labour market demand and which will produce quality outcomes and value for money. The Deputy may already know that in addition to contracted training courses, FÁS currently funds local training initiative projects and the Balbriggan enterprise development group jobs club.

**Deputy Alan Farrell:** I thank the Minister of State for his response. I take issue with FÁS making a decision to reduce the training facilities by 100% upon completing an investigation into the effectiveness of the courses it provides. Given that the assessment was done over the past two years, when we lost the most jobs in this State, I would have thought some consideration would be given to that fact. I am disappointed, although there is a chink of light in the indication that FÁS will continuously review training provision within Balbriggan and other areas. As I noted at the start, in 2010 there were 20 courses, and that was reduced by almost 50% to 12 courses in 2011. Now there is none and the unemployment rate has increased substantially in the area.

I accept the Minister of State's indication that it is the responsibility of FÁS to make such decisions but I plead with him to have a conversation with officials in that body and convey to them my sentiments and those of a number of residents in the area who have been in touch with me. There have been two headlines in local media about this issue and one of the comments, to which I have already alluded, is that Balbriggan residents can access FÁS services in Baldoyle directly by mainline rail within the travel allowance available. That is true but the allowance is just over half of what would be required in order to attend the facility. Will the Minister of State convey these facts to FÁS with a view to reviewing the decision?

**Deputy Ciarán Cannon:** I will undertake to convey the Deputy's sentiments to FÁS as it carries out the review of training provision in north Dublin in general. As I indicated, there has been no decision by FÁS to discontinue all training courses in the Balbriggan area. The review of the FÁS contracted training provision for 2012 within Balbriggan and other areas will highlight the relevant training requirements that will provide timely and effective outcomes for participants and deliver value for money for FÁS training services.

We must acknowledge that there have been past difficulties with the quality of courses delivered by FÁS and the outcomes for participants. In particular, there have been difficulties with placement rates at the end of these courses. We must ask ourselves, not alone for the north Dublin case but for the entire country, if we intend to continue training provision for the sake of it or if we will carry out an in-depth and forensic analysis of the kind of training being provided. Will we assess whether the training is appropriate to the needs of the learner or client, as well as the needs of enterprise in each specific area? FÁS is undertaking to answer these questions to ensure that the training being provided is appropriate to the needs of the learner and enterprise in general. I am confident that when the review is complete, there will be training provision in Balbriggan and nobody in the area who seeks to have a high quality and appropriate level of training will be in any way disadvantaged.

## Water and Sewerage Schemes

**Deputy Michael P. Kitt:** I will not have to elaborate too much on this issue as the Minister of State and I share the constituency of Galway East. He will appreciate that there was a unique decision by the members of Galway County Council in 2006 or 2007 to provide funds solely from the council for the Kiltormer sewerage scheme. This decision stemmed from the frustration of councillors, who found it difficult to get approval for a sewerage scheme in a small village like Kiltormer. There were funds available from development charges and the building boom in 2006 and 2007 so the council was able to make up to €1.1 million available for a scheme like this. I understand there were two small villages in County Galway earmarked for funding from the development charges.

There were efforts made by me, the councillors and, I am sure, the Minister of State to try to get group sewerage schemes set up with funding under the CLÁR programme but they all seemed to fail. In the case of Kiltormer, consultants were appointed, a site was identified as a treatment plant and the costing in 2006 and 2007 was approximately €1.1 million. I do not know what the figure would be today and the Minister of State might indicate if it could be less than that. A special fund was allocated from planning and development charges levied by the county council.

There were many reasons given for the delay in approving the scheme, and I would class many of these as excuses. For example, when cryptosporidium appeared in the Galway city water supply, it was given as a reason a small scheme like that in Kiltormer could not go ahead. I do not accept such a reason. There always seemed to be an issue about funding going to bigger cities and towns, and that is true even within County Galway. The needs of industry were often prioritised as well.

This raises the question about a scheme for this small village. The county councillors had agreed to provide the funding. They had won the battle for east Galway within the council. Many villages in that part of the county had been unable to make progress. As the Minister of State knows, Kiltormer used to have a particular problem with its water supply. This was sorted out when the Ballinasloe regional scheme was developed. Now that the water supply issues have been resolved, it is time to secure the funding that was made available five or six years ago. It should be ring-fenced for Kiltormer village. This would be an ideal scheme. If the funding can be provided, it will be possible to make a start on this project. I hope the Minister of State will be able to say whether this is possible.

**Deputy Ciarán Cannon:** I thank the Deputy for raising this matter. I am responding on behalf of the Minister for the Environment, Community and Local Government. The water services investment programme, which is administered by the Department of the Environment, Community and Local Government, is the principal means by which the strategic objectives of capital investment in water and waste water services are achieved. A rolling three-year programme approach was adopted in 2000 for the development and roll-out of the programme. Funding is also available for smaller public schemes through the rural water programme. Responsibility for the rural water programme is devolved to local authorities. The selection and progression of schemes under the programme, within the allocations and parameters set by the Department, is a matter for the local authority concerned.

I understand that a proposal in respect of a sewerage scheme for Kiltormer was received by the Department of the Environment, Community and Local Government from Galway County Council as part of the development of the 2005-07 water services investment programme. The Kiltormer sewerage scheme was rated 22nd on the list of sewerage schemes that was submitted by the council in response to the Department's request to local authorities in 2003 to produce updated assessments of needs for capital works in their areas and prioritise their proposals on

the basis of those assessments. In light of the level of competing demand for the available funding and given the priority afforded to the scheme by the council, it was not possible to include the scheme in the 2005-07 programme. For the same reasons, it was not included in the subsequent programme, which ran between 2007 and 2009.

The current water services investment programme, which covers the period between 2010 and 2012, aims to prioritise projects that target environmental compliance issues and support economic and employment growth. This programme followed the comprehensive review of water services capital investment that was undertaken in 2009 and 2010. All projects included in the previous programme which had not substantially advanced were reviewed to ensure the contracts and schemes that were proceeding were fully aligned with key programme economic and environmental priorities. The focus of the programme is on water conservation; environmental and public health objectives, particularly works that are required to respond to judgments of the European Court of Justice and priorities that were set in the first round of river basin management plans; and economic objectives, including works to support the development of hubs and gateways and employment creation.

A key input to the development of the current programme was the assessment of needs that was prepared by local authorities, including Galway County Council, in response to the Department's request to local authorities in 2009. These proposals were subsequently appraised by the Department. The Kiltormer sewerage scheme was not among the list of projects that were put forward by Galway County Council as part of this assessment. Therefore, it was not included in the programme. While significant resources have been provided over the past decade for water services, the availability of funds and strategic priorities determines the selection of individual projects for advancement. Consequently, it has not been possible to advance proposals in relation to the Kiltormer sewerage scheme.

**Deputy Michael P. Kitt:** I am a little disappointed with the Minister of State's reply. I am anxious to find out what happened to the €1.1 million in planning and development charges that was allocated from the council's own resources. The Minister of State is responding on behalf of the Minister — I appreciate this is not his Department — so perhaps he does not know. The councillors decided that the village of Kiltormer should get a small sewerage scheme, which it badly needs. I represented the Kiltormer area, which the Minister of State knows as well as I do, at county council level for 17 years, including when this project was first proposed. If I live for another few weeks, I will have been representing the area in the Oireachtas for 37 years. I have been pushing this scheme for a long time.

It is disappointing that the Minister of State has been unable to provide information on where the money went. Did the consultants who were appointed draw up a report? What happened the site that was identified for the treatment plant? There must be some record of what happened the money and the preparations that were made for the scheme. One of the reasons I have been approached on this issue is that people will soon have to pay €5 or €50 to register their septic tanks. People in Kiltormer think that if this scheme had been completed in 2006 or 2007, they would not have to pay €5 or €50 to register their septic tanks. That is a fair comment. No one is objecting to that on those grounds. The point that is being made by those who feel rural Ireland is being discriminated against is that the €5 or €50 charge that is being imposed on everybody with a septic tank will not have to be paid by those whose properties are served by sewerage systems. It has been suggested that people whose septic tanks need to be improved will have to pay up to €1,700.

I do not think the Minister of State has answered many of the questions that are being raised in this regard. I ask him to get back to me. Perhaps he can contact the Department to find out

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what happened the funding that was made available by councillors in good faith? I refer to receipts from the development charges. If that information is made available, it might be possible to make a start with this scheme.

**Deputy Ciarán Cannon:** I will do everything I can to advance the provision of a sewage treatment plant in Kiltormer. If Deputy Kitt sends me an e-mail reiterating the points he has made, I will raise them directly with the Minister, Deputy Hogan. It is important to point out that the Minister and the Department give local authorities a large degree of autonomy to assess their own water and waste water needs. The most recent assessment that was conducted by Galway County Council, which fed into the preparation of the 2010-12 water services investment programme, did not include a proposal for a sewerage scheme in Kiltormer. The first port of call for Deputy Kitt and me — and perhaps other Members of the Oireachtas who represent Galway East — might be the local authority to establish why the scheme in Kiltormer was not prioritised. In fact, it was not even included in the most recent list that was submitted by Galway County Council. As the Deputy suggested, I will seek to ascertain where the €1.1 million fund ended up. Perhaps it was invested in other schemes. It might be found in the depths of the coffers of Galway County Council or the Department of the Environment, Community and Local Government. I will work with the Deputy and the other Members of the Oireachtas from east Galway to advance this scheme as quickly as possible.

## Ceisteanna — Questions

### Priority Questions

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#### State Airports

1. **Deputy Timmy Dooley** asked the Minister for Transport, Tourism and Sport when he will publish the Booz Report; the reason for the delay in its publication; and if he will make a statement on the matter. [8950/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The Deputy's question relates to the publication of the Booz report on the future ownership and operation of Cork and Shannon airports. As I have advised the Deputy previously, the report contains commercially sensitive information, much of which was provided on a confidential basis. For this reason, it will not be possible to publish the report in full. However, I intend to publish a redacted version of the report before the end of the month, once I am satisfied that the confidential information is protected. Since the Deputy last raised the matter in the House, I have brought the Booz report to the Government for the information of my Cabinet colleagues. I have also commenced a process of engaging in detail with relevant stakeholders. When that process has been completed, I will bring proposals to the Government on the future of Cork and Shannon airports.

**Deputy Timmy Dooley:** I thank the Minister for clarifying that he intends to publish a version of the report by the end of the month. I welcome that. As I have expressed to the Minister in the past, the report is causing great consternation and concern among workers and tourism interests in the Shannon region. They are deeply concerned that the report has not been published almost 12 months after the Government came to office on the back of expectations that it would introduce important measures to assist Shannon Airport and the wider region which

would increase the number of routes at the airport and consequently boost passenger numbers. Expectations in the region were raised by statements and comments made by the Fine Gael Party and its partner in government. I am disappointed it is taking so long to publish the Booz report. I am also concerned by some of the leaks emanating from the Government or individuals who are familiar with the contents of the report. It is clear that some external interests are seeking to privatise, part-privatise or franchise in some manner the activities at the airport. Any such moves would fly in the face of the necessity to retain in State control not only the airport's infrastructure but also its operations, management, facilities and assets. I hope the Department will be able to live up to the stated intention to publish the report by the end of the month and it will not be necessary to have a further discussion on it in Question Time. I look forward to a debate in the Dáil or the Committee on the Environment, Transport, Culture and the Gaeltacht following its publication.

**Deputy Leo Varadkar:** While I appreciate it has been almost 12 months since the Government assumed office, as the Deputy will be aware, Shannon Airport has been in limbo since 2008 when a decision was made to defer taking a decision. The period of limbo commenced in 2008 and I intend to end uncertainty about the airport this year.

I appreciate that tourism and employee interests in the region are concerned about Shannon Airport. I have visited the region twice and will do so again in the next few months. I met representatives of trade unions and business and tourism interests and while there is legitimate concern, there is also great ambition and excitement about the opportunities that could be provided as part of a new approach to Shannon Airport. I have been highly impressed by the engagement I have had with interests in the region and the realism they have shown in accepting that things cannot continue as they are. The airport is losing passengers and is in something of a decline. The *status quo* is not working and substantive change is needed in the way the airport operates.

### Road Network

2. **Deputy Dessie Ellis** asked the Minister for Transport, Tourism and Sport the progress of the A5 Dublin to Derry road. [8606/12]

**Deputy Leo Varadkar:** The Deputy's question relates to the A5 roads project. In 2006 the Government gave a commitment to co-fund the construction of the A5 through Northern Ireland to Derry, thus improving access to Letterkenny and north County Donegal. Until the end of 2011, funding of £19 million was paid by the Government towards the planning of the project. A further £3 million was paid in February 2012 towards the completion of the public inquiry on the project.

At the North-South Ministerial Council plenary meeting on 18 November 2011, Ministers noted that the provision of further funding by the Irish Government for the A5 road was being deferred but that the Government will provide £25 million per annum in 2015 and 2016 towards the project. It should be noted that this is the most significant commitment the current Government has made to any non-public private partnership roads project in the country. It was also noted that a new funding and implementation plan for the project would be prepared for agreement at the next North-South Ministerial Council transport meeting with endorsement at the next North-South Ministerial Council plenary meeting.

The Minister for Regional Development, Mr. Danny Kennedy, MLA, has announced that following a re-evaluation of the Northern Ireland roads programme, funding has been secured for two significant elements of the A5 dual carriageway project, between Derry and Strabane and Omagh and Ballygawley. This is very welcome as it will improve journey times between

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north County Donegal and the greater Dublin area. It is anticipated, subject to the outcome of the public inquiry on the project, that both sections could commence construction later this year. This announcement will be reflected in the revised implementation.

**Deputy Dessie Ellis:** As the Minister is aware, the A5 upgrade is a vital infrastructural project which will link Dublin with Derry. Once completed, the main cities of the country will be linked up. It is disappointing to note funding will be provided in 2015. My Northern colleagues, including Pat Doherty, MP, have fought tooth and nail to secure funding for the project in the North. Why is it necessary to wait until 2015 before making funding available? County Donegal and the north-west region in general have been isolated for far too long and do not have the infrastructure they need. Counties Derry, Donegal, Monaghan and Tyrone are the worst road traffic accident blackspots in the country. The number of lives that would be saved if the A5 road infrastructure were in place is another factor that should be taken into account. I am disappointed by the Minister's decision as this commitment is a part of an agreement between two sovereign governments, namely, the St. Andrews Agreement. I ask him to review the funding schedule and allocate more money towards the A5 road project. The timeframe envisaged by the Minister is too long, especially in light of the commitment made by our Northern counterparts.

**Deputy Leo Varadkar:** The A5 road project is not part of the St. Andrews Agreement but one that arose from the agreement.

**Deputy Dessie Ellis:** It was negotiated.

**Deputy Leo Varadkar:** We have made a commitment to provide €25 million in 2015 and 2016 and that money will be provided. We will review the position if the economic and budgetary circumstances dramatically change before 2015. That is the only context in which we could review the recently published capital investment plan. Things are different in Northern Ireland which has access to very large transfers from the UK taxpayer which it does not have to repay, unlike the money we are borrowing from the EU and IMF. If we had a united Ireland, which Sinn Féin strongly advocates, as does my party, we would not be able to build the A5 and would have to cancel the project announced yesterday by the Minister for Regional Development, Danny Kennedy, MLA, because we would not have access to the UK taxpayer to pay for our roads.

**Deputy Dessie Ellis:** While I understand that funding is tight, the A5 project is of vital importance to the north west. It is the lifeblood of the region and will provide significant benefits, including attracting industry and creating employment both directly on the road project and in ancillary areas. The House discussed the Government's Action Plan on Jobs earlier. The A5 project would create direct and indirect jobs and it is important it should proceed.

**Deputy Leo Varadkar:** I agree that upgrading the A5 is important and beneficial, not only for Derry but also for north County Donegal. I am pleased, therefore, that with the help of the British sovereign and taxpayers, the Minister for Regional Development in Northern Ireland, Danny Kennedy, MLA, is able to proceed with construction of sections of the road. Unfortunately, owing to the financial position in which we find ourselves, we cannot complete the sections of road in this jurisdiction just yet. However, we will make contributions from 2015 onwards.

A little more consistency from Sinn Féin on this matter would be helpful. When the Government cut €750 million from the capital budget Sinn Féin heavily criticised its decision and

suggested all the money saved should be invested in water and none of it in roads. The €7 billion stimulus plan produced by Sinn Féin some months ago, funding for which was to be provided by the National Pensions Reserve Fund and European Investment Bank, did not propose to invest anything in roads. If one examines the detail of Sinn Féin policy, it is to oppose road construction in the Republic and advocate it in Northern Ireland. Consistency from the party in the North and South, not only on transport but also on school cuts, welfare, property charges and just about everything else, would be interesting.

### **Public Transport**

3. **Deputy Joan Collins** asked the Minister for Transport, Tourism and Sport in view of the distribution of €23 million from the Smarter travel fund to Limerick, Dungarvan and Westport, if he will report on the way the decision was made to award funding to these areas; and the criteria the short-listed proposals, including Drimnagh, Dublin, would need to meet to achieve this funding and is there more funds earmarked for Smarter Travel in the future. [8927/12]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Alan Kelly) (Deputy Alan Kelly):** The smarter travel areas selected for funding were drawn from a recommended and ranked selection made by an independent panel formed to provide recommendations on the smarter travel areas competition. The panel comprised representatives of my Department, the Department of the Environment, Community and Local Government and an independent expert in sustainable travel. The adjudication process involved site visits, assessment of the bid documents submitted from each of the 11 short-listed bid areas and an interview with each delivery team.

The criteria for selection, made available to all authorities in advance, were projected outcomes and impacts of the proposals, for example, percentage of modal shift from the car; project design and infrastructure; information and behavioural change campaigns; and delivery and implementation plans. A guidance document was also made available with further information as to requirements provided under each of these headings.

At the competition launch, the intended programme expenditure was €50 million over five years, but in the current economic climate, this has been reduced to €23 million. Given the current fiscal situation, only a small number could be funded. In the case of Galway, for example, although it was ranked second funding was not awarded because the scale of the bid and the reduction of the programme's budget would have precluded investment in any other areas. However, I hope the disappointed authorities will not be deterred from building on the ambitions which they developed for their areas and which they may be able to progress over time, outside the competition.

I understand the Drimnagh bid received widespread endorsement from local community groups, residents' associations and local businesses. In this regard, and based on the input of the local Government Deputies, I have asked the National Transport Authority to take a positive look at elements of the Drimnagh bid because it has such strong community support.

The smarter travel areas programme has a budget of €23 million over five years. The total smarter travel investment funding available to the national sustainable travel office in my Department is €65 million over five years. The NTA also has a significant budget for sustainable transport improvements in the greater Dublin area and the regional cities to 2016, providing opportunities for authorities to fund smarter travel investment. I understand the NTA will make available funding in excess of €20 million in 2012 for sustainable transport investment in the GDA.

**Deputy Joan Collins:** The Minister of State is right to say there was a great deal of support and community activity around the bid for smarter travel. People in Drimnagh and in the other areas were led to believe the competition list had been reduced first to 11, then to four, two of which were in Dublin, Drimnagh and either Sandyford or Sandymount — I cannot remember which — and two outside Dublin. When the announcement was made that the smarter travel bids had gone to three areas outside Dublin a question was raised. One bid went to Westport in County Mayo, a well-known area of the Taoiseach——

**Deputy Michael Ring:** I am sorry, but that is my area.

**Deputy Timmy Dooley:** Let there be no doubt.

**Deputy Joan Collins:** Another went to Limerick, where the Minister for Finance, Deputy Noonan, is based and there was Dungarvan which is——

**An Ceann Comhairle:** Can we have a question, Deputy?

**Deputy Joan Collins:** ——the ground of the Minister for Public Expenditure and Reform, Deputy Howlin, the Minister of State, Deputy Paul Kehoe, and others. There is a question mark. The communities asked me to raise this matter in the Dáil. Will the Minister of State give a breakdown of the bids from each area and on what they were based? He mentioned that the Galway bid concerned a project that was too big and would have cost too much money given that the money had to be divided among three areas. I ask for a breakdown that would give some accountability and transparency and eliminate some of the questions raised in respect of how the money was distributed. We would be interested to see that money coming to us because the area really worked hard to make its bid.

**Deputy Alan Kelly:** I thank the Deputy. The information she requested is available from the Department and I would be happy to provide it to her. The competition was delivered with independent assessment and was run in a very fair manner. The assessments were based on what was put forward by each local authority. Given the economic circumstances there was a restricted budget of only €23 million.

I am aware of the two applications to which the Deputy referred. The authorities concerned were very disappointed. I have had correspondence with various people in that regard across a wide political spectrum and beyond. What we have told people is that in regard to some of the funding the National Transport Authority has over the coming five years for Dublin city, it would look at the elements of the two bids they found most progressive and would try to ensure they were progressed.

In the instance of Drimnagh, the NTA has already provided an allocation of €150,000 to develop and deliver specific elements of its smarter travel bid. The precise elements to be supported under this grant will be worked out in conjunction with Dublin City Council. However, these are likely to include certain junctional configuration as well as other works that support pedestrian and cycle areas in the vicinity.

**Deputy Joan Collins:** We understood this €50 million was to come from the EU, not from our own finances. However, the Minister of State stated that was the reason for the reduction to €23 million. We would very much welcome this in Drimnagh where many parts, including the junctions, roads and pathways, need to be upgraded significantly. It would give tremendous support to the people of Drimnagh who, as the Minister of State knows, have endured a great deal of bad media coverage. That was one of the reasons the community was so keen to get money and recognition of what it has been trying to do in the past while. Perhaps we can work

more closely with the NTA and the Minister of State in order to get more money into the community. That would be appreciated.

4. **Deputy Timmy Dooley** asked the Minister for Transport, Tourism and Sport the number of subscriptions that have been recorded for the new Leap card since its introduction; the number faults or operational complaints lodged with its operator since that date; if he has received any reports regarding consumer reactions; and if he will make a statement on the matter. [8951/12]

**Deputy Alan Kelly:** The responsibility to develop, procure, implement, operate and maintain the integrated ticketing system in the greater Dublin area became the function of the National Transport Authority with effect from 30 September 2010, in accordance with section 58 of the Dublin Transport Authority Act 2008.

I am informed by the NTA that the Leapcard scheme has got off to a strong start and is proving popular with increasing numbers of passengers. There are 57,000 cards in circulation and cardholders are regularly topping up their cards in payzone locations and online. More than €2 million has been received to date and, a first announcement, in excess of 900,000 journeys have been taken using Leapcards since the launch on 12 December 2011. The current average is 35,000 trips per day.

The Leapcard call centre had received complaints from fewer than 0.4% of cardholders, or approximately 200 formal complaints, by the end of January. All of these have been followed up by the scheme's operator with the complainants. The NTA has not conducted surveys of customer reactions as yet but the authority has advised me that over the coming months it will carry out research in conjunction with transport operators to assess customer reactions.

The overwhelming response from customers has been positive and although there are some teething issues which are being addressed the volume of sales and usage has exceeded expectations for this stage in the launch period. Over the course of 2012 there will be a progressive increase in functionality and expansion to additional operators.

**Deputy Timmy Dooley:** My understanding is there has been a considerable number of complaints. The Minister of State will be aware of various media reports, both in print and on radio. As I understand it, many of the comments have mentioned an archaic and slow system. Many of the complaints relate to the online top-up system and fare issues. In spite of promises of an integrated system passengers are annoyed they cannot top up at railway stations as Iarnród Éireann does not provide a top-up facility. Although the cards can be topped up at the Luas ticket machines railway passengers must find a vendor in the proximity of train stations. That is not acceptable. In addition, a slow system does not allow online credit to be uploaded automatically and it can take in the region of 48 hours for credit to be ready for collection. This means some commuters must plan two days in advance. That is not adequate.

My concern is there seems to have been a desire on the part of the Government to launch the product notwithstanding the delays that were there — much of them rightly to ensure many of the issues that arise now would have been tweaked and resolved. There was a desire, of both Department and Government, to rush to the market to achieve certain milestones within a set number of days in power. As a result damage has been done to the viability of the project and this has annoyed a good number of commuters.

I look forward to the Minister of State giving an assurance to the House that the NTA, which I take it he identifies as the body responsible, will deal with this. Many of the photographs at the launch of the card did not include the chief executive of the NTA, but the Minister of State, and rightly so — we should take and accept political responsibility.

**An Ceann Comhairle:** We are running out of time.

**Deputy Timmy Dooley:** When there is bad news one must come out front too, as I know the Minister of State will. I hope he will put in place an effective methodology to capture the concerns of commuters and try to ensure these issues are resolved in everybody's interest as quickly as possible.

**Deputy Alan Kelly:** I thank the Deputy for that enlightening contribution which was humorous at times. Maybe the first thing Deputy Dooley should do is ring his former colleague, Noel Dempsey, to ask how it took this length of time and why it took someone in this Government to bring it to fruition. It is a bit rich for Deputy Dooley to complain that the card was launched by this Government when it had to take control of the situation and deliver it on behalf of the people in the greater Dublin area. We stand over the fact that it has been a great success.

The technology is very strong and among the best in the world. What has been missed by the media is that launches of similar cards were an iterative process. A number of launches are required, including in the case of London, and it can take between 11 and 17 launches because of the number of products that must be stabilised. This is a matter for the National Transport Authority, which will add different products and services over the coming months. In the second quarter of this year, we expect it to extend to more operators in the private area. Card sales and top-ups will be possible from Iarnród Éireann vending machines. Luas and Iarnród Éireann vending will be enabled for web collection and there will be an auto top-up facility for all operators, whereby direct debits can be made from bank details. A huge number of enhancements can be made and by the end of year everyone will see the value of the Leap Card, which is a fantastic facility for those commuting around Dublin. The volume of complaints has been very low. Deputy Dooley has been listening to various media complaints but the percentage of people happy with it is phenomenal. It is a great achievement to have in the city and I stand over the way it was launched. By the end of the year, that enhancements will show this to be a quality product.

**Deputy Timmy Dooley:** It is often said that one humorous comment borrows another and the Minister of State is being humorous in his continued presentation that when he came into office, from base principles he created the Leap Card and all the proprietary software and pulled it together in a few months. The Minister of State has rushed this to the market in order to give himself a clap on the back.

**Deputy Alan Kelly:** Rubbish.

**An Ceann Comhairle:** This is Question Time, Deputy Dooley should ask questions.

**Deputy Timmy Dooley:** Does the Minister of State accept that he rushed this in order to get a PR lift? It has backfired on him and much of the work was done when he came into office. He sought to bring it to the market a couple of weeks ahead of time and he is now suffering embarrassment and hiding behind the bluster that does not sit well with him.

**An Ceann Comhairle:** The Minister of State can defend himself very quickly.

**Deputy Timmy Dooley:** He does not need any help in that regard.

**Deputy Alan Kelly:** Perhaps it is because Deputy Dooley is a Clare man, but maybe he should use the Leap Card more often. I do not know if he has one. This Government came into office and had to take control of the situation and deliver it for the people of Dublin. That

is what we have done and what we will continue to do because Fianna Fáil was incapable of doing so.

**An Ceann Comhairle:** Question No. 5, in the name of Deputy Sandra McLellan, will be taken by Deputy Dessie Ellis with my permission.

**Deputy Michael Ring:** That is fine, even though it is not in the rules.

**An Ceann Comhairle:** It is in the rules, I have the authority to have the questions in advance.

**Deputy Michael Ring:** I nearly got thrown out of the Dáil once for that. It was a previous Ceann Comhairle, not the current one, but I have no problem with it even though I never forgot it.

**Deputy Timmy Dooley:** Deputy Ring must have been briefing Deputy McNamara.

### **Sports Capital Programme**

5. **Deputy Sandra McLellan** asked the Minister for Transport, Tourism and Sport the date in early 2012 on which a new round of sports capital programme will be launched; the amount of funding available for same; the way local sporting organisations should apply for such funding; and if he will make a statement on the matter. [9130/12]

**Deputy Michael Ring:** I recently announced that I will be advertising two new rounds of the sports capital programme between now and 2016. I am currently making the necessary arrangements with a view to launching the first round in the coming weeks. The advertisement of the new round and the amount to be allocated will be decided in consultation with the Minister for Public Expenditure and Reform. The programme for Government specifies that sports funding should prioritise projects that further greater participation in sport on a local and national level. This will be the central focus of the new rounds of the programme.

The programme aims to foster an integrated and planned approach to developing sports and physical recreation facilities throughout the country. The programme assists the development of high quality, safe, well-designed and sustainable facilities in appropriate locations and the provision of appropriate equipment to help maximise participation in sport and physical recreation. The programme prioritises the needs of disadvantaged areas in the provision of sports facilities and encourages the multi-purpose use of local, regional and national sports facilities by clubs, community organisations and national governing bodies of sport. Qualifying organisations such as voluntary and community organisations, national governing bodies of sport, VECs, local authorities and, in some circumstances, schools will be able to apply in writing or online using a form that will be made available when the programme is launched.

**Deputy Dessie Ellis:** The sports capital programme has been the lifeblood for many communities, including Dublin North-West. A huge number of projects have transformed areas throughout the country. In this era, with cutbacks and with clubs struggling with different problems, the sports capital programme was never more needed. The programme will be rolled out up to 2016. Do we know how much will be available each year? When will these funds be available? Clubs are looking for essential repairs and new facilities. One of the problems in the past was the complexity of the forms to be filled. Can this be examined? People used to get others to fill out the forms and it was a problem for different communities. I hope we see what money is available in the programme shortly. Does the Minister of State stand by his commitment that money guaranteed to sports capital projects will be paid to the different clubs?

**Deputy Michael Ring:** The good news is that the scheme will happen. I am in discussion with the Minister for Public Expenditure and Reform and I have written to him officially and I expect a response in the next few days. The scheme will be up and running in the next three weeks and we will announce the amount of funding for it.

Regarding funding for projects already grant-aided, I will give Deputy Ellis a commitment that the €24 million allocated to the programme this year is available to any project that draws down funding. Once everything is in order, funding for the project will be paid and there has never been a problem with that. In the past, a number of sports organisations ran into difficulty with planning and legal problems. Any project within the rules and regulations will be paid. Over the next number of weeks, we will announce the programme and people will know the amount of funding in place. The application forms will be online and people will also have the opportunity to fill out the forms in written form. The good news is that scheme will open and that we will have a second round between now and 2015. We have not had the scheme since 2008. Along with every other Deputy in this House, people are onto me every day because many organisations want to upgrade facilities or purchase new facilities. I hope we can deal with as many as possible. There will be criteria for the fund and people have the opportunity to make applications.

**Deputy Dessie Ellis:** In the past this became a political football with Ministers in different areas——

**Deputy Kieran O'Donnell:** No pun intended.

**Deputy Timmy Dooley:** He will not change that.

**Deputy Dessie Ellis:** ——and accusations that certain areas fared better because a Minister lived in the area. Can the Minister assure us that this will not happen? It is very unfair if people hear that one area is being looked after better than another area. There needs to be an even playing field.

**Deputy Michael Ring:** Every application will be assessed and all will be treated equally. If I had the full kitty from the Department of Finance, I could allocate money to everyone in the country. Decisions must be made and the funding we will announce will not be the same amount as was available in the past. People can make their applications and I have full confidence in the ability of my Department officials to go through the applications and administer them fairly and equally. I have no doubt it will be done fairly.

### Other Questions

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### Road Network

6. **Deputy Barry Cowen** asked the Minister for Transport, Tourism and Sport the current status of the Limerick northern relief road; and if he will make a statement on the matter. [8572/12]

**Deputy Leo Varadkar:** The improvement and maintenance of regional and local roads is a statutory function of each road authority, in accordance with the provisions of section 13 of the Roads Act 1993. Works on such roads are a matter for the relevant local authority to be funded from its own resources supplemented by State road grants.

The Limerick northern distributor road involves two phases. The first is the Coonagh-Knockalisheen road. This phase is part of the Limerick regeneration plan and has progressed to the

stage whereby An Bord Pleanála has approved the project. Limerick City Council has been allocated €2 million this year to advance the project.

The second phase would involve an extension of the road to tie in with the R445. This element of the scheme was proposed by the local authority concerned, Clare County Council, and is supported by Limerick City Council and Limerick County Council. This second phase is currently at route selection stage and I understand the preferred route corridor has been out for public consultation. This public consultation period has been extended until 12 March during which members of the public will be able to make submissions to Clare County Council. I encourage members of the public to make their views known through this process.

This project is part of a long-term plan for economic development for Limerick city and its environs within County Clare. It is important to complete the route selection stage of the project in order to preserve a route corridor in the relevant local authority plans. This will enable the council to progress this project in the future. However, I should state it is unlikely the scheme will progress any further than route selection for some time.

**An Ceann Comhairle:** I remind Deputies of the rules on Other Questions. There are two minutes for the Minister's initial reply and four minutes overall for supplementary questions, with the limit of one minute per supplementary question.

**Deputy Timmy Dooley:** I welcome the Minister's clarity on this issue. Phase 2 of the Limerick northern distributor road is causing considerable concern in my constituency and that of Limerick East. There seems to be a groundswell of opposition to the continuation of the project. I understand there was a march at the weekend. People in Deputy O'Donnell's constituency of Limerick East have strong objections.

There is concern in my constituency from people who will be impacted negatively, particularly members of the farming community. They are concerned because they cannot plan for the future. The Government is not in a position to identify whether the road will proceed. Lands will be sterilised, effectively making them valueless. This is putting farmers in the difficult position of not being able to plan for the future development of their farms.

I ask the Minister to consult Oireachtas Members from the region to try to resolve this matter. If we continue to progress along the preferred route that is now emerging it will impact on the lives and families of far too many people. I ask the Minister to begin a review process at his earliest convenience.

**Deputy Kieran O'Donnell:** This is an issue of major concern to local people. There are two elements. There is a need for person-to-person consultation between Clare County Council, which is the lead authority, and those living on the route involved in steering groups. I ask the Minister to do what he can to ensure consultation takes place, in terms of meeting steering groups and providing details on the constraints involved. People in Parteen and Lisnagry are concerned.

**Deputy Leo Varadkar:** The purpose of route selection is to allow people to prepare for the future. A route is identified and land is set aside for construction in order that the road can be built in due course. It is not and should not be my role to plan regional roads from No. 44 Kildare Street. It is the role of local authorities, in this case Clare County Council. A planning process is in place. I expect the county council to listen to the views of people in local areas and engage with them actively and constructively to determine the best route which can satisfy everyone. I will not become the first Minister in the history of the State to select routes for regional roads. It is something that has to be dealt with locally. It is my strong view that consultation should take place with people affected by the local authorities and the officials concerned.

**Deputy Timmy Dooley:** The Minister would not be the first in the history of the State to enter into dialogue with interested parties to understand their concerns. The project involves Government money allocated by the Minister which will be used to develop the road. People would like to have an understanding of the importance of the project from the Minister's perspective and when or if the road will be completed. It would be useful to have a dialogue with the Minister and interest groups in the region.

**Deputy Leo Varadkar:** I do not have a difficulty with receiving a delegation from the region but I will be telling it exactly what I told the Deputy, namely that there are legal and planning processes. The authority is Clare County Council and it will select the route. Eventually the matter will go to An Bord Pleanála. At no point will the selection of the route or whether the road has planning permission be my decision.

**Deputy Kieran O'Donnell:** I welcome the Minister's comments that constructive dialogue should take place between the local authority, Clare County Council and people living on the route. I welcome that we can have a meeting with the Minister. The views of the people living in the area should be made loud and clear.

### Olympic Games

7. **Deputy Brian Stanley** asked the Minister for Transport, Tourism and Sport the efforts he has made with the relevant agencies to maximise the tourism potential for Ireland of the London Olympics; and if he will make a statement on the matter. [8596/12]

**Deputy Michael Ring:** The tourism agencies are represented on the London 2012 co-ordinating group which I chair and which is looking at opportunities for Ireland from the proximity of this year's Olympic and Paralympic Games in London. Tourism Ireland has been rolling out a busy programme of promotional activity to target a wide range of potential visitors around the world in the run-up to and during the 2012 games. The programme includes working with a number of the official agencies and official sponsors of the games to bring incentive and corporate meetings to Ireland during the games. The 2012 games have recently featured on the Tourism Ireland media room website in order to attract accredited and non-accredited media to Ireland before, during and after the London games.

In order to secure additional business for Ireland, both as a result of displacement and additional long-haul opportunities, Tourism Ireland is working closely with tour operators in overseas tourism markets. The visa waiver scheme presents additional opportunities which are being explored in emerging markets. The organisation is also working with official games tour operators in a number of markets to assist them in offering package extensions to Ireland.

Tourism Ireland in London is working on an extensive consumer marketing campaign to target displaced Londoners and those wanting to escape the games. The organisation is also targeting opportunities to capture displaced conferences. There is a specific opportunity around golf as this will be introduced as an Olympic sport in 2016 and Ireland is currently the home of major champions. A campaign around this theme is currently being developed.

**Deputy Dessie Ellis:** I am glad to hear the Minister of State is proactively dealing with this matter with Tourism Ireland. It is very important because there is huge potential. Ireland is only a plane ride from London. We should be in a position to offer facilities, such as hotels, hostels and other accommodation.

The Minister of State mentioned the aquatic centre might be available for certain activities, such as training purposes, in the lead up to and during the Olympics. He mentioned the Olympic torch would be carried to Ireland and London, and we would have a ceremony to celebrate that. I do not know whether that has advanced further. It would be great to see people lining the streets and greeting the torch bearers. It will be a magnificent event.

**Deputy Michael Ring:** The Olympic torch is a matter for the Olympic Council of Ireland. There have been some announcements about what is happening in Dublin. Enterprise Ireland has informed me there are €200 million to €500 million worth of projects from Irish companies, such as building the stadium in London. Sometimes we forget about that. The media looks at the negativity about what is happening and who is coming to the country. Tourism Ireland is doing an excellent job, it is working very hard and the visa situation will help us. We are trying to get both the accredited and non-accredited media to come here and we are trying to get people coming to Britain to travel on to Ireland. We have a wonderful opportunity as well with so many people displaced from London and others who would usually go to London who might instead come to Ireland. We are working on a number of festivals and cultural events that will be announced in the next few weeks to encourage as many people as possible to come to Ireland.

The Deputy is right about the National Aquatic Centre. We have already had the British and Hungarian water-polo teams, the USA synchronised swimming team and the British Paralympic swimming team visiting. Where the facilities exist, they have been used. The previous Government gave people the impression we have wonderful facilities. The facilities we have are being used. We do not have other facilities to bring teams in but where we have them, they are being used.

**Deputy Eoghan Murphy:** I congratulate the Minister of State on his work in this area and emphasise the importance of focusing on golf, given that it is going to be an Olympic sport in 2016. We can gain a huge amount from that. The displacement of Londoners and the needs of those attending conferences at the time offer us an opportunity too, given the new convention centre and what we can offer those who would normally have gone to London but might now come to Dublin instead.

**Deputy Michael Ring:** Deputy Murphy is right; golf is very important. That is why Tourism Ireland will promote Ireland as a golfing capital. We should build on the records of the world champions we have produced. For a small country, the number of internationally renowned golfers we have is a credit to the country. There is no doubt that with golf being included in the 2016 Olympics, it will be a very important sport for Ireland. We have the courses available at reasonable prices. If people want to go to top or middle ranking courses, they are available here. We must get out now and sell those courses and make sure we can get people into the country to see these facilities.

### **Public Transport**

8. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Transport, Tourism and Sport the work being undertaken to ensure that any fare increases in public transport companies will not hurt those on low incomes. [8613/12]

**Deputy Leo Varadkar:** As the Deputy will be aware, public transport fares are a matter for the CIE operating companies in conjunction with the National Transport Authority which is responsibility for regulating the maximum fare on public service routes. I am aware that the NTA approved a range of fare increases in respect of the CIE companies, which took effect last month. It is, however, important to point out that significant savings can be made by passengers who choose to avail of the integrated ticket, the Leap card.

Notwithstanding the NTA's statutory responsibilities, the Government recognises the need for the CIE companies to respond to the challenge of reduced PSO subvention funding, reduced fares income arising from reductions in passenger numbers and increased costs, such as fuel costs, which are outside their control. As a general principle, efficiencies in operational costs should, in the first instance, be examined over fare increases and service reductions. I have stated this in the letters of mandate I issued to each of the four CIE company chairpersons

[Deputy Leo Varadkar.]

appointed in 2011. In the current environment, however, there must be a recognition that, unfortunately, fare increases will be inevitable if costs cannot be reduced sufficiently to maintain a reasonable level of service provision.

While a recovery in passenger numbers could increase company revenues, all concerned in my Department and the NTA must focus on identifying key public transport priorities in our cities and throughout the country. In turn, the PSO public transport service providers will have to achieve greater efficiency and cost effectiveness in the years ahead based on a realistic assessment of the scope and level of contracted services.

**Deputy Dessie Ellis:** It is disappointing that in recent months there has been a series of price increases of 6% to 15% across all forms of public transport. I hope we can put pressure on the NTA, Dublin Bus and other companies to stop these increases. The Minister should ensure as far as possible that we do not have further increases. It is evident from the traffic on the road that there has been an increase in car traffic because of the cutbacks in public transport, which have affected many areas. In my areas the bus services have been devastated, with the number 19 route completely removed. That has affected those with a disability, the old and others, and we cannot allow that to continue. We have the least subsidised public transport system in Europe and we must stop this from happening again. We have pushed for people to use public transport for years but this goes completely against that.

**Deputy Leo Varadkar:** I have sympathy for what the Deputy is saying but I do not see any evidence of increased traffic volumes. Perhaps if that is the case, it is a sign of a recovering economy. I do not necessarily think that increasing traffic volumes would be such a bad thing. The numbers using public transport are down slightly on last year but not by as much as they went down in 2010. The situation is difficult. Often public transport is used by those who cannot afford a car or car parking and for that reason no one wants to see fare increases imposed, but the situation is difficult, notwithstanding the subvention, which must be reduced in coming years. Fuel prices are also increasing, which has an impact on the companies. The Government is trying to limit the fare increases to the bare minimum and limit service reductions as much as possible, but that means a much stronger focus on the cost base of the company in the next few years.

### **Tourism Industry**

9. **Deputy Éamon Ó Cuív** asked the Minister for Transport, Tourism and Sport the reasons no Irish stand was on display at the recent Belgian tourism conference; and if he will make a statement on the matter. [8595/12]

**Deputy Leo Varadkar:** Tourism Ireland is responsible for the overseas promotion of Ireland as a tourist destination. Decisions on participation in individual commercial events and other day-to-day decisions are operational matters for the agency itself and the Minister has no role, function or responsibility in them. As the matter raised is entirely a matter for Tourism Ireland, I have referred the Deputy's questions to the agency for direct reply. If he has not received a response from them in ten working days, he should inform my private office.

It is my view that a Minister should not have a role in such day-to-day decisions. Such decisions are best made by the staff on the ground with the relevant expertise within the body itself, having regard to the overall priorities set out in Tourism Ireland's business plan.

**Deputy Timmy Dooley:** The Minister and his Government has made a lot of the importance of tourism in the economic recovery. The jobs initiative last year identified the tourism sector as being of key importance and, as such, the Minister would be well aware of the raid on private pension funds to the tune of €470 million to support that initiative.

The Government has spent a lot of time spinning the line that it is rebuilding Ireland's reputation abroad when it was not damaged in the first place. There was, however, an opportunity to take some practical steps, such as having stands at tourism conferences. It was unusual, therefore, that there was no Tourism Ireland stand at the Belgian holiday fare, which is one of the biggest each year and which promotes about 7,000 holiday destinations. More than 100,000 people attended the exhibition and it can reach in excess of 1 million holiday makers. I do not want to criticise the people who work for Tourism Ireland, because they do an excellent job, but they must focus on the right priorities and the Minister bears some responsibility in this regard, particularly when he has highlighted tourism.

As part of the jobs initiative and the raid on the private pension funds to the tune of €470 million, a number of subheads were identified for where that money would be spent, both on PRSI and VAT, and it was mentioned that we would get rid of the travel tax, which was to bring in substantial funds. Why has that additional funding from the pension funds not been spent on the lifting of the travel tax to support the Minister's initiatives that he has identified as being key to economic recovery?

**Deputy Leo Varadkar:** Funding from the travel tax was used in the latter half of the year. While it was intended that the travel tax would be abolished, it was not possible to come to an adequate agreement with the airlines, so some of that money was reinvested in a winter tourism promotion scheme and an access promotion in conjunction with airlines. In total, €9 million in money from the travel tax and from industry was invested in tourism promotion in the winter of last year for that reason. The Deputy should know that the country's reputation was badly damaged. One of the things that the hard work, both of the Government and our people, has achieved in the last year is to rebuild our reputation internationally. Those of us who travel abroad to represent the country understand and appreciate the extent to which Ireland's reputation has improved in the past year. One can see that in everything people say to us, as well as the fact that bond yields are falling and confidence in the country is recovering. When we are abroad we always have to remind people that Irish citizens have suffered a lot of pain in order to help restore that reputation. Therefore we will continue to need more solidarity from our European partners.

As regards the stand in particular, Tourism Ireland is represented at all big tourism fairs in Birmingham, London, Berlin, Frankfurt and other locations attended by myself and the Minister of State, Deputy Ring. It is not my role to tell Tourism Ireland which stands it should have or where they should be located. On this occasion, Tourism Ireland decided not to have a stand at that particular show.

**Deputy Timmy Dooley:** It seems to me the only reason they would not have been there was that they did not have adequate funds. While the Minister has identified an area where he has spent money from the travel tax, what did he do with the additional revenues raised by the raid on the pension fund, which he targeted for use in the absence of the travel tax? He had an additional €30 million last year, while this year it was going to be €90 million, and €105 million next year. There is a chart which identifies the breakdown of the usage of the €470 million taken from private pension funds. Some of it went to support the Minister's PRSI initiative, while some of it supported VAT reduction. Part of it was earmarked to support the loss of revenue to the State as a result of the abolition of the air travel tax, which never happened. Therefore the Minister has additional money; it may not have been provided to him but it was set aside. Perhaps it has been put into the general Exchequer returns and hidden in that black hole. However, I would like to identify whether it is there for the Minister. If so, he could get his hands on it and we would not be in a situation where Ireland was not represented at such an important event in Brussels.

**Deputy Leo Varadkar:** That question is probably more relevant to the Minister for Finance or the Minister for Public Expenditure and Reform than to me. The vast majority of the cost of the jobs initiative was the VAT reduction, which has been very successful, and the reduction in employers' PRSI for those on modest incomes. In the forthcoming revised Estimates volume, there is provision for an increase in funding for Fáilte Ireland to prepare for the gathering this year. There is some additional money there. When it comes to the travel tax, the door is still open to discussions. We do not necessarily have to settle for 5 million additional passengers for no airport charges at all. If a realistic offer is put on the table from the airlines to increase capacity in return for abolishing the travel tax, and nothing else, that offer is still there. That was reiterated by the Minister for Finance during his Budget Statement.

### **Aer Lingus**

10. **Deputy Willie O'Dea** asked the Minister for Transport, Tourism and Sport his views that Aer Lingus is a strategic asset; his further views that the Heathrow slots are a strategic asset; and if he will make a statement on the matter. [8567/12]

**Deputy Leo Varadkar:** The question refers to Aer Lingus and whether it is a strategic asset, as well as my views on the Heathrow Airport slots. Aer Lingus is a PLC, a public limited company, and the Government only holds a 25% equity stake in the company. Consequently, Aer Lingus as a company cannot be considered to be a State asset. The minority stake is, however, an asset but is not considered to be a strategic one. The Government does not control the company, nor does it appoint the chairman or a majority of the board members.

Historically, much connectivity was provided to Ireland via Heathrow airport because routes from Ireland to Heathrow were among the earliest to be developed. However, many other options are now available.

The importance of the Government's minority stake in Aer Lingus has also changed over time and market developments, including the dissolution of the employee share ownership trust, ESOT, have had an impact. The Government stake is not sufficient to block either the sale or lease of a Heathrow slot by Aer Lingus to another body.

The McCarthy report recommended that the Government dispose of its shareholding in Aer Lingus "as soon as is opportune". No decision has yet been taken by Government in this regard.

**Deputy Timmy Dooley:** I am amazed by the Minister's response. I am truly taken aback that he does not see the important connectivity between this country and the United Kingdom as being of strategic interest. I accept that Aer Lingus is now a private company but I certainly do not accept that the portion owned by the State is not of strategic importance. Neither do I accept that the slots at Heathrow are not of strategic benefit to this State because they most certainly are.

**An Ceann Comhairle:** I am sorry Deputy, but you have a time limit.

**Deputy Timmy Dooley:** I might remind the Minister that during the last Dáil's term, his party made life difficult for me and others in the mid-west region when Aer Lingus took a business decision to remove the Shannon-Heathrow connection, which was of major importance. A lot of people worked to ensure that that route was reinstated. If, however, the Minister is now suggesting that there is no strategic importance in retaining the Heathrow slots, which facilitate access both from Dublin and Shannon, it is a massive U-turn on the part of the Government and will be of significant interest to many people.

**Deputy Leo Varadkar:** With respect, the Deputy is now trying to change the question, but I have answered the question he asked. When Aer Lingus pulled the services from Shannon, the 25% shareholding was not sufficient for the then Government to change that decision. There-

fore the holding of that 25% stake was not strategic because the Government of the day could not do anything to change the decision. The Deputy is now indirectly asking whether the 25% stake allows us to prevent Aer Lingus from disposing of those slots at Heathrow or leasing them to another airline. I am telling him that it does not.

Aer Lingus can lease or sell the Heathrow slots if it wants to, regardless of the Government's minority shareholding. Leasing the slots to another airline, which is normal practice in the aviation industry, does not require a special resolution and therefore the State's shareholding is not sufficient to prevent it. Because of the dissolution of the ESOT, the Government no longer has a blocking minority to block the sale of those slots. In many ways, however, the sale is irrelevant because they could be leased anyway regardless of a special resolution. That is probably something that was not understood or anticipated by the previous Government at the time of privatisation.

**Deputy Richard Boyd Barrett:** I accept that having only a minority shareholding in Aer Lingus affects the Government's ability to maintain the air link with Britain as a strategic State-owned asset. It is difficult not to see, however, how in an island nation transport links to our nearest neighbour cannot be described as a strategic asset. Can the Minister say what in his area is considered a strategic asset? I wonder whether our ports and harbours are considered to be strategic assets.

**An Ceann Comhairle:** We are not straying from the question.

**Deputy Richard Boyd Barrett:** Are they up for consideration in terms of possible sale after the recommendations of the McCarthy report and the troika?

**Deputy Dessie Ellis:** I was always opposed to the sale of Aer Lingus and the way in which it was sold off. We have a 25% stake but I do not accept that the Government has no influence. The Minister is playing with words given the way the question was put.

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

**Deputy Dessie Ellis:** Does the Minister agree with selling off the Heathrow slots? It has also been said that the Dusseldorf slots could be sold off to fund the pension deficit. Will the Minister comment on that because there is a substantial amount of money involved?

**An Ceann Comhairle:** That is a separate question.

**Deputy Dessie Ellis:** It is part of it and I think it is very relevant.

**An Ceann Comhairle:** This is about Heathrow.

**Deputy Dessie Ellis:** Aer Lingus is a brand name of which we are all proud. It has represented this country for many years.

**Deputy Timmy Dooley:** The Minister might be aware that he has the capacity to appoint two or three people to the board of Aer Lingus. My understanding is that, in the past, the Government gave a particular mandate to those directors as regards strategic decisions by the board, requiring them to take into account the notion of regional development. While I accept it is not possible to encumber board members on their appointment — they must put the company's interests to the fore — it is very much part of their remit to ensure that decisions are taken by the board in a manner that examines the strategic interests and needs of the country. I recall that a decision was taken by the board that any decisions similar to those on Shannon or any with an impact on strategic connectivity would have to be made by it rather than management. The Minister might recall that, on that occasion, the Government said a decision taken at

[Deputy Timmy Dooley.]

management level could not be overridden by the board, and that the Government had no means of forcing this to happen other than through the bringing about of an emergency general meeting. It was not clear how the latter would pan out.

The Minister has the capacity to influence the usage or trade in key strategic slots. It should be exercised through board appointments.

**Deputy Leo Varadkar:** The question relates to assets. To have an asset, one must own it. The Government does not own Aer Lingus or the slots and, therefore, the company cannot be considered to be a strategic asset. Of course, links between Ireland and Britain, and specifically between Dublin and Heathrow, are of strategic importance, but they are not strategic assets. One does not have to own something for it to be important. The sea link between Rosslare and the United Kingdom is of strategic importance but the Government does not own it. It is possible, therefore, to have something of strategic importance without actually owning it.

Board members can have some influence on decisions but Aer Lingus is a public limited company. Therefore, their primary responsibility must be to the company's fiduciary interests and not to the person who appoints them. It is important to bear in mind that not only is Aer Lingus not selling slots, it has actually leased additional ones from BMI to enable it to increase its capacity. That is where the market is. It is not about selling slots but about leasing new ones.

On Düsseldorf airport, Deputy Ellis is probably referring to the minority stake that the DAA holds at that airport rather than the Düsseldorf slots. I read a story in *The Sunday Business Post*, which I am sure Deputy Ellis also read, which suggested that SIPTU or its representatives were interested in selling that asset to recapitalise the pension fund. I do not know if it is accurate. I welcome the support of the largest trade union in this State for selling non-strategic State assets, but there may be a better way of using the money to the benefit of the public than by replenishing a pension fund.

### Sports Capital Programme

11. **Deputy Aengus Ó Snodaigh** asked the Minister for Transport, Tourism and Sport the date in early 2012 on which a new round of the sports capital programme will be launched; the amount of funding available for same; the way local sporting organisations should apply for such funding; and if he will make a statement on the matter. [8600/12]

29. **Deputy Denis Naughten** asked the Minister for Transport, Tourism and Sport the steps he is taking to re-establish a sports capital programme; and if he will make a statement on the matter. [8620/12]

**Deputy Michael Ring:** I propose to take Questions Nos. 11 and 29 together.

I have already replied on this matter. I recently announced that I will be advertising two new rounds of the sports capital programme between now and 2016. I am currently making the necessary arrangements with a view to launching the first round in the coming weeks. The advertisement of the new round and the amount to be allocated will be decided in consultation with the Minister for Public Expenditure and Reform.

**An Ceann Comhairle:** Does Deputy Ellis wish to comment?

**Deputy Dessie Ellis:** I will allow another Deputy to contribute.

**Deputy Eoghan Murphy:** Is there money outstanding under the previous round of the sports capital programme? If so, how much?

**Deputy Michael Ring:** In 2011, there was €55.5 million outstanding. In 2008, this figure was €191 million. We have made great progress on the basis that a number of clubs and organisations are not drawing down funding simply because it would be very difficult in the current climate to obtain matching funding for their projects, which were conceived at the time of the Celtic tiger and were, therefore, expensive. We are pleased with the outstanding figure. The new round will be open in the next few weeks.

### **Taxi Regulations**

12. **Deputy Mary Lou McDonald** asked the Minister for Transport, Tourism and Sport when he hopes to have legislation related to reform of the taxi industry before the Houses of the Oireachtas. [8609/12]

17. **Deputy Dessie Ellis** asked the Minister for Transport, Tourism and Sport the communications he has had with the Gardaí in relation to criminality in the taxi industry and any other work he has undertaken on this matter. [8610/12]

26. **Deputy Martin Ferris** asked the Minister for Transport, Tourism and Sport if he has met with the Department of Justice and other relevant figures to discuss the need for vetting processes to incorporate as much information from overseas in relation to the background of a person seeking clearance. [8611/12]

56. **Deputy Thomas P. Broughan** asked the Minister for Transport, Tourism and Sport the actions he proposes to take on foot of the recent publication of the Taxi Review Group; and if he will make a statement on the matter. [8624/12]

**Deputy Alan Kelly:** I propose to take Questions Nos. 12, 17, 26 and 56 together.

The Government-endorsed taxi regulation review report published last month contains 46 separate actions aimed at improving standards, administration and enforcement within the taxi sector. The broad aim of the report is to increase consumer confidence in the sector and to remove rogue elements therein. We also want to ensure that legitimate and professional taxi operators and drivers can be rewarded fairly by operating under a regulatory regime that is adequately enforced.

The National Transport Authority, NTA, is the lead agency with responsibility for the implementation of the review recommendations. The NTA will make progress reports quarterly to the Taxi Advisory Committee established under the 2003 Act and in its annual report.

Section 3.5 of the report provides an overview of enforcement and compliance matters and refers to a number of legislative changes that will be necessary to strengthen enforcement. Among the issues mentioned is amendment of section 36 of the Taxi Regulation Act 2003 by way of new legislation to be enacted in 2012 that will provide for mandatory disqualification of persons convicted of serious criminal offences from operating in the industry. In addition, the commencement of section 35 of the 2003 Act will allow for a strengthened sanctions regime for suspension or revocation of licences. Improvements regarding on-street compliance will be assisted by enabling the Garda to prosecute in respect of 12 fixed-charge penalty offences through enhanced collaboration between it and the NTA.

As necessary, complementary secondary legislation will be made by the NTA under section 34 of the 2003 Act to clarify the sanctions regime for licence holders. The potential for suspension of a licence subject to certain criteria of breaches of regulations will be examined.

The approach to enforcement and compliance, as outlined in the report, reflects an intensive examination of the area by the review group, which included representatives from the Department of Justice and Equality and An Garda Síochána. Vetting of taxi licence applicants, including those who were resident overseas, will continue to remain the responsibility of An Garda

[Deputy Alan Kelly.]

Síochána. The proposed mandatory disqualification provisions will enable corresponding offences committed in other jurisdictions to form part of that disqualification process. Regarding the matter of individuals from overseas, it is envisaged that section 36 of the Taxi Regulation Act 2003 will be amended so as it will apply to people with convictions in other jurisdictions.

**Deputy Dessie Ellis:** I agree this review is long overdue. I read the document and found much of it to be very good, and I disagreed with other aspects. When will we be debating this in the Dáil? Legislative change will be required. There are items in regard to the nine-year rule that I believed we had put to bed. These must be all debated. The Joint Committee on the Environment, Transport, Culture and the Gaeltacht has not yet debated the document. This needs to be done so the Dáil can debate it. Then we can consider what legislation is required.

I ask that the rules on convictions not apply to those encompassed by the Good Friday Agreement. I mentioned this before but the Minister caught me off guard. Will the Minister of State indicate when this matter will be debated in the Dáil and by the committee?

**Deputy Alan Kelly:** I understand it will be before the committee in the next two weeks. It may even be next Wednesday. The Taoiseach has already committed to having a debate in the House following a question. There will be time provided for this. I take on board what the Deputy is saying on many of the issues. I welcome the debates in both fora because they are necessary.

I have heard many comments on various aspects of the report from people of many political allegiances and none. The report has been broadly welcomed. Considerable implementation work is required. I accept that and the NTA will be primarily responsible in that regard. I will work very closely with it. I took on the chairing of the relevant committee myself and, as such, am happy that the recommendations are the fairest ones that will bring the industry up to the standard required by consumers and taxi drivers. It is a matter of ensuring a safe environment for both drivers and consumers.

I want to make the industry one in which one can make a fair living. That was a core principle that I drove home throughout this process. I look forward to debating the intricacies of all the recommendations.

**Deputy Dessie Ellis:** I know these are only recommendations and need to be debated. I do not agree with all of them and I doubt most people will either. Will this review be made available to the different taxi representative groups in advance of any debate so they can have an input which can feed back to myself and others? It is important we get a feel from them regarding these recommendations.

**Deputy Alan Kelly:** The report is publicly available. Many of the taxi representatives have digested it already, judging from the significant volume of representations coming into the Department.

I do not know if any other Minister has met with the taxi groups as often as I have. I brought four different people from the taxi industry on to the review group. I have had and will continue to have dialogue with them. They made submissions to the review which were all taken on board when drawing up the recommendations.

They also made comments afterwards about the review. Within the main, however, most of these comments were quite positive. Obviously, there will be some differences of opinion. I expect these can be ironed out during the implementation process which has already begun. I will be reporting further to the Dáil and the transport committee on this process in the next several weeks.

### Light Rail Project

13. **Deputy Micheál Martin** asked the Minister for Transport, Tourism and Sport the discussions he has had with the relevant parties regarding the Luas BXD link; and if he will make a statement on the matter. [8582/12]

38. **Deputy Paschal Donohoe** asked the Minister for Transport, Tourism and Sport if he will give an indication as to when he believes construction work will begin on the extension of the Luas BXD to Boombridge, Dublin. [8870/12]

43. **Deputy Catherine Murphy** asked the Minister for Transport, Tourism and Sport if, in relation to the proposed construction works of the Luas BXD line from St. Stephen's Green to Broombridge, Dublin, he will inform Dáil Éireann that, in the sites where construction works related to the former coincide with future construction works for both the DART Interconnector and Metro North projects, full advantage will be taken of the opportunity to undertake preliminary works relating to both projects where practicable; the way such cross-project considerations form part of the National Transport Authority and the Railway Procurement Agency's overall plans for transportation construction in Dublin; and if he will make a statement on the matter. [8866/12]

46. **Deputy Paschal Donohoe** asked the Minister for Transport, Tourism and Sport the position regarding the progress that has been made to date on progressing the Luas BXD project. [8869/12]

**Deputy Leo Varadkar:** I propose to take Questions Nos. 13, 38, 43 and 46 together.

The railway order application for Luas BXD was submitted by the Railway Procurement Agency, RPA, to An Bord Pleanála in June 2010 and the oral hearing for the scheme concluded in April 2011.

An Bord Pleanála wrote recently to the RPA seeking submissions and observations on matters relating to the railway order application including interface issues between BXD and metro north and the DART underground projects. It also wrote to the National Transport Authority, NTA, on this matter given the latter's responsibility for public transport provision and integration in the greater Dublin area and sought the authority's confirmation for the overall approach to be adopted in developing these projects.

An Bord Pleanála also asked the RPA to re-examine the location of one of the proposed stops in Dawson Street. It also indicated it would commission an independent study on an alternative to overhead cables in the city centre.

As part of the detailed preparations for the comprehensive capital review last year, consideration was given to the sequencing of these major projects as well as the funding issues. In this regard, various options relating to sequencing were examined by the RPA and the NTA and their advice was taken into account by me in reaching conclusions on the priorities for funding to 2016.

Both the RPA and the NTA advised me that BXD could proceed to construction in a manner which ensures the subsequent ability to develop metro north and DART underground is preserved. I understand they will be responding to the request for additional information from An Bord Pleanála over the coming weeks.

Subject to the granting of the railway order this year, essential pre-construction works could begin in 2013 with the main works scheduled to begin in 2015.

**Deputy Timmy Dooley:** I welcome the Minister's clarification that there were discussions with the other interested parties in advance. Unfortunately, based on the query coming from An Bord Pleanála, it appears it has concerns about the capacity to maintain the operation of

[Deputy Timmy Dooley.]

the Luas BXD line during any subsequent works on the metro north and DART underground projects. It feels the line may have to be closed for a time to allow works on the other two projects go ahead. The Minister's response, however, seems to indicate the provision of the Luas BXD line would not prevent the other two projects going ahead in the future.

Will the Minister assure the House that the discussions that took place were not just about the projects going ahead in the future but took into account the capacity of the Luas BXD line to remain operational during the course of any subsequent work on the two projects in question?

**Deputy Paschal Donohoe:** I welcome the Minister's commitment to this project. Will the new Luas line run to Broombridge station? Making that link is important because not only will it ensure Luas connectivity across Dublin city but it will also connect the Luas with the rail network which could facilitate travel from Maynooth to the city centre using both the train and the Luas.

Is the Minister aware of the importance of this project in the delivery of the Grangegorman-DIT project? It is undergoing some revision but the delivery of the Luas BXD project would allow contact between the new university at Grangegorman and the rest of the city.

**Deputy Leo Varadkar:** The projects were discussed in great detail. When the revised capital plan to 2016 was decided upon, one question that arose, and one on which I and the Minister of State, Deputy Kelly, sought assurances, was that if the Luas BXD went ahead first, whether it would still be possible to build metro north and the DART underground without having to close down the BXD line for several months. A series of discussions and documents exchanged between the RPA and the NTA showed it could be done. There may need to be temporary restrictions from time to time but it should be possible to work on the other projects without shutting down the BXD line or digging it up.

An Bord Pleanála's request for additional information is reasonable. We all know this from our involvement in the planning process. The information will be made available to An Bord Pleanála soon.

The Luas line will run to Broombridge station. There are three reasons as to why we are not just linking up the two Luas lines but extending them to Broombridge. First, it is to regenerate the areas along the route such as Cabra, Phibsboro and Stoneybatter. Second, it will give life to the DIT Grangegorman project when it goes ahead. Third, it will create an interchange at Broombridge, significantly upgrading that station, and link the Luas network to the Maynooth line allowing people, for example, to get on a train at Leixlip, switch at Broombridge and go on to Dundrum.

*Written Answers follow adjournment.*

The Dáil adjourned at 5.45 p.m. until 2 p.m. on Tuesday, 21 February 2012.

## Written Answers.

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

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*Questions Nos. 1 to 13, inclusive, answered orally.*

### **Road Traffic Offences**

14. **Deputy Willie O’Dea** asked the Minister for Transport, Tourism and Sport the action he will take to deal with the large number of foreign licence holders to whom penalty points cannot be attached; and if he will make a statement on the matter. [8566/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The Deputy’s question relates to the application of penalty points to foreign drivers licenses. Under the Road Traffic Act 2002, penalty points are required to be endorsed on the Irish driving licence record held on the National Vehicle and Driver File (NVDF) and a current driving licence is required to serve penalty points. In the majority of cases this endorsement takes place without difficulty against the relevant NVDF driver record. However, in relation to the Deputy’s question where a person is the holder of a foreign licence and has NOT exchanged this licence for an Irish licence, the endorsement of the points on the NVDF is not currently possible. In such instances the penalty points record is *suspended* and the penalty points period does not “count down” in the fashion that applies to normal penalty points events.

By “counting down” I mean that in normal circumstances, when a person has penalty points applied to their licence, those penalty points are removed after three years. However, where they are not applied to a licence, they are suspended and do not “count down”. Since a current Irish driving licence is required to serve penalty points, the points against the ‘holding’ unmatched records are not counting down.

The 2010 Road Traffic moved to correct this anomaly and under Part 5 of that Act will allow the NVDF:

- to create an official NVDF driver record for a person who amongst other issues, does not have an Irish licence record, or is the holder of a foreign licence; and
- to record multiple penalty points events against a driver record created in any of the aforementioned circumstances;

[Deputy Leo Varadkar.]

Part 6 of the 2010 Act, which was commenced on 1st June 2010, expands the definition of a driving licence to include foreign driving licences so as to bring these within the scope of sanctions for road traffic offences including disqualifications.

Without the provisions of Part 5 of the Road Traffic Act 2010 these penalty points could remain indefinitely in this limbo which is an administrative arrangement to store the fact that the person has penalty points to be added to a licence record. In *all* these cases the NVDF issues a notification of penalty points to the driver in question so the driver is aware of the situation.

Part 5 of the 2010 Act and the associated provisions of Part 3, which deal with changes to the fixed charge system, have not yet been commenced due to administrative and technical issues. However, work is on-going with both the Court Services and the Gardaí, including any necessary changes to IT systems, in order to commence the relevant sections of the 2010 Act.

When these provisions are implemented, penalty points will be applied to holders of foreign driving licenses, and they will be disqualified from driving in this State if they exceed 12 penalty points within a 3 year period.

### **Proposed Legislation**

15. **Deputy Kevin Humphreys** asked the Minister for Transport, Tourism and Sport his plans to bring forward legislation that would comprehensively overhaul and modernise the road traffic laws that apply to cyclists; if not, if he will consider such a bill; and if he will make a statement on the matter. [8561/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The Deputy's question relates to introducing new road traffic legislation as it pertains to cyclists. I am committed to supporting the continuing development of cycling as a core part of any effective transport policy recognising that it offers a healthy, affordable and environmentally friendly means of transport. Under the Programme for Government, we set out our commitment to continue investment in the National Cycle Policy. This is a broad framework aimed at providing a common, integrated basis for the long term development and implementation of cycling policies. In line with this commitment, my Department is investing in improvement of facilities and infrastructure for cyclists, as well as initiatives to promote and develop cycling.

Part of the National Cycling Policy Framework involves proposals for changes to legislation governing cycling, and legislative change to support cycling will be implemented where appropriate. The objective of legislative changes as stated in the Framework is to improve the safety of cyclists.

We have made good progress to date, including the amendment of bicycle lighting regulations to permit the use of flashing LED lights and the wider use by local authorities of the 30 kmph speed limits in core urban areas. The issues surrounding making it legal for cyclists to overtake on the left are being addressed in a set of Regulations being drafted at the moment and I hope to make the necessary amending Regulations later in the year. In these new regulations I shall also be removing the current mandatory requirement to use with-flow cycle lanes where provided. However I propose to retain the mandatory requirement to use contra-flow cycle tracks and cycle tracks in pedestrianised zones, in the interests of safety

### **Tourism Promotion**

16. **Deputy Michael McGrath** asked the Minister for Transport, Tourism and Sport if he will provide an update on the current status of the Gathering initiative; and if he will make a statement on the matter. [8589/12]

48. **Deputy Eoghan Murphy** asked the Minister for Transport, Tourism and Sport when the Gathering will be formally launched; the mechanisms for community groups; and members of the public to get involved. [8872/12]

50. **Deputy Marcella Corcoran Kennedy** asked the Minister for Transport, Tourism and Sport when the Gathering will be formally launched; and the way he intends community groups and members of the public to participate. [8628/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I propose to take Questions Nos. 16, 48 and 50 together.

The Deputies' questions relate The Gathering initiative. I presented proposals for "The Gathering 2013" at the Global Irish Economic Forum last October. Fáilte Ireland is the lead agency for the implementation of the initiative while Tourism Ireland Limited will have specific responsibility for promoting "The Gathering 2013" in overseas markets. The event is intended to be the biggest tourism initiative ever staged in Ireland and will consist of a year-long programme of festivals, events and other gatherings throughout the country, all of which will aim to attract overseas visitors.

The initiative is being overseen by a small, tightly-focused Project Board. This project board brings together representatives of the tourism bodies and my Department and includes other members with relevant expertise. The Chair of the Board is Ann Riordan (formerly Chair of Tourism Ireland and of Dublin Tourism, as well as previously working as Country Manager for Microsoft in Ireland) and the Board will oversee planning and delivery of the Gathering, supported by a small executive team drawn mainly from the tourism agencies alongside graduates under the JobBridge programme.

They will be supported by a Council of Champions, which will act as a forum to engage the wider community at home and abroad. Tim O'Connor, former Secretary-General to the President, will act as Chair of the Council of Champions and is also a member of the Project Board. The Project Board is currently finalising the Business Plan for "The Gathering 2013" which will cover the scope of the event and detail how interested parties can participate in it. It is planned that the event will be formally launched internationally over the course of the St. Patrick's Day festivities next month. It will be launched domestically in April at which point a mechanism will be put in place to allow communities and members of the public to contribute to The Gathering.

An additional €5m is being provided to Fáilte Ireland this year and is being ring-fenced for preparations for The Gathering. This additional allocation will more than reverse the original planned cut in Fáilte Ireland's current expenditure budget for 2012.

*Question No. 17 answered with Question No. 12.*

### **Property Transfers**

18. **Deputy Richard Boyd Barrett** asked the Minister for Transport, Tourism and Sport if he will consider coordinating with the Department of Environment, Community and Local Government and transfer ownership of the empty harbour court building owned by the Dun Laoghaire Harbour Company into the ownership of Dun Laoghaire Rathdown County Council for amenity use; and if he will make a statement on the matter. [8868/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The Deputy asked me a similar question regarding this building in June 2011. My response at the time was that I was not aware of any proposal to transfer this building and this remains the case today.

[Deputy Leo Varadkar.]

Dún Laoghaire Harbour Company is a State commercial port company established and operating pursuant to the Harbours Act 1996-2009. Section 15 of that Act states:

“A decision by a company to acquire any land or to dispose of any of its land (whether by sale or the grant of a lease) shall only be made by the directors of the company.”

Therefore, this is a matter for the Directors of the Dun Laoghaire Harbour Company and it is not one in which I have any role.

### **Job Creation**

19. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport the degree to which he has identified the prospects for employment expansion and new job creation throughout the sectors under his remit; the extent to which he expects to be in a position to achieve particular targets in this regard in the past four to five years; and if he will make a statement on the matter. [8713/12]

262. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport the extent to which he continues to engage with stakeholders in the industries under his aegis with a view to maximisation of job creation opportunities of consequent reduction in unemployment levels; and if he will make a statement on the matter. [9103/12]

267. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport the extent to which he has received communication from the transport sector in the matter of identification of cost factors likely to inhibit growth or development in the industry; the measures taken or likely to be taken to address such; and if he will make a statement on the matter. [9108/12]

268. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport the extent to which transport, tourism and sport is being interlinked with a view to maximisation of benefit in the context of employment creation in the tourism sector; and if he will make a statement on the matter. [9126/12]

271. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport the degree to which he has examined the tourism and transport sectors which a view to identification of maximum potential for growth on an annual basis over the next four years; and if he will make a statement on the matter. [9129/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I propose to take Questions Nos. 19, 262, 267, 268 and 271 together.

The Deputy's questions relate to the employment prospects from the various sectors under my Department's remit. The Action Plan for Jobs was published on Monday last and sets out a coordinated Government approach to job creation. It places a particular emphasis on tourism as one of the key areas for the generation of employment. Transport demand on the other hand is primarily derived from the outputs of the other economic sectors. In addition to directly generated jobs on transport projects, increased employment in the transport sector will flow from increased economic activity generally.

The main actions in the Plan relating to the transport, tourism and sport sectors are as follows:

- The targeting by Failte Ireland of capital grants from the €21 million fund available to it to develop new tourism attractions and to upgrade existing ones;

- Preparations for ‘The Gathering 2013’ initiative which aims to attract an additional 325,000 visitors to Ireland in 2013;
- Delivery of a new round of the Sports Capital Programme;
- The development of niche tourism activities and products where Ireland has a comparative advantage;
- Selected road and public transport projects with a clear impact on economic development, competitiveness and market access;
- A review of public transport regulation to identify the potential to reduce costs;
- The continuing offer to abolish the remaining €3 travel tax subject to acceptable commitments from the carriers to additional inbound flights to Ireland;
- Use of the €40 million Tourism Marketing fund to focus on the four core source markets of Great Britain, the United States, Germany and France which are essential to supporting employment in the sector;
- Participation in key trade missions to promote tourism;
- Continuation of Fáilte Ireland support for training and building business capability.

In developing its overall policy approach under the Action Plan, the Department consulted with a range of stakeholders. I am confident that the actions under the transport, tourism and sport sectors will contribute to the overall objective in the Plan of creating 100,000 jobs by 2016.

### **Tourism Promotion**

20. **Deputy Jonathan O’Brien** asked the Minister for Transport, Tourism and Sport the efforts he has made with the relevant agencies to maximise the tourism potential for Ireland of the European Football Championships; and if he will make a statement on the matter.  
[8597/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The Deputy’s question relates to the tourism potential for Ireland arising from this summer’s European Football Championship.

Obviously the main tourism implications for Ireland of this year’s European Football Championships will be related to the number of Irish supporters travelling to Poland and the Ukraine for the tournament and the extent to which carriers and others may focus on outbound traffic from Ireland to those countries for the duration of the event. The event may, however, provide some opportunities to encourage overseas visitors to come to Ireland in the future. As the Deputy will be aware, Tourism Ireland is the agency responsible for the overseas promotion of Ireland as a tourist destination. I understand that the agency is exploring a range of possible initiatives to maximise the tourism potential for Ireland. This is an operational matter for Tourism Ireland and I have referred the Deputy’s Questions to the agency for direct reply. Please advise my private office if you do not receive a reply within ten working days.

### **Road Network**

21. **Deputy Seán Conlan** asked the Minister for Transport, Tourism and Sport if he will, in line with proposals from the haulage industry, increase the motorway speed limit for heavy goods vehicles from 80km/h to 90km/h; and if he will make a statement on the matter.  
[8625/12]

49. **Deputy Seán Conlan** asked the Minister for Transport, Tourism and Sport his views on increasing the motorway speed limit for heavy goods vehicles from 80km/h to 90km/h; and if he will make a statement on the matter. [8626/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I propose to take Questions Nos. 21 and 49 together.

These questions relate to proposals to increase the motorway speed limit for heavy goods vehicles from 80kph to 90kph.

Under the Road Traffic (Ordinary Speed Limits — Buses, Heavy Goods Vehicles ) Regulations, 2008, a speed limit of 80 kilometres per hour is prescribed in respect of the operation of non-passenger carrying vehicles in excess of 3,500 kilograms. (i.e. heavy goods vehicles) on all public roads.

Maximum HGV motorway speed limits vary within the EU. Ireland, along with twelve other Member States, imposes a maximum speed limit of 80 kilometres per hour , some others allow HGVs to travel at 90 kilometres per hour , while the U.K. allows speed limits equivalent to 96 kilometres per hour.

In response to a request from the road haulage industry, I have been examining suggestions that the limit should be increased to 90 kilometres per hour on motorways and dual carriageways. There are technical, environmental, engineering and safety considerations to be examined in relation to this proposal, including consultation with the relevant bodies. The Road Safety Authority and the National Roads Authority have indicated that they have no objections to this change. I plan to progress this issue over the course of the next few weeks.

### Ferry Services

22. **Deputy Martin Ferris** asked the Minister for Transport, Tourism and Sport the efforts he made to ensure the future viability of the Cork to Swansea, UK, ferry service; the estimated impact of the loss of that service for the Cork and Kerry tourism industry; and his plans to address this issue. [8604/12]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Michael Ring):** I am disappointed to learn that the Cork-Swansea Ferry Service, operated by the Fastnet Line, has ceased to operate. I met with the West Cork Tourism Co-op on 17 January last when they outlined their plans for the future of the service. As a first step, however, the Co-op advised me of the overriding requirement to secure further investment to bring the enterprise out of examinership.

I advised the Co-op at the time that the Department of Transport, Tourism and Sport and the State Agencies under its remit had no function in the subsidisation or provision of ferry services for this or other routes or indeed the finance to do so.

That said and within the strict confines of EU State Aid rules, the State Tourism agencies have been supportive of the ferry service since its inception. In particular, they have provided co-operative marketing support, offered a range of business supports and Fáilte Ireland certified the venture for Business Expansion Scheme funding. I know that in recent months the State tourism agencies had more discussions with the operators and were assisting them in putting together a marketing plan. Further general business supports were also offered to the company which were intended to assist the service in securing sales and improving yields had it been able to exit the examinership process.

Regrettably the company was not able to reach a position where it could have availed of those supports. I accept that the loss of the service is likely to have some impact on tourism in the Southern region.

### **Road Traffic Offences**

23. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Transport, Tourism and Sport if he will be facilitating the public in reporting speed limit issues in view of the review of limits statewide. [8618/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** My Department will shortly engage with the National Roads Authority and local authorities throughout the country with a view to ensuring that a nationwide audit of speed limits takes place. The aim of this audit is to examine and improve, where appropriate, the application by local authorities of speed limits and speed limit signage throughout the country, in accordance with my Department's "*Guidelines for the Application of Special Speed Limits*" issued last year.

As the application of speed limits on specific roads is a local authority matter, I would encourage members of the public, who wish to report speed limit issues, to contact their relevant city or county council.

### **Tourist Statistics**

24. **Deputy Sandra McLellan** asked the Minister for Transport, Tourism and Sport if he will provide a detailed breakdown of the tourists visiting the east Cork region during 2011; the major attractions that they visited; the obstacles he perceives to greater growth of this sector in this area; and if he will make a statement on the matter. [8603/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The collection of statistics are primarily a matter for the Central Statistics Office (CSO). I understand that the CSO does not provide a regional breakdown of statistics in their monthly "Overseas Travel" publication. I am aware, however, that Fáilte Ireland, provides an estimated regional breakdown of overseas visits on an annual basis, based on research of its own as well as available CSO statistics. The most recent full year figures are for 2009 with provisional figures available for 2010. The data is available, on a regional and county basis, under Tourism Facts / Tourism Regions in the Research and Statistics section of the [www.failteireland.ie](http://www.failteireland.ie) website.

In regard to 2011 figures, I have asked Fáilte Ireland to provide the Deputy with whatever information they may have of the number of tourists to East Cork during 2011 together with the attractions they visited. Please advise my private office if you do not receive a reply within 10 working days.

The main obstacles to growth in the tourism sector in East Cork are similar to those in the rest of the country, namely the difficult economic conditions in our key source overseas markets and here in Ireland.

The Government is assisting the sector, in particular by maintaining in 2012 the VAT rate cut introduced in the Jobs Initiative in 2011. There is also provision in 2012 for expenditure of more than €138 million on tourism services across a diverse range of activities including overseas and domestic marketing, investment in the development of our tourism product and providing tourism enterprises with a range of business supports.

### Road Network

25. **Deputy Catherine Murphy** asked the Minister for Transport, Tourism and Sport if the National Intermodal Journey Planner will be fully delivered by April 2012 as previously indicated; the company which was engaged to develop the National Public Transport Access Nodes Database; the terms of this contract; the amounts paid in fees or projected to be paid in fees in respect of same; the reason the Dublin bikes scheme is not included in the first roll-out of the NIJP; and if he will make a statement on the matter. [8873/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** As Minister for Transport, Tourism and Sport I have responsibility for policy and overall funding in relation to public transport. In the Greater Dublin Area (GDA), funding for the implementation and development of public transport infrastructure projects, such as the National Intermodal Journey Planner, is provided by my Department to the National Transport Authority (NTA) for allocation to projects and programmes.

Noting this I have referred the Deputy's question to the NTA for direct reply. Please advise my private office if you don't receive a reply within 10 working days.

*Question No. 26 answered with Question No. 12.*

### Parking Regulations

27. **Deputy Kevin Humphreys** asked the Minister for Transport, Tourism and Sport if he will consider devolving powers to local authorities to make by-laws to enable partial footpath parking in limited circumstances that would take into account specific criteria such as ensuring that one side of the road path was left free, ensuring that paths that were made available to residents only with no other local option available, and ensuring that all other parking options have been exhausted before enabling any such by-laws; and if he will make a statement on the matter. [8560/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** There is a substantial history of correspondence on this matter between my Department and Dublin City Council in particular, going back well before my own time as Minister, and I have myself considered this question and corresponded with that Council on the issue. As I have indicated in my correspondence with the Council, I am satisfied that the arguments for revising the regulations to permit partial parking are outweighed by the arguments in favour of retaining the current regulations.

The implementation of footpath parking would require a detailed examination in each individual case, and the number of locations which would satisfy the criteria addressed would most likely be fairly limited. The crucial point is that footpaths are provided for the safety of pedestrians and to segregate, by kerb, vulnerable road users from passing or parking traffic on the roadway. Safety must be the number one concern in any consideration of traffic and parking regulations, and pedestrians are innately vulnerable road users. There is also the consideration that footpaths are not constructed to the same specifications as roads and are not built to bear the weight of vehicles. I appreciate that the Deputy is suggesting a very limited and circumscribed application of partial parking, but I believe that the considerations I have set out still apply, and a very restricted application of partial parking might in fact promote confusion on the part of road users.

It remains a matter for local authorities to apply whichever of the legally permitted range of parking arrangements they consider most appropriate on any given street. For my part, as the Minister responsible for making the regulations which provide them with that range of options,

I am satisfied that changes to allow for partial parking on pavements would entail significant risk for minimal benefit.

### **Greenhouse Gas Emissions**

28. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport the extent to which he and his Department have identified carbon reduction targets for the transport and tourism sectors over the next four years; the extent to which he expects to achieve any such targets during the period in question; the extent to which possible benefit in terms of reduced liabilities under carbon trading in the context of any such progress; and if he will make a statement on the matter. [8712/12]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Alan Kelly):** There is no specific carbon reduction target for the transport sector but the sector has been contributing to reductions in emissions. The most recent EPA figures for greenhouse gas emissions from the transport sector are for 2010, and these figures show that they have fallen from a peak of 14.33 million tonnes in 2007 to 11.76 million tonnes in 2010, representing a decrease of nearly 18%. A further decrease in emissions would be expected for 2011 and 2012.

Whilst much of this reduction in emissions can be attributed to the contraction of the economy, savings are also being made due to policies and measures such as mobility management schemes, and promoting modal shift to cycling. In particular the motor taxation and vehicle registration taxation rebalancing has encouraged the entry of more energy efficient new cars to the fleet, leading to significant reductions in the associated greenhouse gas emissions.

Beyond 2012, when the current commitment period under the Kyoto Protocol expires, the binding greenhouse gas emissions reduction targets which Ireland must meet under EU law relate to the period 2013-2020. Overall, the level of mitigation to be achieved by 2020 equates approximately to 20% below 2005 levels the achievement of which will represent a major challenge. Ireland's 2020 carbon reduction target is set across economic sectors. Identifying a sectoral target for transport runs counter to the principle of making the least cost carbon reductions across the economy.

An assessment of least-cost, effective, additional measures across all sectors including transport in response to GHG emissions targets is currently being carried out by the NESC Secretariat.

*Question No. 29 answered with Question No. 11.*

### **Road Network**

30. **Deputy Eoghan Murphy** asked the Minister for Transport, Tourism and Sport if he will provide further details about proposals for a national audit of speed limits; the way this audit will be conducted; and the way he plans to implement its proposals. [8871/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** My Department will shortly engage with the National Roads Authority and local authorities throughout the country with a view to ensuring that a nationwide audit of speed limits takes place. The aim of this audit is to examine and improve, where appropriate, the application by local authorities of speed limits and speed limit signage throughout the country, in accordance with my Department's "*Guidelines for the Application of Special Speed Limits*" issued last year.

As this work will involve extensive input from and engagement with the NRA and road authorities to reduce inconsistencies and the potential for driver confusion, it will take some

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time, but it is my intention to complete this project during the course of this year. I am determined that the necessary improvements should be implemented as soon as possible so as to further enhance road safety, saving lives and reducing serious injuries.

### **Cycle Facilities**

31. **Deputy Jonathan O'Brien** asked the Minister for Transport, Tourism and Sport the initiatives being taken to support further development of public urban bike scheme similar to that in place in Dublin. [8612/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** Recognising the success of the Dublinbikes scheme, the Programme for Government commits my Department to look to extend the scheme to other cities and integrate the scheme more effectively with public transport links.

Following an analysis, carried out at my request, on the potential for the extension of the Dublinbikes scheme to other cities, consultations on the potential for and means of securing new city bike schemes were launched in November 2011 with symposiums held in Cork, Galway, Limerick and Galway to inform and involve key business and civil stakeholders.

My Department and the National Transport Authority are currently considering the responses to those symposia, including how to address key issues identified such as the changed commercial environment to that which existed when the Dublinbikes scheme was negotiated and different characteristics of scheme provision in smaller cities. This will enable us to identify how best we can secure public bike schemes in other cities.

### **Tourism Promotion**

32. **Deputy Marcella Corcoran Kennedy** asked the Minister for Transport, Tourism and Sport his views on the establishment of a diaspora centre in Ireland as a tourist attraction. [8629/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I believe that there is significant potential for Irish tourism in the development of an appropriate centre focusing on the story of the Irish diaspora.

The Government's Infrastructure and Capital Investment Framework 2012-2016, published in November 2011, includes a commitment of support for a Diaspora Centre or Diaspora Museum should a suitable project and partner be available. Accordingly, I have recently asked Fáilte Ireland to carry out a scoping study on the development of such a centre and the most suitable means by which it could be financed, developed and managed.

### **Sport and Recreational Development**

33. **Deputy Derek Keating** asked the Minister for Transport, Tourism and Sport his views that organisations and voluntary groups involved in sport have a huge part to play in addressing the massive increase in self-harm and death by suicide; if there is any attention being given to this issue by him, for example, is there any promotional material or training for sports organisations and sports leaders to give due attention to this issue and, along with the ethos of the various sports they are involved in, are they trained in dealing with disclosure, suspicion of or crisis intervention when it comes to their attention that self-harm and suicide is an issue with the members of their clubs; and if he will make a statement on the matter. [8621/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** Investment in sport is based on our belief that it is an important part of our individual, community and national life. It can make a major contribution to some of our most pressing social and health issues, including mental health and suicide prevention. We all appreciate the important role that sport plays in our society in promoting healthy lifestyles, creating a sense of identity and belonging, channelling energy in rewarding activity and bringing people together.

I want to ensure that all people are encouraged and given opportunities to participate in sport and to enjoy all the benefits that sport can bring through developing a healthy lifestyle. In that context the Irish Sports Council, which is funded by my Department, has an allocation of almost €44.5 million in 2012.

The Department of Health is the Department with responsibility for prevention programmes in the area of self-harm and suicide. I am informed by the Irish Sports Council that while there is no specific training or promotion developed around this issue specifically for sport, a number of National Governing Bodies of Sport have availed of the HSE's Assist Programme, which has been developed specifically to support young people at risk of suicide or self-harm. For example, I understand that the GAA have trained a number of people under this scheme. In the case of individual athletes, where concerns are raised by coaches or service providers with the Irish Sports Council or the Institute of Sport, the athlete is, with their consent, referred to appropriate experts in the area of self-harm and suicide prevention.

### **Road Safety**

34. **Deputy Liam Twomey** asked the Minister for Transport, Tourism and Sport in view of the significant reduction in road deaths achieved over the past few years, the priority issues he wants addressed in the next Road Safety Strategy; and if he will make a statement on the matter. [8631/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The current Road Safety Strategy 2007-2012 was drawn-up by the Road Safety Authority (RSA) and identified a number of Actions to be completed by various stakeholder bodies in order to improve safety on our roads. The implementation of the Actions has contributed significantly to the reduction in road fatalities in recent years.

As a result, I have asked the RSA to work closely with my Department in drafting the next strategy, which will cover the period 2013 to 2020. In concluding the strategy, the RSA will consult widely with all relevant bodies before submitting the proposals to me later this year.

While it is too early to be precise about the priority issues, I expect that the next strategy, without taking the focus off road fatalities, will concentrate to a greater degree on the causes of collisions and on reducing serious injuries.

### **Tourism Promotion**

35. **Deputy Jim Daly** asked the Minister for Transport, Tourism and Sport his plans for a role for the EDEN destinations in Ireland in the preparations to host events around the Gathering. [8633/12]

51. **Deputy Jim Daly** asked the Minister for Transport, Tourism and Sport if he has any plans to recognise and actively support the promotion of the EDEN destinations in Ireland in a bid to capitalise on the unique recognition afforded to these destinations by the EU; and if he will make a statement on the matter. [8632/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I propose to take Questions Nos. 35 and 51 together.

The matters raised are primarily operational ones for the State tourism agencies. Fáilte Ireland — as the National Tourism Development Authority — is the lead agency for organising “The Gathering 2013” and for promoting domestic tourism as well as destination development. Tourism Ireland has lead responsibility for promoting Irish tourism in overseas markets. I have referred the Deputy’s Questions to both agencies for direct reply. Please advise my private office if you do not receive a reply within ten working days.

36. **Deputy Denis Naughten** asked the Minister for Transport, Tourism and Sport the steps he is taking to support tourism in the regions; and if he will make a statement on the matter. [8619/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The Government recognises that tourism is very important to all regions of Ireland. It employs an estimated 180,000 people 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 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 2013” — a major tourism initiative to attract overseas visitors to all parts of Ireland — 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 here.

We are seeing a recovery in overseas visitor numbers with year-on-year growth of just under 7% 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. I am satisfied that the tourism agencies are pursuing the appropriate strategies to support the continued promotion and development of the sector at national and regional level.

### Departmental Staff

37. **Deputy Sandra McLellan** asked the Minister for Transport, Tourism and Sport the number of staff leaving his Department and the agencies operating under its aegis as part of the early retirement scheme in the period 1 September 2011 to 29 February 2012; the effect this will have on the delivery of services; and if he will make a statement on the matter. [8601/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** Staff retiring before 29th February 2012 are not doing so under an early retirement scheme. They are retiring under normal retirement terms and conditions within the ‘Grace Period’ in other words the period of

time during which the calculation of public service pensions is unaffected by the pay reductions applied under the Financial Emergency Measures in the Public Interest (No. 2) Act 2009.

In the period 1 September 2011 to date 15 staff have retired from my Department. A further 21 have applied to retire between now and 29th February 2012. While it must be acknowledged that the retirement of so many staff presents a challenge to the ability of the organisation to deliver the same level of service, every effort will be made to do so by using the flexibilities provided by the Public Service Agreement, increasing the use of ICT solutions and prioritising the business demands to ensure Government's commitments are met.

I have asked the State agencies under the aegis of my Department to provide the Deputy with the information requested. If you do not receive a reply within ten working days, please contact my private office.

*Question No. 38 answered with Question No. 13.*

### **Road Safety**

39. **Deputy Peadar Tóibín** asked the Minister for Transport, Tourism and Sport if he will ensure that part of the funding for road safety awareness used by him and agencies funded by it, is used specifically to raise awareness of pedestrians as road users. [8615/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** Advertising and education regarding road safety for all road users are the responsibility of the Road Safety Authority (RSA). My Department provides funding to the RSA in order to allow it fulfil its functions. While it is a matter predominantly for the RSA to decide the allocation of funding across its functions, I am aware that a considerable amount of its total income is allocated to education and awareness campaigns.

Following an extensive consultation process, the RSA concluded a Pedestrian Safety Strategy, in 2010, and is in the process of implementing the recommendations contained. I have referred the Deputy's question to the RSA for more detailed information. I would ask him to contact my office if he has not received a reply within ten days.

### **Departmental Funding**

40. **Deputy Michael Creed** asked the Minister for Transport, Tourism and Sport if he will review the manner in which the restoration improvement and other road grants to local authorities are allocated; and if he will make a statement on the matter. [8627/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The restoration improvement grant is one of a range of grants made to local authorities from Exchequer funds to assist them in the maintenance and improvement of approximately 91,000 kms of non-national roads across the country.

These grants are intended to supplement authorities' own funds. The allocation of funds from my Department, and previously from the Department of the Environment, has evolved over time to reflect changes in programmes and in the availability of funding. In recent times programmes have been changed or amalgamated to provide flexibility to the local authorities to meet their individual needs and to react to recent issues such as damage to roads and bridges caused by flooding and snow. All of the works on regional and local roads which are funded by my Department are in the first instance prioritised by individual local authorities.

In the next few months, I am due to receive the Pavement Conditions Study. This report will provide a comprehensive overview of the current status of our regional roads network.

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Once I have received and considered this report, I will use it — in conjunction with other work my Department is carrying out — as the basis on which to carry out a full review of the current system of allocating the restoration improvement grant. This review will be to ensure that the allocation to individual county councils is equitable in terms of the length of road within each county and the usage of such roads. It will also acknowledge those local authorities which make best use of their allocation and supplement them adequately with their own.

### Public Transport

41. **Deputy Brian Stanley** asked the Minister for Transport, Tourism and Sport if he will ensure that fares for public transport companies are not raised beyond that laid out as acceptable by his Department. [8614/12]

**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.

42. **Deputy Thomas P. Broughan** asked the Minister for Transport, Tourism and Sport the public service obligation allocation for Dublin Bus in 2008, 2009, 2010, 2011 and 2012; when he was last briefed by Dublin Bus management on the network direct programme; if he is satisfied with the way the programme has been implemented; and if he will make a statement on the matter. [8623/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The annual subvention for the provision of public service obligation (PSO) services by Dublin Bus is subject to contract between the company and the National Transport Authority (NTA) since 2009.

The amounts paid to the company in respect of PSO services since 2008 are as follows:—

2008 €85.63m;

2009 €83.20m;

2010 €75.68m;

2011 €73.04m.

I understand that the NTA has allocated an amount of €69.44m to Dublin Bus in respect of PSO services for 2012 in line with their contract.

As the Deputy will be aware the operation and provision of services is a matter for the company itself in conjunction with the NTA. I am, however, supportive of the efforts of Dublin Bus to achieve greater efficiency and effectiveness under the Network Direct project. Given the losses recorded by the company in recent years and having regard to unavoidable constraints on the availability of Exchequer funds for PSO subvention, it is important that they deliver greater efficiency and effectiveness in order to safeguard the overall sustainability of public transport services in the future. Both I and my Department have had and will continue to have regular engagement with Dublin Bus on a range of issues.

*Question No. 43 answered with Question No. 13.*

### Ministerial Appointments

44. **Deputy Dessie Ellis** asked the Minister for Transport, Tourism and Sport the rationale

for the appointment of persons (details supplied) ; and the remuneration they are expected to receive. [8605/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** These three appointees to the Board of Dublin Airport Authority (DAA) were selected by me on the basis of the range of appropriate talents and experiences that they possess which I know will be of great benefit to the DAA and to the development of aviation generally in Ireland in these challenging times.

The annual remuneration payable to each director is €15,750 in accordance with Department of Finance instructions on fees payable to members of the boards of State Bodies.

### Public Transport

45. **Deputy Richard Boyd Barrett** asked the Minister for Transport, Tourism and Sport if he will reverse the plans to cut or eliminate the 45 route; and if he will make a statement on the matter. [8867/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The issue raised is a matter for Dublin Bus in conjunction with the National Transport Authority. 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. 46 answered with Question No. 13.*

### Air Services

47. **Deputy Joe Higgins** asked the Minister for Transport, Tourism and Sport his views on the occupation of Galway City Airport; and his further views that a decision to cut the subsidy to the airport precipitated a crisis for the airport and its workers. [8865/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I announced in June 2011 that I had secured Government approval for additional funding to be made available to all six regional airports in 2011, including Galway Airport. However, at that time the Government also decided that it would not be able to provide operational or capital funding to Galway or Sligo airports from 2012 onwards. This was in line with the recommendations of the Value for Money Review of Expenditure on the Regional Airports Programme.

These decisions were based on the need to ensure the most effective use of scarce Exchequer resources to support the regional airports network serving the Irish public, both in terms of business and tourism. The aim being to ensure that Ireland has a sufficient network of regional airports, while taking into account significant improvement in road networks, shorter and more reliable journey times by road and rail and the collapse in passengers flying domestically.

In making that announcement, I encouraged Galway and Sligo Airports, as privately owned entities, to use the opportunity provided by the additional funding in 2011 to engage with various parties, including business interests, investors and local authorities, to secure their ongoing viability.

In December 2011, a total of over €5 million was allocated to the six regional airports to cover a portion of their operating costs incurred in 2011. This included a subvention of over €2 million to Galway Airport.

In addition, €200,000 was paid to Galway Airport in 2011 under the Regional Airports Capital Expenditure Grant (CAPEX) Scheme.

[Deputy Leo Varadkar.]

This brings to €15.5m the total amount of funding paid to Galway Airport in the past 10 years under the OPEX and CAPEX Schemes.

I fully recognise the difficulties being experienced by Galway Airport at present but its future cannot be reliant on an ongoing subsidy from the State.

*Question No. 48 answered with Question No. 16.*

*Question No. 49 answered with Question No. 21.*

*Question No. 50 answered with Question No. 16.*

*Question No. 51 answered with Question No. 35.*

### **National Car Test**

52. **Deputy Seán Crowe** asked the Minister for Transport, Tourism and Sport if he will provide an update on work which has been done to ensure high standards at national car test centres. [8616/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** Under the Road Safety Authority Act 2006 (Conferral of Functions) Order 2006 (S.I. No. 477 of 2006) the RSA has overall responsibility for the operation, oversight, development, quality assurance and delivery of vehicle testing arrangements. The testing function is carried out by Applus+, since January 2010, under a contractual arrangement with the RSA.

I am informed that immediately arising from the specific allegations in the May 2011 Prime-time programmes, seven staff were suspended resulting in three members of staff being dismissed. Since then, investigations have resulted in the dismissal of five additional members of staff giving a total of eight staff being dismissed to date. Also, the volume of internal and independent inspections of NCTS has been stepped up in the last few months including an increased number of focused reviews based on risk factors and more targeted test re-inspections.

While details of many of the measures being implemented by Applus+ to address the issues raised must necessarily remain confidential, overall, there has been an increased focus on reducing the opportunity for fraud and improving the focus on specific investigations, while ensuring that staff are fully aware of their obligations and of the consequences of a failure to meet those standards. The goal is to further reduce the potential for fraudulent activities or incorrect test results in the future.

I am also informed that the criminal investigation in regard to alleged fraudulent activity at the National Car Testing Service is on-going and Applus+ is providing all the information and assistance required. The RSA has acted swiftly and proactively to address the issues raised in the Prime Time Investigates programme and will continue to take every possible action to tackle these issues head on.

### **Olympic Games**

53. **Deputy Pádraig Mac Lochlainn** asked the Minister for Transport, Tourism and Sport the route and date on which the Olympic torch will travel through this State in June 2012; and if he will make a statement on the matter. [8599/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The International Olympic Committee agreed in December that the Olympic Flame will visit Dublin on 6 June as part of the London 2012 Olympic Torch Relay. Responsibility for all aspects of the visit of

the Olympic Torch Relay to Ireland, including the relay route, rests with the Olympic Council of Ireland.

### **Road Network**

54. **Deputy Michael Colreavy** asked the Minister for Transport, Tourism and Sport the way he will deal with obsolete bus lanes following the ending of certain services. [8617/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I am advised that recent bus network changes have meant that a number of bus lanes are no longer required. In such cases, it is a matter for the local authorities to determine the most appropriate traffic arrangements to put in place for the particular road. Within the Greater Dublin Area, the relevant local authority should liaise with the National Transport Authority (NTA) in relation to proposals for revised road layouts in these cases, and funding may be provided by the NTA for the implementation of appropriate proposals in certain cases.

### **Tourism Promotion**

55. **Deputy Michael Colreavy** asked the Minister for Transport, Tourism and Sport the efforts he has made to ensure that Ireland is well placed to take advantage of the substantial international market for trails, walkways and cycleways; and if he will make a statement on the matter. [8598/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The promotion and development of various tourism sectors and activities are operational matters for Fáilte Ireland and Tourism Ireland. Accordingly, I have referred the Deputy's question to the tourism agencies for direct reply. Please advise my private office if you do not receive a reply within ten working days.

*Question No. 56 answered with Question No. 12.*

### **National Substance Misuse Strategy**

57. **Deputy Pat Deering** asked the Minister for Transport, Tourism and Sport if he is considering banning the sponsorship of sporting events and festivals by the drinks and alcohol industry; and if so, his plans to source alternative sponsorship arrangements. [8630/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The Steering Group Report on a National Substance Misuse Strategy published last week recommends that drinks industry sponsorship of sport and other large events in Ireland should be phased out through legislation by 2016. I fully support the central aim of the strategy in reducing the level of alcohol consumption in Ireland. However, I have serious concerns that a legislative ban on sponsorship would have negative consequences for sport and tourism. There are huge economic, social and health benefits accruing from sport. From a health perspective alone, there are clearly significant benefits for individuals and for our health system in maintaining and increasing participation levels in sport. One of the goals of my Department is to contribute to a healthier and more active society by promoting sports participation. However, it is important that funding is available to sports organisations to ensure that sport is maintained at grassroots level so that as many people as possible can participate.

I am also of the view that sport plays an important role in diverting young people away from alcohol. The financial support provided through sponsorship is integral to the availability of sport at grassroots level and I am concerned that placing constraints on the sporting organisations by eliminating the drinks industry as a source of sponsorship will have a negative impact

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on the development and availability of sport, particularly in the current economic climate. My Department will participate in the consultative process which will now take place on foot of the recommendations of the report.

### Road Network

58. **Deputy Pádraig Mac Lochlainn** asked the Minister for Transport, Tourism and Sport the amount of money raised from toll roads around the State fines incurred between 2009 and to date in 2012. [8607/12]

**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).

59. **Deputy Clare Daly** asked the Minister for Transport, Tourism and Sport the reason the works in regard to the east-west interconnector have disrupted traffic between Ballyboughal and Oldtown, County Dublin, for more than 18 months; and when residents can expect that the roads will be repaired and the disruption cease. [8952/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The improvement and maintenance of regional and local roads is a statutory function of each road authority within its area, in accordance with the provisions of section 13 of the Roads Act 1993. Works on such roads are a matter for the relevant local authority to be funded from its own resources and may be supplemented by State road grants.

The re-instatement of roads excavated by contractors or utility companies and the management of traffic on such roads are a matter for the local authority and the individual contractor to resolve.

### Summit Meetings

60. **Deputy Seán Ó Fearghaíl** asked the Tánaiste and Minister for Foreign Affairs and Trade if he has had any contact with the countries involved in the first UK-Nordic-Baltic summit; if he intends to apply for membership of the summit in the future; and if he will make a statement on the matter. [8915/12]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** I am aware of the UK-Nordic-Baltic Summits which were held in London in January 2011, and in Stockholm earlier this month, under the title “The Northern Future Forum”. These are informal meetings, attended by representatives of Denmark, Estonia, Finland, Iceland, Latvia, Lithuania, Norway, Sweden and Britain, and are organised outside European Union structures. Ireland was not invited to take part in the Summits and there has been no formal contact with the participants on the matter. Should the opportunity arise in the future, it will be of course be given serious consideration.

### Departmental Staff

61. **Deputy Thomas Pringle** asked the Tánaiste and Minister for Foreign Affairs and Trade the numbers of persons employed in his Department and agencies thereof whose gross salary as of the latest date available was in each of the bands (details supplied); and if he will make a statement on the matter. [9032/12]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** The tables give a breakdown of the number of employees in each salary band as of the most recently processed payroll (16 February 2012):

0-10k	11-20	20-30	30-40	40-50	50-60	60-70
0	97	265	304	144	120	36
70-80	80-90	90-100	100-115	115-125	125-150	150+
150	48	67	26	0	33	9

Salary payments for locally-engaged staff in missions abroad are administered locally and it is not possible to provide details of such payments in the time available.

There are no state agencies under the aegis of my Department.

### Financial Services Regulation

62. **Deputy Richard Boyd Barrett** asked the Minister for Finance if he will report on the events surrounding the removal of a person (details supplied). [8926/12]

**Minister for Finance (Deputy Michael Noonan):** The matter raised by the Deputy is a regulatory matter which does not fall within my remit as Minister for Finance. I am advised by the Central Bank that the matter referred to by the Deputy dates back to 1995 when credit unions were under the responsibility of the Registrar of Friendly Societies and not the Central Bank of Ireland. The Central Bank further advises that the matters raised by the individual concerned have been the subject of ongoing communications over many years and that it considers that the matters were addressed by the members of the credit union concerned at that time.

### Mortgage Repayments

63. **Deputy Clare Daly** asked the Minister for Finance the steps he will take with mortgage providers to request that they would freeze all mortgage accounts of residents of Priory Hall, Dublin, with no effect on credit rating, pending resolution of the problems in the area. [8944/12]

70. **Deputy Seán Kenny** asked the Minister for Finance the steps he will take with the Bank of Ireland, the EBS and the Bank of Scotland Ireland to request them to comply with the application by Priory Hall home purchasers for a moratorium on their mortgages while they are out of the homes, by order of Dublin City Council fire officer, and forced to rent alternative accommodation, while they are waiting for a resolution of their case by the Supreme Court. [9018/12]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 63 and 70 together.

I am conscious of the difficult situation that the residents of Priory Hall find themselves in.

The lending institutions in Ireland, including those in which the State has a significant shareholding, are independent commercial entities. A mortgage agreement is a contract which cannot be altered without the consent of the parties. I, as Minister for Finance, have no powers in this regard and cannot require the lenders to alter contracts to accept a suspension in mortgage repayments.

[Deputy Michael Noonan.]

In addition, in view of the case before the Supreme Court, which is referred to by Deputy Kenny, it would be inappropriate for me to comment any further on the matter.

### Tax Reliefs

64. **Deputy Kevin Humphreys** asked the Minister for Finance the tax expenditure per year since 2007 associated with the rent-a-room relief in tabular form; and if he will make a statement on the matter. [8946/12]

**Minister for Finance (Deputy Michael Noonan):** I am informed by the Revenue Commissioners that the cost to the Exchequer of income tax relief for the rent a room scheme for the years 2007, 2008 and 2009, the latest year for which the necessary detailed statistical information is available, is as follows:

Tax Year	Cost €m
	€m
2007	4.7
2008	5.6
2009	5.6

### Tax Code

65. **Deputy Kevin Humphreys** asked the Minister for Finance the taxation that applies to patent royalties; the specific changes that have occurred on an annual basis since 2009; the yield from tax on patent royalties from 2009 to 2011 and the expected yield in 2012 in tabular form; and if he will make a statement on the matter. [8947/12]

**Minister for Finance (Deputy Michael Noonan):** I am advised by the Revenue Commissioners that income from patent royalties is normally received in the form of a license fee from licensing out the patent and that, for companies, such income is generally taxed at the higher corporation tax rate of 25%, while resident individual taxpayers are liable to tax at their marginal rate of tax in respect of such income. However, it is possible to have royalty income treated as trading income in respect of which a company is taxable at the 12½% rate of corporation tax. To qualify for the 12½% rate there must be a high degree of activity associated with the licensing out of the patent from which the royalty income is derived. Section 234 Taxes Consolidation Act 1997 (TCA) provided for a tax exemption for income received by an individual or company from a qualifying patent subject to an annual limit of €5 million on aggregate patent income in any one year. An exemption was also provided, under section 141, for dividends or other distributions paid by companies from tax-exempt patent income. A qualifying patent is a patent in relation to which the research, planning and development work leading to the patented invention was carried out in the State or in another country which is part of the European Economic Area. The exemption for patent royalty income was subject to the restriction, introduced in the Finance Act 2006, on the use of tax reliefs by high-income individuals and to the further restrictions in this regard introduced in Finance Act 2010.

The tax exemption for patent royalty income and related distributions was abolished in Budget 2011 with effect from 24 November 2010 following consideration of a recommendation to this effect in the Report of the Commission on Taxation. The Commission on Taxation was of the view that the exemption was not an effective measure in incentivising companies to

engage in research and development activities in Ireland and that it had been used as a tax-efficient means of remunerating employees and directors.

I am also advised that there is an obligation to deduct tax at the standard rate of income tax on patent royalty payments under Section 238 of the TCA, but this does not apply in the case of royalties paid by a company to associated companies resident in other EU States or royalties paid by a company in the course of a trade to a company resident in a country with which Ireland has agreed a tax treaty. Revenue is also prepared to waive the requirement to deduct tax in circumstances where the royalties are paid to non-residents who would otherwise be entitled to repayment of the tax deducted.

In relation to tax yield from patent royalty income, I am informed by the Revenue Commissioners that, based on information provided in annual tax returns, the total tax yield in respect of such income was negligible for the years 2009 and 2010. Estimates of tax yield from such income are not available for 2011 and 2012. However, the abolition of the exemption for patent royalty income in Budget 2011 was estimated to provide a full year yield of €50 million.

66. **Deputy Kevin Humphreys** asked the Minister for Finance his plans to publish an annual tax expenditure report as recommended in the Commission on Taxation report 2009; if he will consider including such a proposal in the Finance Bill 2012 on Committee Stage; and if he will make a statement on the matter. [8948/12]

**Minister for Finance (Deputy Michael Noonan):** The Office of the Revenue Commissioners is the main source of statistics and data on tax incentives and expenditure. They provide costs of tax credits, allowances and reliefs in their Annual Statistical Reports. The most recent figures related to tax expenditures appear in the 2009 report, which sets out the total identifiable costs to the Exchequer of all income tax and corporation tax allowances, reliefs, exemptions and tax credits available for 2007 and 2008, the most recent year for which information is available. The work of updating cost details for the following year is well advanced and Revenue hope to be in a position to publish them in the near future. All tax expenditures are kept under review and as a matter of course form part of the Tax Strategy Group's (TSG) discussions in advance of the Budget. The TSG papers are subsequently published on the Department of Finance's tax policy website ([www.taxpolicy.gov.ie](http://www.taxpolicy.gov.ie)).

For these reasons I do not consider it appropriate to include the proposal suggested by the Deputy in the Finance Bill.

67. **Deputy Kevin Humphreys** asked the Minister for Finance the taxes applied to sulphur dioxide, SO<sub>2</sub>, and nitrogen oxides, NO<sub>x</sub>, emissions; if there are none, if he will consider implementing such a charge as applies in Denmark and Sweden; and if he will make a statement on the matter. [8949/12]

**Minister for Finance (Deputy Michael Noonan):** There is currently no tax based on sulphur dioxide or nitrogen oxide emissions. The Deputy may wish to note that a carbon tax was introduced in respect of fossil fuels and was increased from €15 per tonne to €20 per tonne with effect from 7 December 2011 in respect of auto-fuels and from 1 May 2012 in respect of non-auto mineral oils and natural gas. The carbon tax in respect of solid fuels is subject to a Ministerial Commencement order.

### Tax Reliefs

68. **Deputy Simon Harris** asked the Minister for Finance if he will consider extending the

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mortgage interest relief scheme to those who purchased their first property in 2003; and if he will make a statement on the matter. [9002/12]

**Minister for Finance (Deputy Michael Noonan):** The position is as I stated in my Budget day speech, that 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 have sought to be as flexible as possible within the constraints pertaining. Under the current tax legislation mortgage interest relief is granted from the date the first mortgage interest payment is made. The legislation is being amended for this particular measure to also include mortgage draw-down as a qualifying event for the rate increase. This means that a mortgage holder will qualify for the increased rate if they made their first mortgage interest payment in the period 2004 to 2008 or if they drew down their mortgage in that period.

Therefore, an individual who drew down their mortgage in December 2003 but made their first mortgage interest repayment in 2004 will qualify for the increased relief.

However, I do not intend to extend the period any further as the measure would become less targeted and would increase in cost.

69. **Deputy Michael Healy-Rae** asked the Minister for Finance his views regarding tax breaks for persons who wish to come here to provide employment (details supplied); and if he will make a statement on the matter. [9014/12]

**Minister for Finance (Deputy Michael Noonan):** The Deputy will be aware that the number one priority of the Government is jobs. The Special Assignee Relief Programme (SARP) is designed to help attract key individuals to the Irish based operations of their employers. It is hoped that additional foreign direct investment and additional jobs will result from the introduction of SARP. In addition to SARP, other measures introduced in Budget 2012 include changes to the Research and Development (R&D) tax credit scheme as follows:

*Volume basis*

The first €100,000 of qualifying R&D expenditure will benefit from the 25% R&D tax credit on a volume basis. The tax credit will continue to apply to incremental R&D expenditure in excess of €100,000 as compared with such expenditure in the base year 2003. This will provide a targeted benefit to Small and Medium Enterprises (SMEs).

*Outsourcing limits*

At present sub-contracted R&D costs are eligible where they do not exceed 10% of total costs or 5% in the case of sub-contracting to third level institutions. This limit can disproportionately affect smaller companies who may have greater need to outsource R&D work than larger multinationals with greater internal resources. The outsourcing limits for sub-contracted R&D costs are being increased to the greater of 5 or 10% as appropriate or up to €100k. This will provide a targeted benefit to SMEs.

*Use of the credit to reward R&D employees*

Companies in receipt of the R&D credit will have the option to use a portion of the credit to reward key employees who have been directly involved in the development of R&D. It is envisaged that there would be no additional cost to the Exchequer as the bonus comes from the R&D credit already received by the company and the employee still pays the full tax liability on their other income. This change will be monitored closely and if abused will be removed.

Furthermore, a scheme was introduced in Budget 2009 which provides relief from corporation tax on the trading income and certain gains of new start-up companies in the first three years of trading, and was modified in 2011 so that the value of the relief will be linked to the amount of employers' PRSI paid by a company. Budget and Finance Bill 2012 extends this scheme for the next three years to include start-up companies which commence a new trade in 2012, 2013 or 2014.

I would like to point out to the Deputy that there are also a number of other tax incentives available to SMEs in the tax code.

The Employment and Investment Incentive was commenced on 25 November 2011. This scheme replaces the Business Expansion Scheme and helps SME's to raise private investments with a view to job creation and maintenance. Tax relief is available to the relevant investors and an additional amount of tax relief is payable where jobs have actually been created over the investment period or if the company has spent at least 30% of the monies raised on research and development activities.

The Foreign Earnings Deduction which I announced in the Budget, and which is provided for in the Finance Bill, is available to all companies regardless of their size. This incentive is designed to assist companies in accessing the export markets of Brazil, Russia, India, China and South Africa by providing a tax relief to the individuals that undertake trade missions to the countries specified.

The Revenue Job Assist scheme is also available to help companies to employ individuals that have been unemployed for 12 months or more. This scheme provides a double deduction to employers in respect of the salary of the qualifying individuals for a period of three years and also provides tax relief to the individual, on a sliding scale, over the same three year period.

The Deputy may wish to also seek information on the grants available to SMEs from the Department of Jobs, Enterprise and Innovation, and information on certain PRSI incentives for employment that are available from the Department of Social Protection.

*Question No. 70 answered with Question No. 63.*

### Departmental Staff

71. **Deputy Thomas Pringle** asked the Minister for Finance the numbers of persons employed in his Department and agencies thereof whose gross salary as of the latest date available was in each of the bands (details supplied); and if he will make a statement on the matter. [9031/12]

**Minister for Finance (Deputy Michael Noonan):** In the time allowed it is not possible to provide a detailed response to the Deputy. However, details in respect of my Department are outlined as follows:

Department	Band	Number of Employees
D/FIN	0-10K	59
D/FIN	10-20K	13
D/FIN	20-30K	45
D/FIN	30-40K	67
D/FIN	40-50K	36
D/FIN	50-60K	38
D/FIN	60-70K	11
D/FIN	70-80K	15
D/FIN	80-90K	38

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Department	Band	Number of Employees
D/FIN	90-100K	9
D/FIN	100-115K	7
D/FIN	125-150K	6
D/FIN	150K+	3

For administrative purposes, the 0-10K bracket includes certain staff members who are not on an actual scale.

### Tax Code

72. **Deputy Nicky McFadden** asked the Minister for Finance if he has considered a proposal (details supplied) as part of the examination of the rebalancing of the excise tax structure in the context of the Finance Bill 2012; his views that the proposal, if implemented, would prevent cheap cigarettes from entering the market as well as increasing and or protecting excise duty returns for the State; and if he will make a statement on the matter. [9053/12]

**Minister for Finance (Deputy Michael Noonan):** The Deputy will be aware that Ireland has the highest prices and excise duty levels for cigarettes in the EU and already applies a high specific duty element and a low ad valorem element in setting its excise duty for cigarettes relative to other Member States. However the question of re-balancing the excise tax structure will be examined in the context of the 2012 Finance Bill.

### Tax Reliefs

73. **Deputy Michael Conaghan** asked the Minister for Finance if the provisions of the Finance Bill that offer additional mortgage interest relief to first-time buyers who purchased their homes between 2004 and 2008 can be extended to second and third-time buyers who purchased during the same period. [9123/12]

**Minister for Finance (Deputy Michael Noonan):** The position is as I stated in my Budget day speech, that 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 have sought to be as flexible as possible within the constraints pertaining. The increased rate of mortgage interest relief will be available to individuals who made their first qualifying purchase during the specified period, 2004 to 2008 inclusive. If these individuals made subsequent qualifying purchases in that period, they will also be able to avail of the increased rate in respect of those purchases.

Individuals who did not make a first time qualifying purchase during 2004 to 2008 will not be entitled to the increased rate. However, non-first-time buyer's relief is available at a rate of 15% on ceilings of €3,000/€6,000 for single/married. Mortgage Interest Relief is set to end for all individuals at the end of 2017.

I do not intend to extend the parameters of the measure any further as the initiative would become less targeted and would increase the cost of the measure.

### Enterprise Support Services

74. **Deputy Michael McCarthy** asked the Minister for Education and Skills if funding can be released under the European Globalisation Adjustment Fund for start-up businesses; the ways in which start-up business may be able to access the funding; and if he will make a statement on the matter. [8991/12]

**Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon):** All Irish programmes to date which have been, or are being, co-financed by the European Globalisation Adjustment Fund (EGF) provide, inter alia, for the accessing of certain enterprise supports by those redundant workers who are included in these programmes.

A wide range of EGF related enterprise supports are provided through the City and County Enterprise Boards in areas such as business advice, workshops, business planning, mentoring, training and grant aid to assist with self-employment and business start-up costs.

Eligible redundant workers on the currently running EGF construction programmes can contact the EGF Construction Contact Centre on the freephone number 1800 303 500 or visit the dedicated website *www.egf.ie* for further information.

### **Disadvantaged Status**

75. **Deputy Thomas P. Broughan** asked the Minister for Education and Skills when the review of resources for DEIS schools will be completed and published; if any decision has been made on the allocation of funding to schools (details supplied) in Dublin 17; and if he will make a statement on the matter. [8903/12]

87. **Deputy Terence Flanagan** asked the Minister for Education and Skills if he will consider reversing the teacher cuts to the DEIS schools (details supplied) in Dublin 17 that have already suffered cuts with the removal of traveller education support teachers last year; and if he will make a statement on the matter. [9000/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I propose to take Questions Nos. 75 and 87 together.

As announced in the house on the 11th January, I have asked my Department for a report on the impact of the withdrawal of certain posts allocated under previous disadvantaged schemes in DEIS Band 1 and Band 2 primary schools.

This report, which is currently being finalised, will detail the facts for each individual school affected by this measure, applying the most up to date enrolments for September 2011. In addition, the report will take account of the net effect of a range of factors on teacher allocations in these schools, for example increasing and decreasing enrolments and the reforms to the existing teacher allocations process, all of which will determine the staffing requirement for these schools for 2012/13 school year.

When the report is finalised it will then be possible to determine the final outcome for and notify the schools concerned including those referred to by the deputies.

### **School Accommodation**

76. **Deputy Richard Boyd Barrett** asked the Minister for Education and Skills if he will reconsider the decision to withdraw Dalkey school project's grant to build a new classroom and two new resource rooms. [8923/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The school authority has appealed the Department's decision to withdraw grant aid. The appeal is currently being considered and a decision will be conveyed to the school authority as soon as this process has been completed.

### **School Staffing**

77. **Deputy Eoghan Murphy** asked the Minister for Education and Skills his views on a matter (details supplied) regarding the general allocation model. [8924/12]

**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.

Any re-clustering of learning support (GAM) and language support hours into full-time posts will be operated at school level with schools having greater autonomy rather than the previous Department led approach.

My Department will be notifying schools in the coming weeks of the new staffing arrangements for 2012/13 school year.

### School Transport

78. **Deputy Terence Flanagan** asked the Minister for Education and Skills his views on a matter (details supplied) regarding school transport; and if he will make a statement on the matter. [8932/12]

**Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon):** The child referred to by the Deputy applied for school transport under my Department's School Transport Scheme for Children with Special Educational Needs. Under the terms of this scheme, children are eligible for transport where they:

- have special educational needs arising from a diagnosed disability in accordance with the designation of high and low incidence disability set out in Department of Education and Skill's (DES) Circular 02/05 and
- are attending the nearest recognised: mainstream school, special class/special school or a unit, that is or can be resourced, to meet their special educational needs.

However, this child does not meet the above criteria and is not eligible therefore for school transport.

### Capitation Grants

79. **Deputy Pat Deering** asked the Minister for Education and Skills the reason the ancillary grant paid to schools is not paid out until the end of March each year; and if he will change this to January in view of the fact that schools have to make tax returns in February and this leaves the school tight for money every year. [8941/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The Deputy is referring to funding arrangements for primary schools, and has not been previously raised with my Department by schools or their management bodies.

The manner in which primary schools are funded takes account of the fact that the State's accounting period is based on a calendar year, while schools traditionally operate on the

academic year commencing in September. Thus, primary schools receive capitation funding in January and June, and the ancillary services grant in March.

The amount of grant paid to an individual primary school for ancillary services is determined by the school's enrolment, subject to a minimum grant in respect of schools with enrolments up to 60 and a maximum grant in the case of schools with enrolments of 500 or more.

The Deputy may wish to note that Circular 40/2009 clarifies issues relating to the allocation of funding for primary schools. The circular states that capitation funding provided for general running costs and funding provided for caretaking and secretarial services may be regarded as a common grant from which the Board of Management can allocate according to its own priorities.

In due course, both grant schemes will be merged. In the interim, both grants will continue to be paid according to existing timelines and calculated separately as heretofore.

### **Teachers' Remuneration**

80. **Deputy Finian McGrath** asked the Minister for Education and Skills his views on cuts to teachers' allowances (details supplied). [8956/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** A public service-wide review of allowances, announced by the Government as part of Budget 2012, is currently being led by the Department of Public Expenditure and Reform.

Under Circular 70/2011 teachers who had been engaged in a public sector teaching post on or before 4 December 2011 are eligible to retain the qualification allowances they were entitled to be in receipt of on that date. Such teachers will not be paid any additional allowance where they acquire any further qualification on or after 5 December 2011. The position of teachers who, on 5 December 2011, were undertaking courses will be considered in the context of the review. Teachers who were appointed to teaching for the first time on or after 5 December 2011 but before 1 February 2012 are eligible for allowances on the basis of their qualifications at entry to the profession up to a maximum of the allowance applicable to an honours primary degree level.

Circular 3/2012 provides that allowances are not payable to new beneficiaries; i.e. those who become eligible for receipt of the allowance in question on or after 1 February 2012. Examples of such allowances include any form of qualification allowance or the supervision and substitution payment paid to teachers, and the secretary to the Board of Management allowance paid to school principals. The only exceptions to this prohibition are principal and deputy principal allowances. These decisions were taken pending the outcome of the public service-wide review of allowances due to the upward pressure on the cost of teacher allowances. 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.

I am not in a position to comment further on the position in relation to teacher allowances until the outcome of the public service-wide review of allowances is known.

81. **Deputy Paschal Donohoe** asked the Minister for Education and Skills if all persons involved in invigilation or examination superintendent work for State exams in the examination year 2012 will be remunerated at the same rate of pay no matter what State examination is taking place; and if he will make a statement on the matter. [8975/12]

**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, determining procedures in places where examinations are conducted including the supervision of examinations and making arrangements for the marking of work presented for examination.

In view of this I have forwarded your query to the State Examinations Commission for direct reply to you.

### Higher Education Grants

82. **Deputy Paschal Donohoe** asked the Minister for Education and Skills if grants or funding will be available for students going to take masters degrees and PhD, 4th level education; and if he will make a statement on the matter. [8977/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** In the context of the overall necessary but difficult expenditure reduction measures announced in Budget 2012, new students entering postgraduate courses from the 2012/13 academic year onwards will not be entitled to any maintenance payment under the Student Grant Scheme. Existing postgraduate students will not be affected.

However, those students who meet the qualifying conditions for the special rate of grant will be eligible to have their post-graduate tuition fees paid up to the maximum fee limit under the Student Grant Scheme.

In access terms, the requirement to pay a fee is considered to be a greater obstacle to entry than lack of maintenance support at postgraduate level. This is why I opted to maintain the fee-payment ahead of maintenance payments for postgraduate students.

In addition, a further limited number of students who would previously have qualified under the standard grant thresholds will qualify to have a €2,000 contribution made towards the costs of their fees. My Department estimates this will help an additional 4,000 postgraduate students. However, there will be a new income threshold for this payment which will be lower than the standard grant threshold. The income threshold for this level of grant is currently being determined in the context of the formulation of the student grant scheme for the 2012/13 academic year.

In addition to this, the Student Assistance Fund will continue to be made available through the access offices of third-level institutions to assist students in exceptional financial need. Tax relief is also available on postgraduate tuition fees.

While it is regrettable that any changes need to be made to student support, I believe this approach will continue to provide resources for a relatively wide number of post-graduate students and allow us to maintain the high level of supports provided to undergraduate students.

### School Placement

83. **Deputy Willie O’Dea** asked the Minister for Education and Skills if his attention has been drawn to the shortfall of places available to students in Limerick city and the surrounding suburbs who wish to continue their education through the medium of Irish and who have been refused places at a school (details supplied) in County Limerick due to lack of finances, accommodation and teaching allocation; and if he will make a statement on the matter. [8978/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The school to which the Deputy refers has recently submitted an application for additional accommodation to my Department and further information has been requested from the school authorities in this regard. When this information is received, the application will be further considered and a decision will be conveyed to the school authority as soon as this process has been completed.

### Teaching Qualifications

84. **Deputy Patrick O'Donovan** asked the Minister for Education and Skills further to Parliamentary Question Nos. 222 of 31 January 2012 and 87 of 9 February 2012, if he will clarify that the numbers quoted refer to primary school teachers only; the number of those 2,132 teachers currently carrying out their probationary period that have come directly from college; the number who had a gap in time between finishing college and beginning their probationary period; and if he will make a statement on the matter. [8982/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I can confirm to the Deputy that the numbers quoted on the previous parliamentary questions does refer to primary school teachers only.

The vast majority of primary school teachers register with the Teaching Council as soon as they have completed their college course. As soon as they gain employment in schools for the required period (a minimum of 50 consecutive days), they complete a registration form for probation. The registration form for probation does not require teachers to state the year of completion of their college course and therefore records for the number of teachers who leave a gap between finishing college and beginning their probation period are not available.

### Telecommunications Services

85. **Deputy Ray Butler** asked the Minister for Education and Skills regarding the possibility of any of the schools among the 200 schools being allocated broadband upgrades which may be unable to take up the offer, if he will consider re-allocating this high-speed broadband to one or both secondary schools in Trim, County Meath, that are already in a position to take up the proposal for high-speed dedicated point-to-point broadband for schools; and if he will make a statement on the matter. [8989/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** A working group comprising representatives from my Department, HEAnet and the Department of Communications and Natural Resources have recommended a strategy for the roll out of 100mbps to post primary schools. All schools will be connected by the end of 2014. The strategy which has been accepted by Government is based upon the best technical advice available and was designed to achieve best value for money. Any issues arising in the course of the roll out will be referred to the Steering Group in the first instance for guidance.

### Disadvantaged Status

86. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the name of each primary school in Donegal North East that participates in the DEIS programme; and if he will make a statement on the matter. [8995/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The information which the Deputy has requested is available on the Social Inclusion section of my Department's website at following link — <http://www.education.ie/servlet/blobServlet/deis—school—list.htm>.

*Question No. 87 answered with Question No. 75.*

### State Examinations

88. **Deputy Ciara Conway** asked the Minister for Education and Skills the reason the cost of repeating the leaving certificate has increased to €301 from €126; if he will outline the supports available to any families struggling to meet this increased cost; and if he will make a statement on the matter. [9003/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The examination fee for repeat candidates has increased from €284 in 2011 to €301 in 2012, an increase of 6%. This is the same level of examination fee increase which has applied to the fees generally for Leaving Certificate candidates, where the fee has increased from €109 to €116.

Special examination fees for repeat candidates were introduced in 1987 on the basis that it is not unreasonable to expect those who have already benefited from the normal course of second level education, and who wish to take an extra year, to make a contribution towards the cost of providing the necessary resources. A course fee is also payable in respect of such candidates. The course fee is €126.

Examination fees generally cover only a fraction of the cost of running the examinations. Additional demands on the system have been arising in recent years due to the introduction of new methods of assessment in various subjects and to continuing increases in special arrangements for students with special needs.

There is an alleviation scheme in place whereby current medical card holders and their dependents are exempt from the payment of fees. This exemption applies to approximately 34% of all examination candidates each year. This alleviation scheme also applies in the case of repeat candidates in respect of both the course fee and the repeat examination fee.

### School Management

89. **Deputy Thomas Pringle** asked the Minister for Education and Skills the reason the board of management of a school has not engaged with the TUI in the matter of the grievance procedure involved on behalf of its member (details supplied) as per the agreed procedures between the TUI, ASTI and ACCS; and if he will make a statement on the matter. [9019/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The grievance procedures are agreed between the school management bodies and the teacher unions. The Department of Education and Skills is not a party to these procedures and so it cannot intervene in their operation. Non-compliance with the procedures should be brought to the attention of the school's board of management, as the employer, in the first instance. The board may thereafter wish to seek advice from the relevant management body.

### Departmental Staff

90. **Deputy Thomas Pringle** asked the Minister for Education and Skills the numbers of persons employed in his Department and agencies thereof whose gross salary as of the latest date available was in each of the bands (details supplied); and if he will make a statement on the matter. [9029/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The table provides gross salary details in respect of persons employed in my Department and agencies thereof by salary band.

Part 1 of the table provides details in respect of those employees paid via the staff payroll system operated by my Department. This includes Civil Servants employed directly in my

Department and staff in a small number of other named bodies for whom my Department operates a payroll service.

Part 2 of the table includes details in respect of exchequer funded public service staff employed in agencies of my Department. In the case of these staff, it has not been possible in the time available to supply salary information in the precise format requested. However, an alternative breakdown by salary band is provided.

Salary bands of employees on the Department of Education and Skills Payroll at 14 February 2012

Details shown are headcount figures

Gross Salary	Department of Education and Skills Staff	State Examinations Commission (SEC)	National Council for Curriculum and Assessment (NCCA)	Commission to Inquire into Child Abuse	Residential Institute Redress Board (RIRB)	Chomhairle um Oideachas Gaeltachta agus Gaelscolaíochta (COGG)
0-10k	4	1	0	0	0	0
10-20k	55	4	0	0	2	0
20-30k	171	28	1	0	5	0
30-40k	304	43	4	2	9	0
40-50k	222	32	2	1	4	1
50-60k	163	15	3	1	1	1
60-70k	55	2	1	0	0	0
70-80k	108	6	2	0	1	0
80-90k	172	17	2	1	0	0
90-100k	68	4	1	0	0	1
100-115k	20	1	2	0	0	0
125-150k	8	1	0	2	0	0
150k +	2	0	0	0	0	0
<b>Total</b>	<b>1,352</b>	<b>154</b>	<b>18</b>	<b>7</b>	<b>22</b>	<b>3</b>

Note: Salary costs related to agencies/bodies listed above for whom the Department operates a payroll service are recouped on a Monthly/Quarterly basis.

Salary bands of employees in agencies of Department of Education and Skills at 31 December 2011

Details shown are headcount figures

		Headcount
	Total employees	2,159.00
Foras Áiseanna Saothair (includes staff transferring to Department of Social Protection)	Total	1,978.00
	0-30K	102.00
	30,001-70K	1,731.00
	70,001-125K	140.00
	Over 125K	5.00
Further Education and Training Awards Council (FETAC)	Total	36.00
	0-30K	0.00
	30,001-70K	24.00
	70,001-125K	12.00
	Over 125K	0.00

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		Headcount
Grangegorman Development Agency	Total	7.00
	0-30K	0.00
	30,001-70K	4.00
	70,001-125K	3.00
	Over 125K	0.00
Higher Education and Training Awards Council (HETAC)	Total	29.00
	0-30K	6.00
	30,001-70K	15.00
	70,001-125K	8.00
	Over 125K	0.00
Higher Education Authority	Total	57.00
	0-30K	3.00
	30,001-70K	32.00
	70,001-125K	21.00
	Over 125K	1.00
Irish Research Council for Science, Engineering and Technology	Total	4.00
	0-30K	0.00
	30,001-70K	3.00
	70,001-125K	1.00
	Over 125K	0.00
Irish Research Council for the Humanities and Social Sciences	Total	5.00
	0-30K	0.00
	30,001-70K	4.00
	70,001-125K	1.00
	Over 125K	0.00
National Centre for Technology in Education	Total	16.00
	0-30K	0.00
	30,001-70K	11.00
	70,001-125K	5.00
	Over 125K	0.00
National Qualifications Authority of Ireland	Total	27.00
	0-30K	1.00
	30,001-70K	17.00
	70,001-125K	9.00
	Over 125K	0.00

### School Staffing

91. **Deputy Brendan Smith** asked the Minister for Education and Skills if he will provide the most recent figures available regarding the percentage of staff hired in substitute teaching positions who are retired teachers. [9074/12]

93. **Deputy Brendan Smith** asked the Minister for Education and Skills the steps he has taken to monitor the implementation of circular 31/2011 with respect to the employment of retired teachers in substitution posts. [9076/12]

94. **Deputy Brendan Smith** asked the Minister for Education and Skills if he has collated data on the number of retired teachers hired by schools prior to circular 31/2011; and the number hired by schools thereafter. [9077/12]

95. **Deputy Brendan Smith** asked the Minister for Education and Skills if boards of management are currently required to report to him each time the school hires a retired teacher and to certify that all reasonable steps were taken to offer the post to an unemployed teacher who is not in receipt of a pension. [9078/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I propose to take Questions Nos. 91, 93, 94 and 95 together.

Circular 31/2011 details a cascade of measures for recruitment of teachers, prioritising unemployed registered teachers over retired registered teachers, and registered teachers over unregistered persons.

Each principal must report to his or her board of management on a regular basis on the fact that a list of unemployed registered teachers is being maintained, and the circumstances in which he or she has had to engage a registered teacher in receipt of a pension under a public service pension scheme or an unregistered person.

Records relating to recruitment and appointment must be made available by the school for inspection by the Department and a copy of such a record must be furnished to the Department upon a request being made for this. The Department has recently initiated a review of compliance with the procedures outlined in 31/2011.

The number of retired teachers in substitute posts prior to and following the publication of 31/2011 are as follows:- Jan 2011: 273 (prior to the publication of Circular 31/2011), Dec 2011: 48 (following the publication of Circular 31/2011). The percentage of retired teachers paid on the final payroll of 2011 (substitute and contracted) is as follows: Post primary = 0.57%; Primary = 0.72%.

92. **Deputy Brendan Smith** asked the Minister for Education and Skills if he will provide the most recent figures available regarding the percentage of staff hired in substitute teaching positions who are paid at the unqualified rate. [9075/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The information requested by the Deputy will be forwarded direct to him.

*Question Nos. 93 to 95, inclusive, answered with Question No. 91.*

### **Special Educational Needs**

96. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills if it might be possible to obtain a place in respect of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [9089/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** As the Deputy will be aware, the National Council for Special Education (NCSE), through the local special educational needs organisers (SENOs), is responsible for processing applications from primary and post primary schools for special educational needs supports including the approval of special classes for autism. The NCSE operates within my Department's criteria in allocating such support. All schools have the names and contact details of their local SENO. Parents may also contact their local SENO directly to discuss their child's special educational needs, using the contact details

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available on *www.ncse.ie*. I have arranged for the information requested by the Deputy to be forwarded to the NCSE for their direct reply.

### **Third Level Education**

97. **Deputy Brendan Smith** asked the Minister for Education and Skills his views on the recent discussion paper by the Higher Education Authority on the future of higher education; and the likely timescale for decisions on the structures that are likely to emerge. [9109/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** On Monday 13th February, the HEA published a number of documents intended to provide a broad framework for future system development in Irish higher education, including a clear four stage process and criteria for designation as Technological University. All institutions have now been invited to identify their key strengths and their future strategic fit within the system and submit a realistic plan to HEA on that basis. Each higher education institution has been given six months in which to make a submission to the HEA setting out its strategic intentions. By the end of this year HEA will consider these strategic proposals and advise me on a “blueprint” or outline structure for the higher education system over the next 10-20 years. Institutions proposing to merge and apply for designation as technological universities will need also to submit a formal expression of interest within that period and will be advised within a further six months whether they can proceed to the second stage for designation.

### **Public Service Staff**

98. **Deputy Ciarán Lynch** asked the Minister for Public Expenditure and Reform if opportunities for redeployment within the public service are open to persons employed in a permanent seasonal capacity; the way a person can become aware of and apply for such opportunities; and if he will make a statement on the matter. [8930/12]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** The Public Service Agreement 2010-14 (Croke Park Agreement) provides for agreed redeployment arrangements to apply in the Civil Service and in other parts of the public service. Under the Agreement, redeployment generally takes precedence over all other methods of filling a vacancy and supercedes any existing agreements on the deployment of staff. It sets out the agreed redeployment arrangements within the Health, Education, and Local Authority sectors; and within and between the Civil Service and Non-Commercial State Sponsored Bodies (NCSSB). It also provides that cross sectoral redeployments will follow the arrangements agreed for the NCSSBs.

The redeployment arrangements allow staff to be moved from activities which are of lesser priority, or which have been rationalised, reconfigured, or restructured, to areas of greater need. In practical terms these arrangements represent a means of facilitating the targeted reduction in public service numbers in the period 2010 to 2014 while sustaining the ongoing delivery of services. The arrangements are not intended to be a staff mobility scheme. Where there are specific requirements for seasonal staff, these are filled directly by the relevant employing Departments and Agencies.

### **Departmental Staff**

99. **Deputy Thomas Pringle** asked the Minister for Public Expenditure and Reform the numbers of persons employed in his Department and agencies thereof whose gross salary as of

the latest date available was in each of the bands (details supplied); and if he will make a statement on the matter. [9036/12]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** In the time allowed it is not possible to provide a detailed response to the Deputy. However, details in respect of my Department are outlined as follows:

Department	Band	Number of Employees
D/PER	0-10K	99
D/PER	10-20K	9
D/PER	20-30K	24
D/PER	30-40K	36
D/PER	40-50K	53
D/PER	50-60K	57
D/PER	60-70K	19
D/PER	70-80K	28
D/PER	80-90K	45
D/PER	90-100K	12
D/PER	100-115K	17
D/PER	125-150K	7
D/PER	150K+	3

For administrative purposes, the 0-10K bracket includes certain staff members who are not on an actual scale.

### Public Service Staff

100. **Deputy Catherine Murphy** asked the Minister for Public Expenditure and Reform the total numbers of public servants who have applied for early retirement who fall into the following age groups: those aged 50-54 on their retirement date, those aged 55-60 on their retirement date; if he will present the data broken down by Government Department and agencies thereof; and if he will make a statement on the matter. [9072/12]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** I presume the Deputy is referring to the Cost Neutral Early Retirement (CNER) scheme under which staff may apply to retire before the normal retirement age but to have an off-setting actuarial reduction applied to their retirement benefits. In the case of the Civil Service, the data sought by the Deputy is set out in the tables below for 2011 and 2012. In the case of the wider public service, the information required by the Deputy is not held centrally and should be sought from each of the relevant sectoral Ministers.

CNER by Department/Office 2011

	Number aged 50-54
Agriculture, Food and the Marine	4
Arts, Heritage and the Gaeltacht	2
Defence	2
Education and Skills	1
Environment, Community and Local Government	2
Foreign Affairs and Trade	1

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	Number aged 50-54
Health	1
Justice and Equality	5
—Prison Service	1
—Courts Service	1
—Property Registration Authority	2
Oireachtas	2
Revenue	9
Social Protection	6
Transport, Tourism and Sport	3
<b>Total</b>	<b>42</b>

## CNER by Department/Office 2011

	Number aged 55-60
Agriculture, Food and the Marine	12
Attorney General	1
Children and Youth Affairs	1
Civil Service Commission	1
Communications, Energy and Natural Resources	2
Comptroller and Auditor General	1
Defence	4
Jobs, Enterprise and Innovation	5
Environment, Community and Local Government	1
Justice and Equality	3
—Property Registration Authority	3
—Courts Service	2
Office of Public Works	2
Public Expenditure and Reform	1
Social Protection	18
Revenue	22
Transport, Tourism and Sport	3
<b>Total</b>	<b>82</b>

## CNER by Department/Office 2012

	Number aged 50-54
Agriculture, Food and the Marine	4
Communications, Energy and Natural Resources	1
Education and Skills	3
Foreign Affairs and Trade	3
Jobs, Enterprise and Innovation	1
Justice and Equality	2
—Land Registry	1
—Courts Service	4

	Number aged 50-54
Social Protection	5
Revenue	10
Taoiseach	1
Transport, Tourism and Sport	1
Total	36

## CNER by Department/Office 2012

	Number aged 55-60
Agriculture, Food and the Marine	18
Central Statistics Office	3
Defence	1
Education and Skills	4
—State Examination Commission	1
Environment, Community and Local Government	2
Foreign Affairs and Trade	7
Finance	3
—Comptroller and Auditor General	1
—Revenue	31
Health	1
Jobs, Enterprise and Innovation	10
Justice, and Equality	8
—Land Registry	3
—Courts Service	3
Office of Public Works	5
Oireachtas	2
Social Protection	12
Transport, Tourism and Sport	2
Valuation Office	1
Total	118

### Employment Rights

101. **Deputy Noel Harrington** asked the Minister for Jobs, Enterprise and Innovation the number of cases taken in the Labour Relations Commission, National Employment Rights Authority, Employment Appeals Tribunal, the Labour Court and the Equality Tribunal against County Cork Vocational Education Committee in each of the years since 2000 relating to employment legislation; the number of these cases that findings were made against County Cork VEC in each year; and if he will make a statement on the matter. [8919/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** The Labour Relations Commission, Employment Appeals Tribunal and the Labour Court are bodies that act independently in carrying out their functions. Although coming within the overall remit of my Department, as independent bodies I have no involvement in their day-to-day operations or cases coming before them for hearing. However, having made enquiries, I understand that a claim was lodged against County Cork VEC before the Employment Appeals Tribunal in

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2009 and a determination issued in July 2011. The Labour Court issued 6 Determinations relating to County Cork VEC in the past four years, issuing the most recent in July 2011. The determinations of the Employment Appeals Tribunal and the Labour Court are available on their websites. The Labour Relations Commission does not publish details of its conciliations, decisions or recommendations. As regards NERA, there were no cases involving County Cork VEC.

The Equality Authority is another body that acts independently in the carrying out of its functions. However, it comes within the overall remit of the Minister for Justice and Equality and I am not in a position to provide any information regarding cases coming before it. However, I am aware that where it publishes details of cases, it makes these available on its website.

### **Job Creation**

102. **Deputy Charles Flanagan** asked the Minister for Jobs, Enterprise and Innovation the number of jobs that have been created in County Laois in the years 2008, 2009, 2010 and 2011 as a result of the support of Laois County Enterprise Board; and if he will make a statement on the matter. [8921/12]

103. **Deputy Charles Flanagan** asked the Minister for Jobs, Enterprise and Innovation the number of grants that have been awarded by the Laois County Enterprise Board for the years 2008, 2009, 2010 and 2011; and if he will make a statement on the matter. [8922/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** I propose to take Questions Nos. 102 and 103 together.

As this is a day to day operational matter for the Enterprise Board concerned, I have asked that the relevant Unit based within Enterprise Ireland compile the information required, which will then be supplied direct to the Deputy.

### **Company Audits**

104. **Deputy Dominic Hannigan** asked the Minister for Jobs, Enterprise and Innovation, further to Parliamentary Question No. 86 of 8 February 2012, if community employment schemes will be able to avail of the revised audit exemption rules; and if he will make a statement on the matter. [8953/12]

109. **Deputy Dominic Hannigan** asked the Minister for Jobs, Enterprise and Innovation, further to Parliamentary Question No. 86 of 8 February 2012, if schools that are set up as charitable institutions or a trust will be able to avail of the revised audit exemption rules; and if he will make a statement on the matter. [9058/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** I propose to take Questions Nos. 104 and 109 together.

Exemption from audit applies to certain private limited companies. The scope for companies to have an exemption from the requirement to have an audit carried out is set out in EU legislation (4th Directive). Community or voluntary groups or schools may be incorporated as companies, but this may not always be the case, as some may choose to avail of other legal forms. Such groups which have charitable status are governed by the Charities Act 2009, under the aegis of the Minister for Justice and Equality and are answerable to their stakeholders, shareholders and funders.

As stated in my reply of 8th February, the Company Law Review Group (CLRG) 2009 Report examined the issue of extending audit exemption to companies limited by guarantee. It is my intention that provisions giving effect to the recommendations of the CLRG in this matter will be included in the Companies Bill, which I aim to publish in the second half of this year. The CLRG recommendations contemplate that any proposals in this context will be subject to consultation with the Department of Justice and Equality, which now has responsibility for charities regulation.

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105. **Deputy Thomas Pringle** asked the Minister for Jobs, Enterprise and Innovation the number of jobs in each of the past five years that have been supported by Enterprise Ireland and the Industrial Development Agency in towns in County Donegal outside of Letterkenny in tabular form. [9022/12]

106. **Deputy Thomas Pringle** asked the Minister for Jobs, Enterprise and Innovation the number of jobs in each of the past five years that have been supported by Enterprise Ireland and the Industrial Development Agency in Letterkenny, County Donegal, in tabular form. [9023/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** I propose to take Questions Nos. 105 and 106 together.

Enterprise Ireland monitors the employment trends in the companies it supports through the Annual Employment Survey, conducted in conjunction with Forfás. The results of this survey are released each January. This information is collected at county level and it is not possible to provide it with a geographical breakdown within the county. However, data on employment in companies supported by Enterprise Ireland in County Donegal over the last five years is outlined in the tabular statement below.

One of the targets in IDA Ireland's strategy document '*Horizon 2020*' is the creation of 62,000 direct jobs in 640 investment projects over the period 2010-2014, resulting in an additional 105,000 jobs overall in the economy, with 50% of these investments to be based in locations outside of Dublin and Cork. Central to IDA's strategy is to build on existing regional strengths to ensure Ireland's economic development, while optimising regional spread, in line with the National Spatial Strategy.

To achieve balanced regional development, IDA Ireland markets the Gateway locations within each Region as areas of critical mass and highlights the opportunities provided by Hub locations which are within commuting distance of these Gateways. In the North West, IDA prioritises the promotion of Letterkenny and Sligo. As well as marketing the region for new Greenfield investment, IDA Ireland continues to work with existing clients in encouraging them to broaden their mandate and to continue to re-invest in their sites within the region.

In the North West Region, IDA has 36 existing client companies employing over 5,300 people. Data on employment in IDA supported companies is provided on a county basis, not by individual towns. Employment data for IDA supported companies over the past five years is shown in the tabular statement below:

Employment in Enterprise Ireland-aided companies in County Donegal

Donegal	2007	2008	2009	2010	2011
Number Of Plants	192	188	188	182	181
Full Time Jobs	3,445	3,241	2,731	2,678	2,796

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Donegal	2007	2008	2009	2010	2011
Gains	456	252	233	218	301
Losses	-281	-456	-743	-319	-179
Net Change	175	-204	-510	-101	122
Contract/Part Time Jobs	524	507	643	675	722

(Source Forfás Employment Survey— 2011).

## Employment in IDA Supported Companies in County Donegal

Year	2007	2008	2009	2010	2011
Number of Companies	14	14	14	12	12
Permanent Employment	1,631	1,650	1,685	1,621	1,870
Other Jobs	136	110	128	221	224
Gross Gains (New Jobs)	176	67	63	152	271
Net Change in other Jobs	13	-26	18	93	3
Total Jobs Created	189	41	81	245	274

**Departmental Staff**

107. **Deputy Thomas Pringle** asked the Minister for Jobs, Enterprise and Innovation the numbers of persons employed in his Department and agencies thereof whose gross salary as of the latest date available was in each of the bands (details supplied); and if he will make a statement on the matter. [9034/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** The table identifies the number of persons employed in my Department broken down by the salary bands supplied. The numbers include departmental staff in the following Offices of the Department:

- The Companies Registration Office
- The Registry of Friendly Societies
- The Office of the Director of Corporate Enforcement
- The Labour Court
- The Labour Relations Commission
- The National Employment Rights Authority
- The Employment Appeals Tribunal

Salary Band	Numbers Employed
€0 — €10,000	0
€11,000 — €20,000	35
€20,000 — €30,000	182
€30,000 — €40,000	226
€40,000 — €50,000	187
€50,000 — €60,000	105
€60,000 — €70,000	14
€70,000 — €80,000	51
€80,000 — €90,000	33

Salary Band	Numbers Employed
€90,000 — €100,000	24
€100,000 — €115,000	15
€115,000 — €125,000	0
€125,000 — €150,000	10
€150,000+	4

Information regarding the number of employees of the Agencies whose gross salary is in each of the bands listed above is a day to day matter for the Agencies and I have asked that the relevant information be provided to the Deputy directly.

### **Business Regulation**

108. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation the legislation currently applicable to the co-operative movement; and his views on the movement as an area for development by this Government [9047/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** The Industrial and Provident Societies Acts (1893-1978) is the legislation under which most co-operative organisations operate in Ireland. However, a co-operative may also register as a company (in which case the terms of the Companies Acts (1963-2009) apply. Credit Unions, which are savings and loans co-operatives, were a category of industrial and provident society, but since the Credit Union Act 1997 they now operate under a wholly separate legal form with its own legislative system. In the *Programme for Government*, the Government committed to promoting “*a greater appreciation of the co-operative model as a distinct form of organisation, ensure a level playing field between co-operatives and the other legal options for structuring enterprise activities, and provide a constructive framework for the full potential of the co-operative model to be realised...*”.

My responsibility lies in the legislative provision for co-operatives in general. Last year, I secured the agreement of Government to draft legislation to ease the regulatory burden on co-operative societies and to make it easier to start up and run a co-operative as an alternative form of enterprise organisation. I hope to publish this Draft Bill during 2012.

Any initiatives to facilitate or promote the development of co-operatives in particular sectors, for example, child care, education, housing, energy retro-fitting, environmental protection, would be a matter for my colleagues in the respective Government Departments.

*Question No. 109 answered with Question No. 104.*

*Question No. 110 withdrawn.*

### **Social Welfare Benefits**

111. **Deputy Dominic Hannigan** asked the Minister for Social Protection when will payments for partial capacity payment commence; the persons who will be eligible; the way the new payment will be advertised; and if she will make a statement on the matter. [8892/12]

**Minister for Social Protection (Deputy Joan Burton):** I am pleased to advise the Deputy that the Partial Capacity Benefit scheme was formally launched on Monday 13th February 2012. Full details of the scheme have been published on my Department’s website and an information leaflet has also been published. My Department will also be engaging with representative bodies in the disability sector to further enhance awareness of the new scheme.

[Deputy Joan Burton.]

The Partial Capacity Benefit scheme is open to people who are in receipt of Invalidity Pension (IP) or who have been in receipt of Illness Benefit (IB) for a minimum of six months. Participation in the scheme is voluntary and the scheme is designed in particular to respond to the needs of people who have sought to avail of ‘exemptions’ in order to take up employment opportunities. The limitations on hours worked which applied under the ‘exemptions’ arrangements do not apply to the new scheme.

The introduction of the Partial Capacity Benefit scheme marks an important and positive development of the social welfare system. The scheme recognises that the welfare system, which categorised people as ‘fit to work’ or ‘unfit to work’, did not reflect the reality for many existing welfare customers. It provides an opportunity for people with disabilities, and assessed to have an employment capacity which is restricted when compared to the norm, to avail of employment opportunities while continuing to receive an income support payment.

112. **Deputy Sean Fleming** asked the Minister for Social Protection when a carer’s allowance will be granted to a person (details supplied) in County Laois; and if she will make a statement on the matter. [8902/12]

**Minister for Social Protection (Deputy Joan Burton):** I confirm that the department is in receipt of an application for carer’s allowance from the above named person. On completion of the necessary investigations relating to all aspects of her claim a decision will be made and the person concerned will be notified directly of the outcome.

113. **Deputy Martin Heydon** asked the Minister for Social Protection the provisions, if any, in place for recipients of jobseeker’s payments who are close to retirement age; if there are any transitional arrangements in place or plans to introduce same; and if she will make a statement on the matter. [8931/12]

**Minister for Social Protection (Deputy Joan Burton):** Jobseeker’s allowance and jobseeker’s benefit is paid to people up to 66 years of age at which stage eligibility for a State Pension commences. There are three categories of State Pension to which a jobseeker client may be entitled — State Pension (Transition) which is paid at age 65, State Pension (Contributory) which is paid at age 66 and the means tested State Pension (Non-contributory) which is also paid at age 66.

There are a number of transitional arrangements in place for jobseeker clients moving onto State Pension:

- They are automatically advised to apply for one of the State Pension payments three months in advance of reaching the eligible age;
- Where a person’s entitlement to jobseeker’s benefit exhausts between age 65 and 66, they may continue to receive jobseeker’s benefit up to 66 provided they have 156 paid social insurance contributions;
- A number of people aged 55 and over who have left the labour force are in receipt of Pre-Retirement Allowance (PRETA) which is payable until they reach pension age. This is a means-tested payment and the people on this scheme are not required to sign-on as they do not need to be available for work. This scheme has been phased out for new clients from July 2007 in order to encourage and facilitate people to continue to work up to and beyond pension age.

There are no plans to introduce any other transitional arrangements for people approaching pension age.

### **Social Welfare Appeals**

114. **Deputy Pat Deering** asked the Minister for Social Protection when a decision on an application for carer's allowance will issue in respect of a person (details supplied) in County Carlow; and if she will expedite a response [8942/12]

**Minister for Social Protection (Deputy Joan Burton):** The person concerned was refused carer's allowance on the grounds that the Department's Medical Assessor expressed the opinion that the care recipient is not so disabled as to require full-time care and attention as prescribed in regulations. On 13 October 2011, he was notified of this decision, the reason for it and of his right of review or appeal.

He subsequently appealed this decision and submitted additional medical evidence in support of his appeal. This information has been forwarded to the Department's Medical Assessor for consideration. He will be notified directly of the outcome of the review in due course.

115. **Deputy Pat Deering** asked the Minister for Social Protection when a decision on an appeal for carer's allowance will issue in respect of a person (details supplied) in County Carlow; and if she will expedite a response. [8943/12]

**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 22nd 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 19th December 2011 and the appeal was assigned to an Appeals Officer for consideration on 6 February 2012.

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. 116 withdrawn.*

117. **Deputy Tom Fleming** asked the Minister for Social Protection when a decision will issue on a scope appeal in respect of a person (details supplied) in County Kerry; and if she will make a statement on the matter. [8973/12]

**Minister for Social Protection (Deputy Joan Burton):** I am advised by the Social Welfare Appeals Office that following an oral hearing of the appeal, the Appeals Officer referred the case to a Social Welfare Inspector for further investigations and clarification of certain aspects. The appeal has recently been returned to the Appeals Officer who is now considering the appeal in the light of all the evidence submitted, including that adduced at the hearing. The person concerned will be notified of the Appeals Officer decision when the appeal has been determined.

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.

### **Redundancy Payments**

118. **Deputy Michael McGrath** asked the Minister for Social Protection the position regarding

[Deputy Michael McGrath.]

an application for statutory redundancy in respect of a person (details supplied) in County Cork. [8974/12]

**Minister for Social Protection (Deputy Joan Burton):** An application in respect of the person concerned was received in the Department on 2 February. Online claims received after 3 October 2011 are being processed within six to eight weeks of receipt. Manual lump sum claims received in December 2011 are also currently being processed.

These are general processing timeframes for straightforward redundancy claims. Processing times can vary considerably depending on the complexity of the claim.

### Social Insurance

119. **Deputy Tom Fleming** asked the Minister for Social Protection if she will examine the position of the self-employed who have made income tax returns over the past ten years; if she will grant credits for unemployment benefit and contributory pension purposes to these persons in view of the fact that unless a scheme of this nature is introduced with retro active effect, it will have no benefit to those self employed people who are currently unemployed or have become unemployed over the past number of years; and if she will make a statement on the matter. [8990/12]

**Minister for Social Protection (Deputy Joan Burton):** PRSI credited contributions are an integral part of the social insurance system. For the most part they are linked to having an underlying entitlement to a social welfare payment while temporarily detached from the labour force or having entitlement to statutory leave. The primary purpose of PRSI credits is to secure social welfare benefits and pensions of employees by covering gaps in insurance where they are not in a position to pay PRSI such as during periods of unemployment, illness, etc.

The class at which a contributor paid his or her last PRSI contribution determines entitlement to credited contributions. Credits are awarded in respect of an employment contribution which is defined as a contribution in respect of an employed contributor. There are no provisions for the award of credits on foot of self-employment contributions. Self-employed individuals who wish to preserve the continuity of their social insurance record for pension purposes have the opportunity to do so by becoming a voluntary contributor.

Any changes to the PRSI system to extend the full range of social insurance benefits, including access to credited contributions would have significant financial implications and would have to be considered in the context of a much more significant rise in the rate of contribution payable. I established the Advisory Group on Tax and Social Welfare last year to meet the commitment made in the Programme for Government. The Advisory Group will, inter alia, examine and report on issues involved in providing social insurance cover for self-employed persons in order to establish whether or not such cover is technically feasible and financially sustainable. In addition, the Actuarial Review of the Social Insurance Fund, which is due to be completed in mid-2012, will examine this matter.

### Social Welfare Benefits

120. **Deputy Pat Deering** asked the Minister for Social Protection when a decision on a carer's allowance application will issue in respect of a person (details supplied) in County Carlow; and if she will expedite same. [8999/12]

**Minister for Social Protection (Deputy Joan Burton):** I confirm that the department is in receipt of an application for carer's allowance from the above named person. On completion

of the necessary investigations relating to all aspects of his claim a decision will be made and the person concerned will be notified directly of the outcome.

### Social Welfare Appeals

121. **Deputy Seán Kenny** asked the Minister for Social Protection when a decision will issue on the appeal in respect of a person (details supplied) in Dublin 5 against the refusal of a claim for disability allowance. [9005/12]

**Minister for Social Protection (Deputy Joan Burton):** The Social Welfare Appeals Office has advised me that the disability allowance claim of the person concerned was disallowed following an assessment by a Medical Assessor who expressed the opinion that he was medically unsuitable for the allowance. An appeal was registered on 31 January 2012 and in accordance with the statutory procedures the relevant department papers and the comments of the social welfare services on the matter raised in the appeal have been sought. In that context, an assessment by another Medical Assessor will be carried out.

The Social Welfare Appeals Office functions independently of the Minister for Social and Family Affairs and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

### Social Welfare Benefits

122. **Deputy Michael Healy-Rae** asked the Minister for Social Protection the number of persons in the past three months, that is, November, December and January, who have been refused domiciliary care allowance; the number of applications received, further requests and refusals; and if she will make a statement on the matter. [9013/12]

**Minister for Social Protection (Deputy Joan Burton):** The number of applicants for DCA that were received, awarded and refused in the last three months is set out in the table:

Month	Applications received	Applications fully processed in the month	Applications awarded	Applications refused
November	484	397	98	299
December	299	275	152	123
January	338	786	166	620
Total	1,121	1,458	416	1,042

The Deputy should note that as it can currently take up to 8 weeks to process an application the number of applications processed in any month does not correspond with the number of applications received in the particular month. Statistics on further requests and refusals of claims processed in the period are not available.

### Departmental Staff

123. **Deputy Thomas Pringle** asked the Minister for Social Protection the numbers of persons employed in her Department and agencies thereof whose gross salary as of the latest date available was in each of the bands (details supplied); and if she will make a statement on the matter. [9037/12]

**Minister for Social Protection (Deputy Joan Burton):** The table sets out the numbers of persons currently employed in the Department of Social Protection and its agencies in each of the salary bands as requested:

Salary band € per annum	Number of employees
0-10,000	50
10,001-20,000	378
20,001-30,000	1,466
30,001-40,000	2,048
40,001-50,000	1,528
50,001-60,000	1,274
60,001-70,000	143
70,001-80,000	204
80,001-90,000	68
90,001-100,000	46
100,001-115,000	23
115,001-125,000	1
125,001-150,000	9
150,001+	4

### Social Welfare Appeals

124. **Deputy Pat Breen** asked the Minister for Social Protection the position regarding an application in respect of a person (details supplied) in County Clare; and if she will make a statement on the matter. [9043/12]

**Minister for Social Protection (Deputy Joan Burton):** The Social Welfare Appeals Office has advised me that the appeal from the person concerned was referred to an Appeals Officer who proposes to hold an oral hearing in this case.

There has been a very significant increase in the number of appeals received by the Social Welfare Appeals Office since 2007 when the intake was 14,070 to 2010 and 2011 when the intake rose to 32,432 and 31,241 respectively. 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 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.

125. **Deputy Charles Flanagan** asked the Minister for Social Protection if she will give a date when a decision will be reached regarding a carer's allowance appeal in respect of a person (details supplied) in County Laois; and if she will make a statement on the matter. [9052/12]

**Minister for Social Protection (Deputy Joan Burton):** I am advised by the Social Welfare Appeals Office that an Appeals Officer, having fully considered all the evidence, disallowed

the appeal of the person concerned by way of summary decision. Notification of the Appeals Officers decision issued 5 October 2011.

Under Social Welfare legislation, the decision of the Appeals Officer is final and conclusive and may only be reviewed by the Appeals Officer in the light of new evidence or new facts.

Following the submission of additional evidence the Appeals Officer has agreed to review the case. The person concerned will be contacted when the review of her appeal has been finalised.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

126. **Deputy Brendan Griffin** asked the Minister for Social Protection if a decision will be made on a disability allowance appeal in respect of a person (details supplied) in County Kerry in view of new medical evidence in this case; and if she will make a statement on the matter. [9059/12]

**Minister for Social Protection (Deputy Joan Burton):** The Social Welfare Appeals Office has advised me that the appeal from the person concerned was referred to an Appeals Officer who proposes to hold an oral hearing in this case.

There has been a very significant increase in the number of appeals received by the Social Welfare Appeals Office since 2007 when the intake was 14,070 to 2010 and 2011 when the intake rose to 32,432 and 31,241 respectively. 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 she will be informed when arrangements have been made.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

### **Social Welfare Complaints**

127. **Deputy Jonathan O'Brien** asked the Minister for Social Protection the complaints procedure that governs interactions between claimants of social welfare and her staff. [9063/12]

**Minister for Social Protection (Deputy Joan Burton):** A formal complaints and complaints procedure has been in operation in my Department since 2002, details of which are available at [www.welfare.ie](http://www.welfare.ie).

Customers can make formal complaints to my Department in person, by telephone, on line, by e-mail or in writing. Upon receipt, a complaint is immediately acknowledged in writing. It is sent to the relevant complaints officer and dealt with within 15 working days.

If a customer is not satisfied with the response they receive, the complaint is reviewed by a more senior manager. Should the customer still not be satisfied with the outcome of his complaint, he is advised of his right to contact the Ombudsman.

My Department monitors all such complaints received from members of the public and reports are issued to relevant management on a monthly basis.

### Departmental Staff

128. **Deputy Jonathan O'Brien** asked the Minister for Social Protection the code of practice that governs conduct of Department of Social Protection staff. [9064/12]

**Minister for Social Protection (Deputy Joan Burton):** The Civil Service Code of Standards and Behaviour sets out the standards required of all civil servants in the discharge of their duties in relation to service delivery, probity and appropriate behaviour at work. In addition, certain designated officers in my Department are also covered by the Ethics in Public Office Act 1995 and the Standards in Public Office Act 2001.

### Departmental Correspondence

129. **Deputy Jonathan O'Brien** asked the Minister for Social Protection the procedures in place for tracing missing claims documents in her Department's offices; and the accountability mechanisms in place for these. [9065/12]

**Minister for Social Protection (Deputy Joan Burton):** The Department operates in the region of 70 separate welfare schemes and processes in the order of 2.5 million applications annually under these schemes. There is no evidence that there is any significant problem in my Department regarding missing claim documents. It is important, however, that customers when submitting claims follow carefully the instructions outlined in the application forms and also put their PPS numbers on any accompanying documentation so it can be easily traced and identified if an issue arises.

My Department is committed to delivering the best possible service to its customers. To this end, operational processes, procedures and the organisation of work are continuously reviewed in all areas of my Department. These reviews are supported by modern technology, the potential of which is continuously harnessed. Claims are processed in the most efficient and expeditious way possible, having regard to the eligibility conditions that apply to each scheme.

### Departmental Staff

130. **Deputy Jonathan O'Brien** asked the Minister for Social Protection if social welfare offices have policies of dignity and respect; and the details of same. [9066/12]

**Minister for Social Protection (Deputy Joan Burton):** My Department is committed to providing a professional, inclusive and timely service that is responsive to the needs of its clients. It is also committed to conducting its business in an impartial, open and transparent manner and seeks to treat people fairly, with dignity and respect.

A customer charter setting out the standards of service that people can expect in their dealings with the Department is displayed in the Department's public offices and on its website, *www.welfare.ie*. To monitor its services, the Department operates a comment and complaint system which allows people express their views on the service provided. The Department values the views of all those accessing their service and will continue to monitor and improve on the quality of service it provides as opportunities to do so arise.

*Question No. 131 withdrawn.*

### Social Welfare Appeals

132. **Deputy Willie Penrose** asked the Minister for Social Protection the position regarding a social welfare appeal in respect of a person (details supplied) in County Westmeath in relation

to their invalidity pension claim; if same will now be expedited; and if she will make a statement on the matter. [9071/12]

**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 23rd 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 06th December 2011 and the appeal will, in due course, be assigned 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.

133. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if and when domiciliary care allowance will be paid in the case of persons (details supplied); and if she will make a statement on the matter. [9082/12]

**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 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 17th January 2012 and the appeal will, in due course, be assigned 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 Benefit**

134. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the position regarding determination of an application for disability allowance in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [9083/12]

**Minister for Social Protection (Deputy Joan Burton):** I confirm that the Department is in receipt of an application for disability allowance from the above named person. On completion of the necessary investigations on all aspects of the claim a decision will be made and the person concerned will be notified directly of the outcome.

135. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the reason for the non-payment to date of disability allowance in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [9084/12]

**Minister for Social Protection (Deputy Joan Burton):** The person concerned applied for disability allowance on 26 July 2011. The medical evidence supplied with her claim was referred to one of the Department's medical assessors who was of the opinion, based on the information supplied, that she was not medically suitable for disability allowance. The deciding officer accepted this opinion. The deciding officer further decided that the person in question does not meet the condition of being habitually resident in the State, in accordance with the guidelines. Accordingly, her claim for disability allowance has been refused and the person in question has been notified of the decision and the reasons for it.

136. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the position regarding the determination of entitlement to domiciliary care allowance in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [9085/12]

**Minister for Social Protection (Deputy Joan Burton):** An application for domiciliary care allowance was received on the 27th October 2011. This application was referred to one of the Department's Medical Assessors who found that the child was not medically eligible for the allowance. A letter issued on the 10th January 2012 advising of the decision.

In the case of an application which is refused on medical grounds the applicant may submit additional information and/or ask for the case to be reviewed or they may appeal the decision directly to the Social Welfare Appeals Office within twenty one days. As yet no appeal has been registered against the decision in this case.

137. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if and when rent support will be provided in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [9086/12]

**Minister for Social Protection (Deputy Joan Burton):** The person concerned has been awarded rent supplement on the 14th February 2012. The 2011 rent rates are applicable to the person concerned as per the commencement date on the lease. The person concerned is in receipt of his full entitlement to rent supplement based on his household circumstances.

### **Redundancy Payments**

138. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the reason an award agreed via the Employment Appeals Tribunal has not being paid in the case of a person (details supplied) in County Offaly; if any outstanding entitlement to State redundancies exist and is likely to be paid; the extent of redress available to them arising from their previous employers non-compliance with the decision of the EAT; and if she will make a statement on the matter. [9088/12]

**Minister for Social Protection (Deputy Joan Burton):** There is no record of a redundancy lump sum claim in respect of the person concerned. I understand that my officials have liaised directly with your office and await contact from the person concerned in this regard.

### **Community Employment Schemes**

139. **Deputy Billy Timmins** asked the Minister for Social Protection the position regarding community employment schemes (details supplied); and if she will make a statement on the matter. [9120/12]

**Minister for Social Protection (Deputy Joan Burton):** The purpose of Tús is the provision of quality short-term work for those who are unemployed for over a year. The aim is to break the cycle of unemployment and to improve a person's opportunities and readiness to return to the labour market.

I can confirm that €84m has been allocated towards Tús under the 2012 REV, to allow for the engagement of 5,000 persons on Tús, (ie full implementation of the initiative). In 2011, an allocation of €30m was allocated towards the phased rollout of the initiative.

Separately, the Tús Scheme and CE Schemes are included in a policy review of the overall range of employment support, activation and work schemes operated by the Department).

The aim of the review is to assess the schemes, individually and in combination, “in the light of their contribution to the Department’s policy objective of supporting people of working age into employment” and to “recommend any changes to the current range of schemes/programmes seen as required on the basis of the analysis carried out”.

### **Acht na dTeangacha Oifigiúla**

140. D’fhiafraigh **Dara Calleary** den Aire Ealaíon, Oidhreachta agus Gaeltachta an nglacfaidh sé le moladh an Ollaimh Colin Williams chun abhcóide sinsearach, nó breitheamh atáéirithe as, a cheapadh chun tuarascáil neamhspleách a réiteach maidir leis an athbhreithniú ar Acht na dTeangacha Oifigiúla 2003; agus an ndéanfaidh sé ráiteas ina thaobh. [8874/12]

**Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley):** I dtús báire, is mian liom a mhíniú go bhfuil an t-athbhreithniú ar Acht na dTeangacha Oifigiúla 2003, atá ar siúl faoi láthair, á stiúradh ag mo Roinnse. Fuair mo Roinn timpeall 1,400 freagra ar an suirbhé agus 240 aighneacht ó pháirtithe leasmhara le linn an phróisis chomhairliúcháin phoiblí ar an athbhreithniú ar tháinig deireadh leis ar an 31 Eanáir 2012. Tá anailís ar na moltaí a fuarthas ar siúl ag oifigh mo Roinne faoi láthair. Mar chuid den athbhreithniú, tá comhairle á glacadh leis an iliomad páirtithe leasmhara, lena n-áirítear Oifig an Chomisinéara Teanga, Ranna Rialtais agus comhlachtaí poiblí eile, eagraíochtaí Gaeilge agus Gaeltachta, agus an pobal i gcoitinne. Faoi réir théarmaí tagartha an athbhreithnithe, is féidir leas a bhaint freisin as saineolaithe seachtracha, saineolaithe acadúla agus idirnáisiúnta san áireamh, de réir mar is cuí. Is fiú a lua fosta go dtabharfar aird ar dhea-chleachtas i dtaca le soláthar seirbhísí teanga ag comhlachtaí poiblí i ndlínsí eile, faoi réir théarmaí tagartha an athbhreithnithe.

### **Reachtaíocht Molta**

141. D’fhiafraigh **Robert Dowds** den Aire Ealaíon, Oidhreachta agus Gaeltachta cathain a bheidh an Bille nua Gaeltachta foilsithe agus cén tionchar a bheidh ag an mBille seo ar cheantair taobh amuigh den Ghaeltacht ina bhfuil líon mór Gaeilgeoirí; agus cén cineál deise a bheidh acu chun aitheantas oifigiúil a bhaint amach gur cheantair láidre Ghaeilge atá iontu. [8875/12]

**Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley):** Ar an 7 Feabhra 2012, thóg an Rialtas cinneadh an Bille Gaeltachta 2012 a dhreachtú mar thosaíocht. Tá dhá phríomh-aidhm leis an mBille seo — sainmhíniú nua a leagan síos don Ghaeltacht agus leasuithe a dhéanamh ar ról agus ar fheidhmeanna Údarás na Gaeltachta. Foilseofar an Bille chomh luath agus is féidir. Tá sé i gceist faoin reachtaíocht seo go mbeidh an Ghaeltacht bunaithe feasta ar chritéir theangeolaíocha seachas ar limistéir thíreolaíocha mar a bhí go dtí seo. Beidh an phleanáil teanga ag leibhéal an phobail lárnach do phróiseas an tsainmhínithe nua don Ghaeltacht agus beidh deis ag ceantair lasmuigh de na ceantair thraidisiúnta Ghaeltachta aitheantas reachtúil Gaeltachta a bhaint amach, faoi réir critéir áirithe a bheidh comhlíonta acu. Déanfar na critéir seo a leagan síos in orduithe ag an Aire Ealaíon, Oidhreachta agus Gaeltachta.

### **Special Areas of Conservation**

142. **Deputy Seán Ó Fearghail** asked the Minister for Arts, Heritage and the Gaeltacht if he has provided funding to the parks and wildlife service for the acquisition of Mouds Bog, a special area of conservation in County Kildare; if so, the amount of bogland that was acquired; the price for which said land was purchased; the restoration works or otherwise that have been carried on the land; and if he will make a statement on the matter. [8916/12]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** Since 1999, my Department has operated a voluntary bog purchase scheme under which sites in designated bogs have been purchased by the Department at agreed rates. In May 2010, this scheme was closed to new applicants. Mouds Bog in County Kildare is designated as a raised bog special area of conservation. Under the voluntary bog purchase scheme, my Department has purchased freehold title to over 90 acres and turbary rights over a further 12.7 acres of Mouds Bog. These were purchased for a total cost in the region of €430,000. No restoration work has as yet been undertaken on this bog by my Department. Once turf cutting has ended on raised bog special areas of conservation, conservation objectives will be drawn up and a draft management plan will be discussed with local land owners for each designated site. These issues will be considered within the wider context of a national strategy on peatland conservation and management.

### Údarás na Gaeltachta

143. **Deputy Ciara Conway** asked the Minister for Arts, Heritage and the Gaeltacht if he will clarify the way to appeal a decision that has been issued by Údarás na Gaeltachta in view of the fact that this body is not under the jurisdiction of the Ombudsman; and if he will make a statement on the matter. [9004/12]

**Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley):** Údarás na Gaeltachta's client charter is displayed in its offices and on its website, [www.udaras.ie](http://www.udaras.ie). This charter sets out the standard of service that clients can expect to receive from Údarás na Gaeltachta, together with the procedures to be followed in the event of formal complaints by clients or members of the public. I understand that decisions taken by Údarás na Gaeltachta may, depending on the circumstances, be open to statutory appeal or judicial review proceedings.

### Departmental Staff

144. **Deputy Thomas Pringle** asked the Minister for Arts, Heritage and the Gaeltacht the numbers of persons employed in his Department and agencies thereof whose gross salary as of the latest date available was in each of the bands (details supplied); and if he will make a statement on the matter. [9025/12]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** The Deputy will appreciate that it is not possible to provide the information requested within the constraints imposed by a 'details supplied' Question. I am, however, arranging for the available information in relation to the profile of staff salaries in my Department and those agencies coming within my Department's ambit to be provided directly to the Deputy as soon as possible.

### Turbary Rights

145. **Deputy Pat Breen** asked the Minister for Arts, Heritage and the Gaeltacht the position regarding an application in respect of a person (details supplied) in County Clare; and if he will make a statement on the matter. [9042/12]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** The individual referred to in the Deputy's question has applied to sell her interest in land in a raised bog special area of conservation under the Voluntary Bog Purchase Scheme, which is administered by my Department. A letter of offer for the purchase of the land had issued from my Department. However, no contracts for sale have been signed. I am advised that processing of applications on hand under this scheme has been slower than anticipated, due to capacity constraints in undertaking the work involved. In 2011, the Government announced a compensation scheme

for those affected by the cessation of turf cutting on raised bog special areas of conservation. This Cessation of Turf Cutting Compensation Scheme consists of a payment of €1,000 per year, index linked, over 15 years, or, where feasible, relocation of turf cutters to non-designated bogs where they can continue to cut turf. Those wishing to relocate can avail of the financial payment or the delivery of cut turf while relocation sites are identified and prepared. The cost of acquiring and preparing relocation sites will be met by the State. Where applicants under the Voluntary Bog Purchase Scheme have not received a letter of offer or have received a letter of offer but contracts have not been signed, my Department will write to them to outline their options under the Cessation of Turf Cutting Compensation Scheme.

146. **Deputy Frank Feighan** asked the Minister for Arts, Heritage and the Gaeltacht when a deal will be finalised in respect of a person (details supplied) in County Leitrim. [9080/12]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** In 2010, the then Government decided that turf cutting should come to an end on raised bog Natural Heritage Areas at the end of 2013. However, the current Programme for Government contains an undertaking to review the situation with regard to turf cutting on Natural Heritage Areas. 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 Natural Heritage Areas, which are designated under national legislation, will be examined in advance of the 2014 cutting season in accordance with the Programme for Government. In response to Question No. 312 of 17 January last, I indicated that the land referred to by the Deputy is located in an area that was designated as a Natural Heritage Area in 2003. A letter of offer for the purchase of the land had issued from my Department. However, no contracts for sale were signed. 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 or rights in Natural Heritage Area bogs, including the land referred to, is being kept under review.

### **Fishing Vessel Licences**

147. **Deputy Brendan Griffin** asked the Minister for Communications, Energy and Natural Resources if a draft net fishing licence will reissue to a person (details supplied) in County Kerry; and if he will make a statement on the matter. [9054/12]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** The yearly allocation of public licences for commercial draft nets is governed by the provisions of the relevant Control of Fishing for Salmon Order. The Order for 2012 is currently under consideration in my Department and it is expected that it will be finalised shortly. Any person over the age of 18 is entitled to apply for a public draft net licence unless they have previously availed of the Salmon Hardship Scheme. The Salmon Hardship Fund was established in line with the decision to end, on conservation grounds, the mixed stock fishery for salmon at sea. The scheme provided a payment, based on catch history, to former commercial licence holders who could no longer fish or who chose to withdraw from the fishery. The beneficiaries undertook to abide by the conditions of the scheme including not to apply for a commercial fishing licence in the future. I understand that the person referred to by the Deputy is a former holder of a commercial drift net licence and received payment under the Salmon Hardship Scheme. Under these circumstances, the person is not entitled to apply for a drift net licence. Under

[Deputy Pat Rabbitte.]

the terms of the scheme an applicant who received a hardship payment and is in the future found to be in breach of the salmon fishing regulations will be required to repay the full amount of the hardship payment received together with interest from the day of payment.

### Inland Fisheries

148. **Deputy Thomas Pringle** asked the Minister for Communications, Energy and Natural Resources the date on which an anglers association with whom Inland Fisheries Ireland has done the deal to manage angling on the Gweebarra river in County Donegal came into existence; the reason other angling associations (details supplied) were not consulted on the management planning; and if he will make a statement on the matter. [9020/12]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** The fisheries management of the Gweebarra River is a matter for Inland Fisheries Ireland (IFI) and in common with other Rivers consultation with stakeholders is a key element of that management.

I am advised that the Gweebarra Fishing Club is the local club resident within the Gweebarra catchment. The Gweebarra club is a rejuvenated version of the Gweebarra Fisherman's Association which dates back to 1970. The Gweebarra and District Angling Association was formed in September 2000 and officially affiliated with the Donegal Game Angling Federation on 16 January 2001. Since March 2005 when the local draft net fishermen were included, the club has been known as the Gweebarra Fishing Club.

The Rosses Angling Association (which is a private fishery) and the Fintown Anglers Association, are resident in two of several adjoining catchments to the Gweebarra catchment.

However, I am advised that the local consultation process was comprehensive. From the stage of initial dialogue and throughout the local consultation process the Donegal Game Angling Federation was formally consulted on the management planning for the Gweebarra fishery. The affiliates of the Donegal Game Angling Federation include the Rosses and Fintown Anglers Association and the Gweebarra and District Angling Association along with several other local angling clubs.

### Departmental Staff

149. **Deputy Thomas Pringle** asked the Minister for Communications, Energy and Natural Resources the numbers of persons employed in his Department and agencies thereof whose gross salary as of the latest date available was in each of the bands (details supplied); and if he will make a statement on the matter. [9027/12]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** The information requested by the Deputy is outlined in the table:

Salary Band	Number of Staff
€,000	
0-10	0
10-20	12
20-30	34
30-40	51
40-50	49
50-60	44

Salary Band	Number of Staff
€0-60	20
60-70	24
70-80	12
80-90	12
90-100	7
100-115	0
115-125	3
125-150	2
>150	

The staff number includes persons on atypical working arrangements, for example, staff working and being paid for less than a full week.

Information in respect of bodies and agencies under the aegis of my Department is a day to day matter for those organisations and my Department does not have the information sought by the Deputy. I will, however, request relevant agencies and bodies under aegis of my Department to respond directly to the Deputy in the matter.

#### Water and Sewerage Schemes

150. **Deputy Dara Calleary** asked the Minister for the Environment, Community and Local Government the position regarding a sewerage scheme (details supplied) in County Mayo. [8890/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** My Department's Water Services Investment Programme 2010-2012, a copy of which is available in the Oireachtas Library, includes a contract for wastewater treatment plants and associated networks for the Belmullet, Foxford and Charlestown Sewerage Scheme to advance to construction during the period of the Programme at an estimated cost of €14.3 million.

I understand that Mayo County Council intends to advance the planning process for the Belmullet project in order to facilitate progress on the Council's applications to the Environmental Protection Agency for a discharge licence and to my Department for a foreshore licence in respect of the outfall for the wastewater treatment plant.

A decision on Mayo County Council's design brief for the appointment of consultants to advance the procurement of the three wastewater treatment plants and associated works under a single Design Build Operate (DBO) will be made by my Department as soon as possible. This decision will also assist the Council to determine the scale and scope of the works to be carried out on the collection systems at the three locations, and whether to incorporate those works into the DBO contract or to procure them under separate contracts.

#### Local Authority Charges

151. **Deputy Dara Calleary** asked the Minister for the Environment, Community and Local Government the reason an estate (details supplied) in County Donegal was not exempted from the household charge; and if he will make a statement on the matter. [8895/12]

152. **Deputy Robert Dowds** asked the Minister for the Environment, Community and Local Government the specific criteria under which an estate is deemed to be unfinished for the purposes of determining liability for the household charge; and the reason an unfinished estate

[Deputy Robert Dowds.]

(details supplied) in County Dublin is not exempt from the household charge despite it being unfinished. [8906/12]

153. **Deputy Denis Naughten** asked the Minister for the Environment, Community and Local Government the reason some developments have been exempted from the household charge while other developments which have not been completed to the same standard are required to pay the charge in an area (details supplied); and if he will make a statement on the matter. [8925/12]

164. **Deputy Joanna Tuffy** asked the Minister for the Environment, Community and Local Government if he will provide an update on the list of estates that are exempt from the household charge on the grounds that they are in unfinished estates; if estates may appeal the decision not to include them on this list; and if he will make a statement on the matter. [8998/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I propose to take Questions Nos. 151 to 153, inclusive, and 164 together.

As part of the process of preparing the National Housing Development Survey 2011, published by my Department in October 2011, local authorities provided details of all unfinished housing developments in their areas. Unfinished housing developments were divided into four categories as follows:

- Category one, where the development is still being actively completed by the developer, or where no serious public safety issues exist;
- Category two, where a receiver has been appointed;
- Category three, where a receiver has not been appointed and the developer is still in place but effectively inactive; and
- Category four, where the development has been effectively abandoned and is posing serious problems for residents

Other relevant factors for the purposes of the categorisation process include, *inter alia*:

- the state of completion of roads, footpaths, public lighting facilities, piped water and sewerage facilities and open spaces or similar amenities within the development;
- the extent to which the development complies with the terms of applicable planning permission;
- the extent to which it complies with the provisions of the Building Control Acts 1990 and 2007;
- the provisions of the Local Government (Sanitary Services) Act 1964 as they pertain to dangerous places and dangerous structures within the meaning of the Act;
- the extent to which facilities within the development have been taken in charge by the local authority concerned; and,
- where there is an agreement regarding the maintenance of such facilities, the extent to which this agreement has been complied with.

In some cases a local authority may have found that conditions in respect of a certain phase of a development were relatively good and that, for example, no serious public safety issues could be identified. This phase of the development may have been categorised under category 1 or 2. Conversely, safety issues may have been identified in another phase of the same overall development, or development in that second phase may have been abandoned altogether, implying a category 3 or 4 identification for that phase.

This categorisation formed the basis for the list of those unfinished developments eligible for a waiver on the annual household charge.

Only households in developments in categories three and four are eligible for the waiver from payment of the household charge. The list of developments in which households are eligible for the waiver in 2012 is set out under the Local Government (Household Charge) Regulations 2012 and forms the complete list of such developments for this year. A revised list of estates will be prescribed for 2013 after which time the waiver for unfinished housing developments will end. Throughout this period it is anticipated that the numbers of categories 3 and 4 developments will decrease as my Department continues to work with local authorities and other stakeholders to resolve outstanding issues, including through the Public Safety Initiative.

### **Local Authority Housing**

154. **Deputy Sandra McLellan** asked the Minister for the Environment, Community and Local Government if he will consider introducing a rent to buy system on the tenant purchase scheme in view of the fact that persons are having difficulties in obtaining mortgages due to the current economic crisis; and if he will make a statement on the matter. [8937/12]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan):** There are no proposals currently to introduce a ‘rent to buy’ scheme for tenant purchase of local authority dwellings.

155. **Deputy Sandra McLellan** asked the Minister for the Environment, Community and Local Government if the incremental purchase scheme is on track to commence next year; in view of the fact that the scheme only applies to new houses, when will these houses be built; and if he will make a statement on the matter. [8940/12]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan):** Part 3 of the Housing (Miscellaneous Provision) Act 2009 provides for an incremental purchase scheme in respect of newly — built houses reserved by housing authorities for the purpose. Regulations to implement the Incremental Purchase Scheme for new homes were made in June 2010. The scheme is available to all housing authorities.

It is acknowledged that the current economic climate, reduced demand for house purchase including purchase by local authority tenants, constraints on availability of credit to applicants and a scale back of new-build local authority houses have all combined to limit the potential of the scheme at present.

It remains the intention, as previously announced, that the 1995 tenant purchase scheme for houses will be wound down in 2012 to be replaced by a new scheme based on the incremental purchase model. This change will require amending legislation.

### **National Drugs Strategy**

156. **Deputy Brian Stanley** asked the Minister for the Environment, Community and Local Government if he will consider reversing the cut of €148,274 to a project (details supplied); if

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he will consider meeting the project to discuss the serious implications this cut will have; and if he will make a statement on the matter. [8962/12]

157. **Deputy Brian Stanley** asked the Minister for the Environment, Community and Local Government the rationale applied when deciding to cut funding to a project (details supplied). [8963/12]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan):** I propose to take Questions Nos. 156 and 157 together.

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 project in question is one of 5 drugs projects mainstreamed to my Department’s Housing programme and, in 2011, funding of €129,200 was provided through Dublin City Council for the project. This funding represented only 8% of the project’s overall budget of €1.59 million in 2011. The Council was informed in December 2011 that it would not be possible for my Department to continue funding the project beyond 31 March 2012.

A consultation process commenced between the 5 drugs projects, the relevant local authorities and other bodies to explore alternative funding mechanisms for the mainstreamed drugs projects for 2012 and beyond. As part of this process a consultation meeting regarding the project in question was facilitated by my Department on 3 February 2012. The meeting involved the Project Manager and Chair of the project in question, representatives from the Drugs Programme Unit in the Department of Health, Dublin City Council, Pobal and the Coordinator of the Ballyfermot Local Drugs Task Force, with apologies from Department of Children and Youth Affairs, HSE and FÁS representatives. A number of actions were agreed at the facilitation meeting, *inter alia*:

- the Project Manager and Chair will engage bilaterally with the identified key funders, i.e. HSE, FÁS, Department of Children and Youth Affairs and Department of Health, with a view to identifying potential alternative funding sources, including through possible rationalisation of administration costs, sharing and maximising services, etc. The Department of Health agreed to facilitate further meetings, if required, and also offered to take part in further discussions with the Star projects’ other funders,
- the Project Manager and Chair will also undertake an internal examination of the potential for a reconfiguration or modification of the project’s management structure,
- Ballyfermot Local Drugs Task Force will re-examine funding priorities for 2012 within the Task Force budget with a view to identifying potential funding to support this project during 2012.

Having regard to difficulties identified by the Councils, the projects and other funding partners in ensuring that the 5 drugs projects have sufficient time to identify alternative streams of funding and/or to undertake a reconfiguration of project tasks and priorities, my Department has also agreed to provide additional pro rata funding to support the projects for the second quarter of 2012, i.e. to 30 June 2012, through a transfer of a €100,000 from within the provisional Housing programme estimate for 2012.

This funding is being provided strictly on a once off basis and on the clear understanding that it represents an extension of the transitional arrangement only, thereby providing projects

with sufficient time to undertake a fully comprehensive consultation to identify future alternative funding mechanisms. It will be a matter for all the public funding bodies, as part of the consultation process, to identify resources to deliver on the overall objectives of the reconfigured projects beyond end June 2012.

Furthermore, in the context of a 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.

### **Water Services**

158. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government the reason he is proposing to proceed with universal domestic water metering prior to establishing the source of leaks while unaccounted for water is running at 60% in some areas and nearly 50% nationally; and his views that such a proposal is directly contradictory to commitments to sustainable development. [8966/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The Programme for Government provides for the introduction of a fair funding model to deliver clean and reliable water. The Memorandum of Understanding with the EU, the IMF and the ECB also contains commitments for the reform of water services delivery and operation and the introduction of domestic water charges. To meet these commitments, the Government intends initiating a water metering programme for households on public water supplies in advance of the introduction of water charges. Charging for water based on volumetric usage will encourage more sustainable use of water resources and is clearly not contradictory to sustainable development.

Water conservation measures have also been given a particular priority in the Water Services Investment Programme 2010-2012. The Programme provides for contracts for water main replacement/rehabilitation to the value of €321m to commence in the Programme period. Published figures for unaccounted for water includes leakage within private properties, which the metering programme will help to address.

### **Domestic Fire Statistics**

159. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government the number of fires reported in domestic houses since the introduction of the building regulations and separately the number of timber frame houses; and the number of occasions on which the fire spread to adjoining houses. [8967/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The Building Regulations 1997-2002 apply to the construction of new buildings, to extensions and material alterations to existing buildings, and to certain changes of use of existing buildings.

Statistics on fires and other emergency incidents dealt with by local authority fire brigades are forwarded by fire authorities to my Department and are published annually on my Department's website at [www.environ.ie](http://www.environ.ie).

The following table indicates annually since 1997, the number of instances where fire services were in attendance at fires in domestic buildings, including apartments, (other than chimney fires):

[Deputy Phil Hogan.]

Year	Total Number of Fires in Domestic Buildings*
1997	3,589
1998	3,422
1999	3,814
2000	3,542
2001	3,590
2002	3,557
2003	3,416
2004	3,338
2005	3,398
2006	3,457
2007	4,195
2008	4,137
2009	4,251

\*Fires (other than chimney fires) in domestic buildings (including apartments) in which brigades were in attendance.

While there has been an overall increase since 1997 in the number of domestic fires attended by fire brigades, there has also been a significant growth in the housing stock over same period and a consequent decline in the rate of dwelling fires per hundred thousand dwellings.

My Department does not have data specifically in relation to fires in timber frame houses or in regard to the incidence of fire spreading to adjoining houses. Full data returns in relation to 2010 are not yet available.

### **Building Regulations**

160. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government the number of houses that have been accepted as complying with the building regulations without any inspection by building control on the basis only of a certificate of substantial compliance by an architect or engineer. [8968/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The Building Regulations set out the legal requirements for the design and construction of new buildings, including houses, extensions and material alterations and certain changes of use of existing buildings. The related Technical Guidance Documents provide technical guidance on how to comply with the Regulations. Compliance with the Regulations is the responsibility of the owner or builder of a building. Enforcement of the Regulations is the responsibility of the 37 local building control authorities who are empowered to carry out inspections and initiate enforcement proceedings, where considered necessary. Where building defects occur, their remediation is a matter for the parties concerned, namely the building owner, the relevant developer and the builder's insurers, in line with any contractual arrangements agreed between the parties.

The Department sets an inspection target of 12-15% of all buildings covered by valid commencement notices.

The certificates of substantial compliance referred to in the question would appear to refer to forms drawn up by professional bodies in the construction industry in conjunction with the Law Society and used for conveyancing purposes. These forms were developed and published as opinions of compliance. They are often mistakenly described as "certificates" of compliance

with planning permission or ‘certificates’ of compliance with building regulations but this is incorrect — they are titled and intended to be opinions of compliance.

These forms are not part of the statutory building control system. I have previously expressed my concerns about the manner in which these forms have been used, in particular in relation to certain housing and apartment developments.

I have also previously outlined, most recently in response to Questions Nos. 166, 167 and 168 on 2 February 2012, a number of measures 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 and which will make it mandatory for owners, builders and designers of buildings to provide evidence of compliance with building regulations. Proposals in this regard will be released for public consultation in the coming weeks with a view to having the required changes in place as early as possible in 2012.

Professionals who are engaged by developers will thus be required to ensure that construction at least meets the legal minimum standards and there is an urgent need for the construction professions to deliver high standards and professionalism in the construction field.

161. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government when he will introduce legislation requiring quarries to test materials for sale to ensure that no heave inducing material is delivered to building sites. [8969/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** There are existing requirements on quarries to carry out testing of aggregate materials. The Construction Products Directive (89/106/EEC) provides for a system of harmonised technical specifications for construction products. IS EN 13242:2002 is a harmonised European Product Standard for “Aggregates for unbound and hydraulically bound materials” for use in civil engineering work and road construction. It sets out the rules for producers to demonstrate conformity with the standard. It requires initial type testing before an aggregate is placed on the market, and these tests to be repeated if the aggregate comes from a new source, if there is a major change in raw materials or when the aggregate is to conform to a new requirement.

Standard Recommendation (SR) 21, initially published by NSAI in 2004 and revised in 2007, provides guidance on the use of IS EN 13242:2002. SR21:2004+A1:2007 gives additional specific guidance on reducing the risk of reactive forms of pyrite being present in material fill for use under concrete floors in dwellings and buildings.

I am awaiting the report of the Pyrite Panel and on receipt of this report, and having regard to any recommendations it may make, I will evaluate the necessity for any additional requirements to the existing testing regimes for quarries.

162. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government if his attention has been drawn to the fact that the materials known as Clause 804 material which was found to be unfit for purpose under the Sale of Goods Act in the case of *James Elliot v Irish Asphalt (Lagan)*, is commonly used under ground floor extensions to houses and is not yet required to be tested for sulphur content to determine potential heave; and his plans to deal with same. [8970/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The key requirements relevant to the use of hardcore material for buildings are set out in Part C (Site Preparation and Resistance to Moisture) and Part D (Materials and Workmanship) of the Second Schedule to the Building Regulations.

[Deputy Phil Hogan.]

Part C (Site Preparation and Resistance to Moisture) of the Second Schedule to the Building Regulations sets out the legal requirements for Site Preparation and Resistance to Moisture. Requirement C4 stipulates that “*the floors, walls and roof of a building shall be so designed and constructed as to prevent the passage of moisture to the inside of the building or damage to the fabric of the building*”.

Part D, Requirement D1 specifies that “*All works to which these Regulations apply shall be carried out with proper materials and in a workmanlike manner*”. Requirement D3 defines “Proper Materials” as “*materials which are fit for the use for which they are intended and for the conditions in which they are to be used*”.

The related Technical Guidance Documents — TGD C and TGD D provide guidance on how compliance with the requirements of the Building Regulations can be achieved in practice. Work carried out in accordance with the guidance provided in the TGDs is considered *prima facie* evidence of compliance with the Building Regulations.

TGD C provides guidance on hardcore for use in buildings. It states that “hardcore *should conform with IS EN 13242:2002*” (Aggregates for unbound and hydraulically bound materials for use in civil engineering work and road construction) “*and meet the specification as outlined in Annex E of the accompanying guidance document to this standard, SR21:2004+A1:2007*”.

Standard Recommendation (SR) 21:2004+A1:2007 provides specific guidance on reducing the risk of reactive forms of pyrite being present in material fill for use under concrete floors in dwellings and buildings. Annex E in SR 21:2004+A1:2007 is an example specification for unbound granular fill for use under concrete floors and footpaths and limits the total sulphur content to 1%.

The onus is on the builder/developer to ensure that all works undertaken are compliant with the relevant parts of the Building Regulations.

In the High Court case referred to in the question, it was acknowledged that Clause 804 is, in fact, a material superior to what is usually needed for construction infill and underfloor support. It is manufactured and sold on the basis that it is a high quality product. The quarry supplied stone fill which contained pyrite. The pyrite in the stone fill caused the heave in the subfloor area which caused the concrete ground floor to heave and crack.

This case is on appeal to the Supreme Court.

I will consider the necessity for any changes to the specification for hardcore on receipt of the report from the Pyrite Panel.

163. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government the number of housing estates in each local authority that have been taken in charge since the building regulations were introduced; and the number that remain to be taken in charge at this time. [8971/12]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan):** The information sought in the question is not available to my Department.

*Question No. 164 answered with Question No. 151.*

### Property Tax

165. **Deputy Simon Harris** asked the Minister for the Environment, Community and Local Government if he will take into consideration the contribution made by homeowners through

stamp duty when formulating the mechanism by which the property tax will be calculated; and if he will make a statement on the matter. [9001/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I have recently established an inter-Departmental expert Group to design an equitable property tax having regard to its terms of reference. This Group has been asked to report to me by end April, 2012. I will then bring proposals to Government for decisions on the structure and modalities of the property tax.

### Departmental Staff

166. **Deputy Thomas Pringle** asked the Minister for the Environment, Community and Local Government the numbers of persons employed in his Department and agencies thereof whose gross salary as of the latest date available was in each of the bands (details supplied); and if he will make a statement on the matter. [9030/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** There are currently 805.21 staff employed in my Department. The information requested is set out in the following table:

Salary Range	Number of Staff (FTE) *
< €10,000	4.44
€10,000-€20,000	7.40
€20,000-€30,000	69.48
€30,000-€40,000	132.96
€40,000-€50,000	159.00
€50,000-€60,000	171.53
€60,000-€70,000	41.40
€70,000-€80,000	103.00
€80,000-€90,000	50.00
€90,000-€100,000	48.00
€100,000-€115,000	9.00
€115,000-€125,000	0.00
€125,000-€150,000	8.00
> €150,000	1.00
Total	805.21

\*Figures indicates full time equivalent.

In relation to state agencies, my Department collects information on numbers employed within defined salary bands. The most recent data collected in respect of Q4 2011 are set out in the following table:

Agency	<€30,000	€30,000- €70,000	€70,000- €125,000	> €125,000	Total
An Bord Pleanála	31.20	76.90	44.10	4.00	156.20
An Chomhairle Leabharlanna	1.00	10.10	3.00	0.00	14.10
Dublin Docklands Development Authority	0.00	12.00	5.00	1.00	18.00
Environmental Protection Agency	12.00	259.70	47.00	4.00	322.70
Housing Finance Agency	0.50	7.50	3.00	0.00	11.00

[Deputy Phil Hogan.]

Agency	<€30,000	€30,000- €70,000	€70,000- €125,000	> €125,000	Total
Interim Housing & Sustainable Communities Agency	1.00	28.20	9.00	1.00	39.20
Irish Water Safety	2.00	3.00	1.00	0.00	6.00
Limerick Northside Regeneration Agency	0.00	4.00	4.00	0.00	8.00
Limerick Southside Regeneration Agency	0.00	4.00	3.00	1.00	8.00
Local Government Computer Services Board	3.00	58.50	18.00	0.50	80.00
Local Government Management Services Board	1.00	14.60	10.60	0.50	26.70
National Building Agency	0.80	0.00	3.00	0.00	3.80
Private Residential Tenancies Board	10.00	37.40	3.00	0.00	50.40
Radiological Protection Institute of Ireland	4.80	27.30	12.10	1.00	45.20
Western Development Commission	0.00	11.40	2.00	0.00	13.40
<b>Total</b>	<b>67.30</b>	<b>554.60</b>	<b>167.80</b>	<b>13.00</b>	<b>802.70</b>

### Local Authority Funding

167. **Deputy Pearse Doherty** asked the Minister for the Environment, Community and Local Government if his attention has been drawn to local authorities funding difficulties particularly Donegal County Council in retaining the library services due to the recruitment embargo and retirement of staff; and his strategy to ensure that public libraries are manned and retained to a satisfactory service level for the public. [9050/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The moratorium on recruitment and promotion in the public service was introduced in March 2009. My Department operates a delegated sanction from the Department of Public Expenditure and Reform for implementation of the moratorium in relation to local authorities, and any exceptions to the moratorium in the local government sector require sanction from my Department.

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 moratorium is implemented while the appropriate service levels are maintained.

When vacancies arise, public bodies must initially seek to reallocate staff and/or re-organise work or staff accordingly. In exceptional circumstances a request for sanction to fill a post may be made to my Department. In considering sanction requests public safety, maintaining key front line services and economic issues are given precedence as is the requirement to avoid increases in overall staffing levels.

Day to day operations, including staffing levels and opening hours, in the public library service are a matter for each local authority in its capacity as a library authority under Section 78 of the Local Government Act 2001.

My Department has provided funding towards the capital costs of approved new libraries and the refurbishment of existing libraries along with funding for mobile libraries and delivery vans.

The library service provides very valuable social, educational and cultural services to communities around the country and local authorities continue to make every effort to deliver appropriate services within budgetary constraints.

### **Local Authority Housing**

168. **Deputy Catherine Murphy** asked the Minister for the Environment, Community and Local Government the options, if any, being considered in relation to local authority housing loans; if local authorities will be permitted to allow those on shared ownership loans to transfer to annuity loans; and if he will make a statement on the matter. [9061/12]

169. **Deputy Catherine Murphy** asked the Minister for the Environment, Community and Local Government the extent of arrears on local authority mortgages, by county, in 2010 and 2011; the amount that was paid on the subsidy element of the shared ownership loans in 2010 and 2011, and in respect of how many loans; and if he will make a statement on the matter. [9062/12]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan):** I propose to take Questions Nos. 168 and 169 together.

My Department issued comprehensive guidance to local authorities on the treatment of mortgage arrears, including local authority mortgages for shared ownership transactions, in March 2010. That guidance was closely based on the Central Bank’s first statutory Code of Conduct on Mortgage Arrears to ensure that cases of local authority mortgage arrears are handled in a manner that is sympathetic to the needs of the particular household, while also protecting the position of the local authority concerned. To reflect the content of the Central Bank’s revised Code of Conduct — which replaced the previous code from 1 January 2011 and was informed by the deliberations of the Expert Group on Mortgage Arrears and Personal Debt — my Department is currently preparing updated guidance to local authorities in consultation with the City and County Managers Association. This will further enable local authorities to provide a range of flexible repayment options for households in difficulty. In relation to shared ownership specifically, the full review of Part V of the Planning and Development Act 2000 announced in the Government’s housing policy statement in June 2011 has been broadened to include an examination of the shared ownership scheme.

Where any borrower, either from a local authority or from a private financial institution, is facing difficulties in meeting mortgage repayments, they should engage proactively and constructively with the lender to seek to achieve an agreed solution. The services of the Money Advice and Budgeting Service are also available to such borrowers and support is available through the Supplementary Welfare Allowance Scheme.

In addition, section 34 of Housing (Miscellaneous Provisions) Act 2009 provides local authorities with powers to deal flexibly with distressed borrowers.

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 6,202 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 27.5% of the total number of loans. The table below provides the data on a county by county basis. My Department does not collect information in relation to payments on the subsidy element of shared ownership loans.

[Deputy Jan O’Sullivan.]

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.

Year	QTR	Number of LA loans in arrears			
		Between 91-180 days in arrears	Over 180 days in arrears	Total over 90 days	Loans in arrears as a % of the total loan book
2010	Q1	1,769	3,657	5,426	24.2%
	Q2	1,878	4,121	5,999	24.6%
	Q3	1,723	4,307	6,030	24.8%
	Q4	1,577	4,488	6,065	25.4%
2011	Q1	1,506	4,501	6,007	25.5%
	Q2	1,656	4,541	6,197	26.8%
	Q3	1,555	4,647	6,202	27.5%

At the end of:	Q4 2010		Q3 2011	
	Number of loans in arrears over 90 days	Value of loans in arrears over 90 days	Number of loans in arrears over 90 days	Value of loans in arrears over 90 days
<i>County Councils</i>				
Carlow	39	1,672,633	43	2,096,177
Cavan	84	1,201,450	79	1,170,415
Clare	209	3,711,999	193	3,769,998
Cork	259	2,045,459	347	17,158,442
Donegal	144	4,195,405	160	5,597,229
DL/Rathdown	118	4,178,006	108	5,521,327
Fingal	129	8,229,866	161	12,123,891
Galway	172	6,313,240	176	6,278,839
Kerry	163	2,845,267	143	2,846,849
Kildare	400	15,846,719	427	17,405,106
Kilkenny	208	7,021,114	249	8,248,005
Laois	240	12,190,148	249	14,325,289
Leitrim	27	251,408	27	189,693
Limerick	168	1,944,936	157	2,049,067
Longford	105	2,046,314	107	2,947,402
Louth	145	2,539,390	130	4,137,386
Mayo	334	6,796,155	312	6,821,825
Meath	161	2,802,784	137	3,854,656
Monaghan	103	1,049,102	114	1,891,629
North Tipperary	106	2,333,256	95	2,376,940
Offaly	116	1,356,676	106	1,727,466
Roscommon	113	771,036	98	770,770
Sligo	211	5,947,656	246	5,860,541

At the end of:	Q4 2010		Q3 2011	
	Number of loans in arrears over 90 days	Value of loans in arrears over 90 days	Number of loans in arrears over 90 days	Value of loans in arrears over 90 days
South Dublin	126	8,190,747	131	9,086,310
South Tipperary	154	3,238,126	166	3,277,589
Waterford	100	3,470,772	98	4,128,535
Westmeath	334	15,528,930	332	15,884,963
Wexford	152	5,800,178	148	7,472,113
Wicklow	132	5,781,818	121	5,678,251
<i>City Councils</i>				
Cork	222	4,002,870	201	4,596,713
Dublin	689	6,743,131	800	8,288,657
Galway	98	6,316,974	94	5,597,594
Limerick	136	1,681,138	78	1,367,091
Waterford	168	9,300,798	169	9,686,001
<b>Total</b>	<b>6,065</b>	<b>167,345,501</b>	<b>6,202</b>	<b>204,232,759</b>

170. **Deputy Catherine Murphy** asked the Minister for the Environment, Community and Local Government the number of houses rented under the rental accommodation scheme, by county; the additional allocations that will be made in 2012 by county; the housing list by county; the other options available or are being considered; and if he will make a statement on the matter. [9068/12]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan):** My Department collects information on the total number of accommodation units rented under the Rental Accommodation Scheme (RAS) but this is not broken down by type of accommodation. Since the scheme was introduced in late 2005, some 37,757 households have been transferred by local authorities from Rent Supplement to RAS and other social housing options. Of this figure 21,892 were housed directly under RAS.

The following table outlines the number of households provided with accommodation under RAS on a county by county basis from November 2005 up to the end of 2011:

Local Authorities (Housing)	No. of cases transferred to RAS (Private) to end December 2011	RAS Unsold Affordables (Leasing) to end December 2011	No. of cases transferred to RAS (Voluntary) to end December 2011	Total RS transfers to Voluntary, Unsold Afford. and Private to end December 2011	Total No. of RS cases socially housed to end December 2011	Total RS cases transferred to Private/Voluntary/Unsold Affordables and socially housed to end December 2011
Carlow Co. Cl.	391	0	89	480	204	684
Cavan Co. Cl.	287	0	89	376	298	674
Clare Co. Cl.	374	0	98	472	235	707
Cork City Cl.	745	0	259	1,004	974	1,978
Cork County Cl.	821	0	449	1,270	1,225	2,495

[Deputy Jan O’Sullivan.]

Local Authorities (Housing)	No. of cases transferred to RAS (Private) to end December 2011	RAS Unsold Affordables (Leasing) to end December 2011	No. of cases transferred to RAS (Voluntary) to end December 2011	Total RS transfers to Voluntary, Unsold Afford. and Private to end December 2011	Total No. of RS cases socially housed to end December 2011	Total RS cases transferred to Private/Voluntary/Unsold Affordables and socially housed to end December 2011
Donegal Co. Cl.	322	0	277	599	1,437	2,036
Dublin City Cl.	1,688	62	693	2,443	703	3,146
Dublin South Co. Cl.	1,347	1	91	1,439	1,118	2,557
Dun/Rathdown Co. Cl.	512	0	116	628	548	1,176
Fingal Co. Cl.	719	96	138	953	847	1,800
Galway City Cl.	650	0	217	867	361	1,228
Galway Co. Cl.	370	0	170	540	274	814
Kerry Co. Cl.	726	0	78	804	624	1,428
Kildare Co. Cl.	421	0	125	546	582	1,128
Kilkenny Co. Cl.	344	0	337	681	345	1,026
Laois Co. Cl.	165	0	96	261	183	444
Leitrim Co. Cl.	109	0	26	135	100	235
Limerick City Cl.	615	0	102	717	164	881
Limerick Co. Cl.	257	0	245	502	256	758
Longford Co. Cl.	400	0	0	400	95	495
Louth Co. Cl.	242	0	79	321	858	1,179
Mayo Co. Cl.	598	0	394	992	334	1,326
Meath Co. Cl.	167	55	118	340	317	657
Monaghan Co. Cl.	176	0	135	311	184	495
Nth Tipperary Co. Cl.	427	0	52	479	236	715
Offaly Co. Cl.	215	40	47	302	242	544
Roscommon Co. Cl.	364	0	86	450	347	797
Sligo Co. Cl.	343	0	177	520	209	729
Sth Tipperary Co. Cl.	572	0	96	668	428	1,096
Waterford City Cl.	395	0	271	666	360	1,026
Waterford Co. Cl.	265	0	39	304	279	583
Westmeath Co. Cl.	397	0	17	414	205	619
Wexford Co. Cl.	498	0	103	601	918	1,519
Wicklow Co. Cl.	373	0	34	407	377	784
Totals	16,295	254	5,343	21,892	15,867	37,759

My Department does not hold information on the number of households on local authorities’ waiting lists. This figure continuously fluctuates as households are allocated housing and new households apply for housing support. Detailed information on the latest statutory assessment of housing need carried out in March 2011, including a breakdown by housing authority, is available on my Department’s website [www.environ.ie](http://www.environ.ie) or on the Housing Agency’s website at [www.housing.ie](http://www.housing.ie).

### Visa Applications

171. **Deputy Sean Fleming** asked the Minister for Justice and Equality if he will re-examine the reply to Question No. 519 of 24 January 2012 (details supplied); and if he will make a statement on the matter. [8885/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** The guidance provided in Parliamentary Question No. 519 was appropriate to the circumstances of the particular visa application referred to by the Deputy. It was not specific to an application coming within the scope of EU Treaty Rights. The Deputy will recall that the guidance was provided in respect of the concern surrounding the relationship history of the Applicant and her spouse. The Visa Officer was of the opinion that evidence in support of the relationship history was insufficient. This opinion was shared by the Visa Appeals Officer who upheld the refusal. Such guidance could be applicable to all visa applications where the relationship history is at issue.

It should be borne in mind that the onus rests with the Applicant to satisfy the Visa Officer as to why the visa sought should be granted. As every visa applicant and their family circumstances are unique, it is impossible to be completely prescriptive about the type of supporting information that should be supplied. In circumstances where the applicant feels that the general guidance given is not practical, then the onus rests with the applicant to provide some form of tangible evidence that can be given reasonable consideration. It is important to note that, in the absence of adequate supporting information, the visa officer will not make assumptions about the applicant's individual circumstances.

Each visa application is entitled to one appeal only. It is however open to the applicant to submit a fresh visa application at any time. Guidance on the visa application process is available on the website of the Irish Naturalisation and Immigration Service, *www.inis.gov.ie*.

Queries in relation to general immigration matters 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 Strength

172. **Deputy Dara Calleary** asked the Minister for Justice and Equality the number of juvenile liaison officers retiring from the Garda at the end of February; if all of them will be immediately replaced; and if he will make a statement on the matter. [8888/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** The Deputy will be aware that the Commissioner, in consultation with his senior management team, is responsible for the detailed allocation of resources, including personnel, throughout the organisation and I have no function in that process. I have, however, been informed by the Garda Commissioner that on 31 December 2011, the latest date for which figures are readily available, the personnel strength of Juvenile Liaison Officers was 115, of which 11 are due to retire from the force by the end of February 2012.

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, it is our intention to maintain front-line services at the highest level possible. Garda management will continue to closely monitor the allocation of resources, including transfers and retirements, in the context of crime trends, policing needs and other operational strategies in place on a

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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.

### Departmental Correspondence

173. **Deputy Dara Calleary** asked the Minister for Justice and Equality if he will outline his correspondence with the IMF on the Legal Services Regulation Bill; his views on the commitments he has given in that correspondence; and if he will make a statement on the matter. [8889/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** The correspondence under reference between my Department and the IMF about the Legal Services Regulation Bill has, in fact, taken place at official level. My Department's involvement was the outcome of a telephone call received from IMF Washington on 17 January seeking an update on the progress of the Legal Services Regulation Bill following its resumption of Second Stage. The IMF also indicated that it was preparing its own letter of reply to separate correspondence received by its Managing Director in December from the Council of Bars and Law Societies of Europe (CCBE), the American Bar Association (ABA) and the Japan Federation of Bar Associations (JFBA). The letter to the IMF Managing Director, which was widely reported in the Irish media, had raised concerns about recent trends and their potential impact on the independence of the legal profession in countries subject to IMF support, including Ireland.

My Department agreed to provide an updated response to the concerns raised by means of an official letter to IMF Washington. Moreover, I was happy to agree that the Department's response could, if considered appropriate, be enclosed by the IMF in its reply to the correspondence of the international legal professional bodies. My Department's letter issued to IMF Washington on 31 January 2012. The IMF's own reply to the international legal bodies was issued on 3 February with my Department's letter enclosed for cross-reference. This complete correspondence was posted on the website of the Bar Council (it being the affiliate of the professional organisations who had written to the IMF) on 7 February where it remains available to the general public.

The letter issued by my Department to the IMF on 31 January very openly draws from my statement to the House at the opening of Second Stage of the Legal Services Regulation Bill on 16 December 2011. It confirms the Bill's fundamental upholding of the independence of the legal professions and of the professional principles at several points, notably in Part 2, section 9; that I am taking positive steps to reinforce the independence of the new Legal Services Regulatory Authority from any perception of executive control or interference; my anticipation of a number of amendments to obviate the need for Ministerial consents, e.g. in relation to professional codes of conduct. The letter also reiterates my invitation for similarly constructive suggestions that might enhance the Bill's regulatory framework within the Government's stated policy objective of independent regulation. It notes the broad support, including that of the two professional bodies, already enjoyed by the modernised legal costs regime provided under Part 9 of the Bill and welcomes the historic step recently taken by the Law Society in lending its support, in the best interests of the public and the profession, to the independent complaints procedures being introduced under the Bill.

In recognising that there already has been positive movement towards addressing the concerns about independence and the regulatory interface with Government raised by the international legal bodies with the IMF, the Department's letter highlights the continuing opportunity for dialogue that exists for all stake-holders, including the professional bodies. I will be

returning to these and other aspects of the Bill in my forthcoming statement to the House for the closing of Second Stage.

### **Tribunals of Inquiry**

174. **Deputy Martin Ferris** asked the Minister for Justice and Equality if any action will be taken with regard to the findings of the Moriarty tribunal. [8899/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** Insofar as the Report of the Moriarty Tribunal made recommendations concerning the future operation of tribunals of inquiry, many of these recommendations are anticipated by the Tribunals of Inquiry Bill 2005 which awaits Report Stage debate in the Dáil. Other recommendations are the subject of consultation with the Attorney General and other relevant Departments.

I am also informed by the Garda authorities that their examination of the Report of the Moriarty Tribunal remains ongoing. The Deputy will appreciate that it would therefore be inappropriate for me to comment further on this aspect at this time.

### **Garda Deployment**

175. **Deputy Dominic Hannigan** asked the Minister for Justice and Equality the position regarding anti-social activity (details supplied); the steps the Garda is taking to stop this problem; and if he will make a statement on the matter. [8920/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am informed by the Garda authorities that the area referred to is within the Ashbourne Garda District. Local Garda management is aware of an increase in the number of burglaries recorded in the Sub-District.

The area is the subject of regular patrols by personnel allocated to the Sub-District, supplemented as necessary by uniform and plain clothes personnel from the District Headquarters in Ashbourne, District and Divisional Detective and Drug Unit personnel and the Divisional Traffic Corps and Regional Support Units. Local Garda management has directed that additional patrols take place in the area, including the deployment of members of the Community Policing Unit, to prevent, deter and investigate these crimes. Checkpoints are regularly carried out to identify suspect vehicles travelling through the Sub-District.

Local Garda management closely monitors and keeps under review patrols and other operational strategies in place, in conjunction with crime trends and policing needs of the communities in the area, to ensure optimum use is made of Garda resources and the best possible Garda service is provided to the public.

Garda management is also satisfied that a comprehensive policing service is being delivered in the Meath Garda Division and that current structures in place meet the requirements of the delivery of an effective and efficient policing service. I am further informed that this situation is being kept under review.

### **Garda Operations**

176. **Deputy Kevin Humphreys** asked the Minister for Justice and Equality the number of warrants that were outstanding at the end of January 2012; the average time before a warrant is served; if he will provide a breakdown of the number of outstanding warrants by Garda operational district; his views on whether further resources are required to ensure there are not significant delays in the serving of warrants; and if he will make a statement on the matter. [8955/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** In the time available it has not been possible for the Garda authorities to supply the information requested by the Deputy. I will be in contact with the Deputy when the information is to hand.

### **Garda Stations**

177. **Deputy Robert Troy** asked the Minister for Justice and Equality his plans to reduce public opening hours of Granard Garda station, County Longford, from 24 hours to 9 a.m. to 5 p.m. [8964/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** The Deputy will be aware that the allocation of resources and the general management of the Garda Síochána, including deciding on the opening hours of any Garda station, are matters for the Garda Commissioner. I am not aware of any plans, at this stage, to reduce the opening hours of Granard Garda station.

### **Courts Service**

178. **Deputy Willie O’Dea** asked the Minister for Justice and Equality if his attention has been drawn to the fact that as a result of the provisions of the Civil Law (Miscellaneous Provisions) Act 2011, the Circuit Court no longer has any direct power to enforce maintenance orders; if his further attention has been drawn to the fact that a backlog of cases has arisen in which persons who are entitled to maintenance as a result of a separation agreement endorsed by the Circuit Court are no longer in a position to have the maintenance enforced; and if he will make a statement on the matter. [8972/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** Two sections of the Civil Law (Miscellaneous Provisions) Act 2011 relate to the enforcement of maintenance orders. Firstly, Section 31 inserted two new sections into the Family Law (Maintenance of Spouses and Children) Act 1976 setting out procedures to be followed in the District Court regarding arrears of maintenance payments. The section confers power on the District Court to treat as contempt of court a failure by a maintenance debtor to comply with a previous court order and to deal with such a breach accordingly, including by means of imprisonment. The new Section 9A of the 1976 Act only applies to maintenance orders made by the District Court.

Secondly, section 63 of the Civil Law (Miscellaneous Provisions) Act 2011 amends section 8 of the Enforcement of Court Orders Act 1940. This provided that where arrears of maintenance are due, a maintenance creditor may make application to the District Court to summon the maintenance debtor and the District Judge may make such order as to the payment, collection or recovery of all amounts outstanding as the judge seems fair and reasonable. Such an application may be made where the maintenance order was made by the Circuit Court. The amendment contained in the 2011 Act addressed within four months of my appointment a difficulty with the enforcement of District Court maintenance orders that the previous Government had failed to adequately address for almost two years.

The Circuit Court’s power to enforce its own orders, including maintenance orders, has not changed. This power is provided for in Section 23(1) and 23(2)(c) of the Family Law (Maintenance of Spouses and Children) Act 1976, as amended by section 12 of the Courts Act 1981.

I have made inquiries with the Courts Service with regard to the Deputy’s reference to a backlog of cases arising from the enactment of the 2011 Act. I am informed that the Courts Service is not aware of any backlog or issue having arisen with this legislation. As the Deputy will be aware, the management and administration of the courts, is a matter for the Courts

Service. However, if the Deputy wishes to furnish details of any such backlog I will have the matter further examined.

### Residential Institutions

179. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice and Equality when he will be more specific about the commitment in his reply to Question No. 139 of 8 February 2012, from Deputy Dowds, with regard to the appropriateness and practicality of addressing issues related to the former Bethany Home, Dublin, in a satisfactory manner. [8993/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** As stated in my response to Parliamentary Question No. 139 of 8 February, 2012, the Government has charged the inter-departmental committee with clarifying any State interaction with the Magdalen institutions and producing a narrative detailing such interaction. There are presently no plans to expand its brief beyond those institutions. The Deputy can be assured, however, that every consideration is being given to issues relating to the former Bethany Home and how they might be addressed. I regret that I cannot be more specific at this time but it is my intention to give a full consideration to this important matter.

### Departmental Staff

180. **Deputy Thomas Pringle** asked the Minister for Justice and Equality the numbers of persons employed in his Department and agencies thereof whose gross salary as of the latest date available was in each of the bands (details supplied); and if he will make a statement on the matter. [9035/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** The information requested by the Deputy in respect of the Department and agencies staffed by the Department is set out in the following table. The salary bands include staff employed both on a full-time and a work-sharing basis:

Income Band	Number of Staff
€0 — €10,000	0
€11,000 — €20,000	80
€20,000 — €30,000	423
€30,000 — €40,000	465
€40,000 — €50,000	340
€50,000 — €60,000	363
€60,000 — €70,000	155
€70,000 — €80,000	140
€80,000 — €90,000	36
€90,000 — €100,000	46
€100,000 — €115,000	35
€115,000 — €125,000	1
€125,000 — €150,000	12
Greater than €150,000	7

### Citizenship Applications

181. **Deputy Jack Wall** asked the Minister for Justice and Equality his views on a matter (details supplied) regarding a permit; and if he will make a statement on the matter. [9079/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am advised by the Irish Naturalisation and Immigration Service (INIS) that in 2011 an application from the individual in question was refused at both first instance and on review. The applicant submitted a second application in November 2011 which was not accepted as the circumstances of the application remained unchanged since the first application.

The applicant may submit a request for a review of the decision not to accept his second application. Details of how this may be done are on the INIS website. Also, if the applicant is a student it is open to him to apply to the Garda National Immigration Bureau (GNIB) for student permission to reside in the State.

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.

182. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the progress made to date and likely outcome in the determination of residency and naturalisation in the case of a person (details supplied) in County Carlow; and if he will make a statement on the matter. [9092/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** The person in question made an application for a permanent residence card to EU Treaty Rights Unit of the Irish Naturalisation and Immigration Service (INIS) on 18 October 2011. This application was acknowledged by letter on 25 October 2011 and further documentation in support of the application was requested at that time. To date no response has been received to this letter.

Officials in the Citizenship Division of INIS inform me that there is no record of an application for a certificate of naturalisation from the person referred to in the Deputy's question. It is open to any individual to lodge an application for citizenship if and when they are in a position to meet the statutory requirements as prescribed in the Irish Nationality and Citizenship Act 1956 as amended.

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.

### **Asylum Applications**

183. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the extent to which a review of residency can be undertaken in the case of a person (details supplied) in County Carlow; and if he will make a statement on the matter. [9093/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I refer the Deputy to my detailed Reply to Parliamentary Question No. 183 of Thursday, 17th November, 2011 — copied beneath. The position is unchanged since then.

*Arising from the refusal of his asylum application, and in accordance with the provisions of Section 3 of the Immigration Act 1999 (as amended), the person concerned was notified, by*

*letter dated 22nd February, 2010, that the then Minister proposed to make a Deportation Order in respect of him. He was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a Deportation Order or of making representations to the then Minister setting out the reasons why a Deportation Order should not be made against him. In addition, he was notified of his entitlement to apply for Subsidiary Protection in accordance with the provisions of the European Communities (Eligibility for Protection) Regulations 2006.*

*The position in the State of the person concerned will now be decided by reference to the provisions of Section 3(6) of the Immigration Act 1999 (as amended) and Section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement. All representations submitted will be considered before a final decision is made. 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**

184. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the progress made to date and expectation in the determination of residency and naturalisation in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [9094/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** Arising from the refusal of his asylum application, and in accordance with the provisions of Section 3 of the Immigration Act 1999 (as amended), the person concerned was notified, by letter dated 18th August, 2011, that the then Minister proposed to make a Deportation Order in respect of him. He was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a Deportation Order or of making representations to the Minister setting out the reasons why a Deportation Order should not be made against him. In addition, he was notified of his entitlement to apply for Subsidiary Protection in accordance with the provisions of the European Communities (Eligibility for Protection) Regulations 2006.

The person concerned submitted an application for Subsidiary Protection. When consideration of this application has been completed, the person concerned will be notified in writing of the outcome.

In the event that the application for Subsidiary Protection is refused, the position in the State of the person concerned will then be decided by reference to the provisions of Section 3(6) of the Immigration Act 1999 (as amended) and Section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement. All representations submitted will be considered before a final decision is made. 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 Email 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

[Deputy Alan Shatter.]

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.

### Residency Permits

185. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the progress made to date and likely outcome in the determination of residency and naturalisation in the case of a person (details supplied) in Dublin 7; and if he will make a statement on the matter. [9095/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** The person concerned applied for asylum on 28 March 2011. Pursuant to the provisions of Article 13 and Article 16(1)(c) of Council Regulation (EC) No 343/2003 the Office of the Refugee Applications Commissioner determined on 17 June 2011 that Hungary was the country responsible for examining her asylum application, which was accepted by the Hungarian authorities.

A Transfer Order in respect of the person under Article 7(1) of the Refugee Act 1996 (Section 22) Order 2003 (S.I. No. 423/2003) was signed on 15 July 2011.

The person was informed that she was required to present to the Garda National Immigration Bureau at 13-14 Burgh Quay on 21 July 2011 in order to make arrangements for her transfer to Hungary. She failed to present and was classified as having evaded her Transfer Order. Accordingly, Ireland sought an extension of time under Article 19(4)/20(2) of Council Regulation (EC) No. 343/2003 to effect the transfer. The Transfer Order in this case remains valid.

An application by this person in respect of the Zambrano Judgement has now been received. This will be considered before a final decision is made. 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 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.

### Asylum Applications

186. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if he will examine the family health and general circumstances in the case of a person (details supplied) in County Meath; and if he will make a statement on the matter. [9096/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** The positions in these cases are as follows. The first and second named persons lodged separate asylum applications, in 2006 and 2007. Arising from the refusal of their respective asylum applications, and in accordance with the provisions of Section 3 of the Immigration Act 1999 (as amended), they were separately notified, by letter dated 23 October 2008 and by letter dated 28 September 2009, that the Minister proposed to make Deportation Orders in respect of them. They were each given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a Deportation Order or of making representations to the Minister setting out the reasons why a Deportation Order should not be made against them. In addition, they were notified of their respective entitlements to apply for Subsidiary Protection in accordance with

the European Communities (Eligibility for Protection) Regulations 2006. They each submitted applications for Subsidiary Protection and these applications will be considered first. When consideration of these applications has been completed, they will be notified in writing of the outcomes.

In the event that their applications for Subsidiary Protection are refused, their position in the State of will then be decided by reference to the provisions of Section 3(6) of the Immigration Act 1999 (as amended) and Section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement. All representations submitted will be considered before a final decision is made. Once decisions have been made, these decisions and the consequences of these decisions will be conveyed in writing to the first and second named person. I am satisfied that any decisions taken in the context of the cases of these persons concerned will have regard for all relevant factors.

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.

### **Deportation Orders**

187. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the progress made to date in the matter of examination of entitlement to residency and naturalisation in the case of a person (details supplied) in County Westmeath; and if he will make a statement on the matter. [9097/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** The person concerned, together with the other family members referred to by the Deputy, are the subject of Deportation Orders, made against them, following a comprehensive and thorough examination of their asylum claims, applications for Subsidiary Protection and a detailed examination of the representations they submitted for consideration under Section 3 of the Immigration Act 1999 (as amended). The effect of the Deportation Orders is that the persons concerned must leave the State and remain thereafter out of the State. The enforcement of the Deportation Orders is an operational matter for the Garda National Immigration Bureau.

The Deputy will appreciate that in light of the above clarification, the persons concerned could not be deemed to have an outstanding application for residency.

Queries in relation to the status of individual immigration cases may be made directly to the INIS by Email 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.

### **Residency Permits**

188. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the progress made to date in the determination of residency and naturalisation in the case of a person (details supplied) in County Meath; and if he will make a statement on the matter. [9098/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** With regard to the matter of residency, I refer the Deputy to my reply to Parliamentary Question No. 161 of 13 October, 2011 (a copy of which follows). The position is unchanged since then. In relation to the matter of naturalisation, I am informed that there is no record of an application for a certificate of naturalisation from the person referred to in the Deputy's question.

The person concerned is an asylum applicant. However, the Deputy will be aware that it is not the practice to comment on individual asylum applications where a final decision has not been made.

*PQ No 161 of 13 October 2011*

*The person concerned has separately submitted documentation to my Department to advance her case to remain in the State based on the principles of the Zambrano Judgment. Her case is under consideration at present. Once a decision has been made, this decision and the consequences of the decision will be conveyed in writing to the person concerned.*

*I should remind the Deputy that queries in relation to the status of individual immigration cases may be made directly to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.*

### **Citizenship Applications**

189. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if he will clarify the position following correspondence between the Office of the Chief State Solicitor and solicitors for the client dated 16 March 2011 in the matter of determination of entitlement to naturalisation in the case of a person (details supplied) in Dublin 15; if he will initiate a full review of the case; and if he will make a statement on the matter. [9099/12]

**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 has never applied for naturalisation. The correspondence referred to by the Deputy between the Chief State Solicitor's Office and the solicitors for the applicant is subject to a confidentiality clause. I do not propose to breach that clause.

### **Citizenship Applications**

190. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the reason stamp four has not issued in the case of a person (details supplied) in Dublin 15; and if he will make a statement on the matter. [9100/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I refer the Deputy to my detailed Reply to Parliamentary Question No. 209 of Thursday, 19th January, 2012, a copy of which follows. The position is unchanged since then.

*The person concerned is a failed asylum applicant. Arising from the refusal of her asylum application, and in accordance with the provisions of Section 3 of the Immigration Act 1999 (as amended), the person concerned was notified, by letter dated 29th September, 2008, that the then Minister proposed to make a Deportation Order in respect of her. She was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a Deportation Order or of making representations to the Minister setting out the reasons why a Deportation Order should not be made against her. In addition, she was*

*notified of her entitlement to apply for Subsidiary Protection in accordance with the provisions of the European Communities (Eligibility for Protection) Regulations 2006.*

*The person concerned submitted an application for Subsidiary Protection. When consideration of this application has been completed, the person concerned will be notified in writing of the outcome. In the event that the application for Subsidiary Protection is refused, the position in the State of the person concerned will then be decided by reference to the provisions of Section 3(6) of the Immigration Act 1999 (as amended) and Section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement. All representations submitted will be considered before the a final decision is made. Once a decision has been made, this decision, and the consequences of the decision, will be conveyed in writing to the person concerned.*

*The Deputy should note that as the person concerned has not established a right of legal residency in the State, the issue of an application for citizenship does not arise at this time.*

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.

191. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the progress made to date in the determination of entitlement to naturalisation in the case of a person (details supplied) in County Donegal; and if he will make a statement on the matter. [9101/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I refer the Deputy to my reply to Parliamentary Question 500 on 7th July, 2011. The position remains as stated:

*Reply to Parliamentary Question 500 of 7th July, 2011*

*A valid application for a certificate of naturalisation from the person referred to in the Deputy's Question was received in the Citizenship Division of my Department in April 2008.*

*I refer the Deputy to Parliamentary Question 138 on 18 June, 2009 in which he was advised that on examination of the application submitted it was determined that the application form had not been fully completed. It was returned to the person in question for further attention on 18 April, 2008. The person in question returned the application form to the Citizenship Division but the application form was returned again to the applicant on 1 July, 2008 as the application form was still incomplete. The Citizenship Division of my Department wrote to the person in question on 16 October, 2008 requesting she return her completed application form and supporting documentation in order for her application to be processed further. A further letter issued on 22 January, 2009, however, to date the Citizenship Division of my Department has not received the requested documentation and the application has been deemed ineligible.*

The second person concerned has been granted Leave to Remain in the State for the period to 14 August 2013. This decision was conveyed in writing to the person concerned by letter dated 14 August 2010.

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

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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.

### **Residency Permits**

192. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if he will clarify the position in regard to residency entitlement in the case of a person (details supplied) in County Waterford; and if he will make a statement on the matter. [9102/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** Arising from the refusal of his asylum application, and in accordance with the provisions of Section 3 of the Immigration Act 1999 (as amended), the person concerned was notified, by letter dated 24th August, 2009, that the then Minister proposed to make a Deportation Order in respect of him. He was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a Deportation Order or of making representations to the Minister setting out the reasons why a Deportation Order should not be made against him. In addition, he was notified of his entitlement to apply for Subsidiary Protection in accordance with the European Communities (Eligibility for Protection) Regulations 2006.

The person concerned submitted an application for Subsidiary Protection. When consideration of this application has been completed, the person concerned will be notified in writing of the outcome.

In the event that the application for Subsidiary Protection is refused, the position in the State of the person concerned will then be decided by reference to the provisions of Section 3(6) of the Immigration Act 1999 (as amended) and Section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement. All representations submitted will be considered before a final decision is made. 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.

### **Control of Firearms**

193. **Deputy Willie Penrose** asked the Minister for Justice and Equality in the context of a recent judgment of the High Court concerning a legal challenge against the refusal of restrictive firearms, if he will indicate that if persons who always held such a firearms licence and who were refused in the past two to three years or so the renewal of such application, will now have their refusal reviewed in the context of their application, whereby it appears that such refusals were being made on a blanket basis without adequate reasons being given; and if he will make a statement on the matter. [9113/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I understand that the cases referred to by the Deputy were settled and there was, in fact, no judgment delivered by the Court.

It was agreed, as part of the settlement, that any other person, eligible to apply for a Firearm Certificate in respect of a Restricted Firearm, who had previously been refused by the Granting Authority (Chief Superintendent) and which refusal has not been the subject of an appeal to the District Court (as outlined below) may re-submit an application for a Firearm Certificate

in respect of a Restricted Firearm, for consideration by the Granting Authority, in accordance with law.

This category has been further clarified, to refer to two (2) specific categories of applicant:

- Applicants who have had their application for a Firearm Certificate, in respect of a Restricted Firearm, refused and have not commenced an appeal to the District Court in respect of this decision; and
- Applicants who have had their application for a Firearm Certificate, in respect of a Restricted Firearm, refused and have commenced proceedings appealing this decision before the District Court but have discontinued such appeal proceedings.

### Equality Issues

194. **Deputy Jonathan O'Brien** asked the Minister for Justice and Equality if he will include a requirement in the Immigration Residence and Protection Bill for the development and publication of gender guidelines in the asylum process; and if he will make a statement on the matter. [9118/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** The issue raised by the Deputy is being examined by my Department in consultation with the relevant statutory agencies.

### Job Initiative

195. **Deputy Michael McCarthy** asked the Minister for Defence when a decision will issue on the successful applicant for a vacancy within his Department (details supplied); and if he will make a statement on the matter. [8939/12]

**Minister for Defence (Deputy Alan Shatter):** The position to which the Deputy refers is an internship post which was advertised under the FÁS JobBridge programme. I am advised that 13 applications have been received for the post and these applications are being considered by the military authorities with regard to their eligibility and suitability for the post. The applicants considered to be most suitable will be called for interview shortly. If a successful candidate is identified in this process it will then be necessary for the individual to be security cleared by An Garda Síochána. In the circumstances, it is not possible for me to indicate at this stage a precise timeline for the filling of the post.

### Defence Forces Recruitment

196. **Deputy Willie Penrose** asked the Minister for Defence the anticipated levels of recruitment into the Permanent Defence Forces in 2012; the likely level of recruitment for the Western Brigade based at Custume Barracks, Athlone, County Westmeath; and if he will make a statement on the matter. [8984/12]

**Minister for Defence (Deputy Alan Shatter):** The Government has decided to accept my recommendations that the strength of the Permanent Defence Force will be maintained at 9,500. I believe that this is the optimum level required to fulfil all roles assigned by Government. I am advised by the Military Authorities that the strength of the Permanent Defence Force at 31 December, 2011, the latest date for which details are available, was 9,438 comprising 7,650 Army, 791 Air Corps and 997 Naval Service.

It is my intention that targeted recruitment will continue in 2012, within the resource envelope allocated to Defence, so as to maintain the Government approved strength of the Defence Forces.

[Deputy Alan Shatter.]

The issue of the allocation of personnel to Custume Barracks, Athlone, County Westmeath, will be a matter for the Military Authorities based on requirements.

### Departmental Staff

197. **Deputy Thomas Pringle** asked the Minister for Defence the numbers of persons employed in his Department and agencies thereof whose gross salary as of the latest date available was in each of the bands (details supplied); and if he will make a statement on the matter. [9028/12]

**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. No staff are attached to Coiste an Asgard. The table sets out numbers of persons whose gross salary fall into the relevant bands:

Band	Civil Servants	Civil Defence	Army Pensions Board
€0-€10,000	1	Nil	Nil
€10,000-€20,000	24	Nil	Nil
€20,000-€30,000	51	6	Nil
€30,000-€40,000	97	9	1
€40,000-€50,000	82	4	1
€50,000-€60,000	43	2	Nil
€60,000-€70,000	6	1	Nil
€70,000-€80,000	27	2	Nil
€80,000-€90,000	7	Nil	Nil
€90,000-€100,000	6	1	Nil
€100,000-€115,000	Nil	Nil	Nil
€115,000-€125,000	1	Nil	Nil
€125,000-€150,000	2	Nil	Nil
Greater than €150,000	1	Nil	Nil

### Army Barracks

198. **Deputy Clare Daly** asked the Minister for Defence if he will produce a comprehensive cost benefit analysis regarding the closure of army barracks, including the costs of leasing extra accommodation as recently advertised in the provincial press. [9055/12]

**Minister for Defence (Deputy Alan Shatter):** Following the Government's decision to further consolidate Defence Forces personnel into fewer locations, four military barracks — Clonmel, Cavan, Mullingar and Castlebar — will close on 30 March 2012. Military personnel at present occupied on security and support functions within these installations will be released for operational duties leading to a manpower efficiency gain of around €5 million p.a. In addition, there will be direct cash savings of approximately €1.3m arising from utilities, maintenance and security duties allowances in the four barracks. The Reserve Defence Force in each barracks will be provided with alternative rented accommodation prior to the closure of the barracks. This is a normal arrangement for Reserve Units in other locations around the country and consistent with how the previous Government dealt with the matter. For use by the RDF, the Department has 10 permanent rentals and 30 part time rentals in place including part time use of parish

and community halls as well as some commercial premises. The total annual cost is less than €100,000 for all forty premises.

On this basis there is no economic argument for keeping a full barracks open to cater for a Reserve Unit that may only train for a few hours once or twice a week when alternative rented accommodation can be provided for a small fraction of the cost.

199. **Deputy Nicky McFadden** asked the Minister for Defence if the military museum in Columb Barracks, Mullingar, County Westmeath, will be retained; if he has reviewed correspondence from the Mullingar Area Committee on this issue; and if he will make a statement on the matter. [9111/12]

**Minister for Defence (Deputy Alan Shatter):** The museum collection in Columb Barracks is primarily associated with the history of the 4th Field Artillery Regiment. It is presently intended to make provision to house the museum in a suitable location in Custume Bks, Athlone, which will be the new location for the 4th Field Artillery Regiment. This arrangement is in keeping with the normal military practice and tradition. The majority of the museum artefacts belong to the Defence Forces with the remaining being owned by private individuals. Some of these individuals have requested the return of their artefacts and these requests have been complied with. Any remaining artefacts owned by private individuals will be moved and stored appropriately in the museum at Custume Barracks, Athlone. I can confirm that I have received an approach from local representatives on this matter and in this regard I have asked a senior official from my Department to meet with them in the near future.

#### Public Sector Staff

200. **Deputy Michael Moynihan** asked the Minister for Agriculture, Food and the Marine the number of retirements from Teagasc as of the end of February 2012 under the changed pension arrangements broken down by position and role; the total staff working in Teagasc in 2009, 2010, 2011; the estimated total staff remaining after February 2012 broken down by section, position and role; his plans to replace these personnel; and if he will make a statement on the matter. [8879/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** At the outset I would point out that this is an operational matter for the Teagasc Authority and the Deputy may wish to contact Teagasc directly for a more detailed reply.

I am advised by Teagasc that 127 staff have already retired under the revised pension arrangements and a further 57 are expected to retire by the end February deadline. The total staff working in Teagasc on 1st January for each respective year is as follows:

Year	Number (full-time equivalents)
2009	1,557
2010	1,385
2011	1,296
2012	1,189

Teagasc, in common with all other public bodies, has had to play its part in the planned reduction in public service numbers and pay costs set down by the previous Government in 2010 under the National Recovery Plan.

The question of replacing retired staff in Teagasc must have regard to Government policy on public service numbers and the need to achieve savings in the public service pay bill through

[Deputy Simon Coveney.]

planned reductions in staff numbers. Therefore, when vacancies arise, public service organisations must reallocate or reorganise work or staff accordingly. Any exceptions to this principle can only be considered in limited circumstances in respect of mission critical posts and in full compliance with annual ceilings on staff numbers.

### Grant Payments

201. **Deputy Sean Fleming** asked the Minister for Agriculture, Food and the Marine when a single farm payment will issue to a person (details supplied) in County Carlow; and if he will make a statement on the matter. [8886/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** An application under the Single Payment Scheme was received from the person named on 5 May 2011, following processing of which dual claims were identified in respect of all five land parcels declared by the person named. Following correspondence with my Department, it emerged that the lands in question were leased by the other claimant from the person named for a twelve month period commencing on 1 April 2011.

Consequently, the leased out lands were not eligible for inclusion in the Single Payment Scheme application of person named. The application was then processed as per the Terms and Conditions of the Single Payment Scheme, based on the governing EU Regulations, resulting in no payment being due to the person named as the dual claimed parcels exceeded 20% of his application.

202. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine when payment will issue to a person (details supplied) in County Kerry; and if he will make a statement on the matter. [8905/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Applications under the 2009 and 2010 Single Payment Schemes/Disadvantaged Areas Schemes were received from the person named on 30 April 2009 and 7 May 2010, respectively. Under the provisions of the governing EU Regulations, payments under these Schemes may be made only in respect of eligible land and applicants are obliged annually to only declare eligible lands available to them. While the person named was initially paid on the declared eligible area, following a review of the commonage area, and a recalculation of eligible areas, additional payment under Disadvantaged Areas scheme for years 2009 and 2010 is now due to the person named. This payment is due to issue shortly.

203. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine when an oral hearing will take place in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [8907/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The Agriculture Appeals Office received an appeal from the person named on 15th December 2011. The Department's file was received at this office on 24th January 2012 and the appeal was assigned to an Appeals Officer on 26th January 2012 for adjudication. Currently, the appeal is under consideration by the Appeals Officer and pending the availability of all parties concerned, arrangements will be made in the near future for the oral hearing.

### Grant Payments

204. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine

the reason for the delay in processing payment in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [9016/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person named commenced REPS in February 2008 and received payments for the first three years of their contract. REPS 4 is a measure under the current 2007-13 Rural Development Programme and 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 75% of the Year 4 payment issued dated 14th February for the amount of €9,638.77. The 25% balancing payment amounting to €3212.92 will also issue shortly.

### Departmental Staff

205. **Deputy Thomas Pringle** asked the Minister for Agriculture, Food and the Marine the numbers of persons employed in his Department and agencies thereof whose gross salary as of the latest date available was in each of the bands (details supplied); and if he will make a statement on the matter. [9024/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The information requested by the Deputy, as extracted from the Department's payroll at the end of January, is contained in the Table:

No. of Department Staff in Various Pay Ranges

Gross Pay Range	No. of Staff
< €10,000	17
> €10,000 < €20,000	13
> €20,000 < €30,000	167
> €30,000 < €40,000	1,131
> €40,000 < €50,000	1,051
> €50,000 < €60,000	651
> €60,000 < €70,000	105
> €70,000 < €80,000	150
> €80,000 < €90,000	178
> €90,000 < €100,000	181
> €100,000 < €115,000	31
> €115,000 < €125,000	1
> €125,000 < €150,000	7
>€150,000	2

In relation to the State Agencies under my Department's aegis, the query should be addressed directly to the agencies themselves.

### Grant Payments

206. **Deputy Paudie Coffey** asked the Minister for Agriculture, Food and the Marine when an agri-environment option scheme payment will issue to a person (details supplied) in County Waterford; and if he will make a statement on the matter. [9110/12]

**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.

[Deputy Simon Coveney.]

Under the EU Regulations governing the Scheme and other area-based payment schemes, a comprehensive administrative check, including cross-checks with the Land Parcel Identification System, had to be completed before any payment could issue. These checks have been completed and 75% payment totalling €1,218.32 has issued to the person named in respect of 2010.

The application was selected for a Cross Compliance inspection which resulted in a penalty being imposed. The cross compliance penalty, in this case 3%, will be deducted from the balancing payment which will shortly issue to the person named.

Payments in respect of the 2011 Scheme year are subject to a similar administrative checking process which includes verification of capital investments related to approved AEOS actions. These checks have now been completed and following the payment of the balance for year 1, the payment in respect of year 2 will be processed further.

207. **Deputy Willie Penrose** asked the Minister for Agriculture, Food and the Marine the steps he will take to have the suckler cow welfare scheme payments immediately paid to a person (details supplied) in County Longford; and if he will make a statement on the matter. [9115/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person named registered forty six beef breed animals under the 2011 Suckler Welfare Scheme. Payment has been approved for six of the animals and will issue to the applicant shortly. During the payment validation process, errors were identified in respect of the remaining forty animals and a letter outlining these errors will issue to the applicant shortly.

### Children in Care

208. **Deputy Gerald Nash** asked the Minister for Children and Youth Affairs the number of children from this State with exceptional needs and behavioural issues who are currently receiving residential support in Scotland; if she will detail the cost to the Exchequer of same; if she will provide details on the number of special care unit and child detention centre units available to children with exceptional needs; the number of places currently available to such children; and her plans for the development of additional places to ensure that these young persons can be supported in residential facilities in the State. [8904/12]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** I am informed by the HSE, that on 26 January last there were 10 children in specialised units overseas, detained on High Court Detention Orders. These placements were mainly in the UK and allow for access to therapeutic services not available in this country or where a special care placement is urgently needed and one is not available here. I have asked the Health Service Executive to respond directly to the Deputy with the most up-to-date information in relation to the other issues raised.

### Departmental Staff

209. **Deputy Thomas Pringle** asked the Minister for Children and Youth Affairs the numbers of persons employed in her Department and agencies thereof whose gross salary as of the latest date available was in each of the bands (details supplied); and if she will make a statement on the matter. [9026/12]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The information requested by the Deputy is set out in the table. Numbers quoted refer to head count:

Pay Band €,000	Department	Adoption Authority of Ireland	Office of the Children's Ombudsman	Family Support Agency	National Education and Welfare Board	Centres for Young Offenders
>150	2					
125-150			1			
115-125	2					
100-115	5		1	1	1	
90-100	2	1				
80-90	4		1		2	3
70-80	14	1	1	1	6	3
60-70	2				12	1
50-60	20	8	2	4	51	19
40-50	26	5	2	3	16	125
30-40	18	8	3	1	4	65
20-30	20	3		3	2	19
11-20	8	1				
0-10						

### Travel Costs

210. **Deputy Gerald Nash** asked the Minister for Health the mileage rates paid to Health Service Executive employees using their own personal vehicles for work related transport; the rates paid to staff in each HSE region; and if he will make a statement on the matter. [8876/12]

**Minister for Health (Deputy James Reilly):** The current rates of motor mileage allowance payable to Health Service Executive employees (as per HSE HR Circular 008/2009) in respect of the use of own vehicles for work related transport are set out in the tables below:

#### Rates per Mile

Official Motor Travel in a calendar year	Engine Capacity up to 1200cc	Engine Capacity 1201cc to 1500cc	Engine Capacity 1501cc and over
0 — 4,000 miles	64.54 cent	76.94 cent	97.95 cent
4,001 miles and over	34.91 cent	39.14 cent	47.36 cent

#### Rates per Kilometre

Official Motor Travel in a calendar year	Engine Capacity up to 1200cc	Engine Capacity 1201cc to 1500cc	Engine Capacity 1501cc and over
0 — 6,437 km	40.11 cent	47.82 cent	60.88 cent
6,437 km and over	21.70 cent	24.33 cent	29.43 cent

#### Motor Cycle Rates per Mile

Official Motor Travel in a calendar year	Engine Capacity up to 150cc	Engine Capacity 151cc to 250cc	Engine Capacity 251cc to 600cc	Engine Capacity 601cc plus
0 — 4,000 miles	23.29 cent	32.34 cent	38.16 cent	46.01 cent

[Deputy James Reilly.]

Official Motor Travel in a calendar year	Engine Capacity up to 150cc	Engine Capacity 151cc to 250cc	Engine Capacity 251cc to 600cc	Engine Capacity 601cc plus
4,001 miles and over	15.07 cent	21.42 cent	24.61 cent	28.31 cent

## Motor Cycle Rates per Kilometre

Official Motor Travel in a calendar year	Engine Capacity up to 150cc	Engine Capacity 151cc to 250cc	Engine Capacity 251cc to 600cc	Engine Capacity 601cc plus
0 — 6,437 km	14.48 cent	20.10 cent	23.72 cent	28.59 cent
6,437 km and over	9.37 cent	13.31 cent	15.29 cent	17.60 cent

Line managers in the HSE are required to ensure that only essential travel is undertaken and that the number of staff travelling on any official journey is kept to the absolute minimum.

The same rates apply across each of the HSE regions.

211. **Deputy Gerald Nash** asked the Minister for Health the rate per mile paid to transport providers engaged by the Health Service Executive in all HSE regions; and if he will make a statement on the matter. [8877/12]

**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

212. **Deputy Niall Collins** asked the Minister for Health the position regarding an application for a medical card in respect of a child (details supplied) in County Limerick; and if he will make a statement on the matter. [8878/12]

**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 as a matter of urgency.

213. **Deputy Patrick O'Donovan** asked the Minister for Health the position regarding a medical card application in respect of a person (details supplied) in County Limerick; and if he will make a statement on the matter. [8882/12]

**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.

### Drugs Task Force

214. **Deputy Simon Harris** asked the Minister for Health the funding allocated to a drugs task force (details supplied), in tabular form, for 2011 and 2012; the person to whom this funding was paid; the way it was distributed; the way it was spent; and if he will make a statement on the matter. [8891/12]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** It has an annual funding allocation from my Department, from which it allocates funding to community based

drugs projects. Funding for these projects is channelled through the Health Service Executive and, in one case, the Co. Wicklow Vocational Education Committee.

Details of the funding allocated in respect of projects in the Task Force area in 2011 and 2012 are set out in the table. It should be noted that the Task Force are currently working to identify a project promoter for the East Coast Addiction Service. Information in relation to project expenditure in 2011 is not yet available, but will be forwarded to the Deputy as soon as it has been received.

Project	Project Promoter	Agency	2012 Allocation €	2011 Allocation €
East Coast Addiction Services	Not yet identified	HSE	366,000	386,019*
Wicklow Child & Family Project	Hosted by Co Wicklow Partnership	HSE	50,500	12,000
Wicklow Traveller Group	Wicklow Travellers Group	HSE	68,048	53,509
Task Force Budget	ECRDTF	HSE	90,102	111,540
ISPCC 4Me	ISPCC	HSE	108,946	111,648
Living Life	Living Life	HSE	10,000	10,000
Counselling service	ECRDTF	HSE	0	30,000
Youth Outreach Worker — Drugs Education	Bray Youth Service, Regional Office of Catholic Youth Care	Co. Wicklow VEC	60,000	60,000
Tiglin Residential Centre	Teen Challenge Ireland	HSE	98,000	98,000
Total			851,596	872,716

\*Actual amount paid €132,639.50.

### Long-Term Illness Scheme

215. **Deputy Jerry Buttimer** asked the Minister for Health his plans to carry out a review of the list of long-term illnesses and if Addison's disease will be included on a future list; and if he will make a statement on the matter. [8893/12]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** There are no plans to extend the list of conditions covered by the Long Term Illness Scheme. Under the Drug Payment Scheme, no individual or family pays more than €132 per calendar month towards the cost of approved prescribed medicines. The scheme significantly reduces the cost burden for families and individuals incurring ongoing expenditure on medicines. In addition, people who cannot, without undue hardship, arrange for the provision of medical services for themselves and their dependants may be entitled to a medical card. In the assessment process, the Health Service Executive can take into account medical costs incurred by an individual or a family. Those who are not eligible for a medical card may still be able to avail of a GP visit card, which covers the cost of general practice consultation.

### Hospital Staff

216. **Deputy Dara Calleary** asked the Minister for Health if a dedicated paediatric clinical nurse specialist can be appointed at Letterkenny General Hospital, County Donegal. [8896/12]

**Minister for Health (Deputy James Reilly):** As this is a service matter, it has been referred to the Health Service Executive for direct reply.

### Hospital Services

217. **Deputy Dara Calleary** asked the Minister for Health if he will provide clarification on the future of paediatric diabetes services at Letterkenny General Hospital, County Donegal; and if the services can be retained or even enhanced. [8897/12]

**Minister for Health (Deputy James Reilly):** As this is a service matter, it has been referred to the Health Service Executive for direct reply.

### Pension Provisions

218. **Deputy Paul J. Connaughton** asked the Minister for Health if a person (details supplied) in County Galway whose late spouse was a former employee of Portiuncula Hospital, Ballinasloe, County Galway, is entitled to any payment in respect of their superannuation; and if he will make a statement on the matter. [8898/12]

**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.

### Public Service Contracts

219. **Deputy Sean Fleming** asked the Minister for Health if all public procurement procedures and legislation are being adhered by the Health Service Executive in Dublin north for construction, building and maintenance works being carried out by contractors appointed by HSE management possibly without going through an adequate tender process; and if he will make a statement on the matter. [8901/12]

**Minister for Health (Deputy James Reilly):** The Health Service Executive confirms that it complies with all public procurement procedures and legislation in Dublin north and nationally. The Executive's Internal Audit Unit randomly selects capital projects for annual spot checks.

### General Medical Services Scheme

220. **Deputy Billy Kelleher** asked the Minister for Health if he will consider making naprotechnology available on the general medical service system to assist couples with infertility (details supplied); and if he will make a statement on the matter. [8908/12]

**Minister for Health (Deputy James Reilly):** Assisted Human Reproduction treatment is not provided or funded by the public health system; such treatment is available from clinics that operate privately. Patients who access these services privately may claim tax relief on the costs involved under the tax relief for medical expenses scheme.

In addition, a defined list of fertility medicines needed for fertility treatment is covered under the High Tech Scheme administered by the Health Service Executive. Medicines covered by the High Tech Scheme must be prescribed by a consultant/specialist and approved by the 'High Tech Liaison Officers'. The costs of medicines is then covered, as appropriate, under the Medical Card or Drug Payment Scheme.

I am conscious of the financial burden that fertility services can place on the couples concerned; however, this matter has to be considered in the context of the difficult economic situation that prevails and the other compelling funding demands across a full range of health issues. Hence, there are currently no plans to include Naprotechnology or any other Assisted Human Reproduction technology under the General Medical Services Scheme.

### Health Services

221. **Deputy Sandra McLellan** asked the Minister for Health further to Parliamentary Question No. 212 of 8 February 2012, when a response will issue. [8910/12]

222. **Deputy Sandra McLellan** asked the Minister for Health further to Parliamentary Question No. 213 of 8 February 2012, when a response will issue. [8911/12]

223. **Deputy Sandra McLellan** asked the Minister for Health further to Parliamentary Question No. 214 of 8 February 2012, when a reply will issue. [8912/12]

224. **Deputy Sandra McLellan** asked the Minister for Health further to Parliamentary Question No. 215 of 8 February 2012, when a reply will issue. [8913/12]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** I propose to take Questions Nos. 221 to 224, inclusive, together.

The HSE has advised that they replied to the Deputy on the 13th February 2012.

### Cancer Screening Programme

225. **Deputy Joan Collins** asked the Minister for Health if he will, as a matter of urgency, restore the mammography services to Sligo General Hospital in order to alleviate the stress on patients travelling to University Hospital Galway and to alleviate the stress on services at UHG; and if he will make a statement on the matter. [8917/12]

**Minister for Health (Deputy James Reilly):** I am committed to ensuring that quality and optimal care are paramount in decisions about the provision of services throughout the health system. There is no specific date for the resumption of follow-up mammography services in Sligo for women who have previously had a diagnosis of, and treatment for, breast cancer. The recruitment of additional radiographers at University Hospital Galway (UHG) is necessary to allow the service to resume in Sligo, through a radiographer travelling from Galway to provide this service. However, due to issues including the retirement/transfer of existing staff, it has not yet been possible to increase the complement of radiographers at UHG.

As one of the two designated centres for the HSE West region, Galway has a critical mass of expertise, sufficient throughput of cases and relevant multidisciplinary specialist skills in cancer services which, as confirmed by international evidence, achieve the best outcomes for patients. The Director of the National Cancer Control Programme keeps the provision of breast cancer services in all designated cancer centres under review.

In-patient, day care and outpatient medical oncology, as well as chemotherapy services, continue as always to be provided at Sligo General Hospital. It is important to note that some 96% of women who attend the Galway unit do not have cancer, and only one visit is normally necessary. For the small number diagnosed with breast cancer, some 85% will require radiotherapy as well as surgery, which would involve treatment in Galway in any event.

### Medical Cards

226. **Deputy Jack Wall** asked the Minister for Health the reason a person (details supplied) in County Kildare and two children did not receive a medical card when the person's partner did; and if he will make a statement on the matter. [8918/12]

**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 Services

227. **Deputy Pearse Doherty** asked the Minister for Health if he acknowledges the red eye service NowDoc as an essential service to rural dwellers in County Donegal and that the three centres in Gweedore, Carndonagh and Mountcharles are critical to serve them; if his attention has been drawn to any changes or proposals to this service in 2012; and if he will make a statement on the matter. [8929/12]

**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.

228. **Deputy Joan Collins** asked the Minister for Health if he will review a matter (details supplied) regarding a resource centre; and if he will make a statement on the matter. [8933/12]

**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

229. **Deputy Tony McLoughlin** asked the Minister for Health when a decision will be issued on a medical card application in respect of a person (details supplied) in County Longford. [8934/12]

**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 Services

230. **Deputy Michelle Mulherin** asked the Minister for Health when a decision will be issued on a tender, advertised in autumn 2010, to deliver the home care package nationally; and if he will make a statement on the matter. [8935/12]

**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.

### Nursing Home Accommodation

231. **Deputy Finian McGrath** asked the Minister for Health the position regarding a nursing home placement in respect of a person (details supplied) in Dublin 5 [8957/12]

**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

232. **Deputy Finian McGrath** asked the Minister for Health if he will give priority to motor neurone services in 2012 [8958/12]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** People with motor neurone disease avail of a wide range of general and specialist health services. Services for people with this condition will be provided by the Health Service Executive (HSE) and voluntary organisations in accordance with the HSE's National Service Plan for 2012.

### Medical Cards

233. **Deputy Jack Wall** asked the Minister for Health the reason a person (details supplied)

and their two children did not receive a medical card when the person's partner did; and if he will make a statement on the matter. [8981/12]

**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 Services**

234. **Deputy Brendan Griffin** asked the Minister for Health if the Health Service Executive will reconsider its decision to withdraw its embalming service in hospitals or if the HSE will make an exception in cases where an autopsy is required [8992/12]

**Minister for Health (Deputy James Reilly):** As this is a service matter, it has been referred to the Health Service Executive for direct reply.

#### **Hospital Services**

235. **Deputy Charlie McConalogue** asked the Minister for Health the number of cancer patients attending Dublin hospitals for treatments on a monthly basis from County Donegal; and if he will make a statement on the matter. [8994/12]

**Minister for Health (Deputy James Reilly):** The Deputy's question relates to service delivery matters and accordingly I have asked the HSE to respond directly to him.

#### **Ambulance Service**

236. **Deputy Billy Kelleher** asked the Minister for Health the status of the 24-hour emergency transport co-ordination centre; and if he will make a statement on the matter. [8996/12]

**Minister for Health (Deputy James Reilly):** As this is a service matter, it has been referred to the Health Service Executive for direct reply.

#### **Hospital Services**

237. **Deputy Billy Kelleher** asked the Minister for Health if he has made a policy decision to provide more nursing support to help hospitals offer insulin pump treatment to children with type 1 diabetes; and if he will make a statement on the matter. [8997/12]

**Minister for Health (Deputy James Reilly):** As this is a service matter, it has been referred to the Health Service Executive for direct reply.

#### **Long-Term Illness Scheme**

238. **Deputy Simon Harris** asked the Minister for Health the reason behind the exclusion of end-stage renal failure from the list of illnesses entitled to a long-term illness medical card; and if he will make a statement on the matter. [9006/12]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** There are no plans to extend the list of conditions covered by the Long Term Illness Scheme.

Under the Drug Payment Scheme, no individual or family pays more than €132 per calendar month towards the cost of approved prescribed medicines. The scheme significantly reduces the cost burden for families and individuals incurring ongoing expenditure on medicines. In addition, people who cannot, without undue hardship, arrange for the provision of medical services for themselves and their dependants may be entitled to a medical card. In the assessment process, the Health Service Executive can take into account medical costs incurred by an

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individual or a family. Those who are not eligible for a medical card may still be able to avail of a GP visit card, which covers the cost of general practice consultation.

### Health Service Allowances

239. **Deputy Simon Harris** asked the Minister for Health his plans to examine the way in which ongoing travel expenses are reimbursed by the Health Service Executive, HSE; and if he will make a statement on the matter. [9007/12]

**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 Aids and Appliances

240. **Deputy Simon Harris** asked the Minister for Health if he will ask the Health Service Executive to address the undue delays that children with cerebral palsy and similar conditions are facing in accessing vital medical equipment, such as walkers; if the HSE will consider making second-hand equipment available to families to help alleviate this delay; and if he will make a statement on the matter. [9009/12]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** As the Deputy's question relates to service matters I have arranged for the question to be referred to the Health Service Executive for direct reply to the Deputy.

### Health Services

241. **Deputy Simon Harris** asked the Minister for Health the community support services available to children with autism being educated in a mainstream setting and living in an area (details supplied); and if he will make a statement on the matter. [9010/12]

**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

242. **Deputy Simon Harris** asked the Minister for Health if the same criteria are applied in drawing up the Health Service Executive independent assessment of needs plan for children with autism regardless of the part of the country in which the child resides; and if he will make a statement on the matter. [9011/12]

**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

243. **Deputy Michael Healy-Rae** asked the Minister for Health the position regarding a medical card application in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [9012/12]

**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.

244. **Deputy Michael Healy-Rae** asked the Minister for Health the position regarding a medical card application in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [9017/12]

**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.

#### Departmental Staff

245. **Deputy Thomas Pringle** asked the Minister for Health the numbers of persons employed in his Department and agencies thereof whose gross salary as of the latest date available was in each of the bands (details supplied); and if he will make a statement on the matter. [9033/12]

**Minister for Health (Deputy James Reilly):** The data requested by the Deputy as it pertains to my Department is presented in the following table. The Deputy might note that the figures presented are shown on the basis of 'headcount' which means that staff that have a work-sharing pattern that is less than 100% are in the band that represents their pro-rata downwards adjusted salary.

Department of Health

Pay Band	Total Staff (Headcount)
0-10	5
11-20	9
20-30	36
30-40	75
40-50	76
50-60	64
60-70	12
70-80	51
80-90	22
90-100	20
100-115	15
115-125	0
125-150	5
>150	2
Grand Total	392

With regard to the Health Service Executive, they have been asked to collate the data sought as soon as possible and it will be provided directly to the Deputy by them when available.

The information in respect of other Agencies is being collated by my Department and will be forwarded to the Deputy as soon as it is available.

#### Medical Cards

246. **Deputy John O'Mahony** asked the Minister for Health when a person (details supplied) in County Mayo will receive a decision on an application for a medical card; the reason for the delay in same; and if he will make a statement on the matter. [9045/12]

**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.

247. **Deputy John O'Mahony** asked the Minister for Health when a person (details supplied) in County Mayo will receive a decision on an application for a medical card; the reason for the delay in same; and if he will make a statement on the matter. [9046/12]

**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 Services

248. **Deputy Paul J. Connaughton** asked the Minister for Health the reason intravenous drugs such as antibiotics can only be administered in a hospital setting as opposed to nursing homes when there are suitably qualified staff; if he will consider reviewing this in view of the fact that it creates unnecessary hospital admissions; and if he will make a statement on the matter. [9051/12]

**Minister for Health (Deputy James Reilly):** There is nothing in medicines legislation that requires intravenous antibiotics to be administered in a hospital only.

The Minister for Health and Children introduced primary legislation in 2006 to allow prescriptive authority for nurses and midwives subject to conditions specified in regulations. The focus subsequently has been to successfully implement the initiative by supporting health service providers to introduce medicinal product prescribing based on service need within a national standardised framework and strong clinical governance.

Prescriptive authority for nurses and midwives is founded on a dual framework of medicines legislation, and professional regulation and a programme of implementation has been rolled out since 2007.

I have asked the HSE to supply the Deputy with details of sites where this programme is in progress.

### Health Services

249. **Deputy Catherine Murphy** asked the Minister for Health the extent of the waiting list for orthodontic treatment by county; if all patients are categorised by severity; if so, the waiting time by category and by county; if it is intended to fill any specialist vacancies for the provision of this service in 2012; and if he will make a statement on the matter. [9060/12]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** Referrals for orthodontic treatment are generally assessed for eligibility under the Modified Index of Treatment Need (IOTN). This establishes the category of need; Grade 5 being more complex needs and Grade 4 being less complex needs.

The following table outlines the number of patients awaiting orthodontic treatment and the average waiting time for the second quarter of 2011:

Orthodontic Treatment Waiting List

HSE Area	Grade 5 formerly Category A	Waiting time (Months)	Grade 4 formerly Category B	Waiting time (Months)
South Western	531	16 months	535	24 months
Mid Leinster	375	18-24 months	494	36 months
Midland	82	12 months	815	24 months
North/North Eastern	770	12 months	1,861	42 months
Southern	206	21 months	1,776	42 months

HSE Area	Grade 5 formerly Category A	Waiting time (Months)	Grade 4 formerly Category B	Waiting time (Months)
Mid Western*	1,174	24 months		
North Western	263	12 months	279	32 months
South Eastern**	n/a		n/a	
Western*	1,891	36 months		

\*A breakdown by grade is not available for the Mid Western or the Western region.

\*\*Figures for the South Eastern area are currently unavailable.

The HSE will be commissioning an independent review of orthodontic services in 2012 which is intended to review a number of service provision models and the required skills mix. 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 services.

### Medical Cards

250. **Deputy Willie Penrose** asked the Minister for Health if he will make contact with the primary care reimbursement services with a view to having a medical card application processed immediately, which was initially submitted in November 2011, and has not been processed to date in respect of a person (details supplied) in County Westmeath; and if he will make a statement on the matter. [9069/12]

**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.

251. **Deputy Bernard J. Durkan** asked the Minister for Health when it is likely that 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. [9090/12]

**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.

252. **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. [9091/12]

**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 Services

253. **Deputy Billy Timmins** asked the Minister for Health the position regarding homoeopaths (details supplied); and if he will make a statement on the matter. [9116/12]

**Minister for Health (Deputy James Reilly):** While homoeopathy is not regulated by my Department, homoeopaths, like all practitioners, are subject to the law, including consumer legislation, competition, contract and criminal law.

I understand that the Advertising Standards Authority for Ireland has had concerns about homoeopathic products or treatments being offered for serious or prolonged medical complaints in contravention of its advertising code and has engaged with the relevant representative body in the matter.

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In addition, the Irish Medicines Board operates a registration scheme for homoeopathic medicines under the Medicinal Products (Control of Placing on the Market) Regulations 2007. Advertising of medicinal products is regulated by the Medicinal Products (Control of Advertising) Regulations 2007 and these Regulations prohibit the use of certain material (e.g. material which refers, in improper, alarming or misleading terms to claims of recovery) in advertisements of medicinal products.

254. **Deputy Nicky McFadden** asked the Minister for Health the position regarding the proposed primary care centre, Clonbrusk, Athlone, County Westmeath; if construction on the facility will go ahead this year; and if he will make a statement on the matter. [9117/12]

**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 2012-2016. 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.

#### **Departmental Expenditure**

255. **Deputy Joanna Tuffy** asked the Minister for Health if students studying for a degree in biomedical science, in other parts of the country, receive training allowance payments (details supplied); if this is the case, the reason DIT medical scientist students do not receive these payments; and if he will make a statement on the matter. [9122/12]

**Minister for Health (Deputy James Reilly):** Student medical scientists who are in their third year of study, and who are accepted for clinical placement in a public health service laboratory, are eligible to receive a monthly training allowance of €813.58.

I am making enquiries about the particular issue raised by the Deputy and will correspond with her on the matter as soon as possible.

#### **Departmental Reports**

256. **Deputy Finian McGrath** asked the Minister for Transport, Tourism and Sport the position regarding an audit report in respect of an organisation (details supplied). [8960/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I can advise the Deputy that, on the basis of legal advice received, the draft audit report referred to has been issued by the Internal Audit Unit of my Department to a number of parties referred to in it in order to allow them an opportunity to comment on its contents prior to its being finalised. Once this process has been completed, the final text of the report will be submitted to my Department's Audit Committee for its consideration.

#### **Road Network**

257. **Deputy Brendan Griffin** asked the Minister for Transport, Tourism and Sport if he sees

the upgrade of the N22 to Macroom road as a priority project; and if he will make a statement on the matter. [8881/12]

**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 planning, design and implementation of individual national roads are matters for the National Roads Authority (NRA) under the Roads Acts 1993 to 2007 in conjunction with the local authorities concerned. Noting this, I have referred the Deputy's question to the NRA for direct reply. Please advise my private office if you don't receive a reply within 10 working days.

258. **Deputy Dara Calleary** asked the Minister for Transport, Tourism and Sport if he will make funding available to Donegal County Council for road improvement works based on the storm damage report submitted by the council to him in September 2011. [8894/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** Against the backdrop of very tight overall financial constraints, the grant allocations for 2012 in respect of regional and local roads have now been announced. Donegal County Council has received an increase of €1.1 million in its restoration improvement grant (above the 2011 amount) to bring it to €11.3 million. The additional monies being made available to the Council under the restoration improvement programme in 2012 should assist the Council in carrying out rehabilitation works on damaged roads. The Department is also open to the Council revising its three year restoration improvement programme to accommodate particular restoration works which may now be needed following the storm damage.

### Rail Network

259. **Deputy Michelle Mulherin** asked the Minister for Transport, Tourism and Sport if the State has undertaken a very onerous financial commitment as a result of the inclusion of the Cork-Shannon part of the western arc from Cork to Belfast on the EU CEF list of pre-identified projects; and if it is pre-identification on this TEN-T CEF list requires Ireland to build a fully electrified ERTMs railway between Shannon and Cork by 2030. [9015/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** As the Deputy is aware, the Trans-European Network (TEN-T) and the Connecting Europe Facility (CEF) were published by the European Commission in October, 2011. These were proposed by the European Commission and are currently being discussed in the European Council and in the European Parliament and therefore, have not yet been agreed.

It is important to note that the TEN-T Core Network was proposed by the European Commission and not by Member-States. The proposal as it currently stands comprises the most important links and nodes on the European rail network and has been devised by the Commission based on various criteria including traffic demand. In Ireland, the Belfast-Dublin-Cork railway line has been designated by the Commission as a Priority Project in the current TEN-T network and has been put forward for inclusion in the proposed new Core Network.

Based on the criteria published by the Commission, the only other rail line, outside of the Dublin and Cork Areas, which might be eligible for inclusion in the new Core Network is the Limerick/Foynes rail line. This line was proposed by Ireland to the European Commission on the basis of its potential use for the transport of freight to Foynes Port. Should this potential not be realised, the Foynes line would not be expected to be included in either the Core or Comprehensive networks. No other railway line existing or proposed on this island would carry

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the volume of passengers or freight to meet the Commission's criteria. There is no proposal for a Shannon-Cork railway line referred to by the Deputy.

In the discussions that are currently underway between the Commission, member-states and the European Parliament, it is the intention to ensure that Ireland's unique circumstances are taken into account in the final text of the TEN-T and the Connecting Europe Facility regulations. Arising from our input to the negotiations to date the most recent draft proposals contain an exemption from the ERTMS requirement for railways such as Ireland's that have a different rail gauge and which are detached from the main rail lines of the EU.

Subject to the exemption Ireland will support the thrust of the new TEN-T proposals since as an island on the periphery of Europe improved transport links to our main trade and tourism markets are vital. It is important to understand that TEN-T is not aspirational. Rather it involves very onerous financial commitments on individual member states and therefore the Government must exercise care in discussions on this matter.

### Departmental Staff

260. **Deputy Thomas Pringle** asked the Minister for Transport, Tourism and Sport the numbers of persons employed in his Department and agencies thereof whose gross salary as of the latest date available was in each of the bands (details supplied); and if he will make a statement on the matter. [9038/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** As agreed with the Deputy details on the number of people employed in the Department and the applicable pay rates per grade is outlined in Table 1. The pay rates shown are the revised rates applicable from 1st January 2010 for public servants. New reduced pay (NRP) rates apply with effect from 1st January 2011 to new entrants recruited into the public service. The Department of Transport, Tourism and Sport has recruited Radio Officers (Grade 3) to fill safety critical vacancies in the Irish Coast Guard's marine rescue service. The NRP rates for the recruits is €27,747-€48,488 at Class A PRSI rates.

I have asked the State agencies under the aegis of my Department to provide the Deputy with the information requested. If you do not receive a reply within ten working days, please contact my private office.

Table 1 — Staff Numbers at 31 January 2012

GRADE	Number of staff (Full-time Equivalents)	Pay Rates @ Modified PRSI (pre-1995)	Pay rates @ Class A PRSI (post 6th April 1995)	Fixed Term Contracts
Secretary General	1	See note below		
Assistant Secretary	5	€127,796-€146,191	€134,523-€153,885	€105,837
Special Advisor to Minister	1			
Principal Adviser — Engineer	1	€93,197-€110,665	€97,968-€116,386	
Chief Aeronautical Officer	1	€92,701-€112,173	€97,099-€117,588	
Chief Surveyor	1	€92,672-€105,429	€97,416-€110,844	
Aeronautical Officer Grade I	4	€86,795-€105,165	€90,876-€110,216	
Director Irish Coast Guard	1	€85,957-€105,429	€90,355-€110,844	
Assistant Director IRCG	1	€80,051-€98,424	€84,132-€103,472	
Chief Engineer	1	€80,051-€98,424	€84,132-€103,472	
Principal Officers	18	€80,051-€98,424	€84,132-€103,472	
Press Advisor	1			€80,051-€98,424

GRADE	Number of staff (Full-time Equivalents)	Pay Rates @ Modified PRSI (pre-1995)	Pay rates @ Class A PRSI (post 6th April 1995)	Fixed Term Contracts
Deputy Chief Surveyor	1	€78,939-€98,424	€82,964-€103,472	
Senior Adviser Engineer	1	€78,939-€98,424	€82,964-€103,472	
Surveyor (Officer in charge)	1	€70,157-€85,724	€73,720-€90,102	
Aeronautical Officer Grade 2	1	€68,710-€83,512	€71,929-€87,422	
Legal Advisor	1	€67,913-€86,555	€71,359-€80,988	
Regional Controller IRCG	2	€67,913-€84,296	€71,359-€88,598	
Surveyor (marine)	24	€65,247-€80,814	€68,553-€84,935	
Inspector (engineering)	1	€65,247-€80,814	€68,553-€84,935	
Staff Engineer	1	€65,247-€80,814	€68,553-€84,935	
Assistant Principal Officers	42	€61,966-€76,768	€65,185-€80,678	
Sustainability Adviser	1	€61,966-€76,768	€65,185-€80,678	
Transport Planner	1	€61,966-€76,768	€65,185-€80,678	
Divisional Controller	2	€61,966-€76,768	€65,185-€80,678	
Training & Operations Officer	3	€61,966-€76,768	€65,185-€80,678	
Marine Radio Surveyor	1	€55,257-€77,429	€58,131-€81,375	
Electronics Officer IRCG	3	€55,863-€69,132	€58,765-€72,642	
Accountant	2	€55,863-€69,132	€58,765-€72,642	
Deputy Divisional Controller IRCG	2	€48,467-€59,039	€50,973-€62,109	
Engineering & Operations Officer IRCG	1	€48,467-€59,039	€50,973-€62,109	
Coastal Unit Sector Manager IRCG	3	€43,816-€55,415	€46,081-€58,294	
Higher Executive Officers	72	€43,816-€55,415	€46,081-€58,294	
Personal Assistant to Minister/Minister of State	6			€43,715-€56,060
Staff Officers	14	€33,070-€43,906	€34,771-€46,171	
Statistician	1	€31,928-€76,768	€33,576-€80,678	
Station Officer IRCG	13	€31,913-€53,800	€33,566-€56,611	
Administrative Officers	7	€31,619-€55,415	€33,247-€58,294	
Radio Officer Grade 3 IRCG	31	€29,327-€51,214	€30,830-€53,875	
Executive Officers	76	€29,024-€45,616	€30,516-€47,975	
Clerical Officers	127	€22,015-€35,515	€23,177-€37,341	
Telephonists	2	€22,015-€35,515	€23,177-€37,341	
<i>Pay scale at weekly rate:</i>				
Civilian Drivers	6			€631.75
Services Officers/Attendants/ Storekeeper	12	SO €398.74-531.61; SA — €398.74-€524.65		

### Tourism Promotion

261. **Deputy Seán Crowe** asked the Minister for Transport, Tourism and Sport the efforts he has made with the relevant agencies to maximise the tourism potential for Ireland of the Volvo Ocean Race; and if he will make a statement on the matter. [8602/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The State tourism agencies are working hard to ensure a significant tourism impact for the finale of the Volvo Ocean Race in Galway later this year. As the promotion of such events is an operational matter for those agencies, I have referred the question to the tourism agencies and asked them to inform

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the Deputy of their activities in this area. Please advise my private office if you do not receive a reply within ten working days.

*Question No. 262 answered with Question No. 19.*

### **Tourism Industry**

263. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport the likelihood of increased employment arising from expansion of business in the catering sector in the course of the current year; and if he will make a statement on the matter. [9104/12]

264. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport the total number of persons employed in the hotel and catering sectors at all levels; the extent to which employment can be increased in these sectors over the coming 12 months; and if he will make a statement on the matter. [9105/12]

265. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport the extent to which costs in the tourism sector has been isolated with a view to identification of factors likely to inhibit business expansion and employment creation; and if he will make a statement on the matter. [9106/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I propose to take Questions Nos. 263 to 265, inclusive, together.

The Government made a concerted effort to reduce the cost base of the tourism sector through the 2011 Jobs Initiative which 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.

The Central Statistics Office measure employment in accommodation and food service activities and the latest seasonally adjusted figures are from quarter three of 2011 when 109,700 were employed in the sector. Fáilte Ireland's most recent estimate of the numbers employed in the broader tourism and hospitality sector is approximately 180,000 people. At this stage it is too early to accurately assess the impact of the Jobs Initiative and it will be later this year before we can form a view on the effect of these measures on employment. I am, however, pleased to report that overseas tourism numbers have increased by almost 7% to the end of November in comparison to the same period last year. I am also encouraged that employment in accommodation and food service activities, as measured by the CSO, increased by 6,000 over the six month period to end September 2011.

The Irish tourism industry is cautiously optimistic about its prospects and performance for the year ahead and Tourism Ireland is targeting growth in overseas visitor numbers of 4.5%. I would hope that this will result in improved job creation during the course of the year.

266. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport the extent if any, to which he has had discussion with the banking sector with a view to ensuring the availability of adequate working capital for the hotel and catering sectors particularly those whose bankers have withdrawn from this jurisdiction; and if he will make a statement on the matter. [9107/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I have not held discussions with the banking sector on the issue referred to by the Deputy and the primary responsibility for the restructuring of the banking system is held by my colleague, the Minister for Finance. In this regard, I am informed that under the restructuring plan for the two Pillar Banks, Bank of Ireland and AIB, 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 have met their lending targets for 2011.

The Minister for Jobs, Enterprise & Innovation is putting in place a Temporary Partial Credit Guarantee for viable companies currently unable to access credit due to lack of collateral or the novelty of their business proposition. A Microfinance Fund to provide loans to small businesses is also being developed by the Minister for Jobs, Enterprise & Innovation, which 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.

In addition, in conjunction with the Minister of State for Small Business, the Head of Banking Policy Division in the Department of Finance is holding a series of regional meetings to discuss access to bank credit with key local stakeholders. These meetings will complement the information provided by the recent Mazars credit demand survey and better inform the design and implementation of future Government policies on credit to the SME sector. The first of these meetings were held on 3 February in Dundalk and Dublin. My Department and Fáilte Ireland have taken part in these consultations.

*Questions Nos. 267 and 268 answered with Question No. 19.*

### **Road Network**

269. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport the extent to which the next phase of motorway extension is likely to progress; if discussions have taken place in this regard with a view to identifying the most necessary developments in this regard; and if he will make a statement on the matter. [9127/12]

**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 is a matter for the National Roads Authority (NRA) under the Roads Acts 1993 to 2007 in conjunction with the local authorities concerned.

As outlined in the Infrastructure and Capital Investment Framework 2012-2016, the key objective in the current economic circumstances is to protect the investment made to date in the road network and to progress a limited number of road improvement schemes. At this point the Ballaghderreen bypass and the N11/Newlands Cross PPP scheme are the only major schemes scheduled to commence construction in the next few years. It is also hoped to progress the N17/18 scheme as a PPP project.

### **Tourism Promotion**

270. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport the extent to which tourism marketing on an all-Ireland basis continues with a view to maximising opportunities in this regard; and if he will make a statement on the matter. [9128/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** Tourism Ireland is the all-island tourism marketing company established under the Good Friday Agreement. The Company has responsibility for the overseas promotion of the entire island of Ireland as a tourist destination, Tourism Brand Ireland and the delivery of regional and product marketing and promotion activity on behalf of Fáilte Ireland and the Northern Ireland Tourist Board. Details of Tourism Ireland's marketing plans for 2012 can be found on their website: [www.tourismireland.com](http://www.tourismireland.com).

*Question No. 271 answered with Question No. 19.*