



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

TUAIRISC OIFIGIÚIL—*Neamhcheartaithe*

(OFFICIAL REPORT—*Unrevised*)

Dé Máirt, 27 Márta 2012.

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DÁIL ÉIREANN

Dé Máirt, 27 Márta 2012.

Tuesday, 27 March 2012.

Chuaigh an Leas-Cheann Comhairle i gceannas ar 2.00 p.m.

Paidir.

Prayer.

Ceisteanna — Questions

Priority Questions

An Leas-Cheann Comhairle: I call the Minister of State at the Department of Health, Deputy Róisín Shortall, to respond to Question No. 3 in the name of Deputy Billy Kelleher.

Deputy Charles Flanagan: Has Fianna Fáil disbanded?

An Leas-Cheann Comhairle: We cannot take Question No. 3 now; we will take it later. Deputy Ó Caoláin's question, No. 4, is next. I call the Minister for Health, Deputy James Reilly.

Health Service Staff

4. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the way he is monitoring the effects on front-line services of the departure of some 4,200 staff from the health services up to the end of February 2012; the additional numbers expected to leave the health services during the remainder of 2012; the criteria for the lifting of the recruitment embargo in certain circumstances; and if he will make a statement on the matter. [16564/12]

Minister for Health (Deputy James Reilly): My Department continues to work closely with the Health Service Executive, HSE, to ensure the contingency plans put in place for both hospital and community services are operating satisfactorily and that all critical front line services continue to be delivered. It is necessary to be as innovative and flexible as possible to mitigate the impact of reduced budgets and staffing. The Government's priority is to reform how health services are delivered to ensure a more productive and cost-effective health system.

Between September 2011 and February 2012, approximately 4,500 members of staff retired from the health service. This figure includes some 800 staff who were not in active service when they retired, for example, staff who had retired on preserved benefits or staff retiring because of permanent infirmity. Since the precise date of retirement is a matter for personal decision by each staff member, it is not possible to indicate the number of staff who will retire during the remainder of 2012. The HSE will be monitoring the level of retirements as part of ongoing management of its resources.

[Deputy James Reilly.]

Health sector employment numbers must be reduced to approximately 102,100 whole-time equivalents, WTEs, by the end of this year. Based on the end-2011 outturn of 104,400 WTEs, this requires a net reduction of 2,300 staff. Subject to the achievement of this target and to budgetary constraints, the service may make appointments which are necessary to ensure critical services are maintained and in line with the developmental priorities set out in the national service plan.

I want to take this opportunity to thank all those who work in the health service for ensuring a continuing safe service in our hospitals and elsewhere despite the serious challenges they face.

Deputy Caoimhghín Ó Caoláin: Since I tabled this question we have become aware that the number who left by 29 February had increased to 4,515. That is the figure provided by the chief executive officer of the HSE last week at the health committee meeting. It must not be forgotten that this is on top of the estimate by the Irish Nurses and Midwives Organisation, INMO, that 8,700 personnel have left the health services since 2007 and have not been replaced. Of this figure, 3,500 were nurses and midwives. Of the figure that left up to 29 February on the early retirement scheme, over 2,000 were nurses. That compares with the order of some 400 management and administration personnel. It is significantly kinked towards front line service deliverers.

When the Minister stated in his reply that he is not in a position to indicate or speculate what number may leave the service over the course of the remainder of 2012, I must remind him that one of the service area plans for 2012 actually states a number and uses the language “required to leave the service by the end of this year”. This is for the service plans for my area — the north east — and the Minister’s as well, Dublin.

An Leas-Cheann Comhairle: Could the Deputy frame a question, please?

Deputy Caoimhghín Ó Caoláin: Is the Minister aware that a further 561 departures have been signalled as required in the service plans for the area in which both and I and the Minister live?

While the Minister was very bullish at the health committee meeting last week regarding this, stating everything is fine and everyone has coped wonderfully, there are clear signs that this is not sustainable. Despite the indications of the numbers that will be recruited by special arrangement, the fact remains that we are looking at a serious situation with front line health services.

An Leas-Cheann Comhairle: This is a very long question, Deputy.

Deputy Caoimhghín Ó Caoláin: This is my final point which I believe is the core issue. Will the Minister set a date for the lifting of the recruitment embargo? Will he make a clear statement on the floor of the House today that he will lift the recruitment embargo and allow for normal personnel replacements to recommence in the health services?

Deputy James Reilly: Not for the first time Deputy Ó Caoláin attempts to confuse the issue. The service plan was written before all the retirements had actually taken place. For him to state now that another 550 odd people will leave Dublin and north-east health services is utterly inaccurate. We have to see how many have already left from that number. As we know, 4,500-4,515 to be absolutely precise and the figure I used at the committee — have already left. I am not in a position to say how many of the 550 count among the 4,515, but many do. To suggest that 550 are still required to leave would be misleading.

I have no intention of setting a date for the lifting of the embargo. When considering how many people have left the health service since 2007, one must bear in mind how many joined in the preceding five years, some 25,000 plus or perhaps even more. I do not have the figures before me. At a time when we quadrupled our spend on health and increased the number of personnel working in the sector, we did not reform the service in the manner necessary to deliver care to our citizens.

January 2011 saw the highest number of people, some 569, lying on trolleys since counts began by the Irish Nurses and Midwives Organisation, INMO. I gave an undertaking at the time that the situation would not recur. Thanks to the hard work of front line staff, the special delivery unit, SDU, and the clinical programmes, this has been achieved right through March and in the teeth of extraordinary challenges, for example, the €2.5 billion removed from the health budget in the past three years, the moratorium and the 4,515 personnel who left last month. This situation has not been helped by Deputy Ó Caoláin in this Chamber talking about doom and gloom and the catastrophe and disaster about to befall people, and upsetting those awaiting cancer treatment or the birth of their children. Childbirth should be a joyous event. A certain degree of anxiety is always associated with it but additional anxieties should never be added to it by scaremongering, something that the Deputy has engaged in more than once in the House.

Deputy Finian McGrath: The Minister is also engaged in scaremongering.

Deputy Caoimhghín Ó Caoláin: It is quite appropriate to say that I am sick of the Minister's balderdash. That is all that he ever employs. He is a big bombast.

An Leas-Cheann Comhairle: Could we have a question, please?

Deputy Caoimhghín Ó Caoláin: He was a big bombast on this side of the House and he is no different over there.

Deputy James Reilly: Does that make the Deputy a little bombast?

Deputy Caoimhghín Ó Caoláin: The fact of the matter is that the Minister concluded his contribution at last week's meeting of the health committee by stating that he would always be accountable and was quite open to accepting Opposition voices.

Deputy James Reilly: That is right.

Deputy Caoimhghín Ó Caoláin: The one thing that he is not able to take is what he was quite prepared to give during his years in opposition. He is a double-sided individual.

Deputy James Reilly: What does that make Sinn Féin? It has double standards.

Deputy Caoimhghín Ó Caoláin: The Minister can take any interpretation he likes but the figures I cited came from the HSE's service plan. They clearly indicate what will be further required this year. The Minister is indicating that he is not in a position to project what might happen in terms of a further staff exodus before the end of this year. That is a statement of acceptance of his failure to oversee the health services.

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

Deputy Caoimhghín Ó Caoláin: I will close with this. At times, trying to get any straight answer from the Minister is futile. What methodology is he employing to monitor the impact of the departure of 4,515 personnel? Is it being done on a day-by-day or week-by-week basis?

[Deputy Caoimhghín Ó Caoláin.]

Is the Minister receiving reports? Almost one month later, does he know the impact on the health services of the departure of 4,515 people?

An Leas-Cheann Comhairle: The question has been asked. I call on the Minister to reply.

Deputy Caoimhghín Ó Caoláin: Will the Minister give the House a clear indication and explain why he will not set a date for the lifting of the recruitment embargo?

An Leas-Cheann Comhairle: Deputy Ó Caoláin, please. The Minister to reply.

Deputy Finian McGrath: Answer the question.

Deputy James Reilly: Unlike the bombast opposite, I take responsibility. I made it my business to travel around the majority of hospitals during the latter weeks of February to ensure that contingency plans were in place and that a safe service could be continued. I am happy to report that during the course of my tour, front line personnel engaged in a major way with the clinical programmes and the SDU in changing their practices. I commend them in this regard. When I met 120 personnel last Friday, I told them that were they to be called anything, it would be “the Impossible”. They make the impossible possible despite all of the challenges they face. More work needs to be done because additional reforms are necessary to fix our health service. It was dysfunctional and grossly unfair and must be turned into a fair and equitable system that delivers for patients on time. It must be somewhere that patients can feel safe and of which everyone working in it can feel proud. This is the Government’s goal and it will be done.

Deputy Caoimhghín Ó Caoláin: Is the Minister receiving reports on the impact?

Deputy James Reilly: We are constantly monitoring what is occurring in hospitals. We have real-time information, which we never had before. We can now predict problems and take action, which we were previously unable to do.

An Leas-Cheann Comhairle: We will now return to Question No. 3 in the name of Deputy Kelleher.

Primary Care Strategy

3. **Deputy Billy Kelleher** asked the Minister for Health his views that there are sufficient resources being directed to ensure the Primary Care Strategy is implemented in full; and if he will make a statement on the matter. [16567/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): The key component of the primary care strategy is the development of services in the community to give people direct access to integrated multi-disciplinary primary care teams, PCTs, consisting of general practitioners, nurses, physiotherapists, occupational therapists and others. Following changes to team boundaries across the country to integrate with the HSE’s new integrated service areas, a number of PCTs have been merged. The total number of teams targeted by the HSE for establishment by the end of 2012 now stands at 486. At the end of February 2012, 400 PCTs were operating, that is, holding clinical team meetings. Funding of €20 million has been provided for in the HSE’s national service plan for 2012 to fill as many vacancies as possible that have arisen as a result of the recent public service retirements and to expand existing arrangements where sessional services are provided by allied health professionals. This will be increased to €25 million if it can be established that there is scope for further savings of €5

million in demand led schemes. At this time of scarce national resources, it is essential that such posts will be allocated according to an objective assessment of needs. The HSE is accordingly analysing the current provision of posts in proportion to population and population health needs to identify which areas are least well served.

The allocation of the extra posts will be subject to approval by the universal primary care project team, which has been tasked with working through the issues relating to the programme for Government commitments on primary care.

Deputy Billy Kelleher: The primary care strategy is a primary objective in the programme for Government. However, questions arise for the role of primary care as a front line service in the context of the moratorium and the early retirement of highly skilled professionals. Is it possible that the moratorium will delay the roll-out of the primary care strategy because insufficient human resources will be available for deployment in the areas where they are most needed?

The Government has patted itself on the back for the progress made on the strategy to date but when one drills into the figures many of the primary care teams are barely up and running. They may be holding meetings but whether they are delivering primary health care is another question. Does the Minister of State accept that while a considerable number of meetings are being held they have not reached the point of delivering care?

Is the Minister of State seeking private funding for the strategy and has an approach been made to her Department by people who are willing to provide private investment for primary health centres?

Deputy Róisín Shortall: I accept there has been much talk but little action on primary care over the past 11 years. More decisions have been taken on developing primary care over the past year than during the previous decade. I am pleased to say that the budget includes a special allocation of €20 million for primary care, which will enable us to recruit the equivalent of 300 posts over the coming weeks. That money will be prioritised for the filling of key front line primary care posts, including public health and community nurses, occupational therapists and physiotherapists. I have also put in place a system which will allow us to identify gaps in front-line services. There are considerable gaps in primary care posts across the country. I look forward to the recruitment of these posts over the coming weeks and months. That will greatly strengthen primary care, which is what should have been done a long time ago.

Deputy Billy Kelleher: The Minister of State said she would need approximately €50 million a year so her budget is considerably less than that for which she hoped.

Deputy Róisín Shortall: The Deputy is mixing up staff and centres here.

Deputy Billy Kelleher: Let us be clear that she still does not have sufficient funding to implement the proposals outlined in the programme for Government. On the broader issue of the provision of primary care, at last week's committee meeting the Minister spoke about a smaller hospital strategy. Will the small hospital strategy and urgent care units be part and parcel of primary care — in other words to keep people out of acute hospitals — or will we have another strategy with regard to the smaller hospitals on top of the primary care strategy? That does not seem to fit into the overall measures proposed in the reconfiguration, some of which we support and many of which we do not.

Deputy Róisín Shortall: It is a framework for smaller hospitals and not a strategy. However, we have a primary care strategy and I remind the Deputy that is an 11-year old strategy. We are taking that seriously now. That is why I am very pleased we can now proceed to recruit an

[Deputy Róisín Shortall.]

additional 300 people in the health service. I am glad to say that this week the HSE is engaged in drawing up the job specifications and putting together the panels to recruit those 300 people. It is a really good news story about what is happening in the health service. We will be recruiting 300 new front line people in the health service to deliver primary care. I point out that this is Revenue money — it is €20 million for 300 additional posts. The Minister, Deputy Reilly, will speak later about the capital funding. I repeat that 11 years down the road it is disgraceful that there are so few primary care centres. We will address that as a matter of urgency in the coming months.

Primary Care Centres

5. **Deputy Stephen S. Donnelly** asked the Minister for Health the steps he will take to ensure that the proposed Wicklow Primary Care Centre, which was due to go into construction in April, is built and opened as scheduled, and that any shortfall in funding will be provided or guaranteed by the Health Service Executive [16865/12]

Deputy James Reilly: I thank the Deputy for his question. The development of primary care, as the Minister of State, Deputy Shortall, has said, is central to the Government's objective to deliver a high quality, integrated and cost-effective health system. The programme for Government states that primary care will be an immediate priority area. The development of primary care centres, through a combination of public and private investment, will facilitate the delivery of multidisciplinary primary care and represents a tangible refocusing of the health service to deliver care in the most appropriate and lowest cost setting.

The HSE's draft plan for 2012 to 2016 is under consideration by my Department. It includes some provision for primary care, but further work is required to ensure that the provisions in the plan for a mix of private and Exchequer-funded primary care centres are in line with the programme for Government commitments.

Wicklow town is one of the locations where the Health Service Executive proposes to deliver a primary care centre through a leasing arrangement with the private sector. The executive has signed an agreement with a developer to lease part of this development once it is completed. I acknowledge the work that all parties, including GPs, have contributed to the progress on this centre to date. As the Deputy is aware, under public financial procedures the Health Service Executive is precluded from guaranteeing third parties as this may be interpreted as imposing a contingent liability on the Exchequer. However, the HSE has agreed to allow the developers a three-month extension to the agreement to lease, which was due to expire shortly. Extensions of this nature are granted only where progress and commitment have been demonstrated, which, thankfully, is the case here. I urge the parties to continue with their negotiations to expedite the completion of this centre.

Deputy Stephen S. Donnelly: I warmly welcome the extension from the HSE, which is greatly appreciated and will buy some much needed breathing space. The centre in Wicklow town seems to represent best practice. It is a public-private partnership. It brings in multidisciplinary teams and high-end diagnostics, and in time there may be a nursing home there. It will create an additional 50 to 60 jobs. I believe some 50 or 60 existing jobs will be moved. The health care benefit for the region is enormous. As the Minister and two Ministers of State will know, Wicklow is one of the most poorly served counties across a wide range of services, including mental health services, acute coverage and palliative care. The issue is that if the extension is not fixed in the next 12 weeks this development will be lost because of an amount of €271,000. I accept that it is speculation on my part but this appears to be the case. I met the Wicklow Town and District Chamber and I spoke to the developer yesterday. It seems the bank is trying

to get out of lending the money. The gap was €700,000. The developer has said the general practitioners have agreed to purchase their areas. That brings the amount to €300,000. The bank indicated that it did not count that amount as part of the €700,000 and that it intended to lend the project less money. Indications that the bank is trying to find any excuse to exit are written all over this project. It must not be allowed to fail for €231,000. The planning levy from Wicklow County Council is €543,000. Potentially, we will lose a remarkably important centre from a health care and an economic perspective over an amount only half of what the county council seeks for permission to build.

I accept the Minister's point about the HSE not being able to extend it. However, will the Minister and his officials explore with the council any and all options, including equity in property or whatever it takes, to ensure that an amount of €271,000 does not stop this critical facility from proceeding?

Deputy James Reilly: This centre or a centre for Wicklow town is critical indeed. We have no wish for a centre that is at an advanced stage to fail. I accept what the Deputy across the Chamber is saying in terms of banks not lending and the difficulties therein. We are looking outside the box at various methods of how we might fund the primary care centres we require throughout the State. We need a large number of them. However, I am of the same mind as my colleague, the Minister of State, Deputy Shortall. She is equally concerned about not only buildings but about services being available. This is why the emphasis on the previous question related to revenue for the employment of staff to provide services and care. That is in no way to suggest that we are resiling from investing in a capital programme or from making capital available to GPs to invest or from the State investing in primary care centres where they are clearly not commercially viable. However, where they are commercially viable we seek partners and interests from outside in respect of funds we can make available or joint partnerships to develop the range of primary care centres we need.

Deputy Donnelly's point is well made. Aside from the excellent new services and care they will bring and aside from the fact that they will take considerable pressure off hospitals, they will provide real employment in their areas. That is a factor as well.

An Leas-Cheann Comhairle: Are you happy enough Deputy?

Deputy Stephen S. Donnelly: I accept the Minister's point that he will seek alternative funding options for the roll-out of the primary care strategies in principle. However, my question is specific to Wicklow town. Given the Minister's extension, only three months or 12 or 13 weeks remain. Will the Minister and his officials undertake to explore alternative options to bridge the €271,000 shortfall specifically for the Wicklow town primary care centre as a matter of urgency?

Deputy James Reilly: We will always explore all options. That is part of the job of the HSE estates management. Its job is to examine all options. I have no problem giving an undertaking that all options will be examined. Obviously, until they are examined we will not give an undertaking that they will be agreed to.

An Leas-Cheann Comhairle: I have a request from Deputy Kelleher to put back his Question No. 6 until after Deputy Ó Caoláin's question if the Minister, Deputy Ó Caoláin and the House are satisfied. Is that agreed to? Agreed.

Hospital Services

7. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health if his attention has been

[Deputy Caoimhghín Ó Caoláin.]

drawn to a statement by a member of the working group on the proposed Medical Assessment Unit at Monaghan General Hospital that the working group has not met its terms of reference and that its recommendations cannot be accepted; if he will ensure that the development of the MAU will proceed; and if he will make a statement on the matter. [16565/12]

Deputy James Reilly: I am unaware of the comments referred to by the Deputy. I am aware that the HSE established a representative group to undertake a feasibility study on the development of a medical assessment unit in Monaghan and that this report was submitted to the Cavan and Monaghan hospital group manager in February 2012. As I stated at a committee meeting last week, I have seen the report prepared by the group and I have asked Dr. Barry White, national director for clinical strategy and programmes, to review it. Naturally, my concern is to ensure that patients in the Monaghan area have a safe, high quality and effective service. In order to meet these criteria, the review of the national director of clinical strategy and programmes requirements and the determination of the resources which may be required are key considerations which will determine what additional services may be introduced to the Monaghan hospital site.

Deputy Caoimhghín Ó Caoláin: As incredulous as I was with the Minister's reply to me on 13 March, which opened with the words, "I am not aware of the comments referred to by the Deputy", I am doubly incredulous that the Minister would repeat the same line in his response to the question today, particularly given that I outlined all this to him at last week's meeting of the Oireachtas Joint Committee on Health and Children and pointed out the deficiencies in the report's position. I pointed out also that it was a majority report and that there was a clear dissenting voice among the eight, that of Dr. Illona Duffy, a general practitioner representative from my community. I find it incredible that the Minister would repeat the assertion that he is not aware of the comments to which I referred. These comments have been sent to him directly and for him to repeat today that he is unaware of them is beyond belief.

I outlined last week and I repeat again now that the terms of reference were clearly not met by the eight-person group established to carry out the feasibility study. The report states that costs "could not be clearly defined", yet the terms of reference require that it "provide a detailed analysis of the pay and non-pay costs". That is confirmation, in the words of the report, signed off on by Dr. Doherty, that Dr. Duffy's claim that the terms of reference had not been met is indeed the case. The time period was inadequate — six weeks within which to carry out a study on an important proposal regarding the future of services at Monaghan General Hospital. Last week, when I put the question to the Minister, he indicated, and he has repeated it again, that he agreed with me the matter could not end on that and that the issue was being referred to the acute medicine programme. I presume that means it is being referred to Dr. Barry White who has oversight of this as national director of clinical strategy and programmes.

Will the Minister elaborate on the purpose and intent of that referral? Is he asking for a further opinion on the potential of the siting of a medical assessment unit, MAU, at Monaghan General Hospital? Is Dr. White likely, working alone or with others, to come back with a different opinion from that of seven of the eight members of the group? Will the Minister accept that the terms of reference could not have been met and were not met? The words of the authors demonstrate they found the project impossible within the constraints of the six-week period.

Deputy James Reilly: I reiterate that my Department trawled through its files today to see whether we were sent that statement, but we were not sent it or informed that its recommendations cannot be accepted or that it did not meet its terms of reference. I have not

received that. The key point is we have not received the minority report we are supposed to have received.

I said last week, and I reiterate today, that the acute medicine programme would review the position through the clinical programmes, under the auspices of Dr. Barry White. I have no problem in ensuring that is done. For the Deputy to ask me to answer the question as to what his likely opinion will be is unfair. That would be to prejudge and pre-empt his considerations and I do not intend to do that. I will give him and the acute medicine programme a free hand to review the position and see whether they come to the same or a different conclusion. That is the only fair thing to do in this situation.

I emphasise again that we want to extend as many more services as we can to Monaghan General Hospital and to ensure that it becomes busier and that jobs there are secure. I cannot guarantee each individual job or where the jobs will be, but I want to see a greater footfall in that hospital. A 10% increase in activity is planned for this year.

Deputy Caoimhghín Ó Caoláin: I agree with the last remarks made by the Minister. Not only is that our hope for the future of Monaghan General Hospital, but I hope the Minister will do everything he can to ensure there will be enhanced service provision at the hospital into the future. It clearly has the capacity to cater to a much greater provision of services for the significant catchment, not only of County Monaghan but further afield and cross-Border, which the site presents.

It was not a question of whether the Minister had received Dr. Duffy's minority report; I have not had sight of it either. In the Minister's own words, he was not aware of the comments referred to but most certainly he was aware before he gave his reply here this afternoon because I made him fully aware of it at last week's meeting of the Joint Committee on Health and Children. I again conclude by asking for an assurance that Dr. Barry White's further consideration of the proposals in regard to the medical assessment unit siting at Monaghan is not constrained by the opinion presented in what is, finally, a flawed report. It is flawed because of the time constraints and the inability of the group to perform its task in line with the terms of reference as set out and with all the circumstances with which it had to contend.

Will Dr. White give the matter further consideration, taking the views into account, but wider than that, in the understanding that this will be a significant advance in terms of service provision at a key hospital site within the north east, something to which the Minister has indicated as having a warm disposition not that many months ago?

Deputy James Reilly: Absolutely. The Deputy opposite is well aware of the financial situation in the country and well aware of the consequences of such for the health budget. He is also well aware of the need for cost-based analysis for our actions. The volume of business in a facility must justify a medical assessment unit. The reply and the report from the initial group indicates this is not the case. The clinical programmes and the acute medicine programme in particular will review this decision and give their opinion free from any influence from me or anybody else. This remains the case and it is the only way it can be. Of course I would like very much to see a medical assessment unit in Monaghan if one were justified but I cannot justify it if the volume of patients would not be such as to make it financially viable when we are so constrained in budgets and there are implications across our health service for every euro we have.

The Deputy opposite belongs to a party that is in another jurisdiction on this island where it is presiding over cuts right, left and centre but when that party is down here, they do not want to see anything being cut. That may be the politics of opposition——

Deputy Caoimhghín Ó Caoláin: It is not the case.

Deputy James Reilly: —but the fact is that we have to take responsible decisions and I have to maintain a service which is safe and this is what I am attempting to do, with tremendous co-operation from the many people who work in the health service. I take this opportunity to commend the staff for the job they are doing.

Deputy Caoimhghín Ó Caoláin: Doing everything to protect and defend services, North and South of the Border.

An Leas-Cheann Comhairle: We will now deal with Question No. 6 from Deputy Kelleher.

Health Insurance

6. **Deputy Billy Kelleher** asked the Minister for Health if he will provide an update on the progress of the Implementation Group for Universal Health Insurance; the model of care on which UHI will be based; and if he will make a statement on the matter. [16566/12]

Deputy James Reilly: I recently established an implementation group on universal health insurance. This group will play a central role in assisting the Government to deliver on its commitment to introduce a single tier health system, supported by universal health insurance. For too long there has been a two tier system operating in our hospitals and which has been very detrimental to those who cannot afford insurance. They are forced to wait a long time for their health care. I refer to the tragic case of the late Susie Long and unfortunately there are many others who have also suffered consequences. I want to see this end, as does this Government. This group will assist in developing detailed and costed implementation proposals for universal health insurance and will actively help drive the implementation of various elements of the reform programme. It will, therefore, have a dynamic role with a strong practical focus on implementation. It will report to me on an ongoing basis. The first meeting of the group was held on 1 March 2012 and it will meet again before Easter.

In designing the model of care on which universal health insurance will be based, I want to ensure that it meets the needs of the Irish system and that it achieves the best outcomes for patients. This requires that we carefully plan and sequence the reform programme and that we give detailed consideration to the most appropriate structures for delivery of different services. We also need to look at the relationships between services and at best practice in health care reform.

Officials in my Department have been examining the experience of health reforms in a range of countries, including in the Netherlands and in Germany. This analysis is vital to enhancing our knowledge and informing policy. I want to implement a model of care which best meets Irish needs but which also builds on best international experience. This is reflected in the membership of the universal health insurance implementation group. The membership comprises a mix of those with executive responsibilities within our health services and external expertise, including international experts working with the World Health Organisation and the European Observatory on Health Systems and Policies. In line with the pragmatic focus of the group, its membership will be flexible and subject to periodic review as different stages of the implementation process are reached. It is my intention that the group will also consult widely as part of the reform implementation process.

Deputy Billy Kelleher: I welcome the Minister's reply. The provision of universal health insurance is a key Government commitment and the established implementation body is wide-ranging, drawing on a cross-section of expertise. Is it charged with implementing universal

health insurance of some form or other or might it state its belief to be that universal health insurance based on the criteria laid down in the programme of Government would not work? The Minister commented on the Dutch model and the group is looking also at the German model and elsewhere. Are there overall instructions to bring forward a universal health insurance policy, or has the group the authority to state it does not believe a universal health insurance system, as proposed by the Minister, as has evolved in Holland, is suitable or practical for the Irish health system as traditionally established and funded?

Deputy James Reilly: I can make my answer very short. This group has been put together to advise how to implement universal health insurance as per the mandate given this Government by the people. Its mandate is to come back in October with a White Paper that will give a steer on how we should proceed onwards from that point. In answer to the Deputy's question, therefore, it is not open to the group to start looking at all sorts of different systems other than a universal health insurance system.

Deputy Billy Kelleher: There is a reason for my question. The Minister spoke about a mandate; he is very strong in his view that he has a mandate for universal health insurance. Equally, however, he has a mandate not to hike insurance premia, as he stated prior to the election. He was not given a mandate to bring forward proposals and policies that would hike up private health insurance. The conduct of policies in the budget of last year has been the exact opposite.

The Dutch model, for example, is clearly under huge stress and will have enormous difficulties in the years ahead in funding itself. It is now curtailing supports and services to people, in particular those at the latter stages of life. There should be a strong debate on that subject in this House. The Minister claims he has this mandate and I do not deny this. Equally, however, this House should have a role with a strong debate on how we will go about funding health services. The change the Minister proposes may not be suitable or applicable to the Irish system that has evolved over many years. The Minister stated, and all the reports show, that the Irish health services have moved forward and have increased quality of life for patients on a broader basis. What is happening here is not all wrong.

Deputy James Reilly: In the interests of clarity, the Deputy is right. All is not wrong, there is much that is very good about the Irish health service. What is particularly good about it are the excellent people we have working in it. It was the system within which they were working that was preventing them from delivering the sort of care at the speed and access people require. That is why we are changing the system. I put it to the Deputy we made it very clear that we would first maximise what we have. That means fixing the inefficiencies in the system, bringing in a money-follows-the-patient system so that there will be a very clear tracking of patients as well as a focus on the patient. Heretofore we had a system that was self-serving rather than one where patients were the focus. They will now be the focus of the system because, simply put, if there is no patient there will be no payment. Only when that is sorted would we bring in universal health insurance.

We have many parallels working at the same time, moving towards the single end point, the universal health insurance system.

Deputy Billy Kelleher: Parallel lines never meet.

Deputy James Reilly: They are moving towards the same point across another line which is perpendicular and they will arrive at the point we require. If we wish to continue with this kind of mathematics we can put them through a prism that will ensure they will all join at the end point we so desire — the one the people of this country voted for and which they deserve, a system where the medical needs of people are met and is not dependent on what is in their

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pocket but on how acute is their medical condition and the urgency with which it should be treated. I never want a parent to look into the cot at night, wonder whether the baby has meningitis and wonder whether she should take the baby to the doctor or pay the ESB bill at the end of the week. It is not right, moral or ethical and is not reflective of a society that cherishes all its citizens equally.

Other Questions

Medical Cards

8. **Deputy Barry Cowen** asked the Minister for Health the average waiting time for medical cards in January 2012; the average waiting time in January 2011; and if he will make a statement on the matter. [16467/12]

11. **Deputy Bernard J. Durkan** asked the Minister for Health when it is likely that provisions can be put in place to address the difficulty and hardship being caused by delays in the issue of medical cards; if any evaluation has been carried out as to the main factors causing such delays; the number of applications in the system currently pending and in respect of which repeated submissions of information have been made by the applicant which in turn has resulted in further requests for more information; if as a matter of urgency he will put in place a reliable and universal system for the determination of eligibility and a reduction in the administrative procedures now causing serious delays; and if he will make a statement on the matter. [16249/12]

Deputy Róisín Shortall: I propose to take Questions Nos. 8 and 11 together.

A number of difficulties arose with the processing of medical cards in the final quarter of last year. These difficulties gave rise to a very large backlog and long delays for both new applicants and medical card renewals. A separate significant backlog also arose in respect of medical card appeals.

Reviews of the problems have identified a number of factors as to how these problems arose, including the decision by the HSE to fully centralise the processing of medical cards before the centralised service was fully resourced, a significant backlog that already existed prior to centralisation, poor communication with medical card applicants and the public, limited support from local health offices and poor communication between local offices and the centralised service and poor administrative and customer service practices and procedures in the handling, filing and processing of medical card documentation.

These issues are a matter of serious concern to me and I have had a number of meetings with the HSE over the past number of months to raise my concerns. The HSE has introduced a number of changes in recent months to the administration of the medical card application system.

These include increased staffing levels in the centralised processing service and in respect of medical card appeals, improvements to how medical card renewals are assessed and the frequency with which they are assessed, increased flexibility for GPs to add certain categories of patients to their GMS lists, and the fast-tracking of backlogged cases and cases where documentation has been misfiled. A number of additional changes will be implemented by the HSE in the coming months. I am particularly keen to see changes to how medical card renewals in respect of people with permanent disability are assessed. I am in discussions with the HSE on this and other matters and expect changes to be implemented soon.

While a number of customer service and communication issues remain to be addressed, the HSE has nevertheless been making good progress in eliminating the backlog and preventing further backlogs occurring. The HSE has reported to me that 96% of completed applications received in late February and early March have been processed within 15 days, compared to a turnaround target of 90% in its service plan for this year. The HSE has also reported to me that the backlog in processing applications from last year has been reduced by 77% since January. As of yesterday evening, the backlog in respect of medical card applications and renewals had been further reduced to 10,770, down from 58,000 in January, and in the vast majority of these cases, additional information is awaited from the applicant. The backlog in respect of medical card appeals has been reduced to 569, or less than half of what it was in January. The HSE is on course to clear both backlogs by the end of the month.

Average waiting times are not collated because the performance metric used by the HSE is the 15-day turnaround time for complete applications. I have reported the latest information for that measure. For January 2012, more than 47,000 new and renewal applications were received. As of 21 March, 3,700 applications were incomplete and the HSE is assisting people with their applications. Some 42,600 applications have been completed, and 1,000 other applications are in the process of being completed by the PCRS.

Additional information not given on the floor of the House.

Figures for January 2011 are not available to PCRS as the centralisation programme was only completed on 1 July 2011. Prior to that date local health offices were responsible for processing medical card applications. Finally, a review of medical card processing has been undertaken by PricewaterhouseCoopers on behalf of the HSE and contains a number of recommendations that the HSE is considering.

Deputy Billy Kelleher: Can the Minister of State assure the House that some of the delays were not intentional in terms of trying to address budgetary problems in place in the HSE? Many people are of the belief that medical card renewals were being delayed for a long time to ensure they could come in within budget. When we consider how fast they have been able to address the backlog in January and February of this year it would lead one to believe there was a deliberate winding down of assessment, processing and renewal of medical cards. We have had several cases where people waiting for a renewal of their medical card had to fund their own medical needs in the intervening period. Will those people be fully recompensed for the cost incurred while they were waiting for the renewal in 2011?

In terms of communications, every Deputy in the House has been raising this issue for a long time and I acknowledge the efforts being made by the Department and the HSE but when Deputies raise these issues on a continual basis the HSE should respond with haste in trying to address them because there are still terrible cases across the country, not just those I have raised.

With regard to the 15 day turnaround for completed forms, the main problem is that it takes too long for the applicants to be informed that their application is not complete. That area must be addressed. The form should be assessed and the applicant informed quickly of the required information needed to make the application form complete.

Deputy Róisín Shortall: I assure the Deputy that under no circumstances was any direction given or intentional decision taken to slow down the issuing of medical cards. I want to rule that out because allegations were made at the end of last year that somehow this was an intentional policy to reduce the number of medical cards. I refute that.

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In terms of what I stated in my reply, it would seem at this point that there is an acceptance that the HSE bit off more than it could chew in the overnight centralisation of medical cards in the middle of last year without the system being geared up to cope with that. That all came to a head at the end of last year and resulted in a situation which I have said on a number of occasions in this House was unacceptable as a public service. People were treated very badly during that period when this backlog had built up and the level of service being provided to people was unacceptable. A great deal of effort has been made in recent months to get on top of this problem and I am hopeful that all the backlogs will be cleared by the end of April and that this situation will not recur. I take the opportunity to state there was no intentional decision taken in this regard and the situation is being addressed rapidly.

Deputy Caoimhghín Ó Caoláin: I welcome the indication that there is improved processing in terms of the Finglas operation. I welcome once again, as was advised to us on our recent visit to Finglas when we met Mr. Patrick Burke and his staff, that the powers have now been given to general practitioners to extend medical cards beyond the expiry date where, for whatever reason, the person concerned was unable to respond to the review process because of a medical condition or social circumstances and where there was a clear error that the doctor can confirm. Are there any statistics on the take-up of that? I know that correspondence only issued a few days before our recent visit to Finglas at the end of last month but is there any indication even at this point in time of the take-up by general practitioners of this option? Has the Minister any feedback from the profession?

May I use the opportunity to ask if serious consideration is being given to extend that power to general practitioners in the cases of people who are terminally ill and those suffering from lifelong, non-recoverable illnesses because this continual review process is very frustrating when somebody is sadly trapped in a situation that will not change for whatever life expectancy they may have. It can be very upsetting, and we have all had experiences of that. It would be a huge advance if that, too, could be granted to general practitioners and the need for a review every so often for people in end of life situations and those suffering from lifelong illnesses.

Deputy Róisín Shortall: The agreement recently reached with GPs in terms of the processing of medical cards is a very welcome one and it enables a number of actions to be done. The first is to extend a person's eligibility in the case of vulnerable patients where they may not be in a position to do that themselves. The second is in regard to patients who are deceased. Their names are being removed from the panel from the date of date. The names of newborn babies are being added now by GPs from the date of birth. That is real progress. It is a new functionality for GPs and is very much to be welcomed.

Regarding terminally ill patients, there is a new arrangement that has been clarified. In the case of a person with a terminal illness, where that terminal illness is validated by a GP or a consultant, there is a nominated person in the local health office who has a direct line to the primary care reimbursement service, PCRS, and where that person is contacted an emergency medical card can be provided within a 24 hour period. I am in the process of producing an information sheet to go out to Members of this House to inform them of that new arrangement and I am waiting for confirmation that all of the staff concerned are aware of these arrangements but I can confirm that all GPs and all social workers are aware of that new arrangement. I hope that will work smoothly from now on.

Regarding incomplete forms, most of the current backlog relates to incomplete forms and to get those on the move staff in the PCRS are contacting people directly by telephone to fill in

those blanks and get their hands on the missing documents required to process that. I am very hopeful that all of the backlog will be cleared by the end of April.

Hospitals Building Programme

9. **Deputy Bernard J. Durkan** asked the Minister for Health if the expert group currently examining the issue of the location of the proposed new children's hospital will be asked to make a single recommendation for a particular site or if a recommendation for two or more sites is likely to emerge thus leaving the final decision to him; if he intends to carry out a thorough examination of the costs to date associated with the issue including site, consultancy or architectural costs; the extent to which the costs to date have arisen from payments to particular agencies or consultants associated in any way with the examination of the project; if influence can be brought to bear on the recipients of fees to date to carry out any further work required on a pro bono basis; and if he will make a statement on the matter. [16250/12]

23. **Deputy Dara Calleary** asked the Minister for Health when the first meeting of the Dolphin Group will be held; and if he will make a statement on the matter. [16462/12]

Deputy James Reilly: I propose to take Questions Nos. 9 and 23 together.

I am committed to ensuring the delivery of a world class hospital for the children of Ireland providing the highest quality treatment they deserve, in other words, the best treatment in the best environment. This project is one of the main priorities for the Government and is a commitment under the programme for Government.

The decision to refuse planning for the new children's hospital was disappointing. Immediately following the decision, however, I announced my intention to establish a review group to consider the decision of An Bord Pleanála to refuse planning permission for the national paediatric hospital. The Government has agreed the terms of reference for the review group. The terms of reference are as follows:

To inform itself about the planning considerations and processes affecting this project.

To consider the different options which now exist for progressing the construction of a national children's hospital having regard to—

- Government policy on the delivery of health services, including accessibility and paediatric services in particular and best clinical practice considerations,
- the cost and value for money considerations of the different options,
- the likely timelines associated with the different options,
- the implementation risks associated with the different options.

To advise me, in the light of these considerations, on the appropriate next steps to take with a view to ensuring that a national paediatric hospital can be constructed with minimal delay.

To report to the Minister within 56 days of the first meeting of the group.

The aim of the review is to consider all the possible options for the earliest possible delivery of a new children's hospital. The review group will present its findings on each of the possible options for my consideration. The group will not be undertaking a site selection process as such.

I have appointed Dr. Frank Dolphin to chair the review group. There is a wealth of expertise on the group. The membership is composed of senior planners, an architect, the CEO of a

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major UK paediatric hospital and senior clinicians in the field of paediatrics. Dr. Dolphin is currently in contact with the other group members and expects to hold the first meeting of the group within days. I will await the completion of the work of the review group and do not wish to make any further comment on the matter at this time.

Deputy Billy Kelleher: We welcome the fact the Minister appointed the Dolphin group which is to report 56 days after its first meeting. I do not know what its findings will be but it has been asked to look at the Mater site, a greenfield site, a brownfield site, co-location and whether a stand-alone national paediatric hospital can be established.

These are quite broad terms of reference, which are welcome in the sense that at least everything is on the table again.

There is no doubt the report of the Dolphin group and its recommendations will delay the building of a national children's hospital because wherever it will be located, a process will be required. Obviously we would like it to go ahead as quickly as possible. In the meantime our children's hospitals, including the one in Crumlin, suffer greatly from a lack of capital investment. I do not expect any Minister to fund huge capital investment programmes without knowing where the national children's hospital will be located, but in the meantime the existing children's hospitals are at crisis point. What will happen these facilities in the coming years while we wait for the national children's hospital? This is a key issue for the delivery of paediatric services and health care in the short to medium term because there will be a delay regardless of what decision or recommendations are made by the Dolphin group.

Deputy James Reilly: I welcome the Deputy's assertion that we are all on the one side, as we all want to see the hospital progress as quickly as possible. Nonetheless, the refusal on the Mater site requires time for reflection. The two months to be taken to report, including the month that has passed, will stand to serve the children of the State for 100 to 200 years and must be viewed in this timescale. I doubt there is any one more in a hurry than me to have the hospital built.

The last thing I want to see is scarce capital reserves and resources ploughed into temporary accommodation that will prove to be no longer necessary in a few years. I want this expedited. I have made it very clear that all options are on the table and that the advice the Government and I want is on the pros and cons of each option and for us to make a decision quickly to get on with this and provide what is a right for our children. We have some of the best nursing, medical and paramedical practitioners and we need to provide them with the best setting to provide treatment.

Deputy Eoghan Murphy: Will the Minister comment on recent remarks by the chairman of NAMA, Mr. Frank Daly, that NAMA is actively considering a number of potential sites for the proposed children's hospital? How will this fit in with the work of the expert group? Will NAMA come before the group with a recommended site or sites or will these be considered only after the current site is rejected, if it is? Is the Minister aware of any potential sites in NAMA, for example, the Elm Park site by St. Vincent's hospital?

Deputy James Reilly: I am aware of all of the issues raised by the Deputy. It is the role of the group not necessarily to interview NAMA on all of its sites, but to give an indication of the pros and cons on a new site, a brownfield site or a greenfield site. It is not my intention that it will inspect every site because if it did so months would turn into years very quickly. I am aware of the sites to which the Deputy referred and there are quite a number of them.

NAMA has written to me and has identified 11 sites, some of which might have use for hospitals of a different nature and provide opportunities on another occasion. I am not here to prejudge what the review group will tell me; I await its advice and I will act accordingly.

Deputy Caoimhghín Ó Caoláin: I am also very concerned about the situation regarding our existing paediatric hospital sites in Crumlin, Temple Street and Tallaght. I am particularly concerned about the hospitals in Crumlin and Temple Street because front line service providers have spoken out and made the case very strongly that one cannot suspend the resourcing of these services while the construction of the new hospital gets under way, and we are not even at that starting point yet.

Reflecting on the earlier comments, I appeal to the Minister not to use the intention of moving to a new paediatric national hospital as a reason not to continue to properly resource the existing paediatric sites, because there is ample evidence of intolerable situations where children are left waiting in totally inappropriate circumstances in accident and emergency departments trying to access beds in a number of these sites. I appeal to the Minister to say something positive on this matter.

The Minister indicated the Dolphin group would not have the responsibility for site selection but would report to the Minister on the various proposals presented heretofore. Do these include the very recently circulated proposal from the Coombe hospital? As far as I am aware, it was presented in the past week. Will the Dolphin group have an opportunity to appraise all cases known during the course of its period of deliberation? Will it offer an opinion on all of these and others which may yet present before it concludes its business? How soon after it reports does the Minister intend, and with whom, to make the decision?

Deputy Billy Kelleher: The previous expert group that examined the Mater site indicated it was the most suitable site for co-location between an adult teaching hospital and a paediatric hospital. Is this principle still firmly the internationally recognised best practice? I know clinicians, planners and broad spectrum of expertise is involved in examining the matter. I presume the idea of co-locating an adult teaching hospital with a paediatric hospital is weighted or encouraged as the most suitable in terms of best care and health service delivery for children and mothers given the complications that can arise.

Deputy James Reilly: The issue of co-location with an adult hospital is a major requirement. The expert group comprising four chief executive officers of some of the biggest paediatric hospitals in the world, three of whom were clinicians themselves, were unanimous on the fact that it needed to be co-located with an adult hospital. The basis for this is our childhood population would not be able to sustain an expert in rare disorders as his or her skills would diminish due to the infrequency with which he or she would treat patients. Therefore, the group felt treating adults and children is the route forward for a country of our size. The CEO of Great Ormond Street Hospital for Children was involved. This is a stand-alone hospital but even she acknowledged co-location is the best way to go.

Great people work in our paediatric services but there are limitations on the buildings in which they work. Our Lady's Children's Hospital in Crumlin has been very successful in fundraising and treats 80% of our tertiary cases, with Temple Street hospital treating 20%. I have visited Temple Street hospital, which is staffed by wonderful people but they point out it is made up of Victorian buildings joined with little attics and steps. It is utterly inappropriate. We need a modern facility to provide the best care for our children. We will expedite this.

The Dolphin group will report later this month, 56 days after its first meeting, and only a few days remain this month. It will be made aware of all of the options available. Rather than

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giving us the choice of a single place, I have asked it to point out the pros and cons of each option so the Government can make a decision in the interests of the people.

Health Service Staff

10. **Deputy Catherine Murphy** asked the Minister for Health if, following the retirement of large numbers of staff from the health service in recent weeks, he has identified the services which have been particularly affected by staffing resource reductions; if he will outline these shortfalls in detail by type of service and geographical area affected; if he will outline proposed redeployments intended to alleviate gaps in service provision; and if he will make a statement on the matter. [16442/12]

Deputy James Reilly: The main service areas that have been identified as critical in the context of the grace period retirements include maternity hospitals and critical and intensive care, as well as community nursing services.

It is, therefore, necessary to be as innovative and flexible as possible in order to mitigate the impact on services of reduced budgets and staffing. The mitigation measures which are in place include changes in work practices, staff redeployment, rostering and skill-mix changes, revised business processes, integration of services and streamlining of management structures. I acknowledge the great work and commitment of staff in ensuring a safe service has been maintained and in maintaining the number of people on trolleys throughout March at 17% despite the challenges they faced.

Some limited recruitment of new staff is also taking place to ensure that key specialist services are maintained. However, the priority is to reform how health services are delivered to ensure a more productive and cost effective health system. The need for dynamic and proactive management of the reduced budgets and staff will continue throughout the year. Last week, I announced a new initiative around training of clinical leaders, managers, nursing staff and GPs in management, which will ensure they are given the skill set and tools to do the job we require of them. Many excellent people who previously worked in administration or as clinicians are currently in managerial positions in respect of which they have received no specific training. While they are willing and able to do the job we need to ensure they have the required tools to do it.

The HSE National Service Plan 2012 acknowledges that there will be inevitable and unavoidable reductions in services this year owing to the scale of the financial and staffing challenge facing the health service. I am satisfied that suitable arrangements are in place at national, regional and service specific levels to proactively manage the impact on front line services. Since the end of the grace period there has been daily communication between the national director of integrated services and regional management teams to ensure that any issues or risks identified are addressed. No new issues have arisen and all essential services are being maintained.

Deputy Catherine Murphy: I have been contacted by constituents who are concerned about the delivery of services in my area. One particular area of concern is that of disability services in terms of specialty, in respect of which there has always been a lopsided distribution of specialist staff, based either on discipline or geography. Getting information regarding disability services for young children even by way of a telephone call is seriously problematic in my area, never mind delivery of services. I would welcome a national audit of disability services delivery. It is not justifiable that one particular county can have a service while another does not.

My second question relates to maternity care, in respect of which the master of the Rotunda expressed concern prior to the deadline of 29 February. Is the Minister satisfied that maternity care can be safely delivered in this country with the current number of staff?

Deputy James Reilly: I visited the National Maternity Hospital and met with the new master, who is the first female master in the history of this State. Staff at the hospital are dynamic and the recently opened new theatre will provide greater access for the patients they serve. There is no question but that from a capital perspective we could do with new maternity hospitals. While in the past I have been told that our hospitals should not perhaps deliver more than 10,000 to 12,000 babies I have since been told during discussions with clinical leads in this area that there is no reason we could not have two, or even one, maternity hospital in Dublin. I am not suggesting that will be the outcome but it is an issue we need to look at. I would like to see facilities greatly improved.

The Deputy asked if we have sufficient staff to maintain a safe service. The answer to that question is “Yes, we do.” Every endeavour has been made and arrangements have been put in place to ensure delivery of a safe service. The last thing we want to do is create further anxiety for those looking forward to the birth of their child. It is a nervous enough time for people. I am happy, having met with the clinical lead for obstetrics and gynaecology, and having visited several of the hospitals, that a safe service is being delivered.

On the disability issue, every effort was made to ensure protection of disability services, in respect of which the budget cut was a maximum of 3.5% while the cut elsewhere in the health services ranged from 5% to 7.5%. I have discussed this matter with my colleague, the Minister of State, Deputy Lynch. There is a recognition that there are huge resources within the NGOs in terms of ancillary care, including psychologists and so on, which could be freed up to allow the provision of greater care within the system.

We are looking at all areas in an effort to reform how services are delivered and people work, thus allowing for more service to be delivered to the patient.

An Ceann Comhairle: Before we move on, I understand the Tánaiste would like to make an announcement.

Referendum on Treaty on Stability, Co-ordination and Governance in the Economic and Monetary Union: Statements

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): I thank the Ceann Comhairle for allowing me to make this statement for the information of the House.

At its meeting this morning, the Government decided on the date for the referendum on the European stability treaty. The referendum will take place on Thursday, 31 May. On the advice of the Attorney General, the people will be asked in the referendum to agree that the following subsection be inserted after subsection 9° of Article 29.4 of the Constitution:

The State may ratify the Treaty on Stability, Co-ordination and Governance in the Economic and Monetary Union done at Brussels on the 2nd day of March 2012. No provision of this Constitution invalidates laws enacted, Acts done or measures adopted by the State that are necessitated by the obligations of the State under that treaty or prevents laws enacted, Acts done or measures adopted by bodies competent under the treaty from having the force of law in the State.

In other words, the people are being asked to ratify the treaty and to enable the Oireachtas to adopt legislation to implement it. The Bill to amend the Constitution is now being prepared for publication towards the end of this week. Once published, the Minister for the Environment,

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Community and Local Government, Deputy Hogan, will sign the order establishing the referendum commission.

The Government will put in place a comprehensive information campaign to ensure that voters are informed of the contents of the treaty which, in turn, will facilitate a full debate on the decision that we as a country have to take on this issue.

An Ceann Comhairle: I will allow a brief statement by the leaders of each group.

Deputy Micheál Martin: I thank the Tánaiste for the clarity and information he has provided to the House in regard to the timing of the referendum on the European fiscal treaty. As I have stated previously, Fianna Fáil will be supporting ratification of the treaty and insertion of the subsection into our Constitution and will be campaigning on the basis that we believe this is good for Ireland and the eurozone. It is by no means a panacea to all of our problems. Significant additional measures will be required to bring stability to the eurozone crisis, in particular the provision of an adequate firewall and a broadening of the mandate of the European Central Bank, for which I have long argued. Some significant issues have yet to be grappled with.

It is important, given the relatively short timeframe within which the referendum is to be held, that the maximum amount of information is proactively and energetically provided to the citizens of this State to allow them make up their minds. I think information is crucial. It should be as comprehensive as possible. My understanding is that the Government does not intend to publish a White Paper. This would be the first time that has happened in relation to an important treaty for Ireland and for Europe. It should be possible to produce a simple and readable White Paper on this treaty. I ask the Tánaiste to consider that in addition to the other sources of information — leaflets, etc. — that people may require. I note that the referendum will take place on a Thursday. Perhaps there are logistical reasons for that. Many young people, particularly students, would prefer if it took place on a Friday or on a date that would facilitate those who wish to vote. I regret that the Government did not take their views into consideration.

Deputy Simon Harris: The Deputy is a late convert to that.

Deputy Gerry Adams: Cuirim fáilte roimh an ráiteas seo. Is maith an rud é go bhfuil dáta an reifrinn ar eolas againn faoi dheireadh. I appreciate that this must have been a very difficult decision for the Government to make, given the lengths to which it went to try to avoid a referendum. At least the people will now have their say. Sinn Féin believes that this is a bad treaty for Ireland and for the European Union. It will institutionalise austerity into domestic constitutional law and into international law in perpetuity. It will cost taxpayers at least an additional €6 billion in public spending cuts and tax increases after 2015.

Deputy Simon Harris: No.

Deputy Gerry Adams: The treaty will mean more cuts to our schools, hospitals and community services. It will mean more charges and tax hikes. Significant new powers will be given to the European Commission and the European Court of Justice. The treaty will undermine the Oireachtas by giving unelected bureaucrats and judges in Brussels and Luxembourg significant control over economic and fiscal policy. That is why the European Trade Union Confederation is opposed to the treaty. That is why the French Socialist Party, the Social Democratic Party of Germany and the Dutch Labour Party, which are sister parties of the Irish Labour Party, are opposed to the treaty.

Deputy Finian McGrath: The comrades are split.

Deputy Gerry Adams: Austerity policies will not end this economic crisis. We will mount a vigorous and wide campaign to ask the citizens of this State to vote “No”.

Deputy Patrick O'Donovan: Surprise, surprise.

Deputy Gerry Adams: Deputies should remember that on this issue, Sinn Féin has been right on every single count and the rest of the parties have been totally and absolutely wrong.

Deputy Michael McCarthy: What about the bank guarantee?

Deputy Gerry Adams: If they doubt that, I appeal to them to ask the young people who are rushing to leave these shores, the half a million people who are unemployed and the other victims of austerity policies.

An Ceann Comhairle: I call Deputy Higgins on behalf of the Technical Group.

Deputy Paul Kehoe: Where is Deputy Ross?

Deputy Joe Higgins: The Government should have given us more notice that this announcement was to be made.

Deputy Simon Harris: The Deputy is never happy.

An Ceann Comhairle: In case there is any misunderstanding, I remind the House that Standing Orders do not provide for statements to be made after a member of the Government has made a statement of this nature. Given the situation, however, I decided to allow each of the leaders to make a short statement.

Deputy Brendan Howlin: The Chair is very generous.

An Ceann Comhairle: Hence there is no need for advance notice that a statement of this kind is being made.

Deputy Joe Higgins: I welcome the fact that the Government has had to bow to reality and to the democratic rights of the Irish people. I am pleased that the referendum on the fiscal compact will allow for a vigorous debate among the Irish people over the next few months.

Deputy Gerald Nash: That is a first for the Deputy.

Deputy Joe Higgins: The debate will demonstrate clearly that permanent austerity is proposed in the fiscal compact. If the structural deficit targets for 2015 that are proposed in the compact are fully implemented, further cuts of €5.7 billion will have to be made in that year or equivalent cuts will have to be spread out over a few years. In other words, further disastrous damage will be caused to the domestic economy, which is suffering massively already.

Deputy Brendan Howlin: The alternative is more borrowing.

Deputy Joe Higgins: I believe this treaty will undemocratically bind future Governments to austerity, even though they may have campaigned and been elected on the basis of their opposition to it. In the course of the debate on the treaty, the Government must explain clearly why it agreed to insert in the European stability fund treaty a clause that would deny any state not ratifying the fiscal compact access to funding from the European stability fund. That was quietly and secretly done in February, in a change from what was agreed last July.

Deputy Brendan Howlin: If it was a secret, how come we announced it?

Deputy Joe Higgins: The Government had and still has a veto on that blackmail clause. The European stability mechanism treaty must come before this Dáil, as must the changes to the treaty on the functioning of the European Union that are required to copperfasten all of this. When the Dáil votes on those matters, it will be deciding whether to foist this blackmail on the Irish people as a weapon to try to force them to vote in favour of the fiscal compact. The Government and its Deputies have serious questions to consider. I look forward to a vigorous, democratic and open debate. I hope we will not hear any more lavish claims of massive jobs and investment on the basis of a “Yes” vote, as we heard during the debates on recent treaties.

Deputy Brendan Howlin: European armies.

Deputy Colm Keaveney: Salt mines.

Deputy Patrick O'Donovan: Neutrality.

Deputy Joe Higgins: Those claims were disastrously forgotten about and betrayed after the referendums in question.

Deputy Brendan Howlin: Abortion.

Deputy Colm Keaveney: Siberia.

Deputy Joe Higgins: I will bring an international perspective to the debate. I will offer an alternative to further disastrous austerity. I will speak about a different kind of Europe that is not dictated to by the undemocratic financial markets, but run in the interests of the vast majority of ordinary people. We need a Europe for the millions — not a Europe for the billionaires in the financial markets.

Deputy Paul Kehoe: The Deputy had a chance, but he ran away from it.

Leaders' Questions

Deputy Micheál Martin: Last week in this House, the Tánaiste acknowledged that there have been difficulties, including communications difficulties, with the payment of the household charge. On reflection, he will have to agree that what he said probably represents one of the understatements of the year. Unfortunately, the entire project has been a bit of a debacle. It has rightly been described today in a number of editorials as a “fiasco”. The Tánaiste also said last week that it is possible to make this payment at a post office. Of course, it was not possible to make the payment at a post office and it is still not possible. Forms are available, but people have to write to the Minister for the Environment, Community and Local Government and the Department. To compound that and add insult to injury, the Minister, Deputy Burton, repeated that error on an RTE programme on Sunday. She had to be corrected by the Minister, Deputy Hogan, later that afternoon. The Minister, Deputy Hogan, is not making it easy for people to pay this household charge. He has steadfastly refused to extend the 31 March deadline, even though just 23% of the 1.8 million people who are obliged to register have done so. As I said last week, the Minister has taken an “Orwellian” approach. Big Phil is intent on marching on.

Deputy Finian McGrath: He is not that big any more.

Deputy Micheál Martin: It is not just utility bills. It is not just the kind of sense that “we are watching you and we are going to get you”. It is not just the “you can run but you can't hide” approach. He has added to that now. This week, we were told that local authority officials

would be knocking on doors to collect the charge. No one really or seriously believes that is a good idea. In fairness to the Minister of State, Deputy Kathleen Lynch, she came out quickly last evening, with her commendable common sense approach, to say that was never a prospect and could never be a prospect.

Deputy Colm Keaveney: It took someone from Cork to show some common sense.

Deputy Micheál Martin: All of this is undermining the credibility of the household charge in the public mind. Does the Tánaiste really believe there will be such a rush to comply with the requirement to pay the charge that up to 1.5 million people will register to do so before next Saturday?

Deputy Michael Healy-Rae: It will have to be some rush.

Deputy Micheál Martin: The Minister, Deputy Howlin, basically put his hands up this morning and said this has not been handled well. I ask the Tánaiste whether he thinks this is fair.

Deputy Brendan Howlin: I did not say any such thing.

Deputy Micheál Martin: The Minister said it on "Morning Ireland".

Deputy Brendan Howlin: I did not say that.

Deputy Finian McGrath: The Minister was hung out to dry.

Deputy James Reilly: Deputy Martin only hears what he wants to hear, just like with the Mahon report.

Deputy Micheál Martin: Is it fair that fines will automatically apply to those who do not pay the charge by 31 March, even though they have yet to receive a leaflet explaining how to pay the charge and Labour Party Ministers agree that it has been badly handled? Will the Government reconsider the matter? Will the Tánaiste confirm to the House that the timeframe within which people have to pay the household charge will be extended?

Deputy Finian McGrath: Deputy Lyons is very upset.

The Tánaiste: I doubt there is anybody in the country at this stage who does not know about the household charge and the fact that it must be paid by 31 March.

Deputy Finian McGrath: I got my leaflet only yesterday.

The Tánaiste: When the charge was introduced, the deadline set for payment was 31 March. That remains the deadline. The charge can be paid online at www.householdcharge.ie.

Deputy Michael Healy-Rae: Not in the post office.

The Tánaiste: It can also be paid by post to post office box No. 1268. It can also be paid through the local authority. The Minister for the Environment, Community and Local Government has asked local authorities to extend the range of offices at which the charge can be paid. It can be paid by postal order or other means on getting a form in the post office and forwarding it from there.

It is important at this stage that there be no misinformation or confusion among the public.

Deputy Billy Kelleher: There is no information at all.

The Tánaiste: The charge is payable by 31 March. There has been quite a degree of public awareness of the charge over the course over the past couple of weeks. At this stage, the best advice any Member of this House can give to a member of the public is that he or she is liable to the charge and that it must be paid.

Deputy Micheál Martin: That does not really answer the question. The matter has not been handled well. People should simply be able to go to their post office to pay the charge. Many people cannot pay online and some are being penalised because they cannot pay online, as we heard this morning. The Government should have broadened the exemptions from the outset, as my party proposed. We suggested a number of amendments affecting welfare recipients and those in mortgage arrears and others with significant difficulties.

The bottom line is that the matter has not been well handled. The Tánaiste may talk about it being in the public consciousness but people have not been well informed. Leaflets are still coming in the door in the last week before the deadline.

An Ceann Comhairle: Could we have the Deputy's question please?

Deputy Micheál Martin: There clearly has not been a proactive, energetic, committed campaign by the Government to communicate to the people and get an effective response on the charge.

Deputy Pat Rabbitte: A last-minute drop.

An Ceann Comhairle: We are on supplementary questions.

Deputy Micheál Martin: Last evening, Ursula Halligan reported on TV3 that she was being briefed by very authoritative Fine Gael Ministers and sources that there would be an extension.

An Ceann Comhairle: Could the Deputy please put a supplementary question?

Deputy Micheál Martin: It may not be announced, we were told, but that it would kind of seep into the public consciousness again, such that we will somehow discover——

An Ceann Comhairle: The Deputy has exceeded his time; I ask him to put his question.

(Interruptions).

Deputy Micheál Martin: Is that the case? Is the Tánaiste aware that Ministers are briefing RTE and TV3 journalists and senior political correspondents, who have their sources? The Government has been very good at spinning and media management and I suspect this is another clever game at media management.

Deputy Patrick O'Donovan: Like Dermot Ahern.

Deputy Micheál Martin: If the Tánaiste is not prepared to make an admission today, will he state whether it is his view that the deadline should be extended or whether the Cabinet is now contemplating this? Does he honestly believe it is fair——

An Ceann Comhairle: Will the Deputy please put his supplementary question? He has exceeded his time.

Deputy Micheál Martin: ——that people will have to pay fines despite his acknowledgement and that of many Ministers of the bungled nature of the management of the household charge?

Deputy Finian McGrath: September.

The Tánaiste: As Deputy Martin said, I acknowledged last week and repeat that there have been difficulties associated with people making arrangements to pay the charge. It must also be said that nobody likes paying a tax or charge, particularly if it is new. In this case, as Deputy Martin knows, the charge has been introduced because the agreement his Government made with the troika provided for the introduction of a property tax in 2012. It would not have been possible to introduce a property tax in 2012 because of the preparatory work that must be done to establish the basis on which it would be charged. The Government's intention is that this household charge will be replaced by a property tax. In the meantime, it must be paid. The deadline set is 31 March. That deadline has not been changed. The best advice anybody can give to households is that the charge must be paid, before the deadline of 31 March.

Deputy Micheál Martin: Will it be changed?

(Interruptions).

Deputy Pat Rabbitte: I am waiting to see which way Deputy Finian McGrath will go. The way he goes will swing it.

Deputy Finian McGrath: I am with the people.

Deputy Gerry Adams: The Tánaiste said that one is liable to the household charge, it is due and must be paid. Many Labour Party and Fine Gael Party members have acknowledged that the charge is unjust. It is another aggressive tax from the Labour Party and Fine Gael. It punishes citizens for the failure of government and the greed of bankers, developers and corrupt politicians. It targets especially those who are disadvantaged and those on low and middle incomes who are struggling to make ends meet.

It is very clear, just four days before the deadline, that the majority of citizens reject the financial and legal threats and the moral blackmail of this Government. The Government will not stand firm against the payment of the €3.1 billion promissory note but can impose a succession of new taxes and charges on those who can least afford them while the rates of unemployment and emigration continue to increase. Is this the role of the Labour Party in government? Will it pursue tens or perhaps hundreds of thousands of citizens considering that not one banker——

Deputy Robert Dowds: These are Sinn Féin's partitionist policies.

Deputy Gerry Adams: ——or crooked politician has faced due process? Is the Labour Party so bereft of ideas that it cannot conceive a reasonable alternative to the household charge?

Let me give the Government one suggestion.

An Ceann Comhairle: Very quickly.

Deputy Gerry Adams: It should abandon the household charge and introduce a cap on wages in the public sector at €100,000. That would raise €265 million, €100 million more than it is envisaged will accrue from the household charge.

The Tánaiste: Deputy Adams shows up here only the odd time——

Deputy Billy Kelleher: More often than the Taoiseach.

The Tánaiste: —so he has probably missed the statement made by the Minister for Finance here last week in which he made it clear that the Government intends to settle the promissory note issue by way of a long-term Government bond. That is a matter we will be returning to.

Deputy Adams describes the household charge as unfair but it is not quite as unfair as the household charge his party and Ministers in Northern Ireland charge. The average annual household charge in Northern Ireland is £1,259.

Deputy Pat Rabbitte: Oh, no.

Deputy Dinny McGinley: How much does Deputy Adams pay himself? He should stand up and tell us how much he pays on his house—

An Ceann Comhairle: Members should speak through the Chair.

Deputy Dinny McGinley: —not to mention the one up in Gortahork.

Deputy Pat Rabbitte: He has more houses than Pádraig Flynn.

The Tánaiste: That, in the currency that Deputy Adams would like to put at risk, is €1,428. It was increased by 2.5% by the Deputy's colleagues in the budget they voted through. In February 2012, there was another round of increases, some as high as 5.9%. Deputy Adams is very quick to draw attention to what my party colleagues have to say about the household charge. When his colleagues in Northern Ireland bring the charge there down to the level in this State, he may come in here and feel free to accuse us of being unfair.

Deputies: Hear, hear.

Deputy Gerry Adams: I see the Tánaiste totally avoided the question.

Deputy Emmet Stagg: Deputy Adams is going to avoid the answer now.

Deputy Gerry Adams: The Government is going to pay the promissory note, although it might take longer, because it has not got the wherewithal to stand against it.

Deputy Brendan Howlin: The Deputy wishes the country ill.

Deputy Gerry Adams: The Tánaiste knows all about currency, including the printing of currency.

A Deputy: Deputy Adams knows all about sterling.

Deputy Patrick O'Donovan: What about Northern Bank?

Deputy Gerry Adams: In terms of the Tánaiste's new found interest in the North — he knows he is not comparing like with like — it is a great boost to citizens there. He would be better off dealing with issues about which he might know something such as breaches of Government policy by the Government. The Tánaiste may have noticed—

An Ceann Comhairle: He may have noticed nothing. This is a supplementary question. Will the Deputy please put it?

(Interruptions).

An Ceann Comhairle: He has one minute and two seconds left. We are not here for statements.

Deputy Caoimhghín Ó Caoláin: If only the Tánaiste answered the question in the first place.

Deputy Gerry Adams: According to the outgoing head of resources in the HSE, up to 500 hospital consultants are earning substantially more than the €200,000 pay ceiling the Government imposed last year on public service salaries.

Deputy Gerald Nash: That was part of the Croke Park agreement.

An Ceann Comhairle: Will the Deputy co-operate?

Deputy Gerry Adams: Some senior doctors take home as much as €400,000 of taxpayers' money. What will the Taoiseach, I mean the Tánaiste — I know he wanted to be Taoiseach but the people had a different view. Will he apply Government policy?

Deputy Brendan Howlin: What did the people say about Deputy Adams?

Deputy Pat Rabbitte: Only one question can be asked on Leaders' Questions.

An Ceann Comhairle: That is a different question.

Deputy Gerry Adams: By applying Government policy in this area, it will save over €50 million a year. Will the Government pursue these consultants with the same——

An Ceann Comhairle: That is an entirely different issue.

Deputy Gerry Adams: ——aggression as it will those who cannot afford the €100 household charge?

An Ceann Comhairle: I ask Deputy Adams to respect the Chair. I call on the Tánaiste and he has one minute.

The Tánaiste: I am not quite sure which of the many questions Deputy Adams has asked or the different issues he has raised——

Deputy Caoimhghín Ó Caoláin: Will the Tánaiste try and answer one anyway?

Deputy Gerry Adams: One will do.

Deputy Billy Kelleher: He could start by answering the one about the printing machines.

Deputy Patrick O'Donovan: The Hewlett Packard ones?

The Tánaiste: The Government has introduced a cap on public service pay of €200,000. It is the first Government to have done so and naturally it wants to have it retained.

Deputy Gerry Adams: Is there a deadline?

The Tánaiste: As I have said previously, no one likes paying taxes, particularly new taxes. The household charge had to be introduced because the previous Government gave a commitment that it would introduce a property tax in 2012.

Deputy Gerry Adams: The big boys beat the Government to it. Bertie beat it to it.

The Tánaiste: No. The household charge has been introduced by the Government as an interim measure. It will be replaced by a property tax. The Government is working on its

[The Tánaiste.]

proposals for the property tax as to how it will be calculated, what sizes of property will be taken into account, arrangements on ability to pay and so on.

At some stage when Deputy Adams gets around to it, I would be very interested to hear Sinn Féin's proposals on a property tax.

Deputy Aengus Ó Snodaigh: We have proposed a wealth tax.

The Tánaiste: Does it agree with the introduction of a property tax? If so, at what level should it be set? It would be useful for Sinn Féin and for reasoned debate in the House for it to put on the table where it actually stands on the issue of property tax.

An Ceann Comhairle: Thank you.

The Tánaiste: While Deputy Adams is at it, he might also tell us where he actually stands on advising people whether they should pay the household charge.

Deputy Robert Dowds: Will Deputy Adams say that in the North as well as in the South?

An Ceann Comhairle: We are over time.

The Tánaiste: There is a considerable degree of ambiguity in Sinn Féin's position on this. One day it is running with the hounds and chasing with the hare — I mean running with the hare and chasing with the hounds.

Deputy Michael Healy-Rae: The Tánaiste mixed that one up.

Deputy Caoimhghín Ó Caoláin: That is the Tánaiste's game.

Deputy Gerry Adams: That is very clear. The Tánaiste is still running with the rabbits.

The Tánaiste: Sinn Féin is running with the hare and chasing with the hounds as to whether it will advise people to pay the charge or not. What does Deputy Adams say to people when they attend his constituency office to ask him whether they should pay the charge?

An Ceann Comhairle: Thank you.

Deputy Caoimhghín Ó Caoláin: The Tánaiste should sit back there with the mongrel foxes and he will be grand.

Deputy Patrick O'Donovan: Deputy Ó Caoláin will have to come back as Sinn Féin leader. He is so good.

An Ceann Comhairle: To give other Deputies a chance, I ask both sides of the House to respect the time limits set by the House on Leaders' Questions. I am only applying those limits. I call on Deputy Higgins. He has two minutes.

Deputy Joe Higgins: The conclusion of the planning tribunal found that corruption in Irish political life was both endemic and systemic. Does the Tánaiste understand that this has enormously increased the anger and sense of aggrievement of the majority of ordinary decent people? Is he aware that it has also enormously strengthened the boycott of the regressive household tax this week? Is he aware that those boycotting see the hold developers had over the previous Government, the very hold which allowed the racketeering that blew up the property bubble that brought the crash and that in turn led to the disastrous austerity policy

that this Government is implementing which is destroying living standards and services? Is he aware this new raft of taxation is being put on the shoulders of the innocent majority to bail out the failed property gamblers? Does he see the connection?

Did the Tánaiste see reports of a major rally of thousands of ordinary people from across the country in Dublin on Saturday last demanding the Government withdraw the household tax? Is he aware further thousands will also protest this Saturday at the Fine Gael Ard-Fheis in a peaceful and disciplined display of people power?

An Ceann Comhairle: Can I have the Deputy's question?

Deputy Joe Higgins: Does the Tánaiste understand that a fully fledged revolt of people power is under way? Does he understand that this day, four days from the deadline, 1,400,000 households out of 1,800,000 still have not registered, not for the reasons his backbenchers trotted out on the radio this morning but because a fully fledged revolt is underway?

An Ceann Comhairle: Thank you, Deputy.

Deputy Joe Higgins: When will we hear an end to the excuses and have an acceptance that this tax is not acceptable to the majority of people? They know it will go to €1,000 and beyond which they cannot afford. They are also demanding a change in the Government's disastrous policy of austerity. Will the Tánaiste withdraw the tax and listen to them for a change?

Deputy Robert Dowds: What is the Deputy's view on the tax?

Deputy Brendan Howlin: He must be the first socialist who is against a property tax. He used to say property was theft.

The Tánaiste: I agree with Deputy Higgins that what we read in the report of the Mahon tribunal, which described the corruption in the planning system as systemic, was absolutely disgusting. We will have the opportunity to have a debate on the report later today when we can set out what needs to be done.

The Government is committed to acting on the Mahon tribunal report. We have already referred it to the Director of Public Prosecutions, the Revenue Commissioners, the Standards in Public Office Commission and the Garda Síochána. The Garda Commissioner has, in turn, referred the report to the head of the Criminal Assets Bureau. Just as the Government committed itself to implementing the measures and recommendations contained in the Moriarty tribunal report, today the Cabinet discussed the Mahon report's recommendations. It was agreed the various Ministers with responsibility for bringing forward these recommendations will come back by the end of April with the actions that need to be taken. The Government will then bring forward the recommendations that need to be progressed.

Looking at the reports of the Mahon and Moriarty tribunals and all that happened over the period they were investigating, the biggest casualty in politics was truth. People were clearly on the take, lying about it, as well as not giving honest information to the Mahon tribunal. If there is a parallel to be drawn, then it is that public representatives need to be straight with the public. Deputy Higgins going around telling people that they will pay €1,000 in the household charge is not telling the people the truth. The household charge is €100 and is due by 31 March. Everyone in this House should tell the public the truth about it.

Deputy Joe Higgins: Does the Tánaiste know the Commission on Taxation recommends a charge of €560 per household for the ordinary person's house? Does he know the ESRI wants a water tax of €500?

Deputy Colm Keaveney: That is a half-truth.

Deputy Simon Harris: They are not in government.

Deputy Joe Higgins: Well, €500 and €560 comes to €1,060. That is what is down the line and what people see. When the Tánaiste is threatening people with court action, they ask why he invited to his global economic forum as a guest of honour a billionaire which the Moriarty tribunal said acted disgracefully in being facilitated by a Fine Gael Minister——

An Ceann Comhairle: Sorry, Deputy, but will you please stick to the question?

Deputy Joe Higgins: ——in getting privileged information to command a massively lucrative licence. In view of that, does the Tánaiste think he can, with any credibility, threaten the ordinary decent people who form the backbone of this country to drag them before the District Courts, the very people who paid their taxes for decades while the elites salted theirs away in Ansbacher and other offshore accounts? The Tánaiste must understand the anger that is out there, but he does not. Those who crashed our economy are swanning around the world on pensions of €150,000.

Deputy Anthony Lawlor: They can make homemade bread with the Deputy.

Deputy Joe Higgins: On behalf of the Labour Party at least, will the Tánaiste withdraw and condemn the disgraceful suggestion that local authority workers be abused by sending them out to hound pensioners, the unemployed and decent, compliant taxpayers——

An Ceann Comhairle: The Deputy has gone over time.

Deputy Joe Higgins: ——for this regressive household tax?

(Interruptions).

Deputy Joe Higgins: The Government should stop its bullying and listen to the people.

Deputy James Reilly: Will Deputy Higgins listen to himself?

Deputy Joe Higgins: Democracy needs the consent of the governed, but the Government does not have it. The Government should withdraw the suggestion.

Deputy Aodhán Ó Ríordáin: It was the Deputy's pals who made them redundant.

The Tánaiste: I am not bullying or threatening anyone. I am stating what is a fact, namely, the Government introduced a household charge of €100. This was not recommended by the ESRI or any other body cited by the Deputy. It was the Government's decision to impose a household charge of €100 and to introduce a deadline for payment. No value is gained by bullying, threatening or exaggerating, as the Deputy has been doing in terms of the size of the charge.

Deputy James Reilly: Hear, hear.

The Tánaiste: The guest of honour at the Global Irish Economic Forum was President Bill Clinton. Subsequently, he organised a successful investment event for this country to attempt to bring jobs——

Deputy Billy Kelleher: He would not have been here if not for Denis O'Brien.

The Tánaiste: —and investment to Ireland so that our economy might recover.

Deputy Joe Higgins: I did not realise that giving over information—

The Tánaiste: At the end of the day, what really matters is that we get our economy to recover.

Deputy Finian McGrath: What about honest politics?

The Tánaiste: We will do that by attracting investment and getting the jobs that are required. In the meantime, we have a difficult road to travel to bring about economic recovery. Part of this difficult road is the introduction of the household charge. No one likes additional charges and we would all prefer if we did not need to introduce or pay this one, but it is a reality and must be paid by 31 March.

Ceisteanna — Questions (Resumed)

Other Questions (Resumed)

Employment Levels

1. **Deputy Richard Boyd Barrett** asked the Taoiseach the number of workers in employment; the way same compares to figures under the previous Government; and if he will make a statement on the matter. [28872/11]

Minister of State at the Department of the Taoiseach (Deputy Paul Kehoe): The Quarterly National Household Survey, QNHS, is the official source of estimates of employment in the State. The most recent figures available are for the fourth quarter of 2011. The data requested by the Deputy in respect of employment is presented in a table. The number of persons in employment peaked at 2,149,800 in the third quarter of 2007. The first annual decline in employment was recorded in the second quarter of 2008. The pace of decline was greatest during 2009, with a fall of 184,700, or 8.8%, recorded in the year to the third quarter of 2009. Since then, the rate of reduction in employment has slowed. As of the fourth quarter of 2011, the level of employment has fallen to 1,807,800, a decrease of 342,000, or 15.9%, from peak levels.

The number employed in the fourth quarter of 2011 was 0.8% lower than the level recorded a year earlier. This is the lowest annual reduction recorded since the second quarter of 2008. As a further indicator of the relative stabilisation of the labour market, we can note that a quarterly increase of 10,000 was recorded in the seasonally adjusted employment series, the first such increase since the end of 2007.

Table 1: Persons aged 15 years and over in employment (ILO) classified by sex and quarter

	Employment			Annual change in employment		
	Males	Females	All persons	Males	Females	All persons
Quarter 2 2007	1,206.6	907.3	2,113.9	32.8	46.2	79.0
Quarter 3 2007	1,225.9	923.9	2,149.8	31.1	46.8	77.9
Quarter 4 2007	1,213.7	925.0	2,138.8	18.4	43.5	61.9
Quarter 1 2008	1,198.9	925.2	2,124.1	2.3	33.4	35.6
Quarter 2 2008	1,190.2	922.7	2,112.8	-16.4	15.4	-1.1

[Deputy Paul Kehoe.]

	Employment			Annual change in employment		
	Males	Females	All persons	Males	Females	All persons
Quarter 3 2008	1,182.4	924.7	2,107.1	-43.5	0.8	-42.7
Quarter 4 2008	1,143.4	911.2	2,054.6	-70.3	-13.8	-84.2
Quarter 1 2009	1,076.7	888.9	1,965.6	-122.2	-36.3	-158.5
Quarter 2 2009	1,052.0	886.5	1,938.5	-138.2	-36.2	-174.3
Quarter 3 2009	1,040.0	882.4	1,922.4	-142.4	-42.3	-184.7
Quarter 4 2009	1,016.2	871.6	1,887.7	-127.2	-39.6	-166.9
Quarter 1 2010	996.3	861.4	1,857.6	-80.4	-27.5	-108.0
Quarter 2 2010	996.1	863.0	1,859.1	-55.9	-23.5	-79.4
Quarter 3 2010	994.5	857.0	1,851.5	-45.5	-25.4	-70.9
Quarter 4 2010	973.0	850.2	1,823.2	-43.2	-21.4	-64.5
Quarter 1 2011	962.1	842.1	1,804.2	-34.2	-19.3	-53.4
Quarter 2 2011	970.0	851.3	1,821.3	-26.1	-11.7	-37.8

Source: Quarterly National Household Survey, Central Statistics Office.

Deputy Richard Boyd Barrett: Is it not a fact that we are facing an unemployment catastrophe and that, since the Government entered into office, there has not been the slightest improvement in this disastrous situation, given that more than 14% of people are unemployed? Is it not the truth that the only reason we are not facing a far worse unemployment situation is because tens of thousands of people have been forced to leave this country by the Government's failure to live up to its campaign slogan, that is, "Get the country working"? Its inability is due to its disastrous decision to adhere to the policies of bailing out banks at the expense of our country's economic future and citizens. Is this not the reality? The Government has not made a single dent in the unemployment situation. Hundreds of more jobs will go today and shops and businesses are closing the length and breadth of the country.

An Ceann Comhairle: This is a statistical question only.

Deputy Richard Boyd Barrett: There is no prospect of the Government making a dent in the unemployment situation while it continues on its current policy path.

An Ceann Comhairle: I remind the House that this is a statistical question only. Any policy issue can be dealt with separately.

Deputy Paul Kehoe: I am not surprised to hear Deputy Boyd Barrett's rhetoric. One would expect nothing less. I assure the Deputy that the Government's priority is to create jobs. The first step is to stabilise the economy to sustain the jobs that we already have. We have halted the shedding of jobs experienced in 2008 to 2010. There have been a number of positive moves and the Government has developed a number of initiatives in the past 12 months to create new employment and reskill people for different employment. My constituency is an example of an area that was dependent on the construction industry, which has collapsed. We must reskill people to work in other areas.

I presume that Deputy Boyd Barrett is like the rest of the Independents, who switch off the news whenever there are positive stories. Recent months have seen a number of positive developments in the jobs market with the creation of several thousand jobs. Eli Lilly in Kinsale, County Cork will invest €300 million and create more than 500 jobs, 200 of them directly and 300 in the construction of its plant. PayPal announced 1,000 jobs recently. In Dublin, Mas-

tercard will create 130 jobs in its global technology office. Abbott in Sligo will create 175 jobs. In Galway and Kildare, Hewlett Packard will create 280 jobs. These six examples involve the creation of 2,150 jobs, but I presume that the Deputy switched off the news when he heard their announcements. He would rather be negative, negative, negative. I have no problem with that, as it is his role as a politician, but the incentives put in place by the Government in recent months will see a positive outcome.

I was in Germany during St. Patrick's week and visited agencies there, including Bord Bia, the IDA, Enterprise Ireland and Tourism Ireland. They had positive news. I also attended the MEDICA Trade Fair, where 15 Irish companies in the medical field and primarily based in Galway had some positive news.

We have halted the shedding of jobs and are entering into a more positive period. As the Deputy knows, the end result of the upturn in the economy will be the creation of jobs. If we are to attract foreign direct investment we must have a positive economy, which is our aim.

Deputy Richard Boyd Barrett: Of course I welcome new jobs.

It is disingenuous to say otherwise. I welcome every job that is announced but the figures speak for themselves. There is no movement in the proportion of the population who are unemployed. Is it not a fact that our unemployment would be bordering on catastrophic were it not for the tens of thousands of people who leave the country every year? We would be facing a higher number in absolute and percentage terms were it not for forced emigration. The limited number of good news stories about foreign companies setting up here is outweighed by the collapse of the domestic economy. We heard further news today of companies going out of business and hundreds of people losing their jobs.

4 o'clock

An Ceann Comhairle: Has the Deputy a question?

Deputy Richard Boyd Barrett: That relates to fact that the Government's strategy is solely based on luring foreign investment.

An Ceann Comhairle: It is Question Time.

Deputy Richard Boyd Barrett: The slashing of public expenditure and the failure of the State to stimulate the economy means that we cannot move——

An Ceann Comhairle: I remind the Deputy we are on Question Time.

Deputy Richard Boyd Barrett: ——the unemployment figures in any serious way. That is the problem. Unless we have State investment, we cannot impact on the unemployment crisis. That is what the Government needs to do.

Deputy Paul Kehoe: I do not accept that the domestic economy is collapsing. I recognise that a considerable number of people are emigrating. I do not want to see people emigrating. I want to see job opportunities being created for our well-educated workforce so that people can remain in Ireland when they leave college. Nobody wants to see a brother, sister, niece or nephew — as I have — leave Ireland for Australia, the UK or America. We would be in a worse state if people did not have the opportunity to seek job opportunities abroad but I believe these people will come back if we give them the opportunity to do so. That is what this Government is doing.

Deputy Micheál Martin: The Minister of State set out figures for the fourth quarter of 2011 in reply to the question on the number of workers in employment. Is that the latest period for which figures are available?

Deputy Paul Kehoe: Yes.

Deputy Micheál Martin: I understand the figure for the first quarter of 2012 was 1.8 million.

Deputy Paul Kehoe: The second quarter of 2011.

Deputy Micheál Martin: Are they are the last figures?

Deputy Paul Kehoe: Yes.

Deputy Micheál Martin: We have nothing since then. Does the figure relate to the budget's projection of an increase in unemployment over 2012? That projection gives the lie to the claims about macro-employment action plans.

I am alarmed by the Minister of State's claim that the domestic economy is not collapsing. The retail, construction and domestic services sector are in a depressed state. People who are trying their best to survive have become pessimistic about the future. They believe the 2% increase in VAT had a detrimental impact on consumer sentiment and job creation in the domestic economy. People in the retail sector feel sore that the Government reneged on the clear commitment it gave before the election on upward only rent reviews. They also want commercial rates to be reduced to give them breathing space. They cannot point to concrete actions on the part of the Government to alleviate the pressure on them.

An Ceann Comhairle: Can we have a question?

Deputy Micheál Martin: Has the Government distinguished between employment in the domestic economy as opposed to foreign direct investment companies? We gain on some foreign direct investment but we also lose when companies pull out or take longer than expected to mature. I welcome the Eli Lilly investment inasmuch as construction on the project will begin shortly but the permanent posts are three years away. The closure of Game yesterday followed the collapse of a number of other companies.

I understand that the number of redundancies shot up in December. Was that related to the budget decision to reduce the employer rebate? The Minister for Finance was warned about the potential impact. Apparently the redundancy rate increased significantly in December as companies sought to meet the end of year deadline for the rebate.

Deputy Paul Kehoe: I will revert to the Deputy on whether the figures were set out in the budget. The Government has taken several positive initiatives since coming to power, including Pathways to Work, JobsBridge and the action plan for jobs. Everyone recognises that the retail sector is struggling but the issue of rates did not fall from the sky in the last 12 months. The issue existed when the Deputy was on this side of the House but his Government failed to address it. Where will local authorities find the necessary funding if we get rid of rates?

Deputy Niall Collins: The local government efficiency review identified €500 million.

Deputy Paul Kehoe: What action did Fianna Fáil take to deal with rates when it was in Government?

Deputy Micheál Martin: Fine Gael controlled the local authorities.

Deputy Paul Kehoe: Fianna Fáil controlled the local authorities when the country was flush with money.

Deputy Michael Healy-Rae: Fine Gael is in power now.

Deputy Paul Kehoe: If we get rid of rates, how do the Deputies opposite propose to replace the funding?

An Ceann Comhairle: Can we return to the statistical question?

Deputy Niall Collins: He is straying off course.

Deputy Paul Kehoe: The Government's priority for its first months was to sustain existing jobs as well as put in place initiatives to create further employment. A number of these initiatives are already having an impact but the most important task is stabilising the economy and enticing overseas investment into Ireland.

Deputy Aengus Ó Snodaigh: Can the Minister of State confirm that the most recent quarterly figures showed an increase in unemployment and emigration? While I acknowledge the positive announcements made by various companies which are willing, despite everything, to invest in Ireland, I ask whether job creation is outweighed by the scale of job losses. Negative stories of job losses include Game, Vita Cortex, Aviva, Bank of America, MBNA, AIB, Ulster Bank, TalkTalk and, possibly, Eircom. Does the Minister of State agree that if one adds the 70,000 to 80,000 Irish citizens who supposedly took the lifestyle choice of emigration to the live register figures, the scale of the problem becomes much bigger? The level of unemployment has increased substantially since the Government took office.

Can the Minister of State acknowledge or confirm that Ireland is once again officially in recession?

An Ceann Comhairle: That is nothing to do with the question before us.

Deputy Aengus Ó Snodaigh: These are statistics based on unemployment, employment and growth.

An Ceann Comhairle: This is a statistical question about the numbers in employment and how they compare with the previous Government. It is not about policy.

Deputy Aengus Ó Snodaigh: This is not to do with policy. I am asking the Minister of State to confirm that we are in recession, which is a statistical figure based on GDP having retracted for two consecutive quarters. These are in the same document and are tied to unemployment as is the fact that inflation in that period has also increased and is now standing at more than 2%

An Ceann Comhairle: The Deputy who asked the question asked the Taoiseach "the number of workers in employment; the way same compares to figures under the previous Government; and if he will make a statement on the matter". This is purely statistical and for the past 20 minutes we have been straying off the question. Perhaps the Minister of State might reply to Deputy Ó Snodaigh, but it is purely statistical.

Deputy Paul Kehoe: Any unemployment figure is way too high. If it was under the previous Government, or five years or ten years ago, it would still be too high. I would like to see full employment in Ireland — unfortunately we do not have that. Hopefully in the future we can decrease the number of people who are unemployed. I do not accept there are more people

[Deputy Paul Kehoe.]

unemployed now compared with 12 months ago. I do not believe it has shifted that much. I do not think it has gone into tens of thousands. There might be a shift on the plus or minus side.

Deputy Aengus Ó Snodaigh: I can assure the Minister of State that it is on the plus side.

Deputy Paul Kehoe: I can assure the Deputy it is not the rate he mentioned. The Government has introduced a number of plans, including the action plan for jobs and the JobBridge scheme. These are all positive initiatives to reduce the rate of unemployment. Since Saturday the Taoiseach has been in China, where 1.3 billion people live, in order to encourage foreign direct investment. This is all part of encouraging people to do business in Ireland and to get them here. I believe we took our eye off the ball in recent years and we need to get back into that marketplace again to encourage people to come to Ireland. Ministers who visited different countries for St. Patrick's Day have brought some very positive news from those countries.

There is no doubt that we have a problem but, as a Government, we are doing our best to solve the problem and get people back to work. Everyone in this House knows somebody who has lost a job. They can often have no confidence in themselves. However, when they get back into employment their confidence goes straight up again and it gives them a new sense of life and hope.

Deputy Mattie McGrath: The figures the Minister of State gave in his response seem to be nine months out of date. Do we have no figures for the third and last quarters of last year, and the first quarter of this year? Figures for the first quarter of 2011 are wildly out of date and surely we can do better than that.

Deputy Paul Kehoe: The CSO have figures but not for employed people right up to the end of last year. When Deputy Mattie McGrath was part of the previous Government——

Deputy Mattie McGrath: This does not relate to the previous Government. The Minister of State should answer the question.

Deputy Paul Kehoe: —— the very same set of figures would have been shown.

Deputy Mattie McGrath: How are we supposed to operate with those figures?

Parliamentary Reform

2. **Deputy Micheál Martin** asked the Taoiseach if the review of changes to procedures in Dáil Éireann promised in July 2011 has taken place; and if he will make a statement on the matter. [6196/12]

Deputy Paul Kehoe: The programme for Government sets out an ambitious agenda of Dáil reform, which will continue to be implemented over the lifetime of the Government. In July 2011, after just four months in office, the Government introduced a package of reforms which included: Topical Issue debates; special sittings on the first Friday of a month; time limits for the Order of Business; streamlining the system of Taoiseach's Questions; a procedure to allow Deputies to raise issues regarding replies to parliamentary questions with the Ceann Comhairle; Standing Order 32 requests no longer being read out unless they are granted by the Ceann Comhairle; an additional Leaders' Questions session taken by the Tánaiste on Thursdays; and the Taoiseach being obliged to brief the Oireachtas prior to attending European Council meetings. This was just the first phase of Dáil reform and it is the Government's intention to follow it with additional reforms in the future.

My office is monitoring the day-to-day working of Dáil Éireann, Seanad Éireann and the Oireachtas committees, including the impact of the reforms we have already introduced. This ongoing review, along with our programme for Government commitments, will be the basis for further reform in this area.

Deputy Micheál Martin: I take issue with two elements of the Minister of State's reply. To describe the programme of reform as ambitious is a complete exaggeration. It is anything but ambitious and I am sure the Minister of State will agree. It is very superficial and shallow parliamentary reform that bears no relationship to the commitments given to the people of comprehensive parliamentary and political reform prior to the general election. The Minister of State promised that there would be a review — not monitoring, ongoing review or any such clever language — to be followed by an evaluation of the changes that have taken place so far. He promised that there would be consultations with other parties in the House giving us a chance to make commentary on them. The matter of topical issues was one floated by the previous Government. I put it to the Minister of State that the Friday sittings are a sham.

Deputy Michael Healy-Rae: Farcical Friday.

Deputy Micheál Martin: The Government has not accepted too many Bills from the Opposition. Attendance has been very poor from the Government side. Indeed the quorum has to be provided by the Opposition, which is unprecedented. It was always the case that the Government side needed to provide a quorum. The only reason the Government introduced that was to allow its Members to be down in their constituencies on that Friday. Whenever the Friday sittings take place Government Deputies are down the country while the Opposition Deputies proposing the legislation are up here. That is too cynical by half and in many ways it contributes to the notion that the Friday sitting, unfortunately from the Government perspective, has—

An Ceann Comhairle: Can we have a question please?

Deputy Micheál Martin: —been about manipulation of the message emanating from here that somehow we are sitting for longer days and that we are sitting longer than previous Dáileanna. That is all it is about. In fairness, the Opposition has stood up to the plate and the various Opposition parties have introduced legislation. Our party is very anxious to revisit this matter to ensure that if there is a Friday sitting once a month, it should be the same as any other sitting on Tuesdays, Wednesdays and Thursdays.

When will the second phase of reform commence? When will the Minister of State bring proposals to other political parties on that? The replies to topical issues are supposed to be given by the Minister or Minister of State from the Department responsible for the issue raised. The Government is already failing in that commitment. Recently the Minister of State at the Department of Health, Deputy Kathleen Lynch, responded to a topical issue on fraud prevention even though she has no connection with that topic. In the same week the Minister of State with responsibility for European affairs, Deputy Creighton, responded to a topical issue on NAMA. Does the Minister of State accept that is not in accordance with what he outlined?

The Taoiseach now spends less time dealing with Taoiseach's Questions than his predecessors — he now answers such questions once a week as opposed to twice a week. In many areas under his portfolio we are prevented from asking questions because they relate to the particular Cabinet committee on economic affairs and the invocation of Cabinet confidentiality precludes us from asking questions on economic stewardship by the Taoiseach regarding the Cabinet.

Deputy Paul Kehoe: I will first answer the Deputy's last question about the Taoiseach spending less time in the Chamber. There is more substance out of this Taoiseach in the time he is here than from any of his Fianna Fáil predecessors who had that role.

A Deputy: That is some achievement.

Deputy Paul Kehoe: What reforms did the Government introduce when Deputy Martin was at the Cabinet table?

Deputy Micheál Martin: We introduced Leaders' Questions.

Deputy Paul Kehoe: We started taking Leaders' Questions on a Thursday. Deputy Martin sat at the Cabinet table for almost 15 years and Dáil reform never worried him.

Deputy Micheál Martin: Not true.

Deputy Paul Kehoe: The Deputy never referred to the number of sitting days.

Deputy Niall Collins: Can the Minister of State account for his own actions?

Deputy Mattie McGrath: He cannot.

Deputy Paul Kehoe: We have increased the number of sitting days by 44%, which is positive. In addition, we have shortened the summer holidays. I was elected to the House first in 2002 and I got July, August and September off.

Deputy Aengus Ó Snodaigh: Deputy Kehoe deserved it.

Deputy Niall Collins: He will be off next summer like the rest of us.

Deputy Paul Kehoe: Now we finish on the last week in July and we come back in during the second week in September.

Deputy Aengus Ó Snodaigh: Deputy Kehoe should take the next four years off.

Deputy Niall Collins: That is not true.

Deputy Paul Kehoe: That is true.

(Interruptions).

An Ceann Comhairle: Please reply through the Chair.

Deputy Paul Kehoe: It is open to everyone to put in a Private Members' Bill for the Friday sittings. I am unsure whether the Deputy is aware of this. It is taken by lottery at that stage. Deputy Collins maintains no one from the Government side has had a Private Members' Bill.

Deputy Niall Collins: I did not say that.

Deputy Paul Kehoe: The Deputy said it.

Deputy Niall Collins: No, I did not.

Deputy Paul Kehoe: It is taken as a lottery.

(Interruptions).

An Ceann Comhairle: Through the Chair, please.

Deputy Paul Kehoe: It is taken as a lottery.

(Interruptions).

An Ceann Comhairle: This is not a shouting match.

Deputy Micheál Martin: There is no one from the Government side.

Deputy Paul Kehoe: I assure the Deputy that I am here every Friday morning and I have never seen Deputy Martin turn up.

Deputy Niall Collins: Deputy Kehoe is wrong there.

Deputy Micheál Martin: On a point of order, I introduced legislation to the House.

An Ceann Comhairle: Would you please speak through the Chair?

Deputy Paul Kehoe: Perhaps Deputy Martin was here on one occasion.

An Ceann Comhairle: This is a disgrace.

Deputy Micheál Martin: On a point of order, will Deputy Kehoe correct the record? He has just misled the House.

(Interruptions).

Deputy Micheál Martin: On a point of order, Deputy Kehoe has just misled the House. Please correct the record. He has misled the House.

Deputy Paul Kehoe: Deputy Martin might have been here on one occasion.

Deputy Micheál Martin: No. The Deputy should be gracious and correct the record. He made an error.

Deputy Paul Kehoe: Deputy Martin might have been here on one occasion.

Deputy Micheál Martin: No. I have been here on both occasions.

An Ceann Comhairle: Minister, could I ask you to reply to the question through the Chair please?

Deputy Micheál Martin: I have been here on more than one occasion.

Deputy Paul Kehoe: He made a fair few errors himself when he was in government and he never corrected the record.

An Ceann Comhairle: Please ignore the side remarks and reply to the question.

Deputy Paul Kehoe: I assure Deputies that the Government has been most proactive when it comes to Dáil reform. I have referred to Topical Issues and sittings on a Friday. The Order of Business has been time limited. The Taoiseach is getting through more questions than any of his predecessors.

Deputy Micheál Martin: No, we are not.

Deputy Paul Kehoe: Deputies can go to the Ceann Comhairle if they are unhappy with any reply from a line Minister. We got rid of the Standing Order 32 arrangements because they were a waste of time. There is additional time for Leaders' Questions on a Thursday morning. Statements on European Council meetings are now held prior to the Taoiseach going to the meetings. I intend to introduce more reforms in the coming months.

Deputy Niall Collins: Such as?

Deputy Paul Kehoe: They will be outlined. As Deputy Collins is aware, his party Whip is involved in and attends the Dáil reform meetings we hold. I have informed him that we will bring in more reforms between now and the summer. There will be more reforms and I trust Deputies will look forward to these. We have introduced more reforms than any previous Government and I assure Deputies there is more to come.

Deputy Aengus Ó Snodaigh: While I welcome many of the changes brought about, will the Chief Whip ensure that they are reviewed and that the Whips' meetings will be used to re-examine them? I acknowledge that the Chief Whip is open to reconsideration. How does the Chief Whip intend to encourage new Deputies? It is more than one year since the last election and since many of the first-time Deputies attended the Chamber for the first time. Many of them were unaware of the procedures and how the Parliament worked. Some of them might have interesting proposals one year on. How can we encourage new Deputies on all sides of the House to submit their proposals rather than simply being party political? I work with my party and we have our view but there are many first-time Deputies and they might have ideas which those of us who have been here for several sessions had not thought of. Is the Chief Whip contemplating Dáil reform proposals or any other proposals to be put to the Dáil reform committee and then passed by the end of the summer session?

Deputy Paul Kehoe: Deputy Ó Snodaigh will recall that before we introduced any reforms, we held a debate and statements in the House on Dáil reform. Perhaps the holding of statements on Dáil reform is something we can discuss at the Whips meeting since people have settled in for one year. They are familiar with the procedures of the House and how they work. They may have other ideas as well. It is okay to raise these matters at a party political meeting but it is far better to come here and to give people the opportunity to speak and outline some of the changes or reforms they wish to bring forward. This is something we can consider at a Whips' meeting in future.

Deputy Ó Snodaigh acknowledged the work and the reforms carried out here in the past 12 months. There is no doubt that this is not a perfect Chamber. However, I put it to Deputies to show me a perfect chamber in any country. Deputies might wish to bring forward changes. This is about trying to make it as perfect as possible. We cannot make it 100% perfect, or a place where everyone is happy. However, we hope to reach a point where the majority of people are happy. I assure Deputies that I am open to any proposals to change the way we work and to change the procedures in the House. If anyone has proposals I can take them on board and we can discuss them and then bring them forward. I acknowledge the work and ideas brought forward by the Ceann Comhairle on Dáil reform.

Deputy Niall Collins: It is not correct to state that there has been Dáil reform when the Taoiseach is less available to answer questions in the House, no matter what way the Government wishes to dress it up or spin it.

An Ceann Comhairle: This is Question Time. Put a question.

Deputy Niall Collins: The people know the facts. The fact is he is less available to answer questions in the Chamber as a result of what Deputy Kehoe describes as Dáil reform.

Will the Chief Whip's proposals include changes to Friday sittings? The Chief Whip is ticking the box and describing Friday as a sitting day but it is only a three hour sitting with a Second Stage debate on Opposition or Government backbench Bills. Will the proposals on Friday sittings include the full menu of a full Dáil sitting day? Will it include Leaders' Questions, votes, the Order of Business, Topical Issues, questions to a Minister and committee sittings? Will there be the full array of activities that occur during a full parliamentary day? The Chief Whip knows in his heart that Fridays are a complete sham. People do not buy into the notion of the Dáil sitting for three hours on a Friday when nothing can be voted on. They see it for what it is. The Chief Whip might as well be honest about it. Other Government Members have put up their hands and accepted that they got things wrong. There is nothing wrong with saying one got something wrong.

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

Deputy Niall Collins: The Chief Whip has tried this formula for Friday sittings. Will he not acknowledge that it is a sham and opt for a full sitting with a full complement of activities, including those of the Seanad?

Deputy Paul Kehoe: Deputy Collins should note that I am here on Mondays, Tuesdays, Wednesdays and Thursdays. I do not see Deputy Collins here during the week at all times.

Deputy Niall Collins: What does that have to do with it?

Deputy Paul Kehoe: The Friday sittings are an opportunity for backbench Deputies to bring Private Members' business to the Dáil. This was something I was asked for and something we implemented. It was asked for by the Deputy's party Whip.

Deputy Niall Collins: We asked for a sitting day.

Deputy Paul Kehoe: Deputy Collins referred to the Taoiseach not being available.

(Interruptions).

Deputy Paul Kehoe: I allowed Deputy Collins to talk. Perhaps he would give me the opportunity to reply. Deputy Collins referred to the Taoiseach being less available. He is here on Tuesdays and Wednesdays, as was the previous Taoiseach.

Deputy Niall Collins: There is no Questions to the Taoiseach on a Thursday.

Deputy Paul Kehoe: There is more accountability now than ever before because there is Leaders' Questions on a Thursday. I do not recall Leaders' Questions on a Thursday previously. At times, the Order of Business continued for two hours.

Deputy Micheál Martin: That was because of the behaviour of some of Deputy Kehoe's colleagues.

An Ceann Comhairle: Through the Chair, please.

Deputy Paul Kehoe: It was because the person sitting where I am now would not answer the questions being asked by the then Opposition. At least we attend now and there is some coherence. People know exactly what takes place on a Thursday morning. They can question

[Deputy Paul Kehoe.]

the Tánaiste. If the Tánaiste is not here, the next most senior Minister will be here. This takes place every Thursday morning. It does not add up to suggest the Government is less accountable than the last; we are not. We use the Chamber for its proper purpose. We do not abuse it. This is what introducing reform is all about. It is about making the Chamber work for everyone.

Deputy Niall Collins: What about Fridays?

Deputy Mattie McGrath: I have experience of putting forward a Private Members' Bill and I thank the Bills Office for it.

An Ceann Comhairle: I appreciate that but please stick to putting a question.

Deputy Mattie McGrath: It is fine that they attend but it is not reform because while the Minister attends he rejects every proposal. Perhaps he gives us a lesson for not engaging with him. I know the Chief Whip was abroad on Government duty on St. Patrick's day and I commend him on that, but is he aware that when he was away the Deputy Government Whip did not bother to turn up? We had a Private Members' debate and there was nobody on the Government side——

An Ceann Comhairle: The Deputy should resume his seat. That has nothing to do with the question.

Deputy Mattie McGrath: Of course it has. The question is about Dáil reform. We had come into this Chamber——

An Ceann Comhairle: The Deputy should resume his seat please.

Deputy Mattie McGrath: The Ceann Comhairle does not know what I am talking about. He was not here that evening. Somebody else was in the Chair.

An Ceann Comhairle: Excuse me, please resume your seat.

Deputy Mattie McGrath: No, this has to do with Dáil reform. There was nobody at all on the Government side.

An Ceann Comhairle: Did the Deputy hear me?

Deputy Mattie McGrath: This was a Private Members' debate and there was nobody at all on the Government side of the House. I know the Chief Whip was away, but the Deputy Government Whip should have been around somewhere.

An Ceann Comhairle: I called on the Deputy for a supplementary question in respect of the question tabled by Deputy Micheál Martin and the Deputy is asking about something that is totally irrelevant.

Deputy Mattie McGrath: No, it is not. It is about Dáil reform. Surely to God it is incumbent on the Government to have a quorum in the House and to have a Minister available to answer on an important issue.

An Ceann Comhairle: If the Deputy has a problem, he should bring it up with the Whips or he should complain to my office and I will deal with it.

Deputy Niall Collins: I wrote to the Ceann Comhairle's office already and I got no reply.

Deputy Mattie McGrath: I have complained to the Ceann Comhairle's office on a different issue.

An Ceann Comhairle: The Deputy did not complain to my office on that issue.

Deputy Mattie McGrath: No, on a different issue, and I have not withdrawn that complaint. It was to do with the Minister of State, Deputy McGinley.

An Ceann Comhairle: Excuse me, I dealt with the Deputy's correspondence. The Deputy should please resume his seat.

Deputy Mattie McGrath: It has not been sorted out. I got no apology. It is tokenism, at the best.

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

Deputy Mattie McGrath: The Chair invited this, because I have complained to his office.

An Ceann Comhairle: Does Deputy Martin have a supplementary question?

Deputy Micheál Martin: I have a supplementary question based on the original reply. In his reply relating to the Friday sittings, the Chief Whip has indicated there is ongoing review and that the situation is being monitored. Will he agree that the quorum for a Friday sitting should be made up from both the Government and Opposition sides?

On Taoiseach's questions and the Order of Business, the reform that was introduced removed the Taoiseach's obligation to answer Taoiseach's questions on a Wednesday. Prior to this, in the previous Dáil, the Taoiseach would always answer questions on issues relating to his Department on Tuesdays and Wednesdays. However, that provision has been deftly slipped out, with the result that the Taoiseach only has to come in once a week. Will the Whip agree to reconsider that and to reinstate Taoiseach's questions on a Wednesday in order to ensure better accountability?

Time limits have been set on the Order of Business. These limits mean, although Members did not expect this, that when a vote takes place, it can summarily eliminate the Order of Business on that day, the Wednesday or Thursday. These changes were not intended initially in the reform and it would be correct if reforms in this regard could take place immediately. Will the Chief Whip comment on this?

Deputy Paul Kehoe: On the Friday sittings, the quorum is not made up by any one party. When Members come in on Friday mornings, as I have done on occasion, there could be five people on the Opposition side and five on the Government side. The quorum is ten.

Deputy Mattie McGrath: There could be nobody on the Government side, as happened before.

An Ceann Comhairle: The Deputy should refrain from shouting across the floor and should allow the Chief Whip to reply.

Deputy Paul Kehoe: There could be five Members from the Opposition and there could be five Members from the Government side and the Dáil business will start. It is not up to any particular party to ensure a quorum. It is up to whoever proposes the motion to ensure there are ten Members present. However, I assure the Deputy, that I have seen, on occasion——

Deputy Micheál Martin: That is not my point.

Deputy Paul Kehoe: What is the Deputy's point?

An Ceann Comhairle: Through the Chair please. I ask the Deputy to allow the Chief Whip to answer the questions. I will allow the Deputy to put a further supplementary question then.

Deputy Paul Kehoe: It is up to the person bringing forward the motion to ensure there is a quorum of ten Members. On occasion, I have seen a Member of the Opposition bring forward a motion when there were five Members of the Opposition in the Chamber and over five Members on the Government side and the business has continued. Therefore, it is wrong to say that business does not continue just because the person responsible to ensure the quorum is present does not have a quorum on his or her side.

On the issue of Taoiseach's questions, in the previous Dáil, these questions were allocated 45 minutes on one day and 30 minutes on the following day. Currently, the Taoiseach answers questions for one hour, 15 minutes less per week than previously. However, he makes up that time by coming in for statements on the European Council. This never happened previously and is a positive step forward. As I said to Deputy Collins, we now have Leaders' Questions on a Thursday also.

Deputy Micheál Martin: The Chief Whip is saying that basically it is up to the person bringing forward legislation or a motion, or his or her party, to provide a quorum. My question is based on this. I suggest that is not correct and that it should be up to both sides of the House to provide a quorum. What could happen otherwise is that a party could come in some Friday morning and if there was nobody on the Government side and some smart Alec wanted to call a quorum, it would be up to the Opposition side to produce the ten people. The reason for allowing this is that the Government side wants to abscond and to allow Deputies be in their constituencies. We all know that.

An Ceann Comhairle: Can we have the Deputy's question?

Deputy Micheál Martin: The rationale behind placing the obligation, via the Standing Order, on the Opposition to provide the quorum was so that Government Deputies would not have to attend during the Friday sitting. Is that not the case? I am asking the Chief Whip to change that.

Deputy Paul Kehoe: That is not the case. I assure Deputy Martin that every morning of Friday sittings, there are well over 20 Deputies on the Government side. I assure him of that.

Deputy Mattie McGrath: They were not here for a Wednesday evening.

Deputy Paul Kehoe: Deputy McGrath was not here to vote on his own Bill.

An Ceann Comhairle: Please ignore the side comments.

Deputy Paul Kehoe: If the Deputy wants——

Deputy Niall Collins: That is out of order.

An Ceann Comhairle: I ask the Chief Whip to answer the question and to ignore the comments.

Deputy Mattie McGrath: He is out of order.

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

Deputy Mattie McGrath: I had apologised for not being able to be here. I had a confirmation to attend.

Deputy Niall Collins: It was his child's confirmation. He could not be here.

Written Answers follow Adjournment.

Topical Issue Matters

An Ceann Comhairle: I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 27A and the name of the Member in each case: (1) Deputy Joe O'Reilly — the need to give approval for new school buildings in respect of St. Mary's primary school, Virginia, and St. Kilian's national school, Mullagh, County Cavan; (2) Deputy Nicky McFadden — the status of the building project in respect of Coosan national school, County Westmeath; (3) Deputy Ann Phelan — the position in relation to heel-prick data cards; (4) Deputy Dessie Ellis — the effect of cuts in capital funding to the Traveller community, particularly for families in Avila Park, Finglas, Dublin; (5) Deputy Joan Collins — the potential closure of the Seven Oaks preschool facility in lower Ballyfermot, Dublin; (6) Deputy Timmy Dooley — the need for a replacement paediatric neurologist at the Mid-Western Regional Hospital; (7) Deputy Aengus Ó Snodaigh — the potential closure of the Seven Oaks preschool facility in lower Ballyfermot, Dublin; (8) Deputy Dan Neville — the licensing of firearms; (9) Deputy Terence Flanagan — the need for the banks to freeze all mortgages on properties in Priory Hall, Dublin; (10) Deputy Catherine Byrne — the potential closure of the Seven Oaks preschool facility in lower Ballyfermot, Dublin; (11) Deputy Eoghan Murphy — the attempts being made to locate an Irish citizen missing in Rishikesh, India, since February; (12) Deputy Kevin Humphreys — the proposed incinerator at Poolbeg, Dublin, and the regulation of the waste market; (13) Deputy Michael P. Kitt — the provision of adequate funding in respect of various Garda and security issues in North East Galway; (14) Deputy Pearse Doherty — the impact of changes in boundaries for school transport for post-primary students particularly in the Finn Valley area of County Donegal; (15) Deputy Thomas P. Broughan — the proposed changes to the community welfare services in the Darndale Belcamp Village Centre, Dublin 17; (16) Deputy Aodhán Ó Ríordáin — the need to find an appropriate site for the Dublin City central library; (17) Deputy Eamonn Maloney — the need for power of inquiry to be granted to the Oireachtas; (18) Deputy Derek Keating — the report of the Ombudsman for Children calling for a dedicated child protection service; (19) Deputy Tom Hayes — the reason that St. Oliver Plunkett's national school, Clonmel, County Tipperary, a DEIS band 1 school, will lose two legacy posts; (20) Deputy Gerald Nash — the decision by Vodafone to relocate more than 300 contract and directly employed jobs from Vodafone's Dundalk and Dublin facilities to Northern Ireland; (21) Deputy Thomas Pringle — the shortage of one and two-bedroom apartments for rent in rural areas; (22) Deputy Caoimhghín Ó Caoláin — the loss of 121 jobs in the 14 Game stores and the need to ensure that the workforce are fairly treated and that all customers with accrued credit are fully reimbursed; (23) Deputy Jonathan O'Brien — the loss of 84 jobs at Waters Glass in Cork; (24) Deputy Mattie McGrath — the use of Kickham Barracks, Clonmel, County Tipperary, as a new Garda station; (25) Deputy Niall Collins — the status of inquires into planning irregularities in six local authorities; (26) Deputy Seamus Kirk — the need to ensure the retention of jobs in Vodafone in Dundalk and Drogheda, County Louth; (27) Deputy James Bannon — the need to review the cut in funding to St. Christopher's services, Longford; and (28) Deputy Billy Kelleher — the implementation of the household charge.

[An Ceann Comhairle.]

The matters raised by Deputies Dessie Ellis, Dan Neville, Michael P. Kitt and Tom Hayes have been selected for discussion.

Order of Business

The Tánaiste: It is proposed to take No. 14, statements on the Final Report of the Tribunal of Inquiry into Certain Planning Matters and Payments. It is proposed, notwithstanding anything in Standing Orders, that the following arrangements shall apply in relation to No. 14: the statements of the Tánaiste and of the leaders of Fianna Fáil, Sinn Féin and the Technical Group, who shall be called upon in that order, shall not exceed 20 minutes in each case, the statements of a Minister or Minister of State and of the main spokespersons for Fianna Fáil, Sinn Féin and the Technical Group, who shall be called upon in that order, shall not exceed 20 minutes in each case, the statement of each other Member called upon shall not exceed 10 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 five minutes. Private Members' business shall be No. 27, Central Bank and Financial Services Authority of Ireland (Amendment) Bill 2011 — Second Stage, and the proceedings thereon shall, if not previously concluded, be brought to a conclusion at 9 p.m. on Wednesday, 28 March 2012.

An Ceann Comhairle: There are two proposals to be put to the House. Is the proposal for dealing with No. 14, statements on the Final Report of the Tribunal of Inquiry into Certain Planning Matters and Payments, agreed to?

Deputy Micheál Martin: Agreed, but would it be possible to allow an additional five minutes to leaders?

The Tánaiste: I have no objection to that.

An Ceann Comhairle: Is that agreed? Agreed. Is the proposal for dealing with Private Members business agreed to? Agreed.

Deputy Micheál Martin: With regard to the announcement of the date of the referendum on the fiscal treaty, will the Tánaiste outline to the House the legislative timetable for the referendum? I ask the Tánaiste to also outline the timetable for related Bills such as the amendments to the treaty on the functioning of the European Union which is important for the facilitation of the establishment of the ESM, the European stability mechanism, and the sequence of the related legislation. Is it the Government's intention to deal with these matters before the referendum is held? I ask the Tánaiste to say whether he intends to publish a White Paper on the treaty and the referendum proposal.

The Tánaiste: I will describe the legislative intentions. The referendum Bill is being finalised and I expect this to be published before the end of this week. It is then intended that the subcommittee of the Joint Committee on European Affairs will deal with issues relating to the treaty over a two week period or thereabouts. When the Dáil resumes it is intended to bring the referendum Bill into the House to be debated and then it will move to the Seanad. The process should be completed by the end of April which will then allow sufficient time for the referendum to be held.

With regard to the general European treaty amendments, the ESM, and the fiscal responsibility Bill, it is intended that those pieces of legislation will be published prior to the referendum being held but it is not envisaged that they would be enacted prior to the referendum being held.

On the question of a White Paper, the Government did not consider that a White Paper was necessary on this occasion because the treaty is relatively short. The Government intends to arrange for information to be provided to households to ensure an understanding of the treaty. Deputy Martin made the point that this information should be in simple language.

Deputy Gerry Adams: I ask for time to be set aside on Thursday for a debate on the promissory note payment which is due on 31 March. I ask because of the serious concerns about whether the Minister for Finance has the authority to pay or to commit to pay €3.1 billion. The Dáil was never consulted on this matter nor were the people. The Credit Institutions (Financial Support) Act 2008 provides the Minister with power that lasts up to 2016 only and he proposes to extend this power to 2025. I ask for time on Thursday, before 31 March, for a debate.

An Ceann Comhairle: I remind the Deputy that this is a matter for the Whips to decide and to work out between themselves. It is not promised legislation.

The Tánaiste: The business scheduled for this week is a debate on each day, including Thursday, on the report of the Mahon tribunal. As Deputy Adams will recall, there was general agreement in the House last week that we should devote this week to the Mahon tribunal findings. The Minister for Finance has already come into the House to update the House on developments with regard to the promissory note. He is willing to do so again when he is in a position to provide a further update to the House. I am also aware of a court action relating to some of the aspects of the question which Deputy Adams has raised and obviously I do not wish to comment on those aspects.

Deputy Timmy Dooley: In light of the findings and the recommendations of the Mahon tribunal, does the Tánaiste intend to bring any proposals before the House to re-establish the reviews of five local authorities—

An Ceann Comhairle: Sorry, Deputy, that question is out of order.

Deputy Timmy Dooley: —which were shut down by the Minister for the Environment, Community and Local Government, obviously with the full knowledge of the Tánaiste and other members of the Cabinet?

An Ceann Comhairle: That is not in order. It is a question to ask through his Whip. The Deputy cannot ask for time on the Order of Business unless we already have a commitment for it.

Deputy Timmy Dooley: I am asking if legislation is promised or if the Tánaiste intends to bring forward—

An Ceann Comhairle: The question can only be on promised legislation when on the Order of Business.

Deputy Timmy Dooley: Unless I can request whether it is promised or not—

An Ceann Comhairle: The Deputy has been circulated with a full schedule of the promised legislation to date. That is the legislation about which the Deputy can ask questions.

Deputy Timmy Dooley: Surely when an exceptional measure such as this arises, I might afford the Tánaiste an opportunity to clarify the situation.

An Ceann Comhairle: Sorry, it is out of order.

Deputy Paul Kehoe: Ask Vincent Browne.

Deputy Niall Collins: When is Deputy Kehoe going on “Tonight with Vincent Browne”? He is dodging the bullet as well. Send Deputy Joe Carey.

Deputy Mattie McGrath: I wish to ask about recruitment legislation and Government contracts.

An Ceann Comhairle: What does the Deputy mean?

Deputy Mattie McGrath: I refer to the contracts Bill which is coming before the House. The Department of the Environment, Community and Local Government, Deputy Hogan’s Department, has made a botch of the leaflet drop for the household charge and it has now awarded a contract to DC Kavanagh Limited, a company in receivership——

An Ceann Comhairle: That matter cannot be raised on the Order of Business.

Deputy Mattie McGrath: It is an important printing contract. It is a matter for the Order of Business.

An Ceann Comhairle: No, Deputy, it is not a matter for the Order of Business.

Deputy Mattie McGrath: It is a contract——

An Ceann Comhairle: It is not on the Order of Business; it is nothing to do with the Order of Business.

Deputy Mattie McGrath: ——given to a company in receivership.

An Ceann Comhairle: When is the contracts Bill due?

The Tánaiste: The Construction Contracts Bill is on Second Stage and it is listed for this week if the debate on the Mahon tribunal concludes.

Deputy Mattie McGrath: I know that.

Deputy Micheál Martin: Well rescued, Tánaiste.

Deputy Michael Healy-Rae: Does the Tánaiste intend bringing forward legislation to amend section 836 of the Taxes Consolidation Act 1997——

An Ceann Comhairle: The Deputy may ask a question on promised legislation only.

Deputy Michael Healy-Rae: This is promised legislation.

An Ceann Comhairle: Sorry, Deputy, has this legislation been promised?

Deputy Michael Healy-Rae: That is the reason for my question.

An Ceann Comhairle: Has it been promised?

Deputy Michael Healy-Rae: I am asking that question.

An Ceann Comhairle: It is up to the Deputy to tell me.

Deputy Michael Healy-Rae: I want to read a question. Does the Tánaiste intend to bring forward legislation to amend section 836 of the Taxes Consolidation Act 1997—

An Ceann Comhairle: Get off the stage.

Deputy Michael Healy-Rae: —which provides for a tax deduction under section 114 of the Taxes Consolidation Act 1997—

An Ceann Comhairle: I call Deputy Ó Cuív.

Deputy Michael Healy-Rae: —in respect of the cost to Ministers of maintaining a second residence?

An Ceann Comhairle: The Deputy should resume his seat. Did Deputy Healy-Rae hear me?

Deputy Michael Healy-Rae: This section provides for what is commonly known as the dual abode allowance for Ministers. The section as it currently stands appears to allow Ministers to claim a deduction for the household charge for tax purposes as being expenses incurred in maintaining a second residence.

An Ceann Comhairle: Resume your seat, Deputy Healy-Rae. Do you want to go outside the Chamber?

Deputy Michael Healy-Rae: I am perfectly entitled to ask this question.

An Ceann Comhairle: You are not perfectly entitled. Please resume your seat.

Deputy Michael Healy-Rae: Why is that so?

An Ceann Comhairle: Resume your seat.

Deputy Michael Healy-Rae: I am just asking if there was promised legislation.

An Ceann Comhairle: You are not permitted to ask if there was promised legislation; you know there is no such thing as promised legislation. Do not try to make a fool out of the whole system. I call Deputy Ó Cuív.

Deputy Michael Healy-Rae: I asked a perfectly legitimate question.

An Ceann Comhairle: It is not on the Order of Business. The Deputy is doing this every day.

Deputy Éamon Ó Cuív: Mar a bhí mé ag fiafraí an tseachtain seo chaite, cé mhéad des na Billí a bhí luaite ar liosta A a bhéas foilsithe i rith an tseisiúin seo agus cé mhéad atá foilsithe go dáta? An bhfuil Billí nach raibh ar liosta A ach a bhéas foilsithe roimh dheireadh an tseisiúin seo? Mar is eol don Tánaiste, is beag Bille atá foilsithe go dáta.

An dara cheist, cén uair atá i gceist go bhfoilseofar na rialacháin faoin Acht um Sheirbhísí Uisce (Leasú) 2012? Ní hé seo an chéad uair a chuir mé an cheist seo ach b'fhéidir an t-am seo go bhfaighidh mé freagra díreach ar an gceist, cén uair a fhoilseofar na rialacháin sin faoi Alt 70L den Acht.

Deputy Aodhán Ó Ríordáin: Tá sé geallta.

The Tánaiste: Tá trí chinn des na Billí atá geallta sa chlár Rialtais foilsithe cheana féin. Tá dhá Bille aontaithe ag an Rialtas agus tá siad ag feitheamh le go bhfoilseofar iad. Tá Bille

[The Tánaiste.]

eile nach raibh ar liosta A ach atá foilsithe. Tá roinnt Billí eile atá ar liosta A nach bhfuil foilsithe go fóill.

Maidir leis na rialacha faoin Acht rialtais áitiúil, ba cheart don Teachta ceist dhíreach a chur síos don Aire Comhshaoil, Pobail agus Rialtais Áitiúil ar an ábhar sin.

Deputy Éamon Ó Cuív: I gcead don Tánaiste, an é a dúirt sé go raibh an tríú chuid des na Billí atá ar liosta A foilsithe?

The Tánaiste: Tá trí Bhille foilsithe.

Deputy Éamon Ó Cuív: Trí Bhille, as 26.

The Tánaiste: Níl an séasúr thart fós.

Deputy Éamon Ó Cuív: Tá mé ag iarraidh an fhírinne a fháil.

An Ceann Comhairle: I ask the Deputies to resume their seats.

The Tánaiste: Níl an seisiún thart fós.

Deputy Éamon Ó Cuív: Tuigim é sin.

The Tánaiste: Tá trí Bhille foilsithe, dhá Bhille atá aontaithe ag an Rialtas agus Bille amháin eile nach raibh ar an liosta cheana féin. Chomh maith le sin tá an Bille i dtaobh an reifreann a luaigh mé cheana. Muna bhfaigheann an Teachta freagra ón Aire Comhshaoil, Pobail agus Rialtais Áitiúil mar a dúirt an Príomh Aire roimhe seo, is féidir leis an Teachta dul chuig an Ceann Comhairle agus an t-ábhar a ardú leis.

Deputy Éamon Ó Cuív: Maidir leis an gceist ar an Aire, chuir mé an cheist cheana ach ní bhfuair mé freagra. Má chuirim an cheist arís i bhfoirm ceist Dála agus muna bhfaigheann mé freagra, an gheobhaidh an Tánaiste freagra dom?

The Tánaiste: Tá deis ag an Teachta——

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

The Tánaiste: Muna bhfaigheann an Teachta freagra ón Aire Comhshaoil, Pobail agus Rialtais Áitiúil, mar a dúirt an Príomh Aire roimhe seo, is féidir leis an Teachta dul chuig an Ceann Comhairle agus an t-ábhar a ardú leis.

An Ceann Comhairle: That completes the Order of Business.

Deputy Éamon Ó Cuív: An fhadhb atá ann ná nuair a chuirtear an cheist, tugtar an freagra go——

An Ceann Comhairle: We are not having a discussion on this.

Deputy Éamon Ó Cuív: Tabharfaidh sé freagra, b'fhéidir amach anseo, uair éigin.

An Ceann Comhairle: I call Deputy Brendan Smith and ask Deputy Ó Cuív to resume his seat.

Deputy Brendan Smith: When is it expected that the residential institutions statutory fund Bill will be published? Will the Tánaiste give the House an assurance that the concerns of

many of the representative groups of victims will be given further consideration before the legislation is finalised? These concerns relate to the range of services to be provided and to the exclusion of persons who have not availed of assistance from the redress board. The Tánaiste will know this is an urgent matter.

The Tánaiste: That Bill is being worked on at present. The heads were approved by Government and it is expected to be published during this session.

Local Government (Household Charge) Act 2011: First Stage

Deputy Niall Collins: I move:

That leave be granted to introduce a Bill entitled an Act to amend the Local Government (Household Charge) Act 2011 by extending the date for payment of the household charge in the year 2012 to 30 September 2012 and by expressly excluding the private residences of any Government Ministers from the exemptions provided under the 2011 Act.

An Ceann Comhairle: Is the Bill opposed?

Minister of State at the Department of the Taoiseach (Deputy Paul Kehoe): No.

Question put and agreed to.

An Ceann Comhairle: Since this is a Private Members' Bill, Second Stage must, under Standing Orders, be taken in Private Members' time.

Deputy Niall Collins: I move: "That the Bill be taken in Private Members' time."

Question put and agreed to.

Topical Issue Debate

Traveller Accommodation

Deputy Dessie Ellis: As the Minister of State will know, Travellers are an ethnic group within our society. In recent years they feel they are being increasingly marginalised. There have been cuts in education, housing, local authority facilities and social supports. There have been significant rent increases, especially in local authority sites throughout the country. There has been a loss of resource teachers, special needs assistants and supports. This is on top of prejudice and ignorance engaged in by some sections of our society. Travellers have been discriminated against in jobs because they come from deprived areas such as Finglas, Ballymun and others. They have also been blocked from entering public houses, hotels and other such places. This is unacceptable as well as illegal. The vast majority of Travellers integrate well within our society.

I refer to a problem which affects five families on a Traveller site in Avila Park in Finglas. This large number of families had been living in six bungalows that were condemned as a result of pyrite found in the houses. Four of the houses were to be reinstated in part with internal works and two were to be completely rebuilt. This happened in 2005 when the problem was first brought to my attention. I visited the families and saw the conditions in which they were living which were appalling. The buildings were falling down and there were cracks everywhere. For two years these families have been living in caravans as a result of a commitment made by

[Deputy Dessie Ellis.]

the local authority that their houses would be rebuilt and there would be no problem in getting the funding. This issue was brought in front of all councillors, local Deputies, officials from Dublin City Council and others. Recently, Dublin City Council met with officials from the Department of the Environment, Community and Local Government. The Department indicated that for the Traveller programme with Dublin City Council there was only €50,000 available this year for capital projects. Last year €1.3 million was made available. At this rate, these families will be left in these conditions for the foreseeable future because no capital funding is available. That is unacceptable.

There is also a problem in regard to refurbishment of places. I refer to Dunsink Lane where there are 300 people. This is in the Fingal area but a number of sites in the Dunsink Lane area are administered by Dublin City Council. There have been terrible problems arising from families being cut off by a barrier that was put in place many years ago, against my wishes but supported by other political parties in the area. That was appalling.

There is considerable discrimination between the way people in the Traveller community are dealt with compared to those in the settled community. I gave two examples. It is totally unacceptable that families are left sitting in caravans for two years in such conditions after promises were made. They bought furniture, have had to store it elsewhere at great cost and are living in appalling conditions in which nobody would live.

I ask the Minister of State to look at this matter and also at the issue of Dunsink Lane.

Acting Chairman (Deputy Catherine Byrne): The Deputy will have another two minutes after the Minister of State's reply.

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): I thank the Deputy for raising this issue and will respond first to the general point on funding. For the Deputy's information, I met two weeks ago with members of the Irish Traveller Movement who referred to the Dunsink Lane issue but that was not included on the Deputy's agenda today so I will not address it directly.

In accordance with the Housing (Traveller Accommodation) Act 1998, statutory responsibility for the assessment of the accommodation needs of Travellers and the preparation, adoption and implementation of multi-annual Traveller accommodation programmes designed to meet the accommodation needs of Travellers rests with individual housing authorities. My Department's role is to ensure there is an adequate legislative and financial system in place to assist the authorities in providing such accommodation. While the budget for Traveller-specific accommodation has declined considerably from previous years, the March 2011 housing needs assessment showed a clear preference among Travellers for standard housing, which is funded separately from Traveller-specific accommodation. The assessment has shown that of the 1,824 Traveller families on the waiting list, 1,789 opted for standard local authority or voluntary housing. The vast majority of Travellers already live in standard housing, whether standard local authority housing or private housing with local authority assistance, rent supplement or assistance under the rental accommodation scheme. Therefore, while funding for Traveller-specific accommodation continues to be provided for Traveller families who wish to be accommodated in this manner, evidence shows that the vast majority of Travellers wish to be accommodated in standard housing. Some €6 million out of the €60 million I allocated recently for local authority construction and acquisition programmes is for Traveller-specific projects.

Regarding the specific issue raised by the Deputy, in September 2011, Dublin City Council submitted a request to my Department for the provision of funding for remedial works to the

houses in question. The detail of the proposal and potential alternatives for funding have been the subject of correspondence between my Department and the city council in the interim. A formal application for funding, including an evaluation of the options for remediation and-or replacement in respect of the number of properties affected, the extent of the works proposed and an all-in cost for the project, was requested from the council in January of this year. Subsequently, a meeting took place between my Department and the council on 7 March to consider how to advance the works. While a number of issues require clarification from the council, the Department has given a provisional commitment to part-fund these works. Funding will be reviewed after all outstanding issues have been addressed and, following this, the receipt of a tender report in due course from the council.

Deputy Dessie Ellis: A provisional commitment was given to part-fund this work but five of the six families have been living in caravans for two years. It is unacceptable for anyone to sit in those conditions for two years. We need to move this on. Dublin City Council needs to provide costings for the work needed to restore the buildings to the proper standard. It is unacceptable that the council budget for this was cut from €1.3 million to €50,000. Where is the mathematics in that massive reduction? There has been a reduction in capital funding and funding for remedial works and it is not good enough. I ask the Minister of State to intervene. These families face health and safety issues.

I mentioned Dunsink Lane although I did not include it in the agenda. Families have been isolated in Dunsink Lane because we built a barrier, which is appalling. We cut off Finglas from Castleknock, which was a natural and open route used by many people and alleviated traffic. I ask the Minister of State to talk to Fingal County Council. I have raised this matter with Fingal County Council and Dublin City Council and I opposed the measure for many years. It has had a major detrimental effect on communities as a result of what happened.

I ask the Minister of State to follow up on the issue of these families and the funding local authorities receive for work that needs to be done in Dunsink Lane, St. Joseph's and other places.

Deputy Jan O'Sullivan: The formal submissions have been made and there have been discussions. The Department has responded to say that it will partly fund the operation. The council intends to go to tender soon and intends to commence the work this year. I agree it is unacceptable that families must live in these conditions but the Department responded as soon as it received a formal request. Discussions are ongoing and my understanding is that work will commence this year.

Deputy Ellis should feel free to contact my office about Dunsink Lane, which I discussed briefly with the Irish Traveller Movement when it was discussing a number of issues of concern with me. The issue has been raised in this Chamber over the years and has been ongoing for a long time. I am happy to receive any specific point Deputy Ellis wants to raise with me.

Control of Firearms

Deputy Dan Neville: I thank the Ceann Comhairle for the opportunity to raise this issue and the Minister of State, Deputy Perry, for taking it, which is very well known to the Minister for Justice and Equality, Deputy Shatter. A problem has arisen with firearms licensing system. There have been a number of challenges by individuals in the District Court and the High Court. In 95% of the challenges, the decision went against the State. We are looking towards a solution. Mr. Justice Hedigan stated that we cannot continue with the system and that it clearly needs review.

[Deputy Dan Neville.]

The National Association of Regional Game Councils supported these cases in court despite being the strongest advocate of the new firearms legislation when it was introduced in 2009. The National Association of Regional Game Councils played a pivotal role in the consultation process, including chairing the most important user group of the Minister's firearms consultative panel. The National Association of Regional Game Councils recognises and supports the idea that dangerous weaponry should be licensed on a restricted basis. There is an onus on the State to apply its responsibility to those who are given such restricted arms licences. The National Association of Regional Game Councils recognises the State's grave responsibility in this area because of the consequences of making a mistake as regards the allocation of licences.

The firearms consultative panel warned of deficiencies in the administration of the system but its warnings were ignored. Its concerns included the absence of a statutory declaration under the Wildlife Act on the licence application form to give effect to the hunting licence endorsement of the firearms licence. Ignoring this resulted in an unnecessary High Court challenge, which had the effect of forcing the State to amend the Wildlife Act on a temporary basis. Licences will be renewed in the coming months and the State will face this problem because a permanent solution has not been found.

The Garda Commissioner issued an amended licence application form, which does not address the absence of the statutory declaration. As a result of these issues, the National Association of Regional Game Councils feels unable to continue to support the licensing system and the recent court cases are a consequence of this. It states that we must examine the benefit of a centralised licensing system. As chief superintendents administer the system, there are 150 different interpretations of the regulations. The interpretations are genuine but subjective, which causes grievances. Applicants see inconsistency as unfair and the test of fairness is consistency across the board.

Minister of State at the Department of Jobs, Enterprise and Innovation (Deputy John Perry):

I thank Deputy Neville for raising this matter. I am speaking on behalf of the Minister for Justice and Equality, Deputy Shatter, who regrets he is unable to be present due to other business.

Regarding the hunting licence issues the Deputy refers to, the Minister understands from his colleague, the Minister for Arts, Heritage and the Gaeltacht, that the relevant provisions of the Wildlife (Amendment) Act 2010, which are due to lapse on 31 July 2012, will be continued with on an interim basis. The Act will be amended to give effect to this decision in due course, pending a major review of the Wildlife Acts which is promised under the National Biodiversity Plan 2011-2016.

The High Court case settlement the Deputy refers to involved judicial reviews of decisions by chief superintendents in firearms licensing cases where applications for licenses for high calibre handguns were refused. The case was settled with an undertaking to consider applications afresh and give reasons to applicants where applications are turned down.

Contrary to the picture the National Association of Regional Game Councils, NARGC, may try to paint, the Minister has asked me to highlight that the vast majority of licensed firearms holders have encountered no problems with the new licensing regime and, therefore, I disagree with the Deputy's assertion. In general terms, the House may recall that for more than 30 years prior to 2004 all handguns were effectively banned in this jurisdiction. Following a series of judicial decisions, however, almost 2,000 handguns were licensed between 2004 and 2008.

This situation did not come to pass as a result of a decision by the Oireachtas. The return of handguns also gave rise to new forms of target shooting which are a cause of concern to the

Garda Commissioner. It is also worth noting that the use of handguns is illegal for hunting under the Wildlife Acts, nor are they licensed for personal protection in the State, and therefore there is a very limited potential use for them. The Minister is conscious of Mr. Justice Hedigan's remarks that "The licensing of powerful handguns and rifles is a matter of the gravest nature" and that "The strictest regulation of dangerous weaponry is essential if society is to be spared the menace of proliferating gun crime".

The reality is that An Garda Síochána are the people best placed to make decisions on firearms licensing and it would be helpful if the NARGC came to terms with that reality. It has to be said, frankly, that the intemperate material produced by that association undermines any requests they make for a spirit of co-operation in this area. On a point of clarification, the Minister would like to point out to the Deputy that the NARGC was but one of a number of shooting groups on the Firearms Consultative Panel and did not chair it, as he stated. It was chaired by a departmental official.

The Minister expects to receive a full report from the Garda Commissioner in the near future on the issues which arose in the High Court cases. The Commissioner has indicated that he shares the concern expressed by the judge but has indicated also that he is satisfied that the applications were decided upon in accordance with the decision maker's understanding of the relevant firearms legislation, that decisions were recorded in notifications to applicants, and that those decisions were informed by understandable concerns of public safety.

Tragically, the House will have been reminded in recent weeks of the dangers licensed firearms can pose for members of An Garda Síochána and others and of the dangers of firearms generally. For his part the Minister is determined to ensure that in the operation of the firearms licensing system, the question of public safety is paramount.

Deputy Dan Neville: I put it to the Minister that the National Association of Regional Game Councils is a very knowledgeable and responsible association. I have spoken with the leaders of the association and I am satisfied that they only wish to have a firearms licensing system which is secure, fair, transparent, free of prejudice and administered in a consistent manner with due regard for the provisions of the legislation as enacted by the Oireachtas, which it fully supports. It believes this can be achieved by a centralised system with independent oversight and a non-judicial system of appeal. I put it to the Minister that the courts of law should be the last source of the appeal which should be in place.

The current system, as stated by Mr. Justice Hedigan, is flawed and does not work. I suggest that all those involved — the Ministers, the Department, the Garda and the representative of the game councils — should sit down together and rather than talk at a distance come to an agreement because until they sit down and discuss all aspects of it and examine the different opinions, we will not have a resolution to this issue. Certain people who are involved in the area of competition feel very strongly about the situation. They may be in the minority but they are an important group as well.

Deputy John Perry: On a point of clarification, the Minister has stated that there was a consultative panel, and obviously it is important that collaboration and dialogue would take place.

I thank the Deputy for providing me with an opportunity to respond. As I have already mentioned, the Minister awaits a report from the Garda Commissioner on the settlement of the cases which were before the High Court and therefore it is not possible for me to comment in any meaningful way on that aspect of the debate but I will relay——

Deputy Dan Neville: When is that due?

Deputy John Perry: The Minister, Deputy Shatter, will revert to the Deputy on that point.

On the hunting issue, I will impress upon the Minister, Deputy Deenihan, the need to have a timely resolution to this matter in time for the next hunting season. I am sure the Deputy will welcome the Minister's commitment to conduct a major review of the Wildlife Acts, which I believe will be comprehensive, promised under the National Biodiversity Plan 2011-2016. I assure Deputy Neville that I will bring the points raised by him to the attention of the Minister, Deputy Shatter, for direct reply to him.

Garda Resources

Deputy Michael P. Kitt: I thank the Ceann Comhairle for allowing me to raise this issue and I thank the Minister of State for coming into the House.

I attended a meeting yesterday of the County Galway Joint Policing Committee at which public representatives, community groups and gardaí were present. There was much comment at the meeting about the fact that some progress had been made in terms of the drop in the number of assaults against persons. Many congratulations were expressed on the success in the battle against drugs, and also on the reduction in gold theft, which is a big issue in rural Ireland. However, a great deal of concern was expressed about the figures which show that crime had increased in certain areas. For example, there were 828 incidents in the first two months of the year. There were 81 burglaries, which is an increase of 17% in January and February of this year.

I raise that issue because there is a great deal of concern now that many of the people who are breaking into houses are doing so in broad daylight. They do not seem to care who is in the house. These burglaries are taking place when parents are bringing children to school or collecting them after school.

I hope that a number of issues I raise might be taken on board by the Minister of State and brought to the attention of the Minister for Justice and Equality. I refer in particular to the need for extra gardaí. Recently, we have lost a number of gardaí in the Ballinasloe area. We have also lost Garda cars, and I hope the question of extra Garda cars could be considered.

I refer to north-east Galway and places like Glenamaddy, which is in the Tuam district, Moylough, Mountbellew, Newbridge, Ballinamore Bridge and Ballygar, and Ballyfarnan and Dysart in south Roscommon where these break-ins have taken place. That has led to many public meetings being held, particularly in Newbridge where over 300 people attended a number of meetings. They have called for extra gardaí and that some of the 40 new cars that are being purchased would be available in the north-east Galway area.

There is a need for schemes like community alert and neighbourhood watch to be put into operation in towns. Those schemes were in operation in the past and some of them have fallen, so to speak, but we could renew them. I hope they will be put in place in those areas.

I have spoken to gardaí who are very concerned about people having cash in their houses. I hope some of that money could be put into financial institutions, which would be a safer place.

I urge that the points I have raised be examined, particularly those on the community alert and the various other schemes for lighting, alarms and security locks under the Department of the Environment, Community and Local Government. I hope extra lighting will be provided in some of the housing estates where it is badly needed.

Deputy John Perry: I thank Deputy Kitt for raising this matter which I am sure is important to the communities in the areas mentioned. I am pleased to be able to set out the position on

behalf of the Minister, Deputy Shatter. I have no doubt the Minister of State at the Department of Education and Skills, Deputy Cannon, is also aware of the situation.

The House is aware that, under plans agreed by the previous Government as part of its compliance with the terms of the EU-IMF agreement, Garda numbers are to be reduced across the country, including in the areas referred to by the Deputy. Reductions in numbers, whether in the Garda Síochána or elsewhere in the public sector, must be accompanied by reform. This reform is being introduced under the Croke Park agreement, which was put in place as part of a strategic response to an economic crisis. The agreement is playing a key role in reform across the public service. This programme includes the reform of structures, operations and processes to maintain the levels of service at the highest level possible while coping with reductions in numbers.

The Garda Síochána, like every other public sector body, will have to manage with reduced resources. Therefore, the Garda Commissioner has reviewed, and will continue to review, all aspects of current policing, including the deployment of personnel, the utilisation of modern technologies and the operation of Garda stations.

The Garda Commissioner is responsible for the detailed allocation of resources and in this context he informed me that on 29 February, the latest date for which figures are readily available, the personnel strength of the Galway and Roscommon-Longford divisions was 585 and 277 respectively. These figures include two sergeants and nine gardaí stationed in Glenamaddy, Moylough, Mountbellew and Ballygar stations. A total of 59 Garda Reserve members and 44 civilians are also attached to the Galway Garda division and 15 Garda Reserve members and 24 civilians are also attached to the Roscommon-Longford Garda division. All divisional resources are further augmented by a number of Garda national units such as the Garda National Drugs Unit, the Garda National Immigration Bureau, the Criminal Assets Bureau and other specialised units.

In the Commissioner's annual policing plan for 2012, he reiterated his commitment to "maintaining and deepening the long established relationship which An Garda Síochána has with all members of the community". The importance of the partnership between an Garda Síochána and the community in preventing and detecting crime and maintaining a safe environment for everyone can never be over-emphasised and the pledge of An Garda Síochána is to continue to invest time and energy in these partnerships and relationships to the benefit of all.

Community policing is supported by the community alert programme, which is a community-based crime prevention initiative in rural communities. The neighbourhood watch programme is another community programme, partnering An Garda Síochána with local communities in urban areas, established as a self-help crime prevention and community safety programme.

With regard to Garda transport, an order for 40 new cars has recently been placed and these vehicles are being rolled out. In addition, a tendering process is under way to put in place a contract which will allow for the provision of further Garda vehicles. This is a matter that will be pursued in light of An Garda Síochána's operational priorities and the availability of financial resources.

Garda management will continue to closely monitor the allocation of resources, taking account of transfers and retirements, crime trends, policing needs and other operational strategies in place on a district, divisional and regional level. The Galway and Roscommon-Longford Garda divisions will be subject to this same level of monitoring to ensure that optimum use is made of Garda resources and the best possible Garda service is provided to the public. The Garda Commissioner has reiterated the commitment of the Garda Síochána to providing

[Deputy John Perry.]

a professional and effective service to the community and he will have the Minister's full support in this regard.

Deputy Michael P. Kitt: I thank the Minister of State. I have been provided with a copy of a different reply to the one he has given the House and I would appreciate a copy of what he has stated. This situation is serious. At the weekend two schools local to where I live were broken into. People are beginning to ask whether gangs from outside the county are coming to Galway. Is it possible that the Minister in conjunction with the Garda could examine putting cameras on the bridges on the roads into County Galway? Nobody seems to know where the break-ins will occur next and people are concerned about outside influences and local knowledge. While there is much speculation, there is no proof of this at present. The Minister of State has provided detail in the response document I have been given and announced it in his address to the House. I thank him for what he stated and I hope he will bring my comments to the attention of the Minister.

Deputy John Perry: The Deputy will be provided with a copy of my speech. I thank him for providing me with an opportunity to respond. As has been mentioned, the Commissioner and a senior management team are responsible for the detailed allocation of resources, including personnel, throughout the country. This allocation of resources is constantly monitored with regard to crime trends, policing needs and other operational strategies in place on a district, divisional and regional level to ensure optimal use is made of Garda resources and the best possible Garda service is provided to public.

I wish to make the following specific points in response to some of the issues raised by the Deputy. While the ethos of community policing is instilled in every member of the Garda Síochána, 21 gardaí are dedicated to community policing in the Galway division and nine are dedicated to community policing in the Roscommon-Longford division. The question of the closure of Garda stations is one for the Commissioner to decide upon as such closures must be detailed in his annual policing plan. The policing plan for 2013 is not yet developed and I will not speculate on what might be in it.

The efficient and effective use of resources is of prime concern in this regard rather than the relatively small cash savings that may accrue as a result of station closures. I will bring the other points raised by the Deputy to the attention of the Minister and the Commissioner. The resources available in the areas referred to by the Deputy are augmented when necessary by district, divisional, regional and national units such as scene of crime officers, the Garda National Drugs Unit and the National Bureau of Criminal Investigation.

Glenamaddy Garda station forms part of the Tuam Garda district. Ballinasloe district comprises the two administrative areas of Ballinasloe and Mountbellew. Mountbellew has in its area Moylough, Menlough, Mountbellew and Ballygar, including the Newbridge and Creggs areas. The area of south Roscommon is policed by the gardaí attached to the Clonark Garda station in the Roscommon district.

A community alert scheme is in each of the areas referred to with the exception of Newbridge. Neighbourhood watch and community alert schemes are established at the request of a particular community and every neighbourhood watch and community alert scheme has a liaison officer to ensure a formal link with the local Garda station. Six community alert schemes are in existence in the south Roscommon area in Ballyforan, Curraghboy, Kiltoom, Drum, Moore and Taughmaconnell. Plans are in place with the assistance of the crime prevention officer based at Roscommon Garda station to review, and in some cases amalgamate, some of these in the near future.

The district officer at Ballinasloe Garda station met Deputy Kitt and a number of people from the Newbridge area on Tuesday, 20 March 2012, to discuss their concerns about a number of recent crimes in the area. As result of this meeting it has been agreed to reactivate the dormant community alert and neighbourhood watch schemes in the Newbridge area. Gardaí in Ballinasloe have organised an open community meeting for the Newbridge and Ballygar areas, which will be held this week, to establish correctly a community alert scheme. Another meeting was held last week in the Ballygar area which was attended by local residents and addressed by the divisional crime prevention officer and Mr. Bernard Kearney of Muintir na Tíre. The meeting was also attended by gardaí attached to Ballygar. I hope this information is of some benefit to the Deputy.

Deputy Michael P. Kitt: I thank the Minister of State.

School Staffing

Deputy Tom Hayes: I thank the Ceann Comhairle's office for allowing me raise this matter and I thank the Minister of State at the Department of Education and Skills, Deputy Ciarán Cannon, for being here. As he is aware, I have been in close contact with the staff of St. Oliver Plunkett's national school in Clonmel in recent months. Like a number of other schools in my constituency, it was concerned about future staffing levels following the announcement of budget 2012. St. Oliver Plunkett's national school is one of many around the country that currently has two legacy posts under the disadvantaged areas scheme. The Minister of State will be aware that as a result of the announcement last December, the school was due to lose both posts in the 2012-13 academic year. While staff at the school were delighted to hear on 21 February that following careful analysis by the Department of the impact of budget measures on disadvantaged primary schools the Government had agreed to the retention of 235 legacy disadvantaged posts in DEIS band 1 and band 2 primary schools, St. Oliver Plunkett's national school was, unfortunately, informed on 7 March that it would not retain its two legacy posts for the 2012-13 academic year. The principal has been in contact with the Department and has explained that the school fulfils the criteria for retention of these posts, namely, it is a DEIS band 1 school as listed by the Department in the schools support programme in respect of which it has two concessionary disadvantaged posts. A number of other schools around the country wherein this situation is replicated have had proposed cuts reversed.

Perhaps the Minister of State will explain the reason this school has been informed it will lose its two legacy posts despite the announcement made in February and despite that other schools in similar situations have retained their posts. I am sure he is aware that St. Oliver Plunkett's national school was omitted from Appendix C and from the list of schools in the final section of the report when published. When the principal raised this with the Department at the time, he was told to wait for official written notification on the matter, which was due on 7 March. Perhaps the Minister of State will detail the reason for this omission and say if it led to the school being informed it was to lose these two posts. I am also interested in hearing if the Minister of State is aware of any other schools which were omitted from the report.

I am sure the Minister can understand the concern among the staff and parents of children attending St. Oliver Plunkett's national school. I urge him to ensure this situation is resolved. It is unfair and wrong for one school to be singled out, in particular given the standard of education and record of the school concerned.

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): I am replying to this matter on behalf of my colleague, the Minister for Education and Skills, Deputy Quinn.

[Deputy Ciarán Cannon.]

Two disadvantage concessionary posts were allocated under the disadvantaged areas scheme to reduce class sizes at St. Oliver Plunkett's national school. With the introduction of DEIS in 2005 and the more favourable pupil-teacher ratios for band 1 DEIS schools, these posts were subsumed into the school's overall DEIS allocation to ensure that the appropriate pupil-teacher ratios could be implemented. The school does not have any teaching posts over and above its entitlement under DEIS from previous disadvantage schemes and, therefore, it was not among the 140 DEIS band 1 and band 2 schools included in the recent report on the impact, in terms of posts, that certain budget measures would have on these schools, the main focus of which concerned additional posts allocated under disadvantage schemes predating DEIS.

The staffing arrangements for the 2012-13 school year are set out in Primary Circular 0007/2012, which is available on the Department's website. This includes details of the reform of the allocation process, which is designed to bring a more equitable distribution of existing posts between schools. Applying the new staffing schedule for band 1 DEIS schools to the school referred to by the Deputy, the school is due to lose one mainstream class teacher for the 2012-13 school year due to falling enrolment. The overall objective of the reforms is to enable the teacher allocation and redeployment process to operate more smoothly and efficiently within the new climate of fixed ceilings on teaching posts. The changes are designed to give a more equitable distribution of existing posts between schools, give earlier certainty to schools about their staffing allocations and, where possible, simplify and streamline existing processes and give greater autonomy to schools.

The new arrangements incorporate a long overdue updating of the General Allocation Model, GAM, combining learning support for high incidence special needs and language support for all schools. It also includes changes to NCSE approved low incidence resource hours in the base schools or in neighbouring schools. This approach builds on the interim arrangements that operated in 2011 but in a more structured and transparent manner. The allocation processes also includes an appeals mechanism for schools to submit an appeal under certain criteria to an independent appeals board. Details of the criteria for appeal are contained in the circular referred to above. The appeals board operates independently of the Department and its decision is final. The closing date for submission of appeals for the April meeting of the staffing appeal board was 23 March 2012. The school to which the Deputy refers has not submitted an appeal.

Deputy Tom Hayes: I am disappointed with the content of the Minister of State's reply. The school in question has been in contact with the Department on several occasions, which I understand will be accepted as an appeal. However, it is desperately unfair that this school in Clonmel, which meets the criteria of a DEIS school, was left out of the review. I do not wish to be critical of the Government of which I am a member but I am disappointed that St. Oliver Plunkett's national school which meets the criteria set down by the Department was not included in the review. I ask that the Minister of State reconsider this decision. I will not let this issue lie. What happened is totally unfair and unjust. The school meets all the relevant criteria and this decision should be reversed.

Deputy Ciarán Cannon: I understand and take on board the Deputy's concerns. The school was not included in the recent review process because it was not originally impacted by the budget decision. The school will lose one post in the coming school year due to falling enrolment and not as a result of the budgetary decision.

If the Deputy wishes to take up the case with me on an individual basis, I will undertake to work with him to address his concerns. I must clarify again for the Deputy that the school was

not included in the review process undertaken by the Minister, Deputy Quinn, because it was not impacted by the original budget decision and is losing a post as a result of an overall fall in enrolment.

Sitting suspended at 5.40 p.m. and resumed at 5.45 p.m.

Mahon Tribunal Report: Statements

An Ceann Comhairle: Before statements commence, I wish to make a brief announcement. As my predecessors have ruled in similar circumstances, while the Chair fully acknowledges that the House is about to embark on a discussion of a tribunal of inquiry report which criticises named individuals who are very much in the public domain, I ask Members to be mindful when making their contributions to take into account as far as is reasonably possible the long-standing convention of this House, namely, that Members should avoid criticising or making charges against a person outside the House as he or she is defenceless against accusations made under privilege. Standing Order 59 offers some protections and safeguards to persons in this regard. However, these are limited. It remains the case that serious allegations should not be made under privilege.

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): The report of the Mahon tribunal is a chronicle of betrayal, ignominy and disgrace for the individuals it names and condemns, for the system of planning in Dublin that was foully corrupted and for the Fianna Fáil Party, which more than any other party housed those who have been found to be corrupt and wanting. The tribunal took a long time and cost a lot of money, but it has got to the truth in a way that no other investigation into planning corruption has ever done. The truth has been expensive to obtain, but as we survey the damage to our economy and our society, it is clear that not having the truth has been far more costly.

The reports of the Mahon tribunal — previously the Flood tribunal — have far exceeded what many thought possible when the tribunal was established. They set out clearly how the planning process in Dublin in the 1980s and 1990s was undermined and corrupted by a number of developers who sought to enrich themselves and by a number of councillors who were prepared to accept bribes. It provides another insight into the culture of corruption that existed for decades at the highest level of Fianna Fáil, in particular. I wish to express my appreciation to the members of the tribunal — Judges Mahon, Faherty and Keyes and, previously, Mr. Justice Feargus Flood — for the work they have done and the reports they have produced.

Several people, including journalists like Joe MacAnthony, Frank McDonald and Mark Brennock, raised questions about planning in Dublin over the years. However, it was always extremely difficult, if not impossible, for anyone to prove anything without a formal inquiry. In 1990, shortly after I was elected to this House, I called in the House for an inquiry into planning and rezoning in Dublin. Like several other members of the then Dublin County Council, I was concerned about what seemed to be happening at council meetings, and about the way in which so many rezoning decisions were being taken.

Based on what we now know, it was hardly surprising that no inquiry was conceded. I raised the issue in 1990 and put parliamentary questions to the then Minister for the Environment, Mr. Pádraig Flynn. He transferred them to the then Minister for Justice, Mr. Ray Burke. They both served under Mr. Charles Haughey, the then Taoiseach, and in a Government with Mr. Albert Reynolds as Minister for Finance and Mr. Bertie Ahern as Minister for Labour. Needless to say, no inquiry was granted.

Even when a tribunal was finally established, it was by no means certain that it would be able to get at the truth. Over the following 15 years, the tribunal was met by a wall of obstruction and

[Deputy Eamon Gilmore.]

obfuscation. There were many people who did not want the inquiry to succeed. Many of them took cases in the courts that delayed the work of the inquiry for very long periods. When it looked to be getting to the truth about Mr. Ahern, for example, it was subjected to a series of attacks by Fianna Fáil Ministers, which attacks are rightly the subject of severe criticism in the report. In the face of this obstruction, and in spite of these attacks, the tribunal has now concluded its work. Its final report is little short of devastating.

This was not a report about individual councillors taking bribes. What this report finds is that there was systematic corruption in the planning system in Dublin. Further, it makes adverse findings against elected representatives at the time in question at every level of elected office, from county councillor to Taoiseach. Councillors, Senators, Deputies, Ministers, two taoisigh and a member of the European Commission are referred to. This is not, as some are still trying to suggest, just a few rotten apples. All three individuals who led Fianna Fáil from 1979 until May 2008, all of whom held the office of Taoiseach, have now been the subject of adverse findings by tribunals, including the beef and Moriarty tribunals and now the Mahon tribunal.

While there are politicians from other parties against whom adverse findings have been made, the evidence shows that the problem was overwhelmingly a Fianna Fáil problem. The report does not make adverse findings against any current member of the Labour Party, as was widely reported on RTE last week. It made an adverse finding against one individual who was previously a member of the Labour Party, who was elected a councillor in 1991 and who was expelled from the party in 1993 when it was considered he was not acting in accordance with the standards the Labour Party expected of him. It did not require a tribunal and 15 years for Labour to take action against him.

The report shows that simple truths cannot be hidden in complicated and elaborate excuses. We do ourselves no service by reducing complexity to excessive simplifications. The report finds that there was corruption at every level in Irish political life. It does not state every politician is corrupt. The report condemns several politicians but it commends others.

There were some who sought to imply that my colleague, the Minister for Communications, Energy and Natural Resources, Deputy Rabbitte, had questions to answer. He answered all questions and his actions were commended by the tribunal. I note also the part played by my colleague the Minister for Social Protection, Deputy Burton, who sought to expose wrongdoing and who was threatened with legal action for doing so.

It has been said and it is true that there are many honourable and decent people in Fianna Fáil who have been let down by the actions of their leaders. They feel reduced by the findings of this report but they are not the victims here. The victims are the people who live in poorly planned communities. The victims are those who have lost their jobs, who are in negative equity and who are picking up the tab for the destruction of our economy.

There is a direct connection between the corruption unearthed by the tribunal and the fact that our economy has been brought to the edge of collapse. The property bubble was a product of the toxic triangle between Fianna Fáil, the banks and property developers. There was a culture, at the highest levels of society, whereby individuals sought to make extraordinary fortunes on property development, and some politicians were determined to have their share. The question for Fianna Fáil is why it took so long for anyone to act.

It is important to place the report of the tribunal in its proper historical context. The seeds of this problem date back much further than the events investigated by the Mahon tribunal. The problem in Fianna Fáil dates from the transition that took place in the early 1960s, when the revolutionary generation within that party gave way to a new leadership. History shows that in the first two ministerial offices to which he was appointed, Mr. Haughey replaced Mr.

Oscar Traynor as Minister for Justice and then Mr. Patrick Smith as Minister for Agriculture. Both men were veterans of the War of Independence and Civil War. Mr. Haughey, by contrast, was the leading light of a new generation, remarkable for its association with Taca, a body devoted to raising funds for Fianna Fáil — a forerunner of the Galway tent.

It is not unknown for post-colonial societies to experience problems of corruption when the idealism of the revolutionary era begins to wane, and when governments are faced with the challenges of economic development. As a new State begins to take an active role in economic development, it is common enough to find that opportunities arise for officeholders to enrich themselves dishonestly.

It is only fair to say that, during the 1980s in particular, there were many in Fianna Fáil who opposed Mr. Haughey and sought to remove him as leader. Some even left the party as a result. It is also fair to say that many who supported Mr. Haughey did so out of genuine political motivations, particularly in respect of his views on Northern Ireland. It is all the more disappointing, then, that so little was learned when problems came to light again under Mr. Ahern.

The report of the tribunal refers to the standard of proof that it applies, which is a civil standard. Its findings are based on a balance of probability. Other bodies, including the Revenue Commissioners and the Garda, have their own well-established standards and procedures, which they will now apply. The Criminal Assets Bureau has a particular role to play since the legislation governing it requires those being investigated to demonstrate that the source of their income is legitimate, not the other way around. There is also, however, a political standard of proof; it is a higher standard, one that failed to be applied both when Ministers attacked the tribunal itself and when they continued to support Mr. Ahern as Taoiseach.

The evidence that Mr. Ahern gave to the tribunal was manifestly inadequate. It was manifestly clear that he was unable to account for substantial amounts of money that he received. His explanations were little short of bizarre. That was obvious to anyone who read or listened to his evidence. There was a widespread view during the period in question that his evidence was not believable, something which the tribunal has now confirmed. It was clear for anyone to see that he was not co-operating with a sworn inquiry established by the Oireachtas. It was also clear, or should have been clear, that this placed him in an impossible position as Taoiseach. In those circumstances, others around Mr. Ahern had a duty to act and to uphold the political standard of which I spoke. In fact, their reaction was not to deal with the problem in front of them, but to attack the tribunal itself. As late as yesterday, Mr. Ahern continued to attack it, in the knowledge that the members of the tribunal cannot debate with him in public.

The Green Party, which was in office when Mr. Ahern was Taoiseach, looked the other way. The Green Party Ministers deliberately chose to ignore what was happening at the tribunal.

I can understand those who regard this report as yet another report on top of another tribunal after another inquiry, and those who, on examining what has happened in this country over the past five years, simply remark that no one — banker, developer or politician — has gone to jail. I do not blame anyone who is utterly frustrated by the slow pace at which investigations into the banking collapse have been proceeding. I share that frustration.

It is right that public representatives distance themselves from the administration of justice and that the law be and be seen to be impartial. However, it is surely right also that public representatives can express the frustration of the public over the fact that justice delayed is justice denied. For the past 12 months, the Government has been engaged in the task of restoring political, financial and economic stability and of bringing the Republic back from the edge of bankruptcy. There is more than one way to be bankrupt, however.

[Deputy Eamon Gilmore.]

Our Republic stands not just on law and the Constitution, but on the trust and confidence that we repose in each other and in the institutions of the State. That trust has been badly damaged. However, it is not damaged beyond repair. No matter how great the temptation, despair is a luxury we cannot afford. Of those who want to write off politics and political life, I simply ask: what is the alternative? The alternative to democratic politics is to be seen in the repression, chaos and violence of places like Syria, Mali, Belarus and many other states. There is plenty of evidence in this report of individuals who betrayed the trust that was placed in them. There is also evidence of others who did everything they could to expose corruption and who are commended by the tribunal. The very fact the tribunal was set up is the result of action taken by citizens acting in the public interest.

The Government will work its way through the economic crisis. We will examine the recommendations of the tribunal and bring forward proposals for reform. We will involve the people directly in the work of a constitutional convention which will look at how the political system can be reformed and the Republic can be renewed. We will bring forward laws to make it harder for this to happen again, laws which should have been enacted in a previous era.

The Minister for the Environment, Community and Local Government has already sent the report to the Director of Public Prosecutions and to the Garda Commissioner, as well as to the chairs of the Revenue Commissioners and the Standards in Public Office Commission, for their consideration and for whatever further investigative steps are considered appropriate. The Garda Commissioner has since referred the report to the Criminal Assets Bureau and has asked the bureau's head to lead the Garda examination of the report and any follow-up action. As the tribunal noted, it is estimated the Criminal Assets Bureau and the Revenue have between them already recovered over €51 million as a result of the work of the tribunal.

At its meeting today, the Government decided that all relevant Ministers should consider urgently the tribunal's recommendations and revert to the Department of the Environment, Community and Local Government as the co-ordinating Department by the end of April at the latest with proposed actions in response. The Minister for the Environment, Community and Local Government, Deputy Hogan, will subsequently report back to the Government on our collective response to the tribunal's recommendations as early as possible in May.

Some of these recommendations are already in the course of implementation including legislative proposals on political funding, corruption, whistleblowers and the registration of lobbyists. In the long history of our people, each generation has been confronted by its own historic challenge. Ours is to rescue the economy, to restore hope and confidence in our country and to restore the trust that we should all have in our public institutions. It is our challenge to leave behind us a system of government — a Republic — that enjoys the respect and allegiance of all our people.

The report of the Mahon tribunal hopefully leaves behind an era of corruption that must never be repeated. It provides us with the recommendations and the guidance which will help us along the road not just to economic, but ethical recovery.

Deputies: Hear, hear.

Deputy Micheál Martin: I welcome the final report of the Mahon tribunal. I supported its establishment in 1997 and I believe it has carried out important and valuable work and has been of significant public service. I have accepted the findings of every tribunal of inquiry which has reported during my membership of this House. I also accept the findings of Judge

Mahon and his colleagues. This is a very important report that deserves a debate as serious as its contents. It raises issues relating to individuals but also to a wider political culture.

As is acknowledged in the report, the legislation regulating politics and politicians has been transformed since the events which it investigated but more action is required. Equally, there is no doubt there are still major concerns about planning procedures. The principal events dealt with in this report are over 20 years old. Irrespective of this, it is reasonable and fair for such practices to be exposed no matter how long ago they occurred. Each person honoured by the people with holding public office must be willing to be held to account for their action.

The basic challenge for this debate is to show that we understand the importance of what the Mahon report contains and what it says to us collectively and individually. Do we genuinely believe in accountability or is accountability just for the other guys? Are we willing to apply the same standards to comparable practices or will politics triumph over principle? Nothing will change if this is just another debate about finding new and more creative ways of kicking the other side while ignoring the implications for one's own. The public can see the difference between politicians just trying to exploit issues like this and those who have a serious interest in addressing what happened and ensuring it never happens again.

During this statement I will be making direct political points, as I am fully entitled to do particularly given the unequivocal evidence in both this report and that of Mr. Justice Moriarty. However, it is my intention to fully acknowledge the scale of the problem which was present in my party. I have no intention of seeking to avoid accountability for my party and those who held office as Fianna Fáil representatives. Equally, I have no intention of letting others away with deeply cynical tactics of ignoring the implications of this and other reports for their parties and their representatives.

The largest single point which comes from this report is the need for everyone in public life to not just talk about high standards but to be willing to act on them no matter what the personal inconvenience. It is a wide-ranging report which deals with the specific matter of the corruption of planning in Dublin, as well as the broader facts of the behaviour of specific individuals and fund-raising by national parties. I will address each of these in turn, as well as some other points including the comment in the introduction concerning statements by former Ministers. During last year's Moriarty debate a succession of Ministers came to the House and chose to cherry-pick the more convenient parts of the report for comment. I will not follow their example.

It is important to remember first the context in which the tribunal was established in 1997. While it was a direct response to revelation about payments to Ray Burke, it was actually part of a decade-long build-up of concern about issues relating to money and politics. It was explicitly seen as going in tandem with the Moriarty tribunal. Problems with planning in Dublin had indeed been clear for several years. My former colleague, Michael Smith, was the first Minister to try to do something about it. He publicly attacked the councillors of County Dublin and said that, under them, planning had become a "devalued currency". He acted as strongly as he could within the law as it was, as did his successor, the Minister, Deputy Brendan Howlin.

Michael Smith split up Dublin County Council in large part because of the habit of councillors of pushing through controversial rezoning for parts of the county with which they had no connection. It was clear that councillors across areas and parties frequently co-ordinated such votes to allow councillors vote in accordance with their local voters' views but still get the motion passed.

Michael Smith also began the drafting of legislation for limiting political donations and regulating them via a strong national body before he left office in late 1994. It is not clear why

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the rising concern about what had happened in the early 1990s did not lead to any serious investigation during either the Fianna Fáil-Labour Government or the Fine Gael-Labour-Democratic Left Government. Equally, it should not have taken the actions of private citizens in offering a reward for information before this House would act.

The tribunal's report confirms the picture which was laid out in Mr. Justice Flood's earlier report. Planning in Dublin at this time was rotten to the core. There was a systematic subversion of the planning process by some councillors willing to seek and accept payments in return for pushing through rezoning which they would otherwise have opposed. This was, in turn, a systematic subversion of the democratic system and a betrayal of the people of County Dublin. The report shows how the promoters of rezoning were deeply networked in the council, having a level of influence over the decisions of many Fianna Fáil and Fine Gael councillors which was far worse than was anticipated when the tribunal was established.

The brazenness of some of this corruption was startling. Liam Lawlor and Tom Hand effectively appear to have sought to shake down people approaching the council with major proposals. Both are deceased, but it has been clearly documented that they received large amounts in corrupt ways. The behaviour of many in the Fianna Fáil group was infamous and their legacy remains. In the 1991 local elections, the public rightly reacted against their behaviour by throwing out many of them. They built up a level of distrust that has been difficult to overcome for the good people who stood in subsequent years. It has been 21 years since Fianna Fáil controlled any of the councils in County Dublin.

It is right that councillors be held to account if they engage in corrupt practices. Ray Burke, Liam Cosgrave, Liam Lawlor and others have been through the courts. Other cases are following. As was evident from one of the cases that followed the McCracken report, we must be careful in what we state about individuals. We have privilege, but we can still cause cases to collapse by being prejudicial.

The evidence uncovered by the tribunal and independently available to the Director of Public Prosecutions is more than sufficient for a number of people to face serious charges. I hope these charges will be progressed urgently.

Perhaps the most important question in terms of the planning element of the report is whether this situation could recur. There is no longer any doubt about the boundaries between personal and political finances. Many of the explanations offered to the Mahon tribunal have been firmly dealt with in legislation. What is considerably less clear is whether the planning process has been cleaned up. Planning decisions by councillors and councils continue to have the prospect of delivering significant gains to private individuals and to reward lobbying.

The most recent development planning processes gave widespread cause for concern, so much so that the former Minister for the Environment, Heritage and Local Government, Mr. John Gormley, recommended to the then Government the establishment of independent expert and low-cost investigations into planning decisions by six councils. No credible explanation has been given by anyone in the Government as to why it was decided to close down those investigations in favour of administrative reviews. Those reviews were done before the investigations were established. About what is the Government concerned? If it is sincere in its response to the Mahon report, it will reinstate the independent planning investigations. It should also introduce proposals on implementing the recommendations of Judge Mahon and his colleagues. Planning has been devalued for so long that there is an unanswerable case for an independent regulator.

Last week, I announced the action to be taken by Fianna Fáil against a series of people in respect of whom the most serious findings were made. There is more to be considered in the

report, which has been referred to our rules and procedures committee for a fuller analysis. That committee will make recommendations to our ard comhairle and, unlike other parties, we will make them public.

Although the tribunal was established specifically to inquire into Dublin planning matters, it was empowered to follow different threads as they emerged. The Supreme Court and others stated it was not focused enough, but the matters outlined in the report deserved to be exposed.

The report states that Pádraig Flynn corruptly sought a donation intended for Fianna Fáil and took it for himself. This finding is even more serious, as it involved a Minister taking money in his office from a person who was promoting a project that might have gone before that Minister. Mr. Flynn had his opportunity to be heard by the tribunal. It received evidence from many sources and reached a conclusion. I accept that conclusion and believe it should be followed up in the appropriate way by the appropriate authorities. The £50,000 payment should be received by the State through general proceedings against Mr. Flynn. In no shape or form was it an appropriate payment.

There is no excuse for the failure to confront Mr. Flynn with this allegation at the time. There is no doubt it formed part of a political culture that ignored or dismissed allegations of corruption rather than properly investigated them. This wider point is made by the Mahon tribunal's report and the accepted evidence that the then leader of Fine Gael refused to take any action when informed that one of his representatives had sought a bribe of £250,000. The tribunal heard that his entire response was to comment, "neither Fine Gael nor the world is populated by angels". In the tribunal, he waited until 2007 before acknowledging that he had been told about Councillor Hand's bribe request.

There is no doubt there was a high tolerance of unacceptable behaviour and that it aided and abetted the practices exposed by the tribunal. The tough laws introduced since 1997 by successive Fianna Fáil-led Governments have changed this behaviour. There are regular referrals to the Standards in Public Office Commission, SIPO, and none of the excuses used by those offering and receiving corrupt payments is possible.

A substantial part of the Mahon tribunal's report addresses its attempt to discover the source of significant amounts of money held in accounts directly or indirectly under the control of the former Taoiseach, Bertie Ahern. The tribunal has not made a finding of corruption against him, but what it has stated is, nonetheless, extremely serious. The tribunal could not define the source of the funding it identified because he did not disclose from where it came. It was certainly the case that he had a difficult personal situation at the time, but this is not enough to excuse or explain what was revealed.

The tribunal reviewed his personal and constituency accounts from before and after he stepped down as Taoiseach. At no stage under privilege of the tribunal or elsewhere has any person made any allegation about any corrupt act by Bertie Ahern during any of his three Governments. This is no excuse, but the findings against him by the tribunal are serious enough without people trying to invent others or extend them so they can make partisan points.

No politician elected to this House in the past 20 years could have achieved what Bertie Ahern did in the peace process. While others followed their personal or party agendas in the negotiations, he worked doggedly to bring them along so that they also became peace makers. This achievement is real and enduring, but it cannot absolve him.

In last Friday's edition of the *Evening Herald*, Fine Gael sources were quite open in saying that their strategy in response to Mahon was to try to inflict as much political damage as possible arising from the report's publication. Part of this has been to promote the idea that everyone must have known and refused to say anything. The line was taken up with enthusiasm

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in many quarters. It is a strategy that is as cynical as it is flawed. It took a judicial inquiry with large powers and an unlimited budget to get the information and draw it together. Nothing was alleged by the Opposition about Bertie Ahern during debates on the original or amended terms of reference for the tribunal.

Of those who were around him in the 1991-94 period, if anyone outside of a small few knew about this money, he or she kept very quiet. In Colm Keena's book on Bertie Ahern, he asked one of only two people still in this House who served in government with him at the time if he had had any idea at all that Bertie Ahern was receiving large amounts of cash. Bertie Ahern's former ministerial colleague replied that he had had no idea and was "shocked" by what has emerged. I believed the Minister for Education and Skills, Deputy Quinn, when he stated he had noticed nothing, the reason being that the activity was hidden. The same applied for the rest of Bertie Ahern's colleagues.

Last year, the Minister for the Environment, Community and Local Government, Deputy Hogan, correctly told the House that no one had the right to imply guilt by association because he and others had worked closely with a former colleague exposed in a tribunal. The question for him and for the Government Deputies who are ready to deliver their attacks is whether they are willing to apply the same standards to themselves that they demand be applied to others.

The tribunal report makes a serious point regarding a particular instance of fund-raising by Fianna Fáil Ministers. It is stated that the donor felt pressurised to give a donation and that the fact of making a donation from someone who might seek Government support for projects was an abuse of office. The tribunal does not state that any action was sought or received specifically because of this donation, but it does state that it should never have been sought. This matter did not receive a great deal of attention during the tribunal and I am conscious the tribunal accepted that Albert Reynolds was not in a position to have this criticism put to him.

There is no question now that such fund-raising was wrong even though it was legal. If we all accept that Governments using their position to increase donations is wrong, I presume Deputies will take the time to note how Mr. Justice Moriarty pointed to exactly the same issue in his report. This needs to be explained, given the number of Government Deputies who continue to refuse to acknowledge the clear facts. Mr. Justice Moriarty showed how there was a pattern of donations to Fine Gael by bidders for the second mobile telephone licence, which began shortly after the party entered government. Regarding Esat, he laid out how 15 donations were made to the party in the run up to the awarding of the licence. One of the many aspects of the Moriarty report that has been ignored is the finding that only the first of these donations was unsolicited. When asked about why he had agreed to give money to Fine Gael even though Esat was financially strapped, Denis O'Brien Senior's reply was "because Fine Gael asked for it".

In regard to the \$50,000 New York donation which Fine Gael chose to hide from Mr. Justice Moriarty for four years until the Minister for Finance, Deputy Noonan, insisted that it be revealed, the report is equally clear. In paragraph 41.47 Denis O'Brien said Fine Gael asked for the donation and further that he felt that Fine Gael should not have asked for it. The then Taoiseach and three serving Ministers received donations in their constituencies which were solicited from Esat. Other money was put into the form of bank drafts as part of a successful effort to ensure that the origins of the donations were known to the officeholders but not to the wider public. This is what led to the well known correspondence to the Minister for the Environment, Community and Local Government. To remind Deputies, it states:

Dear Phil,

Please find enclosed a draft for the Golf on 16th.

I understand Denis has requested that there are no references made to his contribution at the event.

Best of luck on the day.

I'll give you a call soon.

Sarah Carey.

The golf mentioned in this letter was a corporate fund-raising event in the K Club which has continued uninterrupted since that day. The Minister of State at the Department of the Taoiseach, Deputy Creighton, said that the event is no different from the Galway tent, which was stopped four years ago. As the report states in paragraph 6.30, the entire episode most likely started on 7 February 1995 when a Fine Gael Deputy employed by Esat as a consultant introduced Michael Lowry to Denis O'Brien at a meeting in Fine Gael headquarters in Mount Street. The effort by Fine Gael to whitewash Moriarty's findings from history is deeply cynical and the support it is receiving in this from the Labour Party is striking.

The fund-raising which the Mahon report chronicles was wrong. However, it is simply not possible to look at the facts of fund-raising under another government and view what Mahon reveals as unique. This is a more serious point about the political system. It has raised many questions which should be answered. Are we willing to clean out the stables when it comes to historical cases of abuse in political fund-raising? Are we willing to expose wrongdoing without fear or favour? There has yet to be a full inquiry into all political fund-raising at that time.

If there is a need for a further more detailed examination of the decade before regulations and limits were introduced, I have no problem supporting it and promising full co-operation. I hope other parties would be willing to do the same. The broadcaster, Vincent Browne, has failed to get an explanation as to how Fine Gael raised millions of pounds during 1995 to erase large debts. Given its newfound attitude towards historical accountability, the party should take this opportunity to finally answer.

The Tánaiste will surely agree that the funding of his former party was less than transparent given the involvement in counterfeiting of the party's in-house printing company as well as the continued racketeering of the Official IRA, or Group B as it was then known. If he believes in accountability, is it not time this was investigated rather than continuing to insist on double standards?

Sinn Féin's embrace of double standards on this issue is particularly brazen. Lest anyone forget, during the period examined by the Mahon Tribunal, Sinn Féin's movement killed over 200 people, knee capped and exiled many more and ran this island's largest racketeering, kidnapping and bank robbing network. Its position has been a consistent one of refusing to expose its members to the law without an advance assurance that there will be no accountability.

Studies show that Ireland's current system for controlling political finances is very tough in international terms. New measures are making it tougher, even if they do not go as far as the measures we introduced but which were voted down by the Government last year. We believe there should be a stronger ban on corporate donations and that the matter should be made crystal clear via the Constitution.

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In the introduction to the report the Mahon tribunal states its belief that comments made about it by former Ministers amounted to an attempt to collapse the inquiry in a vital investigation. This is not a finding but it has played a central part in the Government's public relations strategy. Within minutes it had supplied its representatives with instructions to emphasise this and say that it was a finding against me and other colleagues. Unlike the partisan attacks, I take the comments of the tribunal seriously. Unfortunately, this is a matter on which it heard no evidence, provided no detail and gave nobody an opportunity to be heard in response. It is not a finding of fact and the Government should stop pretending it is.

None of the quotes which have been produced by Government spin doctors come anywhere close to justifying the claim of such a conspiracy. For example, Dermot Ahern is being attacked for effectively quoting the now Chief Justice. Other comments fall well short of criticisms of the tribunal's work, which was widely spread.

Deputy Jerry Buttimer: Why did Deputy O'Dea apologise?

Deputy Micheál Martin: In over 3,200 pages there is no mention of Deputy O'Dea and the only mention of former Deputy Roche is his signature on revised terms of reference.

I do not accept that Ministers had no right to criticise the workings of the tribunal. There is a difference between legitimate criticism and trying to collapse it. It was not a Minister but a judge of the Supreme Court who used words like "grotesque" and "nothing less than appalling" to describe the cost and duration of the tribunal.

While I am happy with how the report deals with a donation I received at the tribunal, a wild and unfounded accusation was made against me. The allegation was later withdrawn and the accuser apologised. However, the accusation was left hanging for days and I criticised the tribunal for allowing that to happen. Given that my criticism is now a core part of Fine Gael's attack strategy, I hope its Deputies will take the time to reflect on the fact that the party made exactly the same criticism of the Mahon tribunal for a similar occurrence. On 4 July 2006 Fine Gael issued a press release attacking the tribunal for the "outrage and disgrace" of letting an untrue allegation be made without being challenged. Fine Gael was right in this criticism and I was right in mine.

Fine Gael backbenchers who are enjoying this particular spot on the moral high ground should reflect on the fact that the Minister, Deputy Hogan, threatened to close down the Moriarty tribunal, in which he was a key witness, if he became a Minister. The Minister for Justice and Equality, Deputy Shatter, actually introduced a resolution to collapse the Smithwick tribunal.

I accept the report and welcome the work of the Mahon tribunal. However, it is not immune from legitimate criticism and others have no right to announce that they know who is being criticised in a comment where no one is named and which is not a finding of fact.

During the Moriarty debate last year, the Government parties followed a strategy of deliberately seeking to minimise the significance of the report. They claimed it was all about one rogue Minister and ignored all inconvenient evidence. To this day the Government has not said if it agrees with the findings. That is an extraordinary situation. On the Mahon report it has taken the opposite approach, by demanding agreement not only with the findings, but also to their claims of what the findings are.

The Mahon report is a serious indictment of many people who held office at every level of public life. It involves individual cases of corrupt and inappropriate behaviour. Equally, it shows there was a fundamental question about even the legal funding of politics.

I accept the findings against members of my party and we will continue to work to address these findings. What I will not accept is hypocrisy and double standards. I will not accept the right of the parties who control this House to be selective in the evidence they point to when speaking about past abuses or to demand accountability for others while refusing legitimate questions about their own party's record.

In the past 12 months no Fine Gael Minister has acknowledged that it was wrong to seek and accept major donations from a company which was competing for the largest commercial licence ever awarded by the State. The Taoiseach has lectured at length about standards but has repeatedly refused to answer direct questions about whether it was correct to seek and accept these donations. In the debate last year he ignored a series of questions by me and Deputy Catherine Murphy about serious matters.

Last week's events in the USA are only a reflection of the government's indifference to and dismissal of the Moriarty report. With other reports the Government rightly demands accountability and contrition but for Moriarty, when the question is about its own conduct, it says legislative plans are enough. Nobody on the Government benches can be found to issue even a word of criticism of what happened under Fine Gael and the Labour Party. Deputy Broughan is the only Member in either party to stand up and criticise the targeted fund-raising around that second mobile telephone licence. As the Minister of State, Deputy Creighton, pointed out yesterday, many are uncomfortable with the behaviour of the Government but nobody is willing to do anything about it.

Since Moriarty was published I am not aware of any serious effort to question the Taoiseach or Ministers about whether they thought their fund-raising was appropriate. Questions about relations with Mr. O'Brien have been belated and limited. While the Government's efforts to minimise Moriarty are clearly political, the reluctance of some of our media to follow it up in any sustained way is more disturbing. It is not possible to argue it received the sort of attention the seriousness of its findings requires. More striking has been the lack of any concerted defence of those journalists who are being targeted through legal action. My party does not have many friends in the media in recent times——

Deputy Jerry Buttimer: What about the *Irish Independent*?

Deputy Micheál Martin: ——but it is an outrage that journalists and commentators should be targeted for being forthright in talking about the findings of Mr. Justice Moriarty. If we are now entering a new era in this country where the standards and level of scrutiny being applied to public affairs depends on how a story aligns with the interests of media owners we are actually going backwards. The Mahon report is so serious particularly because it makes a point about systematic abuses. This is a large and challenging issue which goes to the core of public disillusionment towards politics and the failure to fully grasp it and to be inconsistent about accountability do not help rebuild trust.

My party has correctly been held to account for the behaviour of individuals in abusing public office. We are acting on the findings and support the recommendations. I am conscious that people have heard similar sentiments from my party in the past. My message to them is simple: we understand the scale of the challenge we face in rebuilding trust, but there is no task I take more seriously.

Deputy Gerry Adams: Bhí an fiosrúchán seo dírithe ar chaimiléireacht a cheapadh go raibh ag dul ar aghaidh sa phróiseas pleanála — sa chás seo, ceapadh go raibh íocaíochtaí á ndéanamh le polaiteoirí. The tribunal's conclusions and its criticism of the political elite in this State are damning. It stated:

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. . . corruption in Irish political life was both endemic and systemic. It affected every level of Government from some holders of top ministerial offices to some local councillors and its existence was widely known and widely tolerated.

However, these words of accusation and condemnation only touch on one aspect of the institutionalised sleaze and corruption that was rife in this State. It was not just political life that was corrupt, so too was the business elite. Together they formed golden circles of self-interest dedicated to preserving their wealth, privilege and power. This corruption did not begin just 20 years ago when the beef tribunal began its deliberations or later with the McCracken tribunal or the Flood-Mahon tribunal. Institutionalised corruption and gombeenism were part and parcel of British colonial rule on this island and these practices survived and thrived in the post-colonial period. Liam Mellows warned of this in the Treaty debates when he said: “Men will get into positions, men will hold power, and men who get into positions and hold power will desire to remain undisturbed and will not want to be removed, or will not take a step that will mean removal in case of failure.” Mellows was right. Ní hamháin go raibh an ceart aige, ach bhí fíís difriúil aige de Phoblacht agus rialú ina mbeadh an saoránach mar chroílár tógáil Stát nua.

Politicians, churchmen and business people got into positions of power and abused that power in their self-interests and not in the interests of citizens. Partition created not one but two conservative states on this island ruled by two conservative elites. The closed, narrow, post-Civil War society that emerged out of partition in this part of the island was characterised by economic failure, emigration, backwardness on social issues, inequality and the failure to protect the most vulnerable of our citizens. Those who built this State also turned their backs on the people of the North. They turned their backs on the ideals of independence and of a genuine Republic, and on the rights of citizens enshrined in the 1916 Proclamation. As it evolved the political elite in this State was increasingly in hock to the Catholic hierarchy. For decades the system here abdicated responsibility for the care of children and single women and allowed a regime in institutions that abused, criminalised and terrified those who found themselves locked in those places.

The political establishment and the business elite which emerged in the aftermath of partition — the senior civil servants, the bankers, the judges, big business, and the politicians of Cumann na nGaedhael, Fine Gael and Fianna Fáil, and the Ulster Unionist Party in the North created systems that entrenched their own privilege. Systemic corruption bred a culture of corruption. It was part of the way we were. Corruption, backhanders and brown envelopes became acceptable — a normal way of winning political favour, of rezoning land for profit, and of buying votes and influence. Cronyism became endemic. Whom one knew was more important than ability, fairness or what was right. The “golden circles” of big business, speculators, bankers, financiers and developers, allied to a corrupt political elite, grew rich on the exploitation of others. Léiríonn an tuairisc seo do dhaoine an santachas a bhí i réim ag éilít áirithe sa sochaí seo, a rinne creachadh ar ár maoin, as ar íoc an mórlach, le toradh turraingeach.

Family dynasties, party connections and donations to political campaigns all entrenched this corruption. This was made easier by the concentration of political power in the hands of a few. Weak and ineffective legal checks and balances, little oversight and light-fingered enforcement of laws to challenge corruption, made dishonesty and corruption easy and acceptable. The arrogance of the “golden circles” has seen powerful individuals consider themselves above the rules that apply to ordinary citizens. That double standard was graphically demonstrated in the famous television broadcast by the then Taoiseach, Charles Haughey, who told citizens to tighten their belts, while he lived the highlife at the taxpayers’ expense.

Ní raibh an nasc cosy seo idir pholaitheoirí agus fir ghnó, baincéirí agus tógáilaithe i bhFianna Fáil amháin. This was not limited to just Fianna Fáil. In a classic example of the double standards that have applied in the political culture, in 1993 the former Taoiseach and Fine Gael leader, Garret FitzGerald, had debts of almost £200,000, which he owed to AIB and Ansbacher, written off. Sin é with no explanation. How many ordinary citizens, many now in negative equity and struggling to survive, will have the balance of their loans written off by AIB?

New rules and laws need to be put into place to end corrupt practices. Too many of our citizens live each day with the consequences of corruption. There are the many home owners in mortgage distress because some politicians chose to facilitate developers and bankers, and pursued an economic strategy which brought the State to its knees. There are the growing numbers of elderly citizens who do not know if they will have a public nursing bed when and if they need it. Thousands of patients languish on hospital trolleys because successive governments have failed to invest in public health services, choosing instead to promote privatisation. There is the rub. If a government decides to privatise a public health service, that is the start of the process of corrupting the service. If health is run for profit instead of as a right of a citizen, that is where the corruption starts and that is where the corruption is currently ongoing.

What of citizens living in sprawling unfinished housing estates with no shops? Gabh mo leithscéal a Mhicheál——

Deputy Micheál Martin: Gabh mo leithscéal.

Deputy Gerry Adams: ——you might learn something.

Deputy Niall Collins: The Deputy should not be so arrogant.

Deputy Gerry Adams: I am not being arrogant.

(Interruptions).

Acting Chairman (Deputy Bernard J. Durkan): Allow Deputy Adams to continue.

Deputy Gerry Adams: What of citizens living in sprawling unfinished housing estates with no shops, youth facilities, playing fields, amenities or places for elderly people to gather? Each one of us comes across those in our constituencies.

While Judge Mahon has revealed that politicians from Fianna Fáil, Fine Gael and Labour took bribes from developers perverting the planning process for profit, the upper echelons of Fianna Fáil in particular stand indicted. While the Fianna Fáil leader, Deputy Martin, outlines his position — I do not envy him that task — will he take action against those who sought to thwart the Mahon tribunal by embarking on what the tribunal called a “sustained and virulent attack” against it? Will he take action against those current Fianna Fáil Deputies who questioned not only the legality of the tribunal, but also the integrity of its members?

The Mahon report demands firm measures by this Government to deal with corruption and citizens are demanding resolute action. If we are to end corruption, and ensure transparency and accountability, more needs to be done to restore public confidence and to clean up politics. For example, one suggestion is the introduction of legislation that would allow impeachment or removal from the Dáil or Seanad of any Member involved in corruption, deliberate misuse of public money or fraud. Furthermore, it is obvious that former politicians found guilty of corruption should have their public pensions taken from them. This is particularly true when it comes to former Ministers or taoisigh who enjoy excessive annual pension pay-outs. The

[Deputy Gerry Adams.]

DPP needs to conduct a full and prompt investigation into the findings of the Mahon report working with the Garda to bring charges of corruption to the courts as soon as possible.

It is quite possible that none of what has been revealed would have come to light were it not for the role of whistleblowers such as James Gogarty and Tom Gilmartin. Such whistleblowers are key to exposing and preventing corruption. It is imperative that legislation is brought forward to protect whistleblowers. Sinn Féin and I welcome the publication of the draft heads of the new whistleblower legislation by the Minister for Public Expenditure and Reform, Deputy Brendan Howlin. If citizens are to regain confidence in the political system, the Government must implement the recommendations of Judge Mahon. There are no excuses and there can be no fudging. Cronyism and privilege must be ended.

The Mahon tribunal investigated corruption in Dublin but we cannot imagine for one moment that it was all confined to the Pale and that it did not occur elsewhere in the State. I note that an internal review of planning decisions by several local authorities is under way but not yet completed. The previous Minister with responsibility for local government, John Gormley, announced an independent investigation into six local authorities involved in controversial planning decisions. However, one of the first acts of the current Minister for the Environment, Community and Local Government, Deputy Phil Hogan, was to abandon plans for independent investigations. He dismissed them as mostly spurious. This includes an investigation into a relief road in Carlow, in the Minister's constituency, first highlighted in 2008 which led to a compensation case costing a total of €11 million. The public must have confidence that every decision taken is above reproach. The internal investigation must be completed and its findings must be made public.

The Mahon report and its indictment of the political system is a far cry from the ethos and high standards demonstrated by those whose bravery, courage and self-sacrifice we will commemorate and celebrate in 12 days time or by those who founded Fianna Fáil. The Republic they fought and died for at Easter 1916 and in subsequent generations is encapsulated in the words of the Proclamation of 1916. For those who abandoned and corrupted its objectives, the Proclamation is no more than a piece of paper to which they occasionally pay lip-service. However, it is a great deal more than that. The Proclamation is a charter of liberty, freedom and rights as important a charter as anywhere else in the modern world. The Republic it envisages guarantees religious and civil liberty, equal rights and equal opportunities for all its citizens. The Proclamation contains a commitment to cherish all the children of the nation equally and not to exploit, abuse or steal from them. It contains a promise to every Irish man, woman and child that they can share in the dignity of humankind and of this wonderful island that we live in.

Our party, other parties and other representatives here are for a new, genuine Republic, one fit for the 21st century. We are for a Republic across the entire island where orange and green unite, one based on citizenship and citizens' rights. We are for a Republic that is accessible, responsive and inclusive to the needs of citizens and which upholds civil and human rights. This Republic must include rural Ireland and the protection of our uniquely rural way of life. It must ensure that Gaeltacht communities thrive and that the Irish language has the support required to flourish as a spoken language. Such a Republic must reach out and embrace our Unionist brothers and sisters. It must represent a new Ireland built on positive change, equality and partnership. It must be a Republic that is people-centred, owned by and responsible to the people rather than to elites.

The people deserve more than what we have at present. We deserve to be free of division, injustice and corruption. Wealth must be invested creatively and fairly. Poverty must become

a thing of the past. This is my belief and I imagine others share it. We should not allow the revelations of corruption and graft to put us off building this new Ireland and this new Republic. The resources to build it exist even at this time of great adversity.

This is no pipe dream, aisling or some notional idea. It is a real, achievable goal. In Easter 1993, almost 20 years ago, John Hume and I issued our first joint statement. We stated that the most pressing issue facing the people of Ireland and Britain was the question of lasting peace and how it could be achieved. We identified as our primary objective reaching agreement on a peaceful and democratic accord for all on this island. John Hume was vilified and his vision was attacked by all sides in the Chamber, by all parties here. However, five years later the Good Friday Agreement was achieved. Therefore, nothing is impossible. A vision of a different Ireland is needed as is the political will to make it occur. It can be done.

Deputy Richard Boyd Barrett: The Mahon tribunal confirms what many people in the country had suspected for a long time, that is to say, a rotten political culture has dominated the State for the best part of three decades. It is not only about the Mahon tribunal, what it shows about the endemic corruption of the planning process and the fact that councillors from the main political parties were open for bribes by bagman working on behalf of developers, but it builds on the knowledge we sorely accumulated dating back to the beef tribunal and the other tribunals that have taken place since then. They show that the entire political culture of the State has been absolutely corrupted to a rotten state over a period of at least 30 years.

The Tánaiste might suggest that not all apples in the barrel were rotten. However, such is the extent of the corruption highlighted in the Mahon tribunal and the other tribunals and attendant reports that it is clear not that all apples in the barrel were rotten but that the barrel itself was rotten. The report of the tribunal makes clear that the political culture was absolutely rotten. Corruption, bribery, sleaze and greed were endemic in the political culture of the State for the past 30 years. Both of the major political parties which have dominated the State since its foundation are implicated to a considerable degree.

The legacy of this rotten political culture has been devastating for tens of thousands of families and citizens throughout the country during these years. One consequence, about which I hold particularly strong and angry views, relates to the issue of housing. One impact of the corruption of the planning process and the fact that so many councillors and politicians were in the pockets of developers was that the provision of social housing for the citizens who needed it essentially ground to a halt during this period while developers were allowed to run amok because they had politicians on the payroll. Private development driven purely by the profit and greed and greased by corruption was the order of the day. Consequently, even while we went through the greatest building boom in the history of the State, we ended up with more people on social housing lists than at any time previously. This is one particular sore point for me and, I suspect, for other Deputies. Tens of thousands of families witnessed apartment blocks and estates popping up everywhere. These developments made fortunes for the developers involved while many families were left rotting on housing lists for years and years. The privatisation of the housing market linked to this corruption had this social consequence for tens of thousands of families in the State. However, it is a great deal worse than that.

This rotten political culture has contributed directly to the economic catastrophe that has been visited on this State with all its horrendous consequences, such as mass unemployment, mass emigration and the devastation of our public services through austerity and cuts. This culture began with a cabal of developers and politicians corrupting the area of planning, for profit. This rotten cancer of corruption then spread into the financial system. One led to the other and a loop of corruption was set up between the political authorities, the greed-driven developers and the financial and banking system of the State. When this became apparent, it

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was institutionalised rather than punished. How did we deal with the discovery that the wealthy in this country were salting away money in offshore accounts, that politicians, including a Taoiseach, were being paid and corrupted by corporate interests and that the wealthy did not pay tax? First, we gave amnesties to reward them for the fact they did not pay tax. We then reduced their taxes. The answer to the fact that the rich did not want to pay tax was to ensure there were no taxes or only negligible taxes on them, with the consequence of the deficit problem we now have.

The Government castigates this side of the House and tells us we do not understand that the State has a big deficit problem. Why do we have that big problem? It is because the Government, primarily Fianna Fáil, but now the current Government which is doing nothing about the situation, reduced taxes on the wealthy. The Government has not reversed the decisions taken, because it agrees with them. It was also involved in previous Governments that gave tax amnesties to the wealthy who had been evading taxes. Will the Government do anything about it now? Will it raise the taxes of the rich? No, it will not. It does not believe in doing that. It does not believe in taxing the wealthy and that is why we have a deficit and that is the reason our public services are in pieces.

Fianna Fáil was at the heart of this rotten political culture. To be honest, I do not understand why Fianna Fail does not just shut up shop. It should disband, because this is not just about a few individuals. The record is appalling. It shows a culture of corruption from top to bottom of what was the biggest political party in the State, one which dominated the political life of this country over the past 30 years. It says it all that three taoisigh have been implicated in the findings of corruption spelt out in the Mahon report and in previous reports. Charles Haughey received £1 million over a three-year period from Ben Dunne which was paid into Ansbacher accounts. Some £5,000 a week was paid to him by Ben Dunne, who was rewarded with the fact that the trust status of Dunnes Stores, providing tax concessions, was never seriously addressed by the Government of the day. The consequence was that if that was the culture in which the leader of the party was involved and promoted, he was sending down the signal to the rest of the organisation that corruption was the way to do politics. It is spelt out clearly in the Mahon report that it does not just look at individual instances of corruption, but that this was the culture that existed.

Almost certainly, what is in the Mahon report is just the tip of the iceberg in terms of the corruption that existed. Albert Reynolds knew about Tom Gilmartin's donations to Pádraig Flynn, but he did nothing whatsoever about them. Then, the denials by Bertie Ahern about the money he received, or claims to have been given in dig outs, were farcical. The Mahon tribunal rubbishes the claims regarding the €165,000 as fictional and fantastical explanations. There was also the fact that a former Minister for Finance, Ray Burke, is known to have taken tens of thousands from builders. I was asked by the people of Rossport and those involved in campaigning against the Shell pipeline to ask questions about his part in that. It is known that Ray Burke was involved in corruption and in accepting corrupt payments. He was also, coincidentally, the Minister who set up an unprecedented tax and licensing regime in the context of the exploration and development of our natural resources. Effectively, our gas and oil resources are given away to private companies when they are found. Again, there is no indication the current Government will do anything about this. We do not know the exact chain of events or whether there is a connection. However, when we know a Minister for Finance received corrupt payments at around the same period when he set up a tax and licensing regime which effectively gives away our natural resources to private multinational companies, we must ask serious questions. There was also the Galway tent. Also, Pádraig Flynn, the former Minister for the Environment, asked a developer for €50,000.

I do not know why the members of Fianna Fáil are not hanging their heads in shame. The current leader of Fianna Fáil also has serious questions to answer. I do not know the truth of the matter, but Fintan O'Toole raised some interesting questions in his article this week. We certainly know that the current leader of Fianna Fáil was around when all of this was going on. He was a Minister in the Government and did not speak out against it. Many of the Fianna Fáil Party who are still in this House were around and did not speak out against the corruption. They defended their party and held the party line rather than condemn the rotten culture of corruption that existed. Given the devastating consequences this has had for society, it is beyond me how Fianna Fáil can put itself forward with any credibility as a political opposition.

If Fianna Fáil has questions to answer, so too does Fine Gael. The issue of Denis O'Brien is at the heart of some of the questions Fine Gael must answer. I would like to hear Fine Gael's answer on this issue, because we have not heard it. The Moriarty tribunal stated clearly that in the context of the granting of the second mobile telephone licence in this State, 7 o'clock inappropriate payments were made by Denis O'Brien to a Fine Gael Minister, resulting in Denis O'Brien making an enormous fortune and becoming a multibillionaire. At the same time, Denis O'Brien was making political contributions to Fine Gael. He was then seen standing beside the Taoiseach in the Stock Exchange at the St. Patrick's Day festivities. Clearly, he is still a friend of Fine Gael. He was also invited to the global economic forum in Dublin Castle. How can this happen when these questions remain to be answered? It has been clearly stated by Moriarty that these were inappropriate payments in the context of the granting of that licence. I find it beyond belief that Fine Gael has nothing to say about that or refuses to answer how it raised €3 million and who were the political donors that helped Fine Gael raise the €3 million war chest to win the last election. Will Fine Gael publish the list of its donors?

Deputy Patrick O'Donovan: The Deputy should buy a ticket because it was a draw.

Deputy Richard Boyd Barrett: A ticket to the golf classics. We know some of the people who won the golf classics: Johnny Ronan——

Deputy Patrick O'Donovan: St. Michael's school——

Deputy Richard Boyd Barrett: ——from Treasury Holdings——

Acting Chairman (Deputy Bernard J. Durkan): I advise the Deputy he is inviting debate unnecessarily.

Deputy Richard Boyd Barrett: We know people from CRH, EBS and JP McManus are the sort of people who were at the Fine Gael golf classics. If the Minister and his party are serious about all this talk of transparency, will he publish the list of Fine Gael's corporate donors prior to the last election? The fact the Minister, Deputy Hogan, plays golf with Mr. Arthur French——

Deputy Phil Hogan: What is wrong with that?

Deputy Richard Boyd Barrett: ——who raises money, contributes to Fine Gael election funds and now appears as an adviser for Covanta promoting the Covanta incinerator development — if that is not part of the sleazy culture, the murky culture, the unhealthy relationship between big business and politics, I do not know what is.

Acting Chairman (Deputy Bernard J. Durkan): I remind the Deputy again that the Ceann Comhairle at the outset pointed out that where possible, Members should avoid the naming of persons outside the House who are not in a position to defend themselves for whatever reason.

Deputy Phil Hogan: The Deputy is spraying stuff around.

Deputy Richard Boyd Barrett: I am just asking the questions and the Members opposite know well that these questions are there.

Deputy Phil Hogan: The Deputy will be burning dock leaves at the way he is going.

Deputy Richard Boyd Barrett: The Minister is not answering a simple question. Will he name the corporate donors to Fine Gael prior to the last general election which allowed it to build a war chest of €3 million?

Deputy Phil Hogan: We got nothing.

Deputy Patrick O'Donovan: The Deputy should buy a ticket.

Deputy Richard Boyd Barrett: We do not believe the Minister. He was playing golf with them and making big money. The donations required to play in these games were such that they certainly were not ordinary working people who were on these golf courses——

Deputy Patrick O'Donovan: The Deputy is the only one here from St. Michael's school. He never did a day's work in his life. He has a silver spoon.

Deputy Richard Boyd Barrett: The current Taoiseach was the one who removed the ban on corporate political donations in the run-up to the last general election and who is now waxing lyrical about the need for political reform, transparency and all the rest.

Fine Gael has very serious questions to answer. People may want to know if there will be real action from this Government on the good recommendations made in the Mahon report about dealing with this endemic culture of corruption and sleaze. The Mahon report stated that if money and politics are insufficiently regulated, money can have a corrupting influence and lead to distortions in the democratic process. The report stated that bribes may be made in the guise of political donations and large donations may in themselves exert a corrupting influence. In other words, big money, in and of itself, from wealthy people and from corporations, in and of itself, may exert a corrupting influence. Everything that has happened in this country and all the corruption which has been revealed shows this to be the case and there can be no doubt that there is a connection. In the current climate of economic crisis where the response of this Government and the previous Government and indeed one might argue governments right across Europe to an economic crisis that is caused by greed, speculation and the drive for profit of corporate and financial elites, is to protect those corporate and financial elites, the same people who make the big donations to political parties, whether in this State or in another state, and to unload the cost of that economic crisis onto the backs of working people, the vulnerable, the poor, pensioners, young people and our public services. There is obviously a connection between those two things. The only way to deal with this is by rooting out and dismantling that rotten connection between big money, corporate influence and politics. All substantial political donations should be transparent.

Deputy Phil Hogan: There is legislation before the House.

Deputy Richard Boyd Barrett: Let us see the legislation and let the Government follow through.

Deputy Phil Hogan: It is before the House.

Deputy Richard Boyd Barrett: No anonymous cash donations.

Deputy Patrick O'Donovan: Was the Deputy missing last week? He must have been protesting somewhere.

Deputy Richard Boyd Barrett: I am talking about serious limits on electoral spending, full disclosure of the origin of donations and severe limits on the amounts individuals or corporations may donate to political parties. Those disclosures should be made before elections or in the period of the election so political parties disclose where the money to finance their election manifestos comes from. This would allow people to have full knowledge of what they are voting for and whom the political parties represent when they put themselves forward in elections.

Those are measures which would go some way towards dealing with the endemic culture of political corruption that has blighted this society and this State. In my view and following from what the Mahon report states, there will always be a substantial degree of corruption of the political process where there are gross inequalities in wealth in society in the first place. If, as is the case, 5% of the population in this country owns more than 40% of the wealth, it is inevitable that they will use that wealth to corrupt the political process. It is the inequality in the distribution of wealth, the lack of social and economic equality in our society, which inevitably corrupts the political process. Therefore, part of dealing with the culture of political corruption is to achieve a more equal society, to have things like wealth taxation and progressive taxation which redistributes the wealth in our society in a fair way——

Deputy Patrick O'Donovan: Is the Deputy paying the household charge?

Deputy Richard Boyd Barrett: ——something that this Government, just like the previous Government, resolutely sets its face against.

Deputy Patrick O'Donovan: The Deputy is against everything.

Deputy Richard Boyd Barrett: I am for wealth taxes and I keep asking for some wealth taxes. The reply is that it is too difficult to organise. It is no problem to harass people on social welfare and brutal austerity measures can be imposed on working people and the poor. They are harassed by letters which warn their bank accounts will be inspected and asking questions as to who lives in the house. These are invasive means testing procedures imposed on people on social welfare——

Deputy Patrick O'Donovan: Does the Deputy condone fraud?

Deputy Richard Boyd Barrett: ——but because it is too complicated, we cannot look at where the wealth rests in our society. The fact is that it is possible but the Government does not want to do it. The political establishment is representing those interests and protects them at every turn. How the Government has responded to the economic crisis is just the latest episode of that. It is always the same; it is always the poor. The crisis in the 1980s was presided over by Haughey when he was telling the people to tighten their belts and to make sacrifices and that everyone had to pull together but he was busy helping his friends salt away their money in offshore accounts and he was being paid with money from big business going into Ansbacher accounts.

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We are getting the same story now. Ordinary people have to suffer. It is they who have to tighten their belts and take the impact of austerity in order that we protect at all costs the financial and corporate elites, the billionaires and the multimillionaires who were still swanning around at the global economic forum organised by the Government, advising us on how to deal with the economic crisis. That symbolises it all. I wonder what the Minister is going to do about it but I have very little confidence he will do anything.

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I am pleased to have the opportunity to contribute to the debate in the House this evening on the analysis, findings and recommendations of the fifth and final report of the Mahon tribunal. However, it gives me no pleasure to have before us a report with findings of the kind we have all been digesting over the last few days.

It is important that the Dáil, as the primary democratically elected forum in the State, provides the necessary time to consider a report of such profound significance for the fundamentals of politics and public life in Ireland. It is for that reason the Government was determined to ensure that this week's normal Dáil business time would be devoted to a debate on the report, ensuring that Members from all sides have the opportunity to have their initial reactions to the report placed on the record of the House.

The publication of the report last week has brought to finality a process that began in November 1997, when the Tribunal of Inquiry into Certain Planning Matters and Payments was established in response to serious public concern in respect of allegations of corruption relating to the planning process, in particular insofar as this related to the Dublin area. In the intervening years, the tribunal has held over 900 public sitting days, has called over 400 witnesses to appear before it, and has gathered more than 60,000 pages of evidence and 76,000 pages of correspondence.

The final report has been a long time coming — perhaps far longer and at greater cost than anyone would have imagined or expected at the outset. Nevertheless, if there were any doubts as to the value and importance of the tribunal's work, those doubts were comprehensively countered last Thursday. For that reason, I wish to pay tribute to judges Fergus Flood, Alan Mahon, Mary Faherty and Gerald Keys for presiding over many years of hearings and investigations and presenting the comprehensive final report we now have before us.

I refer to some of the main findings of the tribunal. The final report is voluminous, running to more than 3,250 pages, and it will take some time to fully digest its findings and recommendations. However, the summary findings and recommendations — in Chapters 17 and 18, in particular — tell us that last Thursday was a dark day, not only for those individuals on whom its findings reflect so poorly, but also for a system that failed to prevent, detect or respond adequately to what the report describes as:

Corruption in Irish political life [which] was both endemic and systemic [and which] affected every level of Government from some holders of top ministerial offices to some local councillors and its existence was widely known and widely tolerated.

The tribunal meticulously and methodically carried out its work over the course of the last 15 years. As the report states:

Tribunals must possess both political and financial independence and enjoy public trust and confidence. Attempts to illegitimately undermine that independence or erode that trust and confidence are nothing less than attempts to undermine the inquiry being undertaken by the relevant Tribunal, and in so doing frustrate the will of the Oireachtas.

Perhaps one of the most serious aspects of the inquiry is the fact that the judges have stated in their report that they came under “sustained and virulent attacks” from senior Ministers of the last Government at a critical stage of their investigations, and that this overt interference questioned, *inter alia*, the legality of its inquiries, as well as the integrity of its members.

The report’s findings merit full consideration by all the relevant organs of the State. In that context, following initial consideration of the report over the course of the day of its publication, I considered it essential to bring it to the immediate attention of the relevant authorities. On Thursday evening last, therefore, I wrote to the Garda Commissioner, the Director of Public Prosecutions, the chair of the Revenue Commissioners, and the chairman of the Standards in Public Office Commission. In doing so, my purpose was to refer the report to them for their consideration and for such investigation or further steps as they may consider appropriate, given the content of the report and the issues of public importance it raises. It will, of course, be a matter solely and exclusively for these various organs of State to decide on what action, if any, to take on foot of the report. I have full confidence they will arrange for the report to be considered carefully. I understand that the Garda Commissioner has already referred the report to the Criminal Assets Bureau for urgent attention and a co-ordinated response across the Garda organisation.

In addition to the grave findings of fact, the report also sets out a series of policy recommendations for consideration to help ensure that similar situations do not arise again in the future. These 64 recommendations relate to a range of policy areas, including planning, conflicts of interest, political finance and lobbying, bribery, corruption in office, money laundering, the misuse of confidential information and asset recovery and confiscation. Although it is not possible for me or my Government colleagues to respond in a comprehensive or definitive fashion to the 64 recommendations at this early stage, I can assure the House that the report is already being given full and urgent consideration without delay. This morning the report was the subject of an initial consideration by the Cabinet on foot of which all relevant Ministers have been asked to consider as a matter of urgency the report’s recommendations that fall within their respective remits. This initial consideration is to be completed by the end of April so that the Government can collectively come back to the issue again in May, with a view to considering how best to respond to the tribunal’s recommendations.

Without pre-empting the analysis my Government colleagues and I will be undertaking, a preliminary examination of the 64 recommendations suggests that some at least are already being addressed through, for example, reforms of the tribunals of inquiry legislation and new legislative proposals in regard to political funding, corruption, whistleblowers and the registration of lobbyists. The progress which this Government has made in these areas in its first year in office, in advance of last week’s publication of the tribunal’s final report, demonstrates our seriousness about reform and our determination to minimise a repetition of some of the occurrences on which the tribunal has made findings.

I leave it to my ministerial colleagues to elaborate on their specific areas of responsibility referred to in the tribunal recommendations as part of their contributions to this debate. For my part, I wish to outline some of the major reforms I am already progressing which should help to minimise the scope for a recurrence of the behaviour and practices that are brought to light in the tribunal report.

On the matter of political donations, as Deputies will be aware, I am currently leading the Electoral (Amendment) (Political Donations) Bill 2011 through the House, and am pleased to note that a number of specific recommendations of the tribunal are already being addressed in

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that legislation. Under the Bill, the books of political parties will be opened up to public scrutiny. I am proposing that the maximum amount that can be accepted as a political donation will be more than halved. I also want to see greater openness, with significant reductions in the thresholds for the public declaration of political donations. Other measures in the Bill provide for greater transparency by both donors and those in receipt of political donations.

Building on the relevant commitments in the programme for Government, this Bill goes further than any previous legislation in asserting the right of the people to know how their political system and political parties are funded. The Bill is informed by an understanding that excessive and secretive corporate funding of politics is corrosive to democracy and to public trust in politics. Therefore, the Bill aims to see the development of a system of political funding based on a large number of small donations from citizens rather than a small number of large donations from corporate bodies. As part of the analysis now underway, my Department is reviewing the report's recommendations in regard to electoral matters with a view to facilitating early Government consideration of the need to bring forward amendments to the Bill on Committee Stage, where appropriate.

Another issue that has come under close scrutiny in the tribunal report is the ethics framework. My colleague, the Minister for Public Expenditure and Reform, Deputy Brendan Howlin, who has previously highlighted the importance of ensuring that the legislative framework in respect of ethics is robust, modernised and relevant in today's world, will now examine both this tribunal's report and that of the Moriarty tribunal within the Government's overall political reform agenda. Within my own area of responsibility, the ethical performance of both elected Members and officials in local authorities is a key consideration. The Local Government Act 2001 introduced a comprehensive ethics framework for all those involved in the local government service. This framework imposed a duty on all to maintain proper standards of integrity, conduct and concern for the public interest. A national code of conduct for Members issued in 2004 and a similar code applies to staff. The aim of these codes is to set out the standards and principles of conduct and integrity for local authority employees and councillors, to inform the public of the conduct it is entitled to expect and to uphold public confidence.

I will examine the tribunal report's recommendations closely in the context of the existing ethics framework to ensure that we take whatever further steps are necessary to restore and underpin confidence and transparency in the local government system, to ensure that the highest standards are adhered to, and to provide protection to the vast majority of Members and staff who behave with probity and integrity. Planning is clearly an issue that pervades the tribunal's work and analysis and I welcome the systemic transformation of the planning system in recent years that has, albeit belatedly, shifted from being developer-led to a more evidence-based and vertically integrated system. This reforming work is continuing and I will leave it to my colleague, the Minister of State, Deputy Jan O'Sullivan, to outline the changes already made and those that are planned. One can never eliminate the possibility of corruption in any system because, ultimately, a degree of trust must be placed in persons who operate those systems. This applies to the planning system as much as to any other. What one can control are the checks and balances, including public transparency in decision-making, to ensure any inappropriate actions or influence brought to bear on decisions can be identified and addressed. With my colleague the Minister of State, Deputy Jan O'Sullivan, I am determined to make it a policy priority of my Department that the planning system continues to evolve into a more evidence-based regime so the scope for incorrect zoning decisions is eliminated as far as possible.

Ill-informed commentators have claimed local authority inquiries were stopped by me, a claim repeated by the leader of Fianna Fáil and the leader of Sinn Féin. It is shameful and lazy of people not to research the topic better because that is not the case.

Deputy Paul Kehoe: Hear, hear.

Deputy Phil Hogan: The inquiries are continuing in the Department and will be completed within the next few weeks with a view to establishing whether external inquiries are required. Under this Government, the cases concerned are being considered as a matter of urgency. One of last decisions made by my predecessor was to establish independent inquiries into six local authorities but he left office seven months later without having commenced any of them. The Minister of State, Deputy O'Sullivan, will issue a public statement on the matter at the appropriate time and will include details of any further action considered necessary.

Deputy Boyd Barrett usually talks at length about innuendo and he challenges people's names in this House, which I find disgraceful. To make the wild allegation Deputy Boyd Barrett made about possible interference by me or anyone else in a contract or process is a new low in politics in this House. I challenge Deputy Boyd Barrett to speak on these matters outside the House rather than abusing privilege in this House.

The cost of the tribunal over its 15 years to date — some €110 million — and the future costs in dealing with claims for third-party costs have been the subject of considerable and understandable concern. A number of measures have been taken to reduce the cost of the tribunal, including reducing fees paid in respect of professional services, including legal services, by the tribunal and scaling back the tribunal's legal and administrative staff following the completion of public hearings. Not enough was done at the time to reduce costs. The tribunal has produced its final report and I expect its operating costs, as well as its requirements for legal representation, should be further significantly reduced and put under scrutiny.

That said, substantial third-party costs, covering the period 2003-08, will be ruled upon by the tribunal's presiding judge in the coming months. Estimates of the potential additional costs involved range from the Comptroller and Auditor General's 2008 estimate of between €84 million and €104 million or the tribunal's estimate of between €117 million and €147 million. Without intruding into matters that are correctly the preserve of the tribunal itself, the Government will take all steps it can to ensure the future costs to the taxpayer are minimised. In this context, I will shortly write to the tribunal's presiding judge, Mr. Justice Mahon, seeking an indication of the likely timing for processing any remaining third-party cost applications and, taking account of the pressures on the public finances generally, to contribute to the process of considering how the tribunal's administrative costs can be reduced during this final phase of its work.

I also welcome the decision by this Government to establish a dedicated unit to deal with third-party costs arising from both the Mahon and Moriarty tribunals. The unit will be located in the State Claims Agency, which under the National Treasury Management Agency (Amendment) Act already manages personal injury and property damage claims against the State. Through its legal costs accounting expertise, it should help to minimise the levels of third-party costs remunerated.

However, it should be remembered that the tribunal's work has not entirely been without monetary benefit to the State. For example, the Revenue Commissioners have recovered almost €33 million attributable to the work of the tribunal in tax settlements with certain developers. In addition, there are ongoing, previously initiated investigations involving the

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Criminal Assets Bureau about which I will not comment further at this stage. I am hopeful that further examination of the final report by those bodies may yield further revenue to the State, to offset at least partially the administrative and legal costs associated with this expensive tribunal.

In conclusion, for everyone in this House and all others who have an interest in the openness and transparency of our democratic process, the final report of the Mahon tribunal makes findings and recommendations of the most profound kind. I hope Members will take the opportunity of the debate in the House over the next few days to record their appreciation of the work of the tribunal. With all that has been invested in the tribunal to date, it is crucial the report is considered carefully and acted on speedily and comprehensively. Having already referred the report to other organs of the State last week, they must be left independently to do their work on following up on what has happened in the past. We cannot change history but we can try to ensure that history does not repeat itself. To that end, the Government has embarked on an urgent and active consideration of the tribunal's recommendations so we take the necessary steps to ensure that what has been set out in the tribunal report can never happen again and to work towards restoring public confidence in our political system, which is essential to the health of our democracy.

Deputy Niall Collins: I propose to share time with Deputy Michael McGrath. As Deputy Micheál Martin said, the report of the Mahon tribunal is of the utmost seriousness for all who care about public life in Ireland. The report has wide implications for all political parties in the House. Anyone could be forgiven for thinking only Fianna Fáil was involved in this culture in the 1980s and early 1990s. The report states that "corruption in Irish political life was both endemic and systemic...its existence was widely known and widely tolerated". There is no doubt members of Fianna Fáil were involved but so too were members of Fine Gael and the Labour Party. People in glasshouses should not throw stones during this important and wide-ranging debate.

Notwithstanding the past, it is important to let the public know that what happened over 20 years ago cannot and should not be allowed to happen again. Over 12 items of legislation have been introduced over the past two decades, all by Fianna Fáil-led Governments. These Governments also introduced the Standards in Public Office Commission, SIPO, in 2001, which supervises the disclosure of interests and tax compliance. In addition, Fianna Fáil introduced the Prevention of Corruption (Amendment) Act 2001, which includes strong and clear punishments for those involved in corruption.

Political donations have been successfully regulated by SIPO. Fianna Fáil published two Bills last year to eliminate all political donations but both were voted down by Fine Gael and the Labour Party in government. Ireland has one of the toughest regimes. We need only look at the Conservative Party in the UK, where one MP is in trouble for asking for £250,000 for access to the prime Minister. That aside, political donations in the UK are at the much higher limit of £50,000 compared to the upper limit of €6,348 in Ireland. This sum will fall to €2,500 after the new Bill is signed into law.

The Mahon report examines planning matters prior to 1992, which is 20 years ago. At that time there was no legislation covering political donations. The culture of politics was totally different. I am not in any way tolerating this behaviour but the behaviour should be put in context so we can have an honest debate. In the past 21 years, the number of Fianna Fáil councillors has been dramatically reduced through democracy. I condemn the corrupt actions

listed in the findings of the Mahon report. There is no doubt members of Fianna Fáil, including a former leader, betrayed the privilege and responsibility of holding office. All members of Fianna Fáil are angry and disappointed with the findings. These people are active in their communities and respect politics for the right reasons. I am also angry and disappointed at the findings in the report about Fianna Fáil members.

Private Members' Business

Central Bank and Financial Services Authority of Ireland (Amendment) Bill 2011: Second Stage

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

I wish to share time with Deputies Billy Kelleher and Timmy Dooley. I will take 20 minutes, with ten minutes each for the two Deputies.

An Leas-Cheann Comhairle: That is agreed.

Deputy Michael McGrath: The Bill I am moving is straightforward legislation concerning the operation of the Financial Services Ombudsman. It proposes to give the ombudsman's office the power to publish the complaints record of individual financial services providers that come within his remit.

The Bill is designed to deal with an important issue of public interest, namely, the need to fully inform the people of cases where serious complaints have been made against financial service providers and the Financial Services Ombudsman has investigated and upheld those complaints and awarded compensation to the customers concerned.

The Financial Services Ombudsman's bureau played a vital role in bolstering consumer confidence in the effectiveness of the regulatory regime for certain financial service providers. Its role is in addition to that of the Central Bank in safeguarding consumer interests. The legislation I am introducing is designed to further enhance its current role. Given the damage done to the reputation of a range of financial services providers in the past four years, the need for this measure is now all the greater.

Under current arrangements, when a financial services provider's own internal complaints mechanism has not provided a satisfactory outcome, a customer can bring their case to the ombudsman. The ombudsman will ensure it is investigated, mediated and adjudicated upon. Where it finds against an institution, it may recommend that compensation be paid to the customer.

The ombudsman publishes a report every six months and a detailed annual report. The information covers a number of categories, specifically that complaints are divided into investment, banking and insurance. It does not cover pension related activities. As Members of the House will be aware, there is a separate ombudsman for the pensions sector.

Currently, the report is published in aggregate form such that no individual provider is identified throughout the report. While it does include case summaries, these are on an anonymous basis. In addition, details from the findings are presented such that neither the complainant nor the provider can be identified. I believe the absence of information regarding the identify of firms which have been found wanting is a clear deficiency in the current system.

An overview of the Financial Services Ombudsman's report for 2011 shows the importance of this office. A total of €2.25 million was repaid or awarded in compensation to customers of financial institutions last year on the direction of the ombudsman. Almost 7,300 complaints were made to the ombudsman against financial services providers in 2011 relating to the three broad sectors of banking, insurance and investments. There has been a 67% increase in com-

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plaints to the ombudsman since 2007. A total of 50% of complaints related to the insurance industry, a third were about banking and less than 15% related to various investment products. Compensation regarding investment complaints far exceeded those for banking or insurance complaints. That is logical given the scale of the figures involved in respect of investment products.

This office was established in 2005. In that regard I would like to pay particular tribute to Mr. Joe Meade for his role in the job. His easy-going manner and ability to empathise with consumers did an enormous amount to de-mystify the work done by his office. In July 2009, Mr. Meade wrote to the late Brian Lenihan to request that he be given the option to name institutions that had been subject to one of his decisions where he felt this was justified in the public interest.

He acknowledged that there were some potential difficulties that needed to be considered before a definitive conclusion could be drawn. First, customers might be slower to come forward to make a complaint if they felt their name could come into the become domain. Second, he had a justifiable concern that institutions might be more likely to appeal findings to the courts if they felt they would be named in any event. A long drawn out legal process would undoubtedly prove stressful and potentially costly for customers seeking redress.

Despite these reservations, on balance, Mr. Meade said he was requesting the option to name publicly an institution that had acted wrongly under certain criteria. The purpose of this Bill is to essentially give effect to that request. Therefore, I am not putting forward this Bill in a party political manner and I acknowledge that this request from the ombudsman's office has been on the books for some time, and was under consideration by the former Minister for Finance, the late Brian Lenihan, on leaving office.

The benefit to the public of such a move is clear. In the first instance, it would help foster a culture change within the banks. Essentially, the risk of wrongdoing being publicly aired, once identified, would lead to it being resolved more quickly and would make future such acts less likely. I record the support for this particular measure from the incumbent in the post of ombudsman, Mr. Bill Prasifka, who equally has made his views known, as has his predecessor, Mr. Joe Meade, on bringing greater transparency to the work of this office and to supporting their work by allowing them to publish the complaints record of individual institutions.

In order to respect the rights of financial services providers, the ombudsman put forward the very sensible suggestion that he be given sole discretion as to whether an institution should be named and that as a matter of good practice he would not be required to provide names in every case. This makes practical sense. In 2011, nearly 1,800 complaints were upheld and the number of cases dealt with by the ombudsman has been rising steadily as the economic crisis unfolded.

I accept that providing the name of financial services firms in each case could represent an information overload and would leave the public no wiser. However, by aggregating information across product type and identifying companies at this level, in addition to selective case summaries, the public could get a fair, clear picture of wrongdoing that has taken place, allowing them to make informed financial decisions. I concur with the recommendation that in order to re-assure the public, complainants should not be named and that statutory privilege would cover the naming of institutions.

The need for such a measure can be seen from reading the serious issues covered in the ombudsman's reports year after year. Typical of the types of cases that come up and are reported on every year include the following: inappropriate investment advice given the customer's risk preferences, break fees being applied incorrectly to moving from a fixed rate to a variable rate mortgage, unfair applications of restrictions relating to insurance products,

customers being sold payment protection insurance on loans they do not need, medical expenses not covered due to an incorrect claim that the patient had a pre-existing condition, changing terms of loans without reference to the borrower and over-charging of fees by banks.

By way of illustration I would like to highlight three cases in particular that have come before the ombudsman in recent times that I believe accurately summarise the type of cases the ombudsman's office must deal with and adjudicate upon on a regular basis. The first case relates to a couple in their 70s who had deposited their life savings of €345,000 in a bank. In 2005, they were encouraged to put their money in a managed fund to get a better financial return, or so they were told. In 2008, they were again approached by the same bank which told 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 investment 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, in this case the ombudsman found in their favour and they received full redress in line with the recommendation of the ombudsman.

The second case I wish to highlight relates to a customer who had a fixed rate mortgage. In early January 2009, she contacted her mortgage lender, another building society, seeking clarification as to whether a break fee would be applied to her mortgage account if she elected to change from a fixed to a variable rate of interest. She stated she was advised no break fee was applicable to her mortgage account. When she elected to proceed with the change from fixed to variable, she was advised that in fact a break fee of €20,000 was applicable.

Following a review of the evidence the ombudsman noted it was indisputable that the mortgage lender provided the complainant with incorrect information. The ombudsman also noted, with surprise, that the mortgage lender initially justified the application of the break fee on the basis that the complainant did not submit a written request to avail of the original no mortgage breakage fee. The ombudsman was cognisant of the fact that it was only upon the referral of the matter to his office that an accurate account explaining the reason, that is human error, for the incorrect breakage fee quotation was given. The ombudsman found the mortgage lender's responses to the complainant which predated the referral of the matter to his office were inadequate and unsatisfactory.

While the ombudsman accepted in this case that the mortgage lender made a genuine mistake and/or improper misrepresentation, nevertheless the complainant acted in good faith and within the prescribed time period. Therefore he directed that her mortgage account be immediately switched from the fixed to the variable rate, backdated to January 2009, and awarded her €1,000 for the distress caused for renegeing on the offer made.

This case shows the importance of the role played by the ombudsman. We all know that in recent years the banks have tried in whatever way they could to induce and encourage people to move away from tracker mortgages. This individual brought her case to the ombudsman and it was upheld. This complainant and the office of the ombudsman did a great service for all other bank customers on tracker mortgages. Having read this report banks will think twice about forcing or inducing customers to move away from tracker mortgages on the basis of a false pretence. This case as much as any other in recent times highlights the vital role the office can play in ensuring consumer rights are protected.

In the third case I wish to highlight a financial provider was ordered to buy back a bond from an elderly couple for the original investment of €300,000, plus €5,000 compensation, for what the ombudsman described as the "mis-sale" of the product. The husband and wife, aged 85 and 84, were living with their son and his wife. The money invested in December 2006 was from the proceeds of the sale of their house. The husband died within 18 months. The ombudsman found that recommending to them an investment product with a six-year term as well as

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hefty penalties for early encashment was a dereliction in the provider's duty of care. What the ombudsman uncovered in this case was an abuse of the basic consumer right to be sold a product appropriate to one's circumstances. Highlighting such a case will make providers think twice about being of a mind to try to mis-sell to vulnerable elderly people products clearly inappropriate for their life stage.

A report in today's *Irish Examiner* highlights another class of cases which are a cause for grave concern in regard to the banks. According to the report, thousands of customers who were erroneously sold payment protection insurance are expected to win millions of euro in compensation as a result of a Central Bank investigation which found the problem was systemic. The Central Bank investigation concentrates in the main on the mis-selling of payment protection insurance to the self-employed, those close to retirement, and those on contract, the bulk of whom were ineligible to be insured under such policies. The report suggests that millions of euro in compensation and refunded premiums will have to be paid to thousands consumers who were wrongly sold these products. This investigation is ongoing and let us see where it takes us. It again highlights that despite the work of the ombudsman going through cases and issuing comprehensive reports year in year out some behaviour has not changed and products are still being mis-sold. This is why we propose to name and shame people in institutions who sell such products, so they will be held to account and their records made available for consumers to assess.

While these represent quite diverse cases, the common theme running through them is that of customers having to go to considerable lengths to vindicate their rights against a powerful financial institution. While the ombudsman plays a key role in vindicating these rights the public are left in the dark as to who the offending party is.

As the Minister is aware, in 2011 the Financial Services Ombudsman initiated a consultation process on the issue of publishing the complaints record of individual financial service providers. Several submissions from financial institutions raised the issue 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.

The Financial Services Ombudsman's proposal is essentially that the biannual review would, for each financial service provider, include 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. It would be important that where the ombudsman sees fit to highlight individual cases which are adjudicated upon, the offending institutions should be named in the report and the Bill provides for this.

The Minister addressed this issue in the Dáil last month when my colleague, Deputy Dara Calleary, tabled a matter for the Topical Issue debate. The Minister indicated he was considering the proposals from the ombudsman's office in this regard and that he was considering the legal issues. One website is reporting this evening that the Minister is considering accepting the Bill. I hope this is accurate and if it is I welcome it. We should act on it quite quickly. There is no need to allow this merely to pass Second Stage and then be put in cold storage. I am sure the Government can table amendments to improve the Bill. Every Member of the House has the right to make his or her views known and I fully respect this, but I see no reason this straightforward simple legislation cannot be enacted without further delay.

I will wrap up the debate tomorrow evening and make concluding points. The essential point is that this is about trying to raise standards in the financial services sector. It would also allow those providers with a good record in dealing with complaints to have their performance

highlighted as well as those whose performance is not so good. It would have a number of benefits, chief among them being that key information would be made available to consumers about the complaints record of each individual institution. If they are of the mind to research such records at least they will be available in the public domain. This would do a great service for consumers and would help to weed out the remaining bad practices that unquestionably exist throughout the financial services sector. Such a measure would not only enhance its transparency but also over time would greatly enhance the reputation of financial services in Ireland. We all hope and plan it will be a central contributor to our economic renewal.

I enthusiastically commend the Bill to the House. I hope the Government will accept it in the spirit in which it is offered. I look forward to a full debate on it today and tomorrow. I hope the matter can advance quickly and be put into effect.

Deputy Timmy Dooley: I welcome the opportunity to contribute to the Second Stage debate on this Bill. I compliment my colleague, Fianna Fáil spokesperson on finance, Deputy Michael McGrath, for his work on the Bill.

The Financial Services Ombudsman performs a worthwhile function in the overall architecture of our financial regulatory system, one which has been tested and challenged in a significant way in recent months and years. The work done by the Financial Services Ombudsman's office since its inception has been exemplary. Deputy McGrath is correct that we are fortunate the incumbent financial services ombudsman is someone of the calibre of Mr. William Prasifka who has considerable experience of the public sector in Ireland and a reputation overseas. It would be remiss of me not to acknowledge the work of former financial services ombudsman, Mr. Joe Meade, a county colleague, in establishing the Office of the Financial Services Ombudsman and for the calm and cool manner with which he dealt with complainants and the financial sector at a time of light touch regulation, which is now synonymous with the crisis in which we find ourselves. While this posed a particular difficulty for Mr. Meade he nonetheless went about his business in a fair and calm way. Despite the fact that at that time it was not popular to challenge the decisions of the financial services industry and that the financial services sector was viewed as a growth area in terms of job creation he never allowed himself to be bullied. Mr. Meade showed what public service is about and we owe him and the current ombudsman a considerable debt of gratitude.

As stated by Deputy McGrath, the impact of this Bill will be to further strengthen the regulatory process. If implemented, it will act as a deterrent to misselling, which sadly was partly how financial institutions conducted their business in the past. It is regrettable that the paper stocks of a company were more relevant than anything else to the manner in which companies' managed their business and that the performance of front line staff in banks was rated on the amount of secondary products which they sold over the counter rather than on assessment of money lending risk or encouraging people to deposit money. We now know this type of culture developed around financial services to the domestic market. It is for this reason it is unfortunate the regulator did not have the type of capacity provided for in this Bill. As stated by Deputy McGrath the better known financial institutions spend a great deal of money enhancing and developing their brands. The last thing they would ever have wanted was to have an adverse finding against them by the ombudsman publicised. We must all take responsibility for what happened.

It is hoped that the Minister will take a non-partisan approach — as I know he does on many issues — to this Bill and will implement it as quickly as possible to give the current financial services ombudsman the discretion to use the powers provided therein. I do not suggest that on all occasions the name of an institution against whom a negative find has been determined would be publicised. It would be necessary to weigh up doing so against the evidence of malpractice or misselling. We all have the potential to make mistakes. For this reason, it should

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be open to the ombudsman to exercise his-her discretion in this regard. There is a need to deal now with this culture which was pervasive in the financial services sector.

Deputy McGrath has outlined the different sectors involved, including the banking, investment and insurance sectors. It is hoped that if and when this legislation is passed we will not be reviewing the same type of cases which sadly we have all heard about. I would like to mention a couple of cases which came to my attention. The first relates to clients not being informed of how an investment works. A couple in their 70s had deposited their life savings of €345,000 in a bank and were encouraged in 2005 to put their money in a managed fund to get a better return. In 2008, they were approached by the bank again and were told that there had been a significant drop in the value of the fund. It was only at this point they were fully informed of how the investment was managed, in particular that 70% of the investment was based on the performance of the stock market. To make matters worse, they were told that if they withdrew their money at that stage they would be hit by €9,000 penalty. Thankfully, the ombudsman found in their favour.

A second case involved a woman in her 50s who held a critical illness policy with an insurance company and submitted a claim for benefit arising from her loss of sight. The company declined the claim on the basis that the complainant did not meet the criteria set out in the policy of total permanent and irreversible loss of all vision in both eyes. The complainant had suffered for many years with a rare debilitating disease categorised by the fragmentation of the elastic fibres in the skin and membranes of the eyes. The particular disease from which the complainant suffered was not covered by the policy. However, the complainant sought to qualify under the heading of “blindness”. The ombudsman noted that in considering the complainant’s claim her ophthalmic surgeon had been required to complete an assessment and had been specifically asked whether the complainant had permanently and irreversibly lost sight in both eyes and when this had occurred. The surgeon confirmed that visual acuity had dropped to the level outlined by September 2004. He also confirmed that there was no prospect of vision improvement by way of surgery. In those circumstances, the ombudsman took the view that it was inappropriate for the company to have refused the complainant’s claim on the basis that she did not meet the criteria set down in the policy. In circumstances where the policy document contained no reference to the exclusion of claims for benefit where peripheral vision was noted to exist the ombudsman took the view that the opinion of the surgeon in October 2006 that the complainant had permanently and irreversibly lost sight in both eyes was sufficiently clear in respect of the position and the company ought to have admitted the complainant’s claim at that juncture. The ombudsman upheld the complainant’s grievance and directed payment of the lumpsum benefit of €25,000 pursuant to the critical illness policy.

It is right and appropriate that the financial services ombudsman could tease through in detail the background, terms and conditions of the investment and the insurance policy and to make a fair and balanced judgment on behalf of the individuals concerned. Clearly, some institutions will try to find exclusionary measures or opt-outs in the hope of their never having to meet an individual’s needs. This further illustrates the considerable work of the ombudsman.

I urge the Minister to give due consideration to the request by my colleague, Deputy Michael McGrath, myself and others to accept the Bill in a non-partisan way, thus acceding to the demands of the current ombudsman in providing him with these additional powers, to be used in a sparing way. I acknowledge that many good products are sold by financial institutions, ones which meet consumers’ needs and in respect of which there is no culture of misselling or a failure to tell the whole truth. Also, there are fine people working in our financial services sector. When we deal with those who mis-sell, it is right for us to recognise that some really

good people are suffering on a daily basis because of the actions of a few people at senior levels of their institutions. It is fitting that we should pay appropriate respect to the work that is being done by the individuals in question, many of whom feel demoralised at present.

Deputy Billy Kelleher: I welcome the opportunity to speak on this Bill. I congratulate Deputy Michael McGrath for presenting it to the House. The previous debate reminded me that public trust and confidence in many of our institutions is at an all-time low as a result of the fall-out from the Mahon and Moriarty tribunals. Similarly, people have a reduced level of trust in the financial services sector now that a diminished level of responsibility is associated with it. We have a long way to go if we are to build trust in many areas of Irish public life. Confidence in the banking and financial services sector has been affected by what has happened in recent years.

The legislation before the House proposes that we support the request of the Financial Services Ombudsman for additional powers in punishing people who are found to have breached certain ethical regulations. Although this would be a small step in the overall financial services context — I refer to the amount of money that is paid out in compensation or recompense for wrongdoing — it would be a positive one. It would be a fundamental and integral part of the process of ensuring people have confidence in our financial institutions and the services they sell to the public.

There is no doubt that the services put together by the financial services industry are very complex and are becoming more complex as time goes by. In the UK, sub-prime mortgages were bundled and rolled and sold on again. That indicates what can happen at the upper echelons of the industry in the absence of proper regulatory oversight and, more important, penalties for misdemeanours. This idea was developed to the grave point at which it undermined the credibility and fabric not just of a single institution, but also of the UK economy itself. For all the reasons I have mentioned, this Bill is a small but practical part of the process of building confidence.

I wish to approach this issue from a demographic angle. Ireland is an ageing society. The older people strategy that is to be published will be an important step in ensuring the health services are in a position to put proper facilities, supports and services in place for older people in years to come. Recent increases in life expectancy mean that our demographically ageing population will live longer and healthier lives. As the population grows older, the demand for health insurance and financial packages and products to support people in retirement will increase. People may wish to plan ahead financially by saving for nursing homes or other supports and services they may need when they are older.

I am concerned that if we do not take positive steps to ensure the Office of the Financial Services Ombudsman has this additional power and authority, it will not be able to publish material highlighting areas of concern and exposing people, institutions and products that might not be living up to the standards we expect. It is clear from some of the complaints highlighted by the two previous speakers that older people can be vulnerable when complex service plans and insurance packages are presented to them. I believe we should bring the health insurance industry under the scrutiny of the Financial Services Ombudsman. The ombudsman should be in a position to assess the products that are provided and make sure cover is not diminished by stealth or by underhand activities.

I am concerned about the downgrading of the various plans that are being sold by our health insurers. There is clear evidence that the cover now being offered in areas like ophthalmic and orthopaedic surgery is less than that offered under similar plans a couple of years ago. We owe it to the Office of the Financial Services Ombudsman to arm it with the extra support and resources it needs and to put this legislative framework in place. More important, we need to take action to build confidence and trust in the products being sold by health insurers and by the financial services sector.

[Deputy Billy Kelleher.]

This issue was highlighted yesterday on the Joe Duffy programme on Radio 1. The report to which I refer was broadcast after the news, at approximately 2 p.m. It was disturbing to hear what a certain institution did to try to avoid making a payout to a woman whose husband had died a short time previously. When it eventually confessed that it had acted unacceptably, it apologised and tried to address the problem. Even in acknowledging that it was wrong, it enacted a break clause and deducted approximately €25,000 from the mortgage protection payout. After much toing and froing — the lending institution in question had to be hassled — it eventually accepted that it was wrong to enact a break clause with regard to mortgage protection.

These problems are arising on a continual basis. The sums in question are not massive by comparison with the billions of euro we discuss in the context of promissory notes, Anglo Irish Bank or the recapitalisation of the pillar banks that have been mentioned by the Minister on many occasions. However, it is critically important for the Minister to drill down through the services, products and insurance companies in this area. If products that are being sold are not up to standard or if individuals or institutions do not meet the standards we expect — they may have sold packages under false pretences, for example — the Financial Services Ombudsman should have the facility and the ability to publish material highlighting that.

I welcome the Central Bank and Financial Services Authority of Ireland (Amendment) Bill 2011 for all the reasons I have mentioned. I hope it can move on from Second Stage swiftly. I have been around this place for a long time. We often debate Bills in the House during Private Members' time or during the Friday sittings that are available every now and again. Very little happens to them after that, however. They are parked up and the Government uses its majority to make sure they never see the light of day on Committee Stage. In this case, legislation was requested by the Financial Services Ombudsman, rather than by Deputy Michael McGrath, following broad consultation with the industry and with consumer groups. If the Financial Services Ombudsman were given additional powers, such as the ability to publish details of wrongdoing and highlight deficiencies in products, services or institutions, that would help to restore confidence. If this Private Members' Bill is passed unopposed on Second Stage, I hope it can move to Committee Stage for a broad discussion in the not too distant future.

I concur with what has been said about the efforts of the previous Financial Services Ombudsman to define a role for the Office of the Financial Services Ombudsman and make sure customers are comfortable in making complaints. We should not be under any illusions — we know that the banks and financial institutions can use bully-boy tactics. They are bullying the Government by pretending they are actually lending. Like the Minister and everybody else in this House, I know the banks are not lending to the extent they should be. The Credit Review Office that was established some years ago has highlighted that frequently. It is not satisfied with how the banks are treating loan applications. If that is the case, it is clear that the banks are equally likely to be treating individual customers who may be vulnerable in a way that allows for potential wrongdoing. We need to ensure there is confidence at the bottom rung of banking. We need to ensure these matters are dealt with. The Central Bank is charged with dealing with wrongdoing at the upper echelons. As Deputy Mathews knows, it was not dealt with very effectively for many years. I believe we should move swiftly in this key area.

I have already spoken about demographics. As my party's spokesman on health, an issue regarding insurance, particularly for older people, has been brought to my attention. Some insurance companies are downgrading cover plans because they are under stress and pressure, partly as a result of policies being pursued by the Minister, Deputy Reilly. I refer, for example, to the increase in the fee charged to insurance companies for public beds for private treatments. Some people have found they are not covered for things they genuinely believed to be traditionally covered under the various plans sold by insurance companies. For all those reasons,

I urge the Minister to move swiftly and accept the Bill. It is not only being brought forward by Deputy Michael McGrath but has been requested by the Financial Services Ombudsman after much consultation with the industry itself. I hope we can move swiftly.

While we have the Health Insurance Authority, we need this legislation to ensure all aspects of financial services products and insurance are linked together under one office. If a person or body is selling products or dealing with customers in a manner that is not honest, forthright, fair and impartial, there will be a means of redress available to the customers, and the latter will be confident that if they make a complaint, it will be dealt with, and that if wrongdoing is demonstrated in any way, it will be addressed and compensation will be paid. The matter would be exposed publicly such that we could have confidence in the office and the institutions it oversees.

Minister for Finance (Deputy Michael Noonan): I wish to share my time with Deputies Corcoran Kennedy and Spring.

I thank Deputy Michael McGrath for proposing this important Bill, for his obviously thorough preparation and the presentations made by him and his colleagues tonight. Before I deal with the specifics of the Bill, I will emphasise the important role played by the Financial Services Ombudsman. The Irish Financial Services Ombudsman 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 consumer protection regime, complementing the role of the Central Bank in safeguarding consumer interests.

The ombudsman exercises his independent statutory function, operating in a fair, balanced and transparent fashion and 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. 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 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 smaller financial services bodies, in particular, in defending complaints through the court system would also add significantly to operational costs.

I will turn to the proposal before the House. I accept that the naming of financial service providers in certain circumstances will support the work of the Financial Services Ombudsman in effectively carrying out his functions, and for this reason the Bill is consistent with current Government policy. Much work has taken place in developing proposals for legislation on this issue. While the Government broadly supports the objectives of the Bill, it believes that further work is required on the detail of how it would apply and on its scope. I will return to this in due course.

I would like to outline some important points regarding the development of this proposal, which will better inform the House regarding the objectives of the Bill and regarding some complexities surrounding this issue. 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 about the extent to which published decisions of the Financial Services Ombudsman should name the financial services provider. He went on to request that 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 reservation was that complainants might be less inclined to bring a complaint if they felt they might be named. His

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second reservation was that institutions might take a more defensive line and appeal findings more to the courts if they felt they were to be named anyway. However, despite these reservations, he said 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 occur again.

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

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 the House can appreciate, this is a complex issue which 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 would need to be validated, justified and applied in an objective and reasonable manner to all financial service providers while meeting public-good criteria.

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

On 5 January 2012, the Financial Services Ombudsman wrote to my Department. In his letter, he referred to a number of the submissions in which concern was expressed as to how information on the complaints record of financial service providers might be presented and to assurances sought by industry that the information would be presented in a manner that was verifiable, robust, properly contextualised and not misleading. Some submissions expressed 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. The categories include the 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. Details from the findings are redacted so that neither the complainant nor provider can be identified.

The Financial Services Ombudsman is now proposing that the biannual review would provide a further breakdown of the information provided, by financial service provider. Accordingly, for each financial service provider, information would be provided as to the total number of complaints, complaints upheld, complaints upheld in part, complaints not upheld and the total amount of compensation awarded. To give an accurate picture of the complaints record of each financial service provider, it is now proposed that 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, particularly as referenced in other frequent regulatory reporting. For example, for insurance products, the relevant metric could 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 has advised me that he would further engage with the industry to develop the most appropriate manner of presenting market share information for each relevant product. He advises that case summaries identifying the financial services provider should only be published where there was a compelling public interest to do so, such as the need to inform potential customers of risks they would not be aware of in the absence of disclosure.

While the Government fully supports the policy objective underlying this Bill, the provisions on naming, if not carefully crafted, could have negative implications for both consumers and financial services providers. For consumers, if their particulars were revealed, this could dissuade some of them from making complaints in the first place. This would run counter to the objectives of the ombudsman to support consumer protection. Financial services providers could view such provisions as disproportionate and unfair. In this regard, the legislation needs to be sufficiently robust to withstand any legal challenge.

I support the Bill's principle and will bring legislative proposals to the Government reflecting the policy outlined in this speech. I thank Deputy Michael McGrath for raising the important issue on the need to provide the Financial Services Ombudsman with power to name financial services providers in certain circumstances. This is consistent with government policy in this area. However, as I outlined, further work is required on the precise scope and on the detail of how the Bill will apply. The Financial Services Ombudsman has advised that he proposes further consultation with industry. I have asked my officials to engage with the ombudsman in the coming weeks with a view to formulating more detailed proposals for legislation in this area. I will return to the House once this process is completed.

The Government will not oppose the Bill. When I bring forward legislative proposals I may be able to attach them to one of the Bills I am sponsoring which is already on Second Stage. Alternatively, I may use Deputy Michael McGrath's Private Members' Bill for suitable amendments when we proceed further. I hope to be able to do this in the near future. I thank the Deputy for a fine piece of work.

Deputy Michael McGrath: I thank the Minister for that.

Deputy Arthur Spring: I wish to acknowledge Deputy Michael McGrath's constructive legislation and that the Minister for Finance has welcomed it and accepted it which will be to the benefit of the Financial Services Ombudsman.

This Bill will make provisions to empower the Financial Services Ombudsman to report on investigations and adjudications of regulated financial services providers arising from consumer complaints made about the conduct of regulated financial services providers. I hope the legislation will be enacted in the spirit Deputy Michael McGrath spoke of earlier. It will allow the ombudsman to publish and report on the complaints made to his office about the conduct of regulated financial services providers and the investigation and adjudication by his office of complaints made to it about the conduct of regulated financial services providers. This will now serve as a deterrent to financial services providers to act in a manner that contravenes the Bill.

The Central Bank of Ireland was restructured and renamed as the Central Bank and Financial Services Authority of Ireland on 1 May 2003. Under the Act, the supervision of all financial institutions operating in Ireland was consolidated under an autonomous body — the Irish Financial Services Regulatory Authority — which was established within the Central Bank.

[Deputy Arthur Spring.]

Apart from this change, which relates to financial supervision duties, all other functions of the Central Bank remain unchanged, including monetary policy, being banker to the Government, etc. The Act brought together in a single location the supervision of the major sectors of the financial services industry including insurance, undertakings as well as the supervision of banks and the funds industry. It stressed the supervisory structure on consumer interests.

There are many perceived benefits from the 2003 Act despite all the financial turmoil in recent times. Ireland is still seen as an attractive and soundly regulated location for the financial services industry. This allows for the increasingly complex and interrelated sectors of the financial services industry to be regulated on a co-ordinated and integrated basis. It also allows for the continued close co-ordination of financial services regulation and overall monetary and financial stability policies in the public interest. It will also ensure the ongoing interchange of ideas and personnel between operational, monetary and regulatory functions within the Central Bank and Financial Services Authority of Ireland while establishing a position of registrar of credit unions within the overall structure. The registrar will act as the principal regulator of the credit union system, a role currently held by the registrar of friendly societies, subject as appropriate to guidelines from the Irish Financial Services Regulatory Authority board.

The McDowell report of 1999 stated it was felt in the late 1990s as part of the overall enhanced regulatory framework for the financial services sector, including the establishment of the Financial Regulator, that a statutory ombudsman scheme for all providers of financial services with statutory powers was necessary. This is now the position and is enshrined in section 16 and Schedules 6 and 7 of the Central Bank and Financial Services Authority of Ireland Act 2004. The Financial Services Ombudsman is a statutory officer who deals independently with complaints from consumers about their individual dealings with all financial services providers that have not been resolved by the providers. The ombudsman should be entitled to publish the findings from his investigations.

The ombudsman is often made aware of a problem when a complaint is made to his office. However, on many occasions customers go first to their bank to point out where interest rates have been applied incorrectly and so forth. Several cases have been taken against AIB, Bank of Ireland and EBS but many of these have not got into the public domain or were brought to the ombudsman's attention. If a customer makes a complaint against a financial services provider about an internal mistake, the provider should be compelled to highlight it to the ombudsman.

It is in the interest of the consumer and the financial institutions themselves that consumer issues and the relevant findings which are investigated by the ombudsman are published and brought to public attention. The fact that details of the identity of the financial services provider that was investigated and adjudicated upon will be made public will force the financial institutions to be more meticulous in their charging policies and procedures. I welcome the proposed changes to the current legislation.

The Central Bank and the Financial Regulator have become increasingly important. When the euro was introduced, the Central Bank did not quite understand its role and may have taken its eye off the ball. The Financial Regulator certainly took his eye off the ball. Loan-to-deposits ratios, income-cost ratios, sources of capital, etc. were not regulated in a prudent manner. I believe the European Central Bank, like any good central bank, should have a far greater role. While the stability treaty will mean we need to have more control over our spending and gross domestic product ratios, it will also mean banks need to be governed responsibly and cannot bring down a country.

Banks should be reprimanded for wrongdoing through Central Bank legislation. The Financial Regulator needs to be prudent at all times while the Financial Services Ombudsman has a role to play in this also. The idea that a bank can do something wrong without that being

highlighted to the ombudsman is wrong. I will supply the Minister's officials with documentation tonight so that he and they might consider legislation to ensure that, if a complaint is made to the bank, the bank or any other institution licensed by the State must tell the ombudsman that it made a mistake. By highlighting situations such as this, we can clean up the banks' acts once and for all.

I thank Fianna Fáil for its Bill. That the non-Government parties are bringing something to the table that is to the betterment of society is welcome.

Deputy Michelle Mulherin: I am grateful for the opportunity to contribute on this welcome Bill. I also welcome the Minister's approach, which is to consider the heart of what the Bill is trying to achieve, namely, greater transparency. This transparency would serve to make banks, insurance companies and so on afraid of doing the wrong thing. From the reports of and cases dealt with by the Financial Services Ombudsman, we know that the banks' behaviour sometimes leaves a great deal to be desired.

When we consider financial services in recent times, the banks and their reckless lending and sharp practices, including overcharging, come to mind. It is good that the consumer, who is always the weaker party when faced with the might of large institutions such as banks and insurance companies, has an avenue to seek redress without going to court and that justice is served by the ombudsman's office.

The ombudsman addresses one sector in particular. Although we often discuss the most obvious aspect, namely, the banks and insurance companies and people's concerns in their dealings with same, moneylenders also fall within the ombudsman's remit. This significant problem needs to be addressed if the ombudsman is to be empowered to take appropriate action. By all accounts, including my own research, it is fair to say that the number of people resorting to moneylenders is increasing. An estimate of the past two years places that increase at nearly 30%. It is difficult, if not impossible, to keep tabs on unlicensed moneylenders, but it is estimated that approximately 200,000 people resort to moneylenders.

The ombudsman's 2010 report contains a breakdown of the types of complaint received. There were only 15 and 13 complaints about moneylenders in 2009 and 2010, respectively, compared with thousands of complaints against banks and insurance companies. Given the number of people borrowing from moneylenders, this begs the question of whether everything is running smoothly in that sector. Judging by my experience, it is not. The first time I encountered a moneylender's agreement was in my professional capacity as a solicitor. I ordinarily dealt with loan packs in respect of house mortgages. I was approached by a lady involved in a moneylending agreement. I nearly died of shock when I saw the APR on her loan. For example, if it had been €300 that she had borrowed, she would have repaid €400. This was an unsustainable APR.

For many, moneylenders are the last resort. People take out loans at exorbitant interest rates and repay them over short periods. They take out further loans to keep up with their repayments despite this being illegal. In many instances, the way people are dealt with by moneylenders is questionable. People are under a great deal of pressure from moneylenders, but many suffer silently. We cannot allow these types of interest rates to be charged when secured borrowings attract lower rates.

The people in question are the most vulnerable in society. We need to curb this situation. People in financial distress will look for the mercy of the State through, for example, community welfare officers and others. Moneylenders approach people's houses ahead of special events, such as christenings, Christmas, birthdays, etc. I would prefer people to go through the formality of borrowing from credit unions. A veil of secrecy and fear surrounds a great deal of moneylending, albeit not the whole, and people are in a cycle of poverty because of it. The Minister should address this issue in whatever way he can. Those borrowing from moneylenders

[Deputy Michelle Mulherin.]

are not the sort of people to march outside the Dáil. They are in mortgage arrears. The scale of their borrowings is significant to them, but they might only have borrowed €500, if not €300, to keep them going. These borrowings will not solve their problems, as they will still need to look to the State for assistance. Something is wrong with the way moneylenders are allowed to operate. People who are suffering and at their mercy are forgotten. Appropriate action needs to be taken.

Many people do not know how to manage money. One is not born with that knowledge. Youngsters in secondary school would benefit from classes on how to budget, borrow and balance books. The idea that people could buy now and pay later was a part of the lending craziness. Unfortunately, some people are paying in a terrible way.

I commend the Money Advice and Budgeting Service, MABS. For many people, MABS is a gift from God. When people cannot manage their finances and a great deal of pressure is placed on them by lending institutions or moneylenders, they feel powerless to face up to their situation and their problems keep mounting. MABS is a lifeline for many people and it should be as well resourced as possible. Helping these people is a difficult job. I commend everyone involved.

Deputy Pearse Doherty: Ba mhaith liom tacú leis an méid a bhí le rá ag an Teachta Mulherin ó thaobh na daoine seo atá ag cur airgid ar fáil agus na rátaí arda atá á bhaint amach ar dhaoine. Caithfear rud éigin a dhéanamh faoi seo.

The Bill is straightforward and I would be surprised if it did not receive the unanimous support of the House, which it deserves. As Deputy Michael McGrath and others have stated, the Bill will allow the Financial Services Ombudsman to publish findings arising from complaints made against financial service companies. In this way, the public could have full access to determinations of the ombudsman's office on cases involving banks, insurance companies, stockbrokers, mortgage brokers, hirer purchase providers and others. This would be particularly useful in cases in which financial service providers were found to be in breach of regulations or guilty of malpractice. The benefits of the right to publish are obvious from the point of view of consumer rights.

It would also allow for greater public scrutiny of the practice of financial service companies and empower consumers in deciding between service providers. Given that the Mahon tribunal report has dominated political debate for over a week, it is clear there can never be enough transparency and accountability in public life, whether commercial or political. This Bill is a small measure, however welcome, but society needs a much greater level of ambition when it comes to accountability and transparency in commercial and political life. We have yet to have any formal naming and shaming of the organisations and individuals responsible for the financial crash of 2008 and the subsequent economic and social crisis. While the media has played an important role in exposing some of the information there is clearly a need for more. Official reports such as the Nyberg report did not go far enough in pinpointing responsibility for the economic crisis.

Identifying individual responsibility is central to real transparency and accountability. It took 15 years and €300 million to get to the bottom of planning corruption in Dublin city and county dating back more than 20 years. The issues at the heart of the Mahon tribunal, which we now know as facts, were widely known for many years but there was neither willingness nor a mechanism to hold those who took corrupt or improper payments to account.

Even today, there is still reluctance in many quarters to allow individuals, including Members of this House, to ask legitimate questions about the actions of individuals who may have been involved in commercial dealings of an inappropriate nature, including individuals who are now in the employ of the state. Only last month I was expelled from this Chamber for raising

legitimate questions about an individual who has been recently appointed to a senior position in one Department. I made no accusations against the individual. What I did was raise legitimate concerns regarding the individual's potential involvement in or knowledge of certain matters prior to taking on public sector employment. Asking questions does not imply guilt. Denying Deputies the right to raise such questions creates an atmosphere where real scrutiny and transparency is not possible. Unfortunately the only forum for such scrutiny is this Chamber, where we now know that the consequences may be expulsion. Clearly the desire for transparency and accountability did not extend to those questions.

One of the reasons it took 15 years and €300 million to produce the truth on planning corruption in Dublin was that no one in this House was willing to use Dáil privilege to name and shame those involved. However, we expel Deputies from the Chamber for simply asking for questions about the fitness of individuals to take up senior public employment. The same point could be made in regard to those individuals directly responsible for the financial crash in 2008. While we know of the high profile individuals like Seanie Fitzpatrick and David Drumm, many others also played key roles in institutions like Anglo Irish Bank. For example, one of the most senior officials in Anglo Irish Bank in the years before 2008, who was at the centre of many of the high risk decisions that led the bank and ultimately the State to insolvency, was recently employed by AIB, a nationalised bank. It is hard to believe that this individual could have passed any credible fitness and probity test, yet he remains in the employ of the State, despite having played a central role in the collapse of Anglo Irish Bank and in turn the near collapse of the State. It baffles me how an individual who was one of the top 50 managers in Anglo Irish Bank, who chaired its credit control committee and who was involved in the granting of highly improper loans to the maple ten group, Seanie Fitzpatrick and Mr. Quinn can be transferred to a senior management position in another State owned bank. To add insult to injury this was done at a time when AIB was planning to announce 2,500 redundancies of ordinary workers in the bank who played no hand, act or part in the decisions that ruined our banking system and our economy.

Clearly something is rotten in this but there is no adequate mechanism or forum for Deputies to raise legitimate questions in order to ensure transparency and accountability in public appointments of this kind. The only option is to piggy back the debate on this Bill. That hardly suggests the current Government has any meaningful commitment to transparency and accountability in public life, particularly within those aspects of public life over which it has most control, namely, the Civil Service and the nationalised banks. The same point could be made of NAMA. Last month I published a Bill that would bring NAMA under the scope of the Freedom of Information Act. The taxpayer is shelling out €500,000 per day to run NAMA, which continues to make losses while paying developers in excess of €200,000 per annum and legal fees in the millions of euro. The agency seems to be full of potential conflicts of interest. The lid of secrecy has to be lifted from NAMA so that the public is made aware of what is going on. There is neither transparency nor accountability in any of these matters and we need to ensure that questions can be asked in order to increase transparency and accountability in all aspects of Government activity. These principles should apply not only to the financial services sector but also to the functioning of our political institutions and their involvement in commercial, semi-State and public service provision.

I welcome Deputy Michael McGrath's Bill and hope that it is supported by all Deputies in the house. It is a small first step from a political party that has long refused to embrace the values that inform it. If the Government supports the Bill, I hope that is an indication that it intends to increase transparency and accountability not only in the private sector but to all areas of Government. Naming and shaming is a powerful tool to ensure compliance with regulations as well as normal standards of fair play and decency.

Deputy Stephen S. Donnelly: I commend Deputy Michael McGrath for introducing this much needed Bill. It is good to see a rare episode of cross-party co-operation in the Government's acceptance of the legislation. This Bill is about the power to name and shame, at the heart of which is transparency in how we run the country and conduct our affairs.

If there is one lesson to be learned from the events of last week it is that transparency must be at the heart of everything we do, whether in central government, local government or the various State institutions and the Civil Service. The Mahon tribunal report revealed that a lack of transparency allowed politicians to act as bagmen and to take bribes while pretending they were political donations. The conclusion I took from the report is that we must make politics, and the money in politics, transparent. Money is required for politics but there is an obligation on us, as politicians, to let the public know the source of our funding.

Earlier today the Governor of the Central Bank, Professor Honohan, discussed the issue of promissory notes with the Joint Committee on Finance, Public Expenditure and Reform. Until recently the promissory notes were shrouded in secrecy. Letters written by the President of the European Central Bank have been seen by the Governor and the Minister for Finance but the Government is refusing to share them with the joint committee or the public. Of particular interest is the correspondence that would reveal the level of pressure put on the State to pay back unguaranteed bond holders.

The promissory notes and the bank guarantee are probably the most expensive lesson in history on the need for transparency. We still do not know what happened that famous night. There was no Cabinet decision and a decision was made in the middle of the night by two — I imagine — extremely stressed and tired men.

The Bill deals with a more immediate manifestation of transparency. It gives the Financial Services Ombudsman the right to name and shame repeat abusers among the financial service industry. I am sure every Deputy in the House, and I imagine every Senator, is dealing with a growing list of credible cases from small businesspeople, home owners and people with personal debts in which there is no question that some financial institutions are acting in an utterly reprehensible manner. I do not know if it is illegal but some of the things that are going on are absolutely outrageous. We know that the current ombudsman and the previous one have repeatedly called for the ability to name and shame. It is fantastic that the Government has taken on Deputy Michael McGrath's Bill.

The Financial Services Ombudsman has informed us several about repeat offenders. They come in, pay their fines and walk away in the knowledge that they are anonymous and protected. Naming the senior managers in these organisations matters. It matters to them on the golf course and at their dinner parties that they are named by the Financial Services Ombudsman.

Not many institutions are trusted less than politicians, but financial institutions are — sadly only by a small amount. Recent surveys indicate that the banks are the least trusted institutions by their own people of any institution on earth. The Irish people trust the Irish financial institutions less than any other people on earth trust any institution in their country. That is a staggering find. Trust in the Government is low at 35%. Only 10% believe that the Government is listening to the citizens' needs, but only 9% of the general public trust Irish banks. The Bill can help rebuild that trust. How we carry on in coming months and I hope the changes we make will help rebuild the trust in politics. I commend the Bill.

Debate adjourned.

The Dáil adjourned at 8.55 p.m. until 10.30 a.m. on Wednesday, 28 March 2012.

Written Answers.

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

Questions Nos. 1 to 11, inclusive, answered orally.

Data Protection

12. **Deputy Mary Lou McDonald** asked the Minister for Health his plans to store historical and new Guthrie Cards at Temple Street Hospital, Dublin; the timeline and extent of the upcoming consultation in relation to same; if he has considered an opt-out clause on same, whereby all cards will be stored unless specifically requested by an individual or their parent or guardian that it should be destroyed; and if he will make a statement on the matter. [16269/12]

Minister for Health (Deputy James Reilly): In late 2009, the Data Protection Commissioner (DPC) received a complaint from a member of the public in relation to the retention of Newborn Screening Cards (NSCs). The basis of the complaint (which was upheld by the Data Protection Commissioner) was that the NSCs should not be retained indefinitely without consent.

Soon after I was appointed Minister I requested the HSE to conduct a review of both the legal and ethical basis for retention of NSCs and their potential use for research purposes. The report of the review group was submitted to my office in January 2012. Having carefully considered the issue, I have accepted the recommendation of the review group that, in order to meet our legal and ethical responsibilities, NSCs older than ten years should be destroyed.

However, I fully recognise the value of this material for research purposes, which was why the review group was asked to explore ways in which the material could be made available to the research community that are compatible with our ethical and legal obligations. Consequently, the HSE will mount an information campaign offering members of the public the opportunity to have their screening card returned to them, prior to any destruction of the cards taking place. This will ensure that anyone who wishes to donate their own or their child's NBC to research will be afforded the opportunity to do so. The proposed course of action seeks to ensure public trust and a continued willingness to participate in the National Newborn Screening Programme, a vital public health measure for children and their families.

National Positive Ageing Strategy

13. **Deputy Seamus Kirk** asked the Minister for Health when the National Positive Aging Strategy will be published; the funding provided for the strategy this year; and if he will make a statement on the matter. [16475/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The Programme for Government has committed to completing and implementing the National Positive Ageing Strategy so that older people are recognised, supported and enabled to live independent full lives.

The Strategy will set the strategic direction for future policies, programmes and services for older people in Ireland. It will set out a common framework for the development of operational plans by a number of Government Departments which will clearly set out each Department's objectives relating to older people. Mechanisms designed to monitor the implementation of measures contained in operational plans will also be included in the Strategy. However, I do not envisage that the Strategy will propose new service developments. Rather it will set the strategic direction for future policies, programmes and services for older people in Ireland.

A considerable amount of preparatory work has already been completed. The drafting of the Strategy will proceed within the Department within the constraints of available staff and other priorities. At this stage I envisage the Strategy will be completed and published as soon as possible within these constraints.

Medical Aids and Appliances

14. **Deputy Sandra McLellan** asked the Minister for Health if he has been in contact with their counterparts in France in relation to the PIP company which is responsible for breast implants using industrial rather than medical silicone, causing distress and possible medical complications to the women involved, including nine women here; if he has initiated any action on this matter to assist the women involved and, if not, if he will do so; and if he will make a statement on the matter. [16265/12]

53. **Deputy Mick Wallace** asked the Minister for Health the total number of women affected by the PIP breast implants controversy in view of the recent revelation that PIP implants manufactured prior to 2001 may also have contained industrial grade silicone; his views on reports that some women are being obstructed by private clinics from obtaining their medical records in order to get confirmation of PIP implants and on reports that information is missing from some medical files; if his Chief Medical Officer has met with a representative group for the women affected by the PIP breast implants issue to discuss these and other concerns; and if he will make a statement on the matter. [16440/12]

542. **Deputy Joanna Tuffy** asked the Minister for Health if he will provide an update on the advice or assistance being given to Irish women in respect of concerns raised regarding the safety of breast implants (details supplied) [17302/12]

547. **Deputy Finian McGrath** asked the Minister for Health if he will support PIP Action Ireland (details supplied) [16078/12]

633. **Deputy Billy Kelleher** asked the Minister for Health if he is correlating data in relation rupture rates and tissue sampling analysis of Irish victims of PIP implants; and if he will make a statement on the matter. [16798/12]

635. **Deputy Billy Kelleher** asked the Minister for Health if his attention has been drawn to the fact that breast implantation clients continue to experience difficulties in getting confirmation of PIP implants while these and other clients are also having difficulty obtaining their medical records; the action he will take to rectify this situation; and if he will make a statement on the matter. [16800/12]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 14, 53, 542, 547, 633 and 635 together.

Since concerns were first raised regarding the issue of breast implants provided by the now defunct French company Poly Implant Prothese (PIP) the Irish Medicines Board (IMB) and my Department have been in constant touch with European and UK investigators of the matter.

The IMB in its role as Competent Authority for medical devices in Ireland is correlating data regarding the PIP Breast implant recall.

The Board keeps my Department advised of the device rupture rate, currently at 6.63% which is within the expected range.

The IMB tracks the number of implants and their dispersal to treating clinics via the product's distributors. Detailed examinations of the records of the UK distributors indicate that approximately 1,500 Irish patients received implants between 2001 and 2010.

On 15th March, 2012 the IMB received updated information from the French Competent Authority for Medical Devices suggesting that PIP silicone gel implants manufactured before 2001 may also have contained the unapproved non-medical grade silicone; current information suggests that in the region of 50 additional Irish recipients could be affected. As further information becomes available the IMB will publish additional updates.

The IMB has continued to liaise with European and international colleagues in relation to this issue and tests conducted to date support the Board's and the Department's position that:—

- there is no evidence of increased risk of cancer for women with this brand of implant;
- the risk of rupture is within expected norms and routine explanation is not recommended;
- and anyone with a concern about their breast implants should discuss the matter with their GP or surgeon.

The EU Commission is currently reviewing the regulatory framework for medical devices, deriving from three EU directives. The Commission expects to publish its proposals for new medical devices legislation this year.

The Chief Medical Officer of my Department has met and is engaging with the treating clinics with a view to ensuring that best practice and patient support is paramount in the service provided to concerned recipients of PIP implants. He has discussed the concerns raised by affected clients including access to surgeons for consultation and the provision of full medical records in relation to one of the treating clinics. The provider concerned has advised that it is addressing the CMO's concerns including the delay in retrieval of clients' medical records. It says that work is ongoing to locate these records and that additional personnel have been recruited to address more quickly the requests from those still seeking their records.

The PIP Action Group also met the Chief Medical Officer and IMB officials on Friday 23rd March last and discussed their very reasonable concerns. The meeting was very constructive and the focus was largely on one provider. The meeting identified a number of follow on activities which the Department will take to help these women in their unsatisfactory dealings

[Deputy James Reilly.]

with this provider. The CMO has agreed to meet the Group again and will continue to engage with the treating clinics with a view to reaching an acceptable arrangement for resolving this serious issue for all concerned.

Finally, I am pleased to note that one major provider has dealt very well and responsibly with its patients. All providers should act in a reasonable and responsible manner to their clients and I expect the other treating clinics to follow suit. I will also be seeking to put better information in place for people who in good faith use services of non-State providers, especially for cosmetic surgery.

Care of the Elderly

15. **Deputy Michael Colreavy** asked the Minister for Health his plans regarding the funding and staffing of Health Service Executive care homes for older persons; and if he will make a statement on the matter. [16272/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As the Deputy is aware the HSE is facing challenges in respect of all services in 2012. In the case of Community Nursing Units these challenges include staffing, funding and the age and structure of HSE units.

The Nursing Homes Support Scheme, introduced in October 2009, significantly changed the way in which long term care is funded. In the past public facilities were allocated budgets on an annual basis. In contrast, the new scheme supports individuals in need of long term residential care, not the facilities providing the care. This scheme applies equally to residents in voluntary, public and private facilities.

My colleague Minister Reilly has requested that the HSE provide him with a plan which seeks to protect the viability of as many public units as possible within the funding and staffing resources available, including smaller units where challenges of scale may require more innovative approaches to service delivery. This will require a combination of actions such as consolidation of services, changes in staffing, skill mix and work practices. It will also have to take into account the different types of services required and the capacity available within an area. The HSE has also been asked to carry out a risk assessment in relation to the staffing situation. The HSE will be working closely with the Department to develop an overall set of proposals for the Minister.

Health Action Plan

16. **Deputy Jonathan O'Brien** asked the Minister for Health if he will make a statement on the Health Service Executive Regional Plan 2012 for the South [16263/12]

Minister for Health (Deputy James Reilly): The Regional Service Plan for the South sets out the type and volume of service the HSE will provide directly, or through a range of funded agencies, in that region during 2012. In line with the National Service Plan, the Regional Plan was prepared in the context of the challenges faced by the health services this year in terms of reduced staffing levels, and a reduced budget, combined with increasing demand for services. The Plan also takes account of additional funding being invested this year in areas such as mental health services, the National Clinical Care Programmes and child protection and welfare services.

As outlined in the Plan, the HSE will seek to minimise the impact on front line services in the region by fast tracking new, innovative and more efficient ways of using reducing resources. It should be noted in this context, that this region successfully delivered its services within budget in 2011. New models of care will be introduced across all services, which will treat

patients at the lowest level of complexity and provide quality services at the least possible cost. The roll-out of the National Clinical Care Programmes and Special Delivery Unit initiatives will also deliver greater productivity.

My Department continues to work with the HSE to mitigate the impact of retirements and to ensure that the contingency plans are operating satisfactorily and that all critical front line services continue to be delivered across all regions. This includes using the provision of the Public Service Agreement to bring about greater flexibilities in work practices and rosters, and maximising redeployment to achieve more efficient delivery of services. Staff resources will continue to be allocated to areas of greatest priority. Clearly, the need for dynamic and proactive management of the impact of reduced staffing and budgets will continue throughout the year and in this context, the National and Regional Service Plans, including for HSE South, will be subject to continuous review.

Medicinal Products

17. **Deputy Tom Fleming** asked the Minister for Health the steps he will take with the manufacturer of the cancer drug (details supplied) to reduce its price to the Health Service Executive in order that the 200 people per year here who have advanced malignant melanomas, can when applicable, be prescribed this drug by oncologists [16285/12]

Minister for Health (Deputy James Reilly): The HSE's National Cancer Control Programme has overall responsibility for providing access to appropriate treatments that meet clinical needs, including emerging drug treatments. The drug to which the Deputy refers (Ipilimumab) is a treatment for advanced melanoma in adults. I am advised by the Director of the Cancer Control Programme that this drug is currently going through a health technology assessment process. The Programme has been involved in ongoing discussion with the company on its cost and I am assured that a decision on its use nationally is expected shortly.

Medical Cards

18. **Deputy Dessie Ellis** asked the Minister for Health if he has issued or will issue instructions in relation to medical card applications from persons who previously benefitted from the free dispensing of psychiatric medication by mental health services in the greater Dublin area and who, since the ending of this scheme, face large bills for medication and for general practitioner visits to obtain prescriptions, in some cases forcing persons to give up or consider giving up work in order to qualify for a medical card, such instructions to give special consideration to this cohort of patients; and if he will make a statement on the matter. [16266/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): Under the former Eastern Health Board, it was the practice to provide psychiatric medicines free to all patients who attended an outpatient clinic for services regardless of their eligibility status. Such arrangements were unique to the greater Dublin area. In all other former Health Board Areas, similar patients were provided with psychiatric medicines in accordance with their eligibility status either through the General Medical Services Scheme or the Drug Payment Scheme.

In 2009, the HSE decided to bring the arrangements for the supply of medicines to patients attending mental health outpatient clinics in the greater Dublin area into line with those operating in the rest of the country. These changes were introduced on a phased basis, starting in October 2010 when medical card holders in the HSE Dublin North East area requiring psychiatric medicines were referred to their own GP for a GMS prescription. This arrangement was extended to the Dublin Mid Leinster area in November 2011. Drug Payment Scheme cardholders are required to pay for their prescription up to the co-payment threshold of €132

[Deputy Róisín Shortall.]

per month. Medical card holders continue to receive their medication free of charge, subject to any applicable prescription charge.

People affected by these changes 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 will take into account medical costs incurred by an individual or a family, including the cost of medication. The assessment for a medical card is determined primarily by reference to the means of the applicant and his/her dependants. However, at the request of my colleague, Dr James Reilly, Minister for Health, the HSE recently set up a clinical panel to assist in the processing of applications for discretionary medical cards where there are difficult personal circumstances.

The HSE also has guidelines in place in relation to the provision of emergency medical cards to patients with a serious medical condition in need of urgent medical care that they cannot afford. Emergency medical cards are issued within 24 hours of the receipt of the required patient details and letter of confirmation of condition from a doctor or consultant. Emergency medical cards are generally requested through the manager in a Local Health Office or through a social worker.

Hospital Closures

19. **Deputy Charlie McConalogue** asked the Minister for Health if any small hospitals will be closed either as part of reconfiguration or due to budgetary measures; and if he will make a statement on the matter. [16478/12]

Minister for Health (Deputy James Reilly): As Minister for Health my primary concern is the safety of patients. Much of the recent debate about the future role of smaller hospitals has been prompted by the need to deliver safe services and to address potentially unsafe situations wherever they arise.

The Government intends to publish a framework for the development of smaller hospitals, which will set out the way these hospitals provide services to patients and how they work within their regional hospital networks. The framework and its implementation is a priority of the Government.

In developing the framework, the Government is clear that:

- there is an important future role for smaller hospitals, in which they will provide services for more patients, not fewer
- no acute hospital will close, and
- safety issues in all acute hospitals, large or small, must be fully addressed, by providing the right type of services in the right settings.

This framework will demonstrate clearly that the future of smaller hospitals is secure. It will set out what services can and should be delivered safely by these hospitals in the interest of better outcomes for patients. I expect to be in a position to publish the framework shortly.

I also believe that we must concentrate on getting the best possible services for patients from the budgets available to us. This means we need to focus on the throughput of patients, on reducing length of stay to international norms and on having as many procedures as possible carried out as day cases rather than inpatient work. Small hospitals have an important role to play in this context.

The organisation of hospital services nationally, regionally and locally will be informed by the work of the inter-related clinical programmes which aim to improve service quality, effectiveness and patient access and to ensure that patient care is provided in the service setting most appropriate to individuals' needs and by the work on the framework for the development of smaller hospitals. The planned introduction of hospital groups will also provide further opportunities for inter-site co-operation.

20. **Deputy Seán Crowe** asked the Minister for Health if he will require the Health Service Executive to reverse plans to close St. Brigid's, Crooksling, County Dublin and to fully utilise it, providing the necessary upgrade and retaining it as a home for older persons and a vital link in the regional healthcare infrastructure, including providing step-down beds for Tallaght Hospital; and if he will make a statement on the matter. [16256/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): During 2011 the Health Service Executive was considering a proposal to close St. Brigid's Hospital, Crooksling. However, following court proceedings in relation to another proposed closure it became clear that it was not appropriate to make a decision to close a hospital such as St. Brigid's without a comprehensive consultation process. In this regard the public consultation process in relation to the proposed closure of St. Brigid's Hospital at Crooksling will commence shortly. This will involve engaging with patients, relatives, staff, public representatives and any other party who wishes to make a submission. The consultation process will be completed within a period of three months from commencement at which point a final decision will be made regarding the future of the hospital. Meanwhile the HSE is undertaking works at St. Brigid's to ensure compliance with current HIQA standards. These works are due to be completed by 30th June 2012.

Hospital Services

21. **Deputy Aengus Ó Snodaigh** asked the Minister for Health the additional resources and supports that will be provided to Crumlin Children's Hospital, Dublin in view of the unacceptable conditions there and in view of the further delay in the development of the National Children's Hospital [16254/12]

42. **Deputy Seán Crowe** asked the Minister for Health the additional resources and supports that will be provided to Tallaght Hospital, Dublin, in view of the unacceptable conditions there and in view of the further delay in the development of the National Children's Hospital [16255/12]

69. **Deputy Mary Lou McDonald** asked the Minister for Health the additional resources and supports that will be provided to Temple Street Hospital, Dublin, in view of the unacceptable conditions there and in view of the delay in the development of the National Children's Hospital [16257/12]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 21, 42 and 69 together.

This is a very challenging year for the health services given the extreme financial pressures and public sector moratorium. However, the budget adjustments for Our Lady's Children's Hospital, Crumlin and the Children's University Hospital, Temple Street this year are significantly less than the average. The HSE is working with Tallaght Hospital to help it address its particular financial difficulties. In addition, the three Dublin paediatric hospitals work in partnership in a collective process under the clinical leadership of Dr. Colm Costigan to ensure optimisation of resources and facilities.

[Deputy James Reilly.]

There has been substantial investment in paediatric services in the region in areas such as Intensive Care, Accident and Emergency Department services, Rheumatology, Dermatology, Neurology and Cardiac services. However, the challenges presented by the current infrastructure in Crumlin and Temple Street hospitals can only be fully addressed through the construction of the new National Children's Hospital. The Government is committed to building this hospital in the shortest possible time frame. In the meantime, the HSE continues to work with the three hospitals in order to prepare for the transition to the new National Paediatric Hospital.

Ambulance Service

22. **Deputy Luke 'Ming' Flanagan** asked the Minister for Health if he will instruct the Health Service Executive to develop a national transfer pool for paramedic staff which will enable the movement of paramedic staff between ambulance regions in view of the fact that, currently, such staff must resign their positions if they wish to apply to a vacancy in a region other than their own (details supplied); and if he will make a statement on the matter. [16284/12]

Minister for Health (Deputy James Reilly): I am informed by the HSE that the Director of the National Ambulance Service has recently responded to representations in relation to this case. The individual concerned has been informed that the HSE and relevant trade unions have recently agreed a National Framework Agreement — National Transfer Policy and Procedures. Consequently, the individual has been advised to discuss this matter with his immediate Line Supervisor in the first instance.

Questions No. 23 answered with Question No. 9.

Departmental Reports

24. **Deputy Denis Naughten** asked the Minister for Health the reason for the delay in publishing the report on mortality rates at acute hospitals; and if he will make a statement on the matter. [16210/12]

Minister for Health (Deputy James Reilly): The Chief Medical Officer of my Department has been working on a report entitled '*Health Care Quality Indicators in the Irish Health System: Examining the Potential of Hospital Discharge Data*'. This includes the measure of recorded 30 day in-hospital mortality rates following heart attack.

The work to date demonstrates the value of using HIPE as a tool to derive knowledge and understanding of health care quality. However, this work has also uncovered variation in the accuracy of data as reported through the HIPE system. Some individual hospitals have attributed this variation to inaccuracies in the medical chart and the subsequent coding of information that is then inputted by individual hospitals to the HIPE system.

I am concerned about this finding in relation to data quality, given its potential patient safety implications. I believe there is a duty on all hospitals to take steps to ensure that the information which they record and report is accurate.

Concerns have been raised by certain hospitals and clinicians that the report, which seeks only to examine quality of data, could be either inadvertently or deliberately misinterpreted as making inferences on quality of care. I understand this concern. However, I do not accept that the solution is to disregard these data. Where that source of information is found to be flawed, the solution is to improve it. These data have been collected by hospitals and the hospitals themselves must be accountable for the quality of them. Therefore, the CMO, in conjunction

with the HSE, is now in the process of further augmenting the analysis of the indicators to date with data for 2011 and 2012. Every public hospital in the country has been written to in order that they can ensure that the information they record and report for 2011 and 2012 is accurate. The Economic and Social Research Institute, who manage the HIPE system, provide checking and audit tools to enable hospitals to ensure the quality of their data.

The CMO expects to publish the 'Health Care Quality Indicators in the Irish Health System: Examining the Potential of Hospital Discharge Data' report in the near future.

Hospital Staff

25. **Deputy Clare Daly** asked the Minister for Health his views in response to claims from senior management concerning the capacity to ensure safe deliveries of new born babies continue in the context of the cuts in mid wife numbers; and if he will make a statement on the matter. [16212/12]

37. **Deputy Robert Troy** asked the Minister for Health if he is confident that maternity services continue to be delivered safely following the conclusion of the early retirement scheme; if he will be recruiting additional staff to ensure that standards are maintained; and if he will make a statement on the matter. [16492/12]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 25 and 37 together.

The impact of the recent retirements requires a range of strategic national responses, together with specific local responses. I have requested the HSE to prioritise the ongoing delivery of safe services for patients and to ensure that all necessary steps are taken to ensure the avoidance of risk in the delivery of services for patients.

Planning for the delivery of health services is undertaken within the context of the annual National Service Planning process. This process ensures that all factors, including budgets and staffing levels and any other emerging issues, including the impact of the retirements are factored into the plan for what services will be delivered within the coming year. To meet these challenges and to implement the National Service Plan, the HSE has drafted detailed regional plans which will take account of the effect of the reduction in both staff numbers and budgets, as well as addressing the service areas identified for priority development under the plan. Local contingency plans were also developed for all local hospital and community services. Briefings with staff, unions, public representatives and other stakeholders has also taken place.

Detailed planning for retirements in the period to the end of February 2012 commenced in October last and has also been intensified at local service level as the numbers and locations of those leaving have become clearer. The plans reflect the fact that the number of staff leaving varied from region to region and from service to service. The HSE's main aim has been to protect critical frontline essential services, including maternity services, and there are a range of national measures in place to reduce the impact of the retirements on these services.

The HSE is continuing to utilize the provisions of the Public Service Agreement 2010 to 2014 (the "Croke Park Agreement") as it seeks to change staff rosters, work practices and to redeploy staff. This will assist in minimising the service impact. Contingency plans to address the impact of the retirements also focus on staff redeployment, streamlining, delivering Greater Productivity through the National Clinical Programmes and the related work of the Special Delivery Unit.

There are a number of additional allocations set out in the HSE's National Service plan that will assist in minimising the impact of the retirements on services, to include:

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- Focused Recruitment for critical posts vacated will be undertaken (within the context of the cost containment plans and budgets for each service).
- Agency staff may be used where there is a critical requirement. Any reliance on agency staff will be in the context of the HSE's objective to reduce overall agency costs by 50% in 2012.
- The National Service plan in 2012 also makes provision for some conversion of agency costs into whole time equivalent staff which will be explored in limited circumstances where local budgets allow.

The HSE has assured me that the implementation of the contingency plans is continuing to be monitored and that maternity services continue to be delivered safely following the conclusion of the early retirement scheme. I will continue to work with the HSE to ensure that these measures are implemented and that we continue to provide efficient safe maternity services throughout the country, with patient safety remaining my first priority.

Hospital Accommodation

26. **Deputy David Stanton** asked the Minister for Health the number and location of public community hospitals and nursing homes across the country; the number of beds in these hospitals; his plans to extend the range of services especially outpatient services; and if he will make a statement on the matter. [16439/12]

56. **Deputy David Stanton** asked the Minister for Health if he will expand the role of community hospitals and the services that they can offer; and if he will make a statement on the matter. [16438/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): I propose to take Questions Nos. 26 and 56 together.

The HSE is facing challenges in respect of all services in 2012. In the case of public nursing homes for older people these include challenges regarding staffing, funding and environmental factors around the age and structure of the units. It is clear that on a business as usual basis, the HSE would have to close further beds across a range of public nursing homes in 2012. In the absence of reform, this would increase the cost of caring for older persons within the public system, undermine the viability of public nursing homes and reduce the overall number of older persons that can be supported within the budget available for the Nursing Homes Support Scheme. This is not a sustainable way forward and would not meet the needs of older persons, local communities, the taxpayer or those working in the public service. Instead, a more proactive approach is required to the provision of public nursing homes which seeks to protect the viability of as many units as possible within the funding and staffing resources available. This is likely to require a combination of actions such as consolidation of services and changes in staffing, skill mix and work practices. In this regard consideration must be given to the different types of services required — such as long-stay and transitional — and the respective strengths of public and private nursing homes in that regard; the public and private capacity available within an area; the age and structure of public homes; the wider needs of the local community; and alternative options for providing a viable community nursing service, including a possible role for local communities or other voluntary providers. The HSE is already examining these issues and is working closely with the Department to develop an overall set of proposals for the Minister. The Health Information and Quality Authority (HIQA) is the statutory body

responsible for the registration of all designated centres for older people, including public, voluntary and private nursing homes. Under the 2007 Health Act, all existing nursing homes must be registered by HIQA by 30 June 2012. Details of all currently registered nursing homes, including the maximum number of residents who can be accommodated, as well as inspection reports can be found on the HIQA website, www.hiqa.ie.

Voluntary Sector Funding

27. **Deputy Terence Flanagan** asked the Minister for Health the controls he can implement on the salaries of CEOs of certain disability charities, NGOs and voluntary hospitals such as Our Lady's Hospice, Harold's Cross, St. Francis Hospice, Dublin, Marymount Hospice and other such voluntary organisations who are funded by the State and whose chief executives may be in receipt of bonuses as a result of their charitable status; and if he will make a statement on the matter. [16279/12]

66. **Deputy Derek Keating** asked the Minister for Health the controls he will implement on the salaries of CEOs of certain disability charities, NGOs and voluntary hospitals, such as Our Lady's Hospice, Harold's Cross, St. Francis Hospice, Dublin, Marymount Hospice and other such voluntary organisations who are funded by the State and whose Chief Executives may be in receipt of bonuses as a result of their charitable status; and if he will make a statement on the matter. [16207/12]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 27 and 66 together.

Voluntary organisations in a variety of service areas within the health service are funded by the Health Service Executive under either Section 38 or 39 of the Health Act 2004.

Organisations funded under Section 38 of the Act provide health or personal social services on behalf of the HSE. Staff in these organisations are considered public servants and the standard rates of remuneration for the public health sector apply to these agencies. Service Level Agreements between the HSE and such bodies require compliance with the salary scales concerned.

A review by the Health Service Executive in 2011 found some instances where the standard rates of pay for the public health service were not being applied in bodies funded under Section 38 of the 2004 Act. This had occurred across a number of grades of staff and it also included a small number of CEOs. These issues are being pursued up by the HSE with the bodies concerned.

Other organisations may receive grants from the HSE under Section 39 of the Health Act 2004 to provide a service similar or ancillary to a service that the HSE may provide. Staff in such independent organisations are not public servants and are not specifically subject to the pay scales approved for public servants.

Our Lady's Hospice is funded under Section 38 of the Health Act 2004, while St. Francis Hospice and Marymount Hospice are grant-aided under Section 39 of the Act.

Health Insurance

28. **Deputy Sean Fleming** asked the Minister for Health in the context of his plans for universal health insurance, his intentions for the VHI; if it will be broken up; and if he will make a statement on the matter. [16471/12]

Minister for Health (Deputy James Reilly): The Programme for Government provides for the VHI to remain in State ownership in order to provide a publicly-owned health insurance option when the new system of Universal Health Insurance (UHI) is introduced. Last year I

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appointed financial and legal advisors to make recommendations on options to address the current imbalance in the private health insurance market. e advisors were invited to consider all options — including, but not limited to, a break-up of the VHI.

I am currently examining how best to address the imbalance in the structure of the private health insurance market in the overall context of a move towards UHI. This is being considered against a backdrop of the European Court of Justice Case regarding the VHI's derogation from the EU Non-Life Directives which had exempted it from the requirement to be authorised by the Central Bank. e Court ruled against the State on 29 September last.

e Department will continue to work with the Commission to progress a range of issues relating to the legal status of the VHI. It is making good progress in relation to these and will press ahead with them as planned.

Health Service Staff

29. **Deputy Dessie Ellis** asked the Minister for Health the final number of staff who left the Health Service Executive's mental health services by the end of February; the number of same who were psychiatric nurses; and if he will make a statement on the matter. [16260/12]

71. **Deputy Pearse Doherty** asked the Minister for Health the final number of staff who left the health services by the end of February deadline; and if he will make a statement on the matter. [16274/12]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 29 and 71 together.

The most recent figures available (as at 9 March) indicate that approximately 4,500 staff left the health service in the period between September 2011 and end-February 2012. Final figures are expected to be available shortly.

The provisional number of staff who left the Health Service Executive's mental health services by end-February was 645. Of these, 450 were in the Nursing staff category which, in addition to psychiatric nurses, includes a number of other grades such as Senior Staff Nurse (Dual Qualified) and Clinical Nurse Specialist (General). As in other care areas, efficiencies and other savings are required in the mental health service, which will have to deal with its share of staff reductions.

In this context, the HSE's Service Plan includes a commitment to reduce acute in-patient capacity by a minimum of 153 beds nationally in 2012, in line with the recommendations of *A Vision for Change*. A key priority for the HSE is the reconfiguration of acute in-patient services and the redeployment of staff resources away from old institutional settings or over-provision of acute in-patient beds towards community-based services. A special allocation of €35m for mental health was announced in Budget 2012 and will be used primarily to strengthen Community Mental Health Teams in both Adult and Children's mental health services, including the recruitment of approximately 400 additional staff for this purpose.

The HSE is also using the provisions of the Public Service Agreement to bring about greater flexibilities in work practices and rosters, redeployment and other changes to achieve more efficient delivery of services.

Health Services

30. **Deputy Martin Ferris** asked the Minister for Health if he will take measures in 2012

to address the major deficit in orthodontic services; and if he will make a statement on the matter. [16278/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): There are currently approximately 21,000 in treatment. The HSE will be commencing an independent review of orthodontic services in 2012 which will consider a number of service provision models. The outcome of this review will give guidance as to what changes will be desirable to provide the best possible model of care delivery, given the current resources available and expected future demand for services.

Liquor Licensing Laws

31. **Deputy Thomas P. Broughan** asked the Minister for Health if he has reviewed the recent Blanchardstown Alcohol Strategy 2012-2014; his views on whether any of the objectives especially in terms of supply, reduction and enforcement will be rolled out on a nationwide basis; his views that it will be useful to introduce a system of labelling for all alcohol products as is already legislated for under Section 22 of the Intoxicating Liquor Act 2003; and if he will make a statement on the matter. [16282/12]

67. **Deputy Thomas P. Broughan** asked the Minister for Health if he has made any proposals to the Department of Justice in terms of the labelling of all alcohol items that are on sale through Section 22 of the Intoxicating Liquor Act 2003 or any other legislative mechanism; and if he will make a statement on the matter. [16281/12]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 31 and 67 together.

My Department has received the strategy referred to by the Deputy and the pillars on which it is based — such as Prevention, Education, Supply, Treatment and Rehabilitation and Research and Monitoring, were equally encompassed in the recently published report of the National Substance Misuse Strategy Steering Group; and hence, the areas that are common to both will at the very least feature in an Action Plan that I envisage being developed on the National Substance Misuse Strategy — in advance of proposals being drafted for Government.

The National Substance Misuse Strategy Steering Group reported that it considered the possibility of regulations requiring the specific labelling of alcohol containers in order to combat secondary purchasing of alcohol; however, the Group accepted in its report that practical and legal issues preclude this approach; and hence the question of making proposals to the Department of Justice and Equality on this matter has not arisen. The recommendation though of the National Substance Misuse Strategy Steering Group is relevant to the general issue of labelling since it recommended that ‘labels on alcohol products sold in Ireland should include the number of grams of alcohol per container, along with calorific content and health warnings in relation to consuming alcohol in pregnancy.’ This recommendation will be taken into account when developing the Alcohol Action Plan.

Departmental Reports

32. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health when he intends publishing the Walsh Report; if he will advise its terms of reference; the extent of the consultation and engagement with informed voices and, very especially, with victims of symphysiotomy; and if he will make a statement on the matter. [16251/12]

561. **Deputy Sandra McLellan** asked the Minister for Health if he will provide more than one symphysiotomy liaison officer in the country [16184/12]

562. **Deputy Sandra McLellan** asked the Minister for Health if he will ensure that all victims of symphysiotomy are automatically entitled to a medical card [16185/12]

563. **Deputy Sandra McLellan** asked the Minister for Health if he will ensure that all victims and survivors of symphysiotomy receive access to all clinical support needed and that this access should be readily available [16186/12]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 32 and 561 to 563, inclusive, together.

My Department has received a draft report from the independent academic researcher who was appointed to complete a report into the practice of symphysiotomy in Ireland. As I outlined in the Dáil Statement on 15 March 2012, the specific scope of the report that the researcher has been given is to:

1. a) Document the rates of symphysiotomy and maternal mortality in Ireland from 1940 to date by reference to available data (including annual reports and other reports);
b) Assess symphysiotomy rates against maternal mortality rates over the period.
2. Critically appraise international reviews of symphysiotomy practice and associated rates in a number of comparable countries in the world and in Ireland.
3. Review any guidelines and protocols that applied in Ireland on symphysiotomy over the time period.
4. Write a report based on the findings of the above analysis providing an accurate picture of the extent of use of symphysiotomy in Ireland, and an examination of the Irish experience relative to other countries.

I asked the Attorney General to consider the draft research report and I have just received her advice. There is no legal impediment to publishing the research with certain clarifications included. I now propose to make the draft research report available for consultation, subject to the minor amendments arising from the legal advice received. Following the consultation process with relevant individuals and bodies the report will be finalised by the academic researcher.

I am determined to bring this matter to a satisfactory conclusion for all women concerned as soon as possible. I am very conscious of the distress that this procedure has caused to a number of women in the past and recognise the pain that this issue has caused to those affected by it. The Government is committed to dealing with this matter sensitively, so that if at all possible, closure can be brought to those affected by it. In the first instance, it is a priority to make sure that the health needs of those who have had a symphysiotomy are met quickly and effectively. With this in mind I am committed to ensuring that the greatest possible supports and services are made available to women who continue to suffer effects of having undergone this procedure. The women concerned continue to receive attention and care through a number of services which have been put in place in the HSE.

Patients who underwent this procedure have been granted full GMS eligibility on medical grounds and are issued on application with a medical card from the HSE. Other services available to the women, should they wish to access the services are independent clinical advice, the

organisation of individual pathways of care and the arrangement of appropriate follow-up care. This follow-up care includes medical, gynaecological and orthopaedic assessment, counselling, physiotherapy, reflexology, home help, acupuncture, osteopathy and fast tracked hospital appointments where possible. A support group facilitated by a counsellor was set up in Dundalk and Drogheda in 2004 for women living in the north-east region. Necessary medical expenses related to symphysiotomy in respect of medical and private treatments may also be refunded. In addition to these medical services and supports, a national triple assessment service provided by a multidisciplinary team was established in Cappagh Hospital, Dublin in 2005.

The HSE has recently nominated a National Lead Officer for Symphysiotomy who is now in place. The regional liaison officer referred to by the Deputy is in place in the Dublin North-East area and it is intended to designate further liaison officers in the other three regions as soon as possible. The provision of these necessary medical and support services for women is monitored and overseen by the HSE who are committed to being proactive in offering help to women who underwent a symphysiotomy and who may wish to avail of the services offered by the HSE.

Hospital Staff

33. **Deputy Gerry Adams** asked the Minister for Health when the Lourdes Hospital in Drogheda, County Louth, received notice from an orthopaedic paediatrician (details supplied) of their intention to resign on 17 December 2011; the reason the position was not advertised as soon as such notice was received; when authorisation to advertise the position will issue; if candidates have come forward for the position; the number of same; and if he will make a statement on the matter. [16270/12]

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.

Hospital Waiting Lists

34. **Deputy Micheál Martin** asked the Minister for Health the number of day case patient and elective inpatients on waiting lists at the end of 2010; if he will provide the same figure for the end of 2011; and if he will make a statement on the matter. [16477/12]

Minister for Health (Deputy James Reilly): The Special Delivery Unit was established in my Department last July to tackle patient wait times for hospital services. Unacceptably high wait times have been tolerated for too long and had become systemic for both unscheduled and scheduled care. The problems have to be tackled step by step so that improvements can be sustained.

The SDU immediately began work with the HSE and the NTPF on the problem of trolley waits and long waits for inpatient care. Last July I introduced a strict policy of chronological management of inpatient waiting lists so that those waiting longest are treated first. I set a target of 12 months maximum waiting time for treatment to be overseen by the SDU/NTPF.

In August the SDU/NTPF identified that there were 9,657 patients waiting for treatment to meet the 12 month target. By the end of the year all but 372 had been treated.

The challenge is not only to maintain the 12 month waiting time target for inpatient and day case procedures nationally but to continually improve and move to a 9 month maximum waiting time by the end of 2012. Targeting the longest waiters will have some effect on the wait times for some patients.

[Deputy James Reilly.]

The NTPF is working constantly with hospitals to maintain the policy of chronological management, whilst taking into account the challenges arising from issues such as seasonal admissions / cost containment measures / infection control.

In relation to the specific questions raised by the Deputy in December 2010 the NTPF recorded 15,490 patients waiting for in patient treatment and 35,092 patients waiting day for day case treatment. The corresponding numbers waiting in December 2011 were 15,753 and 44,079 respectively. These figures refer to those on waiting lists for all medical and surgical admissions from the first day on the waiting list. While there has been some increase in the number of people on waiting lists, the real focus needs to be on the period of time waiting rather than the numbers waiting. I have also said from the very outset that targeting the longest waiters would inevitably mean a modest increase in waiting times for some patients. This is inevitable because resources and capacity are limited. The median waiting times for April 2011 was 2.6 months, in November 2011 it was 2.7 months and in December 2011 it was 2.8 months. I would prefer if this could be avoided but the average increase is a matter of days and the new regime is far more equitable.

Building on the achievements of 2011 the SDU will work with the NTPF, the HSE Clinical Programmes and hospitals to minimise patient waiting times in emergency departments and reduce waiting periods for inpatient and day case elective surgical care. The improvements already won have to be secured and continually improved upon.

General Practitioner Services

35. **Deputy Pádraig Mac Lochlainn** asked the Minister for Health his plans for the development of out-of-hours general practitioner services; and if he will make a statement on the matter. [16277/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): General Practitioner (GP) out-of-hours co-operatives are an essential part of our primary care services and help to ensure that, to the greatest extent possible, care needs are met in the primary care setting. While there is no obligation on GPs to participate in co-operatives, GPs contracted under the General Medical Services Scheme must make suitable arrangements to enable contact to be made with them (or a locum/deputy) for emergencies outside normal practice hours. Co-operatives provide an ideal facility to enable GPs to discharge this obligation.

GP out-of-hours co-operatives are now in place in all HSE areas, providing coverage in all or in part of all counties. There were 949,703 contacts with GP out-of-hours services in 2011. A National Review of GP Out-of-Hours Services was published by the HSE in March 2010. It was the first national review to be undertaken since the commencement of publicly funded GP co-operatives in 1999. A working group comprising representatives from the HSE, the Irish Medical Organisation and the Irish Association of General Practitioner Co-operatives was established to advance the implementation of the recommendations. The HSE continues to work in close association with the GP co-ops on the implementation of the recommendations of the National Out of Hours Review. Potential new service delivery initiatives are currently being progressed which will facilitate added value and more responsive delivery models, integration between primary and secondary care and enhance the quality of patient care.

A new GP out-of-hours service commenced in Tallaght Hospital on 1st November 2011. It covers the Tallaght and Clondalkin areas and there are approximately 40 GPs in the co-op. There is a further commitment in the HSE Dublin Mid-Leinster Regional Service Plan to the establishment of a GP out-of-hours service in Bray in 2012.

Hospital Services

36. **Deputy Michael McGrath** asked the Minister for Health in view of the fact that the Health Service Executive has confirmed that its service plan is out of date, if the number of community hospital beds closed this year may be greater than 900; when he expects to finalise plans for bed closures; and if he will make a statement on the matter. [16481/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Question No. 37 answered with Question No. 25.

General Practitioner Services

38. **Deputy Pearse Doherty** asked the Minister for Health the action he will take to address the general practitioner shortage; and the need for further GP training places; and if he will make a statement on the matter. [16275/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): Separate reports in 2009 by FÁS, ESRI and the Competition Authority and in 2010 by the Joint Oireachtas Committee on Health and Children referred to the GP manpower issue and stated that 120 training places per year were not sufficient to meet the demands of a growing and ageing population. They recommended that the number of GP training places be increased to 150. In July 2010, the number of GP training places increased to 157. The Department commissioned research in 2011 to develop a model of demand for and supply of GP and practice nurse services. The outcome is a functional and adaptable excel model rather than any specific set of findings. The Universal Primary Care Project Team will make use of this model in the course of its work.

The EU/IMF programme made provision for the removal of restrictions to trade and competition in sheltered sectors, including eliminating restrictions on the number of GPs qualifying and removing restrictions on GPs wishing to treat public patients. In relation to the number of GPs qualifying, the HSE and ICGP have reached agreement on an alternative route to specialist registration for doctors who have extensive experience in General Practice, but who lack some component of training to become eligible for specialist registration as a General Practitioner. Details of this “practice based assessment model” were published on the ICGP website in September 2011. It is anticipated that applications will be sought from interested doctors in Autumn 2012. In addition, consideration is being given to a potential “fast track” training programme for doctors who have already gained some of the required hospital rotation experience through General Professional Training and who now wish to become GPs, but do not have access to GP Specialist training. No such programme has existed in Ireland but the HSE is working with the Irish College of General Practitioners (ICGP) to develop such a training programme.

In relation to the EU/IMF programme provision for the removal of restrictions on GPs wishing to treat public patients, the Health (Provision of General Practitioner Services) Act 2012, which came into effect on 12 March 2012, eliminates restrictions on fully qualified and trained GPs wishing to obtain contracts to treat public patients under the GMS contract. This legislation will encourage more young GPs to remain in Ireland and to establish their practice here and will make it more attractive for GPs to move here from overseas. It will also encourage competition among GPs at a time when many fee paying patients have less money at their disposal.

Nursing Homes Support Scheme

39. **Deputy Brian Stanley** asked the Minister for Health the way in which the setting of fees by nursing homes under the nursing home support scheme is monitored; if his attention has been drawn to the fact that some nursing homes are setting additional service charges on top of the agreed fees and that, in some cases, these charges are for services supposed to be covered by the nursing home support scheme, including beds; if any sanction can be taken against such improper charging; and if he will make a statement on the matter. [16273/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The Nursing Homes Support Scheme provides financial support towards the cost of long-term residential care. The cost for long-term residential care in private nursing homes is agreed between the each individual nursing home and the National Treatment Purchase Fund (NTPF). The services which fall within the scope of long-term residential care and which are covered by this cost are: nursing and personal care appropriate to the level of care needs of the person; basic aids and appliances necessary to assist a person with the activities of daily living; bed and board; and laundry service.

The cost for each public nursing home has been determined using the definition of long-term residential care services underpinned by an agreed set of cost components which has been laid before the Houses of the Oireachtas. The cost components are consistent with the services outlined above but differ in format in order to mirror existing cost coding structures within the HSE. Incontinence wear, where required, is provided free of charge by the HSE to all Nursing Homes Support Scheme residents that possess a Medical Card.

Under the scheme, all residents retain their eligibility for other schemes, such as the Medical Card Scheme or the Drugs Payment Scheme. Individuals can continue to receive goods and services in accordance with the terms of these other schemes regardless of whether they are in a private nursing home or elsewhere. In determining the services covered by the Nursing Homes Support Scheme, it was considered very important that the care recipient and the taxpayer would be protected and would not end up paying for the same services twice. For this reason, medications and aids that are already prescribed for individuals under an existing scheme are not included in the services covered by the scheme, as this would involve effectively paying twice for the same items or service.

Individuals who avail of the Nursing Homes Support Scheme should not be charged any additional fee over and above the cost agreed with the NTPF, except where he or she chooses to obtain additional services over and above long-term residential care services, for example, hairdressing, social programmes or the delivery of daily newspapers. Under the Health Act 2007, statutory responsibility is given to the Chief Inspector of Social Services, part of the Health Information and Quality Authority (HIQA), for the independent inspection and registration of certain categories of designated centres. This includes residential care settings for older people. This responsibility is underpinned by a comprehensive quality framework comprising the Health Act 2007, the Health Act 2007 (Care and Welfare of Residents in Designated Centres for Older People) Regulations 2009, as amended, and the *National Quality Standards for Residential Care Settings for Older People in Ireland*. Article 28 of the Regulations provides that the registered provider shall agree a contract with the resident within one month of admission and that the contract shall include details of the services to be provided and the fees to be charged. The Chief Inspector has the power to refuse to register, attach conditions to a registration or cancel the registration of a designated centre in the event of non-compliance with the regulations or the standards.

Departmental Reports

40. **Deputy Jonathan O'Brien** asked the Minister for Health the date on which the report compiled by Dr. Darina O'Flanagan for his Department relating to the relationship between narcolepsy and or cataplexy and the Swine Flu vaccination Pandemrix, will be published; the number of confirmed Pandemrix-related cases of narcolepsy and or cataplexy here; his plans to address this matter; and if he will make a statement on the matter. [16267/12]

Minister for Health (Deputy James Reilly): The HSE is currently ascertaining the number of narcolepsy and or cataplexy cases that may be associated with Pandemrix vaccination. All cases will be offered a multidisciplinary assessment by the HSE to identify medical and educational need and appropriate services will be offered. I am aware of the submission of the report which is being considered in the context of other evidence from international studies. I plan to publish the report in due course.

Electricity Transmission Network

41. **Deputy Clare Daly** asked the Minister for Health the action he proposes to take to protect the health of children along the route of Eirgrid's east west interconnector, in view of the serious professional opinion (details supplied) [16213/12]

Minister for Health (Deputy James Reilly): I have written to the Minister for Communications, Energy and Natural resources about the information supplied on this issue, and I have also communicated with the Minister for Environment, Community and Local Government, Bord Pleanála and indeed Fingal County Council. I will seek a report from the Chief Medical Officer of the Department of Health and I will revert to the Deputy with the relevant information.

Question No. 42 answered with Question No. 21.

Health Services

43. **Deputy Brian Stanley** asked the Minister for Health if he will make a statement on the Health Service Executive Regional Plan 2012 for Dublin/Mid-Leinster [16262/12]

44. **Deputy Peadar Tóibín** asked the Minister for Health if he will make a statement on the Health Service Executive Regional Plan 2012 for Dublin/North-East [16259/12]

61. **Deputy Michael Colreavy** asked the Minister for Health if he will make a statement on the Health Service Executive Regional Plan 2012 for the West [16261/12]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 43, 44 and 61 together.

The Regional Service Plans set out the type and volume of service the HSE will provide directly, or through a range of funded agencies, during 2012. In line with the National Service Plan, the Regional Service Plans were prepared in the context of the challenges faced by the health services this year in terms of reduced staffing levels, and a reduced budget, combined with increasing demand for services. The Plans also takes account of additional funding being invested this year in areas such as mental health services, primary care, Fair Deal, the National Clinical Care Programmes and children's services. In line with the Plans, the HSE will minimise the impact on front line services by fast tracking new, innovative and more efficient ways of using reducing resources. New models of care will be introduced across all services, which will treat patients at the lowest level of complexity and provide quality services at the least possible

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cost. The roll-out of the National Clinical Care Programmes and Special Delivery Unit initiatives will also deliver greater productivity.

My Department continues to work with the HSE to mitigate the impact of retirements and to ensure that the contingency plans are operating satisfactorily and that all critical front line services continue to be delivered across all regions. This includes using the provision of the Public Service Agreement to bring about greater flexibilities in work practices and rosters, and maximising redeployment to achieve more efficient delivery of services. Staff resources will continue to be allocated to areas of greatest priority. Clearly, the need for dynamic and proactive management of the impact of reduced staffing and budgets will continue throughout the year and in this context, the National and Regional Service Plans will be subject to continuous review.

Hospital Waiting Lists

45. **Deputy Brendan Smith** asked the Minister for Health the average waiting time on trolleys at the start of 2012; the comparable figure at the start of 2011; and if he will make a statement on the matter. [16490/12]

Minister for Health (Deputy James Reilly): Building on the achievements of 2011, the Special Delivery Unit (SDU) will work with the National Treatment Purchase Fund, the HSE Clinical Programmes and hospitals to minimise patient waiting times in emergency departments along with reducing waiting periods for in-patient and day case elective surgical care.

The SDU is currently working on a refined methodology for recording Emergency Department waiting times for patients (PET) across the system. It is planned to have a number of hospitals reporting on the basis of the PET method by the second quarter of 2012. Work will continue to bring the remaining hospitals on stream as quickly as possible. Full PET data for individual hospitals will be published when it comes on stream and in the interim, data derived from sampling will be used. During 2012, the SDU will extend the coverage of the Patient Experience Time methodology to ensure that the data is captured in a uniform manner across the hospital system.

In relation to the Deputy's question regarding trolley wait times the Business Information Unit of the HSE collects data from the INMO on trolley waits. I can confirm that there has been a reduction in numbers of people waiting on trolleys. However these trends will be better demonstrated when the new system for recording Emergency Department data is implemented later this year.

Health Service Staff

46. **Deputy Richard Boyd Barrett** asked the Minister for Health the number of child mental health teams, early intervention teams and disability teams for children that are short of staff as a result of the moratorium on recruitment; and if he will make a statement on the matter. [15129/12]

600. **Deputy John Halligan** asked the Minister for Health the number of child mental health teams, early intervention teams and disability teams for children that are short of staff as a result of the moratorium on recruitment; and if he will make a statement on the matter. [15130/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): I propose to take Questions Nos. 46 and 600 together.

As the Deputies questions relate to service matters, I have arranged for the questions to be referred to the Health Service Executive for direct reply to the Deputies.

47. **Deputy Michael Moynihan** asked the Minister for Health the actions he intends to take to fill vacant consultant and social worker posts; and if he will make a statement on the matter. [16484/12]

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.

Ambulance Service

48. **Deputy Denis Naughten** asked the Minister for Health the results of the recent ambulance response times study and future plans for the development of the ambulance service. [16204/12]

Minister for Health (Deputy James Reilly): In response to the publication of the HIQA Key Performance Indicators, the HSE National Ambulance Service (NAS) has developed a Performance Improvement Action Plan. In line with the national KPI's published by HIQA, the NAS is working towards achieving a first response to 75% of emergency ECHO (life threatening cardiac emergency) and DELTA (life threatening non-cardiac emergency) calls within 8 minutes or less. Its performance in 2011 was 53.1% of ECHO calls and 28.45% of DELTA calls responded within the target time-frame. The response times for 2011 for patient carrying vehicles, against a target of 80% arriving on scene within 18 minutes 59 seconds, were 69.3% for ECHO calls and 66.8% for DELTA calls.

However, key to further significant progress on improving response times is the issue of using emergency ambulances for planned inter-hospital transfers. The continued use of emergency ambulances in this role clearly affects the capacity of the NAS to meet KPI targets and to respond to emergency situations.

Among the options which I am considering to free up emergency capacity is the use of an intermediate care service. Vehicles with a greater patient-carrying capacity are employed as a dedicated resource for inter-hospital transfer of patients. The reduction in control centres will allow for more of our highly trained paramedic staff to be deployed back to direct emergency response roles, allowing the service to concentrate on responding to emergency incidents. There are budgetary constraints in all areas of health provision and all services must live within those restrictions. I know that the NAS is working to deliver an optimal performance with the resources available. In this context, my department, the NAS and HIQA will review the targets set for these KPI's in 2012, including consideration of targets used in other jurisdictions which more accurately reflect patient outcomes from pre-hospital emergency care.

Health Service Staff

49. **Deputy Catherine Murphy** asked the Minister for Health if he will outline the expected total numbers of staff retirements from the Health Service Executive in 2012; if he will outline the expected cost to the HSE budget for all expected retirements, including pension lump sum entitlements; the expected impact this sum will have on the funding of HSE services in 2012; and if he will make a statement on the matter. [16441/12]

65. **Deputy John McGuinness** asked the Minister for Health if he will ask the Health Service Executive to redraft its service plans for this year in view of the higher than expected number of early retirements; and if he will make a statement on the matter. [16482/12]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 49 and 65 together.

The HSE National Service Plan 2012 acknowledged that there will be an inevitable and unavoidable reduction in services this year because of the scale of the financial and staffing challenges facing the health service. Considerable work was undertaken by my Department and the HSE in recent months to manage and plan for the impact of retirements from the health sector in the lead-up to the end of the ‘grace period’ on 29 February last. Within the HSE, contingency plans were developed locally for both hospital and community services, reflecting risk assessments undertaken by each hospital/community manager.

In the period September 2011 to February 2012 approximately 4,500 members of staff retired from the health service. My Department continues to work closely with the HSE to ensure that the contingency plans are operating satisfactorily and that all critical front-line services continue to be delivered. The Government’s priority is to reform how health services are delivered, in order to ensure a more productive and cost effective health system. It is necessary to be as innovative and flexible as possible in order to mitigate the impact of reduced budgets and staffing and in this context, the National Service Plan is subject to continuous review.

The planning assumption used during the preparation of the HSE’s 2012 National Service Plan was that the HSE would have to meet the costs associated with the retirement of about 3,500 people, or some 3,000 whole time equivalent staff. As outlined on page 4 of the Plan, the potential costs and savings involved were estimated as follows:

- an extra €44m for lump sums;
- an extra €68m for pensions;
- a loss of €18.9m in respect of superannuation contributions and the public service pension levy;
- a provision of €16m to fund the cost of replacing critical front-line service posts; and
- pay savings of €160m.

As mentioned above, the latest figures available from the HSE indicate that some 4,500 personnel retired between September 2011 and February 2012. Once the data on actual lump sums and pensions is available, the HSE will be in a position to run a new cost estimate associated with this level of retirements. It is possible that there may be a growth in costs although some of the lump sums will have already been paid in 2011. In addition, staff with premium pay or allowances, are entitled to reckon for pension purposes the ‘best 3 years out of the last 10’. This requires 10 years payroll records to be examined for each person. In a recent sample of 413 retirees, 87% had premium pay or allowances. Accordingly, it may be some time before the HSE can accurately determine the full financial impact of the retirements.

It should also be noted that there may be further retirements during the year outside the “grace period” arrangements. There is no information available at present in relation to such potential retirements. The HSE is currently reviewing the impact of recent retirements on the financial and service delivery targets in its Service Plan and I understand a report on the matter is to be put before the Board at its next meeting.

Hospital Staff

50. **Deputy Sandra McLellan** asked the Minister for Health the number of consultant neurologists in the public health service here; the hospital in which they work; if he considers this an

adequate number per capita; his plans to deal with this shortfall and a timeline for same; and if he will make a statement on the matter. [16268/12]

Minister for Health (Deputy James Reilly): The HSE Clinical Programmes Directorate are currently developing appropriate models of care to ensure the delivery of safe and effective services across epilepsy, stroke services and neurology outpatient services. This programme of work is ongoing and will inform the most appropriate structure, staffing and organisation of services. With regard to the detailed information sought by the Deputy, as they are service matters, they have been referred to the HSE for direct reply.

Accident and Emergency Services

51. **Deputy Richard Boyd Barrett** asked the Minister for Health in relation to the 24 hour accident and emergency services at St. Columcille's Hospital, Loughlinstown, Dublin, and the review being carried out by a project steering group, when the outcome of this review to be announced; if he will confirm the 24 hour A&E will be retained at Loughlinstown Hospital; if he will provide a timeline on the implementation of any new reconfiguration in this area; and if he will make a statement on the matter. [16246/12]

57. **Deputy John Halligan** asked the Minister for Health in relation to the 24 hour accident and emergency services at St. Columcille's Hospital, Loughlinstown, Dublin, and the review being carried out by a project steering group, when the outcome of this review will be announced; if he will confirm that the 24 hour A&E will be retained at Loughlinstown; and if he will provide a timeline for the implementation of any new reconfiguration in the area; and if he will make a statement on the matter. [16247/12]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 51 and 57 together.

As this is a service matter, it has been referred to the HSE for direct reply.

Primary Care Strategy

52. **Deputy Terence Flanagan** asked the Minister for Health when he envisages the opening of the new primary care centre that will cover Palmerstown, Dublin 20; the stage at which the plans for a primary care centre for Clondalkin are at; the stage at which the plans for a primary care centre for the Lucan area are at; if his national primary care plan meet the targets set out in the Programme for Government; if he envisages that the primary care programme will be affected by the lack of financial resources; and if he will make a statement on the matter. [16280/12]

583. **Deputy Derek Keating** asked the Minister for Health when he envisages the opening of the new Primary Care Centre that will cover Palmerstown, Dublin 20; at what stage are the plans for a primary care centre fro Clondalkin, Dublin; at what stage the plans for a primary care centre for the Lucan area, Dublin; if his National Primary Care Plan will meet the targets set out in the Programme for Government; if he envisages that the Primary Care Programme will be affected by the lack of financial resources; and if he will make a statement on the matter. [16208/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): I propose to take Questions Nos. 52 and 583 together.

The *Programme for Government* committed to reforming the current public health system by introducing Universal Health Insurance with equal access to care for all. As part of this reform programme the Government is committed to introducing Universal GP Care within the

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first term of office of this Government. I have established the Universal Primary Care Project Team, which has been tasked with working through the issues relating to the introduction of this commitment. The Project Team is meeting on a regular basis.

Initially it is intended to extend GP cover without fees to persons with defined long-term illnesses who are in receipt of drugs and medicines under the Long Term Illness Scheme. Primary legislation is required to give effect to this commitment. Once primary legislation has been approved by the Oireachtas, the details of the new arrangements will be announced. €15m has been made available to meet the costs involved in 2012.

As other aspects of the Deputies questions relate to the management and delivery of health and personal social services, which are the responsibility of the HSE, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to address these matters and to have a reply issued directly to the Deputy.

Question No. 53 answered with Question No. 14.

Medical Cards

54. **Deputy Gerry Adams** asked the Minister for Health the number of women who hold special medical cards based on their having been subjected to the disturbing procedure of symphysiotomy; the entitlements that such cards convey on their holders; when and the way entitlement to such cards was introduced; if they have a lifelong currency; and if he will make a statement on the matter. [16271/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): Other services such as allied health professional services may be available to medical card holders. According to current HSE figures, there are 136 women on their database who hold such cards. These cards were specifically designed and coded to meet the unique needs of these clients and were to operate under the same guidelines as all other medical cards. Introduction of these cards commenced in November 2005 with distribution to clients in each Health Service Region through the National Network of Liaison Officers. Fast tracking of all medical appointments referred by the GP to address the adverse effects of symphysiotomy is done locally through the Symphysiotomy Liaison officer.

Health Insurance

55. **Deputy Olivia Mitchell** asked the Minister for Health if he will request the VHI to desist from using the Government health insurance levy as a means of preventing persons in financial difficulties from downgrading their policies; and if he will make a statement on the matter. [16243/12]

62. **Deputy Olivia Mitchell** asked the Minister for Health if, in view of the reports that VHI are allowing customers who have been made redundant downgrade their policies without penalty, he accepts the VHI explanation that they must charge other customers downgrading their policies such high penalties because of the health insurance levy; and if he will make a statement on the matter. [16244/12]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 55 and 62 together.

VHI is required by law under the Health Insurance (Miscellaneous Provisions) Act 2009 to provide contracts of insurance that are 12 months in duration. While insurers provide a facility to consumers to pay premiums over the policy year, rather than at the start of the policy, this does not change the twelve month nature of contracts. Health insurance contracts are normally

written for a term of one year. Like any contract, a customer wishing to cancel or amend their contract is subject to the terms of that contract. If the policy contract does not allow cancellation during the term of the year, an insurer can seek to enforce the contract under contract law and demand the balance of the year's premium. All open market insurers give a 14 day cooling off period where they will cancel the contract and give a full premium refund. I am informed by the I that there are a limited number of special circumstances where they do allow a customer to breach their contract mid-year without penalty, including redundancy and emigration. It is important to note that customers are free to cancel and change their policy at their renewal date without difficulty.

In respect of policies renewing or commencing in 2012, the current Scheme of Age-Related Tax Credits and Community Rating Levy provides for the payment by insurers of a levy of €285 per adult. It should be noted that, where customers leave before the twelve month insurance period expires, the insurer incurs a loss in relation to the levy paid as the levy may only be collected once. If a policy is cancelled mid policy year, insurers cannot reclaim a proportion of the levy. Where a policy holder switches to an alternative insurer, the second insurer does not have to pay the levy in respect of the replacement policy, provided the two policies commence in the same accounting period (normally the twelve month period starting on 1 August and finishing on 31 July).

I understand that, where customers cancel their cover mid-policy (and pay the normal penalties for breaking their contract), I treats them as if they were a new customer, with waiting periods applying if they take out another I policy immediately afterwards. This measure is being taken as, where a policy is cancelled mid policy term, I are still required to pay the levy and therefore would otherwise be at a loss. I must ensure that they take in enough premium income in a given year to cover the costs of their customers' healthcare needs in that year. This would not be possible if the terms of cover on policies were constantly changing outside of the agreed contract period.

Section 8(5) of the Health Insurance Act 1994 (as amended in 2001) refers to the cessation of a contract with an insurer and the subsequent effecting of a contract with a different insurer. This section of the Acts does not cover circumstances of switching policies within the same insurer and does not prohibit an insurance provider from applying penalties to customers who cancel their cover mid-policy and wish to take out another, less expensive policy with the same insurer immediately afterwards.

The Health Insurance Authority (HIA) is the independent regulator of the private health insurance market in Ireland and provides information to consumers regarding their rights and health insurance plans and benefits. My Department will examine this issue further, in conjunction with the HIA, as part of the overall strategy to address issues in the private health insurance market, leading in to the introduction of Universal Health Insurance.

Question No. 56 answered with Question No. 26.

Question No. 57 answered with Question No. 51.

Hospital Staff

58. **Deputy Willie O'Dea** asked the Minister for Health the number of hospital consultants in breach of the working time directive; if he is concerned that this may impact on the safe delivery of services; and if he will make a statement on the matter. [16488/12]

Minister for Health (Deputy James Reilly): Consultants working in the public health service are employed under a number of contracts. Consultants employed under the 1991 and 1997

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Consultant Contracts are contracted to work 33 hours a week, while those employed under the 2008 Consultant Contract are contracted to work 37 hours a week.

The European Working Time Directive and related case law from the European Court of Justice define working time as time spent at a place determined by the employer while performing duties on behalf of the employer. This can be summarised as time spent working or on-call on-site. Time spent on-call off-site does not count as working time.

Irrespective of contract, many consultants are liable to provide on-call services and attend on-site outside of contracted hours. Consultants employed on the 2008 Contract may be required formally to provide up to 5 additional hours on Saturdays, Sundays or bank holidays — albeit, to date, this provision has not been activated in other than exceptional circumstances.

While consultants have work schedules documenting contracted hours, they do not formally ‘clock-in’ or participate in other means of recording time spent on-call on-site. The HSE does not therefore hold information regarding average working hours in excess of the 33 or 37 weekly contracted hours. Taking the above into account, the HSE does not have information indicating that any hospital consultant is working an average of more than 48 hours a week calculated over the 6-month reference period.

My immediate priority is to achieve more effective implementation of the 2008 Contract so that patients get faster access to services and achieve better outcomes within the budgets available to hospitals. I believe there is plenty of scope under the existing contract and the Croke Park agreement to achieve greater productivity from consultants, and I am satisfied that this can be achieved, while at the same time meeting the requirements of the working time directive.

Health Service Staff

59. **Deputy Derek Keating** asked the Minister for Health following the recommendations by the legal aspects of professional home care as reported by the Law Reform Commission (details supplied), his views that such recommendations should be implemented immediately by the Health Service Executive; the steps that need to be taken for these to be introduced including training; and if he will make a statement on the matter. [16205/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The Law Reform Commission’s recent report, entitled *Legal Aspects of Professional Home Care*, is a follow up to its 2009 consultation paper entitled *Legal Aspects of Carers*.

Primary legislation and resources will be required for the introduction of a statutory regulation system for home care services. The question of possible changes to legislation, including regulation and inspection, for Home Care services for older people is under consideration. The Department is, at present, examining this matter in the overall context of the licensing of Health Care providers. Legislation is currently being prepared in this regard, taking into account the recommendations of the Commission on Patient Safety, and the Law Reform Commission. Various options are being considered at present, including the complex legal issues involved, and the need to prioritise legislation across the Social Care area overall. It is important to emphasise that statutory regulation or licensing is only one way of improving the safety and quality of services and that other measures have or are being taken to improve the standards of community service for older people delivered by, or on behalf of, the Health Service Executive (HSE). These are reflected in the agreed HSE Service Plan 2012 and includes a recently finalised public *Procurement Framework* for Home Care services (with quality and screening requirements); new *National Quality Guidelines for Home Care Support Services*, and new *National Home Help Guidelines*.

These various measures, taken together, have been designed to improve relevant aspects of HSE Home Care provision nationally, including taking into account the issues raised by the Deputy, for care recipients under the auspices of the Executive.

Hospital Services

60. **Deputy Pádraig Mac Lochlainn** asked the Minister for Health if he will reverse the underfunding of Letterkenny General Hospital, County Donegal; and if he will make a statement on the matter. [16276/12]

Minister for Health (Deputy James Reilly): As this is a service matter, it has been referred to the HSE for direct reply.

Question No. 61 answered with Question No. 43.

Question No. 62 answered with Question No. 55.

Medical Cards

63. **Deputy John Halligan** asked the Minister for Health in the review being carried out of medical cards, the number of persons over 70 years that have been disqualified; the number of persons under 70 years that have been disqualified; and if he will make a statement on the matter. [16248/12]

587. **Deputy Richard Boyd Barrett** asked the Minister for Health in the review being carried out of medical cards, the number of persons over 70 years that have been disqualified, how many people under 70 years have been disqualified; and if he will make a statement on the matter. [16245/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): I propose to take Questions Nos. 63 and 587 together.

The HSE has stated that between 1 July 2011 and 29 February 2012 Primary Care Reimbursement Service received 450,306 applications and renewals for medical cards. 39,552 of these renewal applications were from people over 70 years of age and 300,251 were from people under 70 years of age. In total, 226 cases of those over 70 and 4,118 cases of those under 70 were assessed as being unsuccessful.

Hospital Services

64. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health if he has discussed with his northern counterpart the potential of cross-border co-operation in the area of neurology, specifically the potential of the Erne Hospital at Enniskillen, County Fermanagh to cater to its catchment needs, including in the neighbouring counties of Leitrim, Cavan and Monaghan and the prospects for the appointment of a Parkinson's Nurse, attached to Enniskillen, catering to sufferers of Parkinson's in adjacent counties south of the border; and if he will make a statement on the matter. [16252/12]

Minister for Health (Deputy James Reilly): There is a high level of cooperation in existence between the service providers in both jurisdictions in the border corridor, led and supported by the Co-operation and Working Together (CAWT) organisation and by Senior service managers in both jurisdictions. There have already been considerable achievements in providing certain services collaboratively, some with the support of EU Interreg Funding.

In both health and social care sectors there is a positive focus on building on past and current achievements and in assessing opportunities which will prove beneficial to the populations in

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both jurisdictions. This collaboration will continue to receive an impetus through CAWT, which is representative of the Health Services in both jurisdictions and which has promoted positive working relationships and collaborative effort since it was established 20 years ago. In respect of health services, collaboration between providers North and South has focussed upon ENT, Ophthalmology, Vascular and Urology services: Parkinson's services have not formed part of the discussion to date.

Recently, Senior HSE service managers from the border corridor area visited the New South West Hospital in Enniskillen for a familiarisation visit organised by CAWT. At this point in time the indications are that the new hospital will initially be commissioned and funded to provide services to its own defined catchment area. Neurology services are not indicated at this stage as part of that on-site provision. It was agreed that a review and mapping exercise would be undertaken to establish the potential for collaboration between services in the context of the opening of the new hospital. It should be noted also that although there is no dedicated Neurology Service in the Erne Hospital, further cross-border engagement will take place over the coming weeks and months particularly in the context of the opening of the new hospital, with a view to exploring areas for collaborative working across the border region.

The regional Neurology Service in Sligo is currently expanding under the National Clinical Programmes with the agreement for the appointment of a second Neurologist. Recruitment for this post has already commenced. Through this appointment, it is planned to develop sub-specialist neurology clinics for epilepsy, MS and Parkinson's disease in Sligo Regional Hospital. As part of the Neurological Care Clinical Programme, Cavan Monaghan Hospital has established a Stroke area in the hospital which is providing focused stroke care. In addition to this a Consultant Neurologist, has commenced a clinic in Cavan General Hospital for patients with neurological conditions. The Consultant Neurologist is based in the Mater Hospital but provides this clinic on the Cavan Hospital site.

Question No. 65 answered with Question No. 49.

Question No. 66 answered with Question No. 27.

Question No. 67 answered with Question No. 31.

Health Services

68. **Deputy Aengus Ó Snodaigh** asked the Minister for Health if he will report on the progress and on the development of a National Plan/Strategy for Rare Diseases; and if he will make a statement on the matter. [16253/12]

Minister for Health (Deputy James Reilly): Ireland has been supportive of the EU proposals on rare disease which concluded with a council recommendation in June 2009. The end point is that countries are recommended to develop plans or strategies preferably by the end of 2013. We are now well advanced in developing this work.

In April 2011, I established a National Steering Group to develop a policy framework for the prevention, detection and treatment of rare diseases based on the principles of high quality care, equity and to be patient centred. The policy will operate over a 5 year period, take account of the Council Recommendation on Rare Diseases (2009) and define priority actions subject to resource availability. The National Steering Group identified a number of areas relating to rare diseases which it is currently considering including centres of expertise, access to appropriate medication and technology, orphan drug development, research and information and patient empowerment and support.

An integral part of an effective policy framework will be the development of a dedicated HSE clinical programme. A proposal has been submitted to the HSE's National Director of Clinical Strategy and Programmes to establish a National Clinical Programme for Rare Diseases. I understand that the HSE has agreed to establish such a programme, the details of which remain to be worked through.

In addition the steering group is planning to consult with patients and key stakeholders in early summer on the broad proposals and recommendations that will emerge.

It is expected that the steering group will submit a plan to me during the latter half of this year.

Question No. 69 answered with Question No. 21.

Hospital Services

70. **Deputy Martin Ferris** asked the Minister for Health regarding the new critical care unit in the Mid-Western Regional Hospital, Limerick, when the unit will open and when it will begin functioning; the arrangements being put in place to ensure sufficient staffing and funding for the unit above and beyond the Health Service Executive regional plan for 2012; if additional non-critical beds will be provided at Limerick; his views that without such non critical beds and if the planned closure of the ICU in Nenagh Hospital, Tipperary proceeds then patients will face repeated journeys to and from Limerick and Nenagh; if he will halt the proposed closure of the Nenagh ICU; and if he will make a statement on the matter. [16264/12]

Minister for Health (Deputy James Reilly): In relation to the new critical care block I understand that it will be completed by June 2012 and a period of commissioning will then follow.

The decision to open and close beds is made at hospital management level and approved by the Regional Director of Operations.

I believe we must concentrate on getting the best possible services for patients from the budgets available to us. The work of the Special Delivery Unit, together with implementation of the Clinical Care Programmes in the HSE, will help to improve the efficiency of our hospitals, allowing us to treat as many patients as possible within budget. In the current economic climate the acute sector must reduce its costs in order to deliver the agreed level of activity within the resources available to it. The emphasis in 2012 will continue to be to make the most effective use of acute bed capacity through shorter lengths of stay, increased rates of day-of-surgery admission and more day surgery. In this way the acute hospital system can ensure that, within the level of resources available, it provides safe, effective and efficient care to the maximum number of patients with.

In relation to the specific information sought by the Deputy, as these are service issues they have been referred to the HSE for direct reply.

Question No. 71 answered with Question No. 29.

Hospitals Building Programme

72. **Deputy Peadar Tóibín** asked the Minister for Health if he will report on the work of the group he established in the wake of the refusal of An Bórd Pleanála to grant permission for the National Children's Hospital plan for the Mater Hospital site, Dublin; and if he will make a statement on the matter. [16258/12]

Minister for Health (Deputy James Reilly): I am committed to ensuring the delivery of a world class hospital for the children of Ireland providing the highest quality treatment they

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deserve. This project is one of the main priorities for the Government and is a commitment under the *Programme for Government*.

The decision to refuse planning for the new children's hospital was disappointing. Immediately following the decision I announced my intention to establish a Review Group to consider the decision of An Bord Pleanála to refuse planning permission for the National Paediatric Hospital. The Government has agreed the Terms of Reference for the Review Group. The Terms of Reference are as follows:—

”To inform itself about the planning considerations and processes affecting this project.

To consider the different options which now exist for progressing the construction of a national children's hospital having regard to—

- Government policy on the delivery of health services, including accessibility and paediatric services in particular and best clinical practice considerations,
- the cost and value for money considerations of the different options,
- the likely timelines associated with the different options,
- the implementation risks associated with the different options.

To advise the him, in the light of these considerations, on the appropriate next steps to take with a view to ensuring that a national paediatric hospital can be constructed with minimal delay.

To report to the Minister within 56 days of the first meeting of the group.”

The aim of this Review is to consider all the possible options for the earliest possible delivery of a new children's hospital. The Review Group will present their findings on each of the possible options for my consideration. The Group will not be undertaking a site selection process.

I have appointed Dr Frank Dolphin to Chair the Review Group. There is a wealth of expertise on the group. The membership is composed of senior planners, an architect, the CEO of a major UK Paediatric hospital and senior clinicians in the field of paediatrics. Dr Dolphin is currently in contact with the other Group members and expects to hold the first meeting of the Group within days. I will await the completion of the work of the Review Group and do not wish to make any further comment on the matter at this time.

Constitutional Convention

73. **Deputy Eoghan Murphy** asked the Taoiseach the way citizens are going to be picked to be on the panel for the constitutional convention; and the way a variety of viewpoints will be included without pre-screening or prejudicing potential candidates. [16117/12]

74. **Deputy Patrick Nulty** asked the Taoiseach the way the 33 Oireachtas members due to serve on the Constitutional Convention will be selected; and if he will make a statement on the matter. [15186/12]

75. **Deputy Alan Farrell** asked the Taoiseach when the planned constitutional convention will be formed; and if he will outline the field of expertise that will form part of the Committee [14700/12]

76. **Deputy Finian McGrath** asked the Taoiseach if he will provide an update on the Constitution Convention. [16395/12]

77. **Deputy Finian McGrath** asked the Taoiseach the way young persons outside the political system apply for the upcoming Constitutional Convention. [16396/12]

The Taoiseach: I propose to take Questions Nos. 73, 74, 75, 76 and 77 together.

The Government's proposals for the Constitutional Convention, including its composition and the topics it will consider, have been made public on *www.merrionstreet.ie*.

It is proposed that the Convention should consist of 100 members, including a chairperson. 66 will be ordinary citizens and the remaining 33 will be made up of Oireachtas members and one parliamentarian from each of the political parties in Northern Ireland which accept an invitation to be represented.

It is envisaged that the electoral register would be used to select the 66 citizens and that a polling company would be used to make the selection so that it is as representative of society as possible. It is also proposed that the involvement of citizens from Northern Ireland, and of Irish people abroad, will be facilitated by electronic means. Such technology should of course also facilitate the engagement of citizens at home.

In its proposals the Government has said that, rather than appoint experts as members of the Convention, an Expert Advisory Group will be established to provide the Convention with information and advice. This Group would be made up of political scientists, constitutional lawyers and academics. The Convention would be able to call on different experts from this panel according as different topics are examined. Persons on the panel will be expected to give their services *'pro-bono'*.

I have met representatives of the Opposition parties and the Dáil Technical Group to consult them on the Government's proposals for the Constitutional Convention and they have reverted to me with their views. A further meeting is envisaged when these have been considered. The Government proposes that the Convention be set up by Resolutions of the Houses of the Oireachtas and these will be introduced in the next session.

Northern Ireland Issues

78. **Deputy Micheál Martin** asked the Taoiseach his plans to bring up the ongoing issue of the sensitive materials deposited in Boston College, that have been ordered by a US District Court to be handed over to the PSNI for criminal investigations, with President Obama during the annual St.Patrick's Day visit to the USA; and if he will make a statement on the matter. [16397/12]

79. **Deputy Micheál Martin** asked the Taoiseach if he has previously brought up the ongoing issue of the sensitive materials deposited in Boston College, that have been ordered by a US District Court to be handed over to the PSNI for criminal investigations, with the US Department of State or in correspondence with US authorities; and if he will make a statement on the matter. [16398/12]

The Taoiseach: I propose to take Questions Nos. 78 and 79 together.

In respect of the Deputy's two questions on this matter, I am aware that there are ongoing legal proceedings under way in the United States regarding the oral history archive related to the Troubles held by Boston College. An appeal has been lodged by private individuals in relation to this and as this matter is due to be considered by the courts in early April, it would not be appropriate to comment on this matter at this stage.

Departmental Properties

80. **Deputy Michael Healy-Rae** asked the Taoiseach the number of buildings that his Department has rented in each county that are, at present, being fully utilised; the number of buildings

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rented which are empty, idle and not being used; the cost is incurred by his Department in renting these buildings, with separate figures for the ones that are used and the ones that are unused; and if he will make a statement on the matter. [16399/12]

The Taoiseach: My Department does not have any property in Dublin or elsewhere which is rented.

Irish Communities Abroad

81. **Deputy Joanna Tuffy** asked the Taoiseach the position regarding the numbers of emigrants to Britain from Ireland from 1987 to date in 2012, in tabular form; and if he will make a statement on the matter. [16400/12]

Minister of State at the Department of the Taoiseach (Deputy Paul Kehoe): The accompanying table provides the most recent estimates of the number of emigrants to the UK from the Republic of Ireland for the 12 month period ending mid April for the years 1987 to 2011. The data was taken from the CSO's annual Population and Migration Estimates release. The annual estimates for 2007 to 2011 are subject to revision when the more detailed results from the 2011 Census of Population become available. The revised figures will be published in September along with the estimates for the year to April 2012.

Estimated number of emigrants (000's) to the UK, 1987-2011¹

Year ending April	Persons
1987	21.8
1988	40.2
1989	48.4
1990	35.8
1991	23.0
1992	16.9
1993	16.4
1994	14.8
1995	13.3
1996	14.1
1997	11.6
1998	11.8
1999	11.2
2000	7.2
2001	7.8
2002	7.4
2003	8.6
2004	7.1
2005	7.9
2006	8.8
2007	10.1
2008	7.0
2009	11.9
2010	14.4
2011	18.9

¹2007-2011 are preliminary.

Departmental Bodies

82. **Deputy Mary Lou McDonald** asked the Taoiseach if he will provide in tabular form, a list of all agencies, bodies and internal organisations under his aegis. [16402/12]

The Taoiseach: The National Economic and Social Development Office, which is the body corporate for the National Economic and Social Council, is the only agency under the aegis of my Department. The National Statistics Board is the only board under the aegis of my Department.

83. **Deputy Mary Lou McDonald** asked the Taoiseach if he will provide in tabular form, a breakdown of the salaries, allowances and expenses paid to employees of the National Economic and Social Development Office in 2011. [16407/12]

The Taoiseach: The National Economic and Social Development Office (NESDO) was established under the NESDO Act 2006 and is the body corporate for the National Economic and Social Council (NESC).

A breakdown of the salaries, allowances and expenses paid to staff of the NESDO, which includes the staff of the NESC, is provided in the accompanying table.

NESDO/NESC Salaries, Allowances, and Travel and Subsistence for 2011

Salaries	Allowances in lieu of pension	Travel and Subsistence	Total
€1,475,208	€58,729	€6,194	1,540,131

84. **Deputy Mary Lou McDonald** asked the Taoiseach if he will provide in tabular form, a breakdown of the number of National Economic and Social Development Office board members and their respective annual remuneration for 2011. [16408/12]

The Taoiseach: A breakdown of the number of National Economic and Social Development Office board members is in the accompanying table. No remuneration is payable for membership of the National Economic and Social Development Office.

Membership of the Board of the National Economic and Social Development Office 2011

Year		
2011	Chairperson Mr. Dermot McCarthy (retired 31 July, 2011)	Secretary General, Department of the Taoiseach
	Mr. Martin Fraser (appointed 1 August, 2011)	Secretary General, Department of the Taoiseach
	Deputy Chairperson, Mr. Philip Kelly (ending June 2011)	Assistant Secretary, Department of the Taoiseach.

Departmental Staff

85. **Deputy Sean Fleming** asked the Taoiseach if he will provide a list of staff in his Department that serve as directors of companies arising from their employment; the names of the companies involved; the annual remuneration received, if any; if they are indemnified by his Department in respect of their role as directors; and if he will make a statement on the matter. [16424/12]

The Taoiseach: No staff in my Department serve as directors of companies arising from their employment.

Ministerial Expenses

86. **Deputy Niall Collins** asked the Taoiseach the amount of expenses claimed on a monthly basis since March 2011 by all Ministers attached to his Department; and if he will make a statement on the matter. [16458/12]

The Taoiseach: The table details the amount of expenses claimed since March 2011 by Ministers attached to my Department:

Date	Amount
Minister of State and Government Chief Whip Paul Kehoe	€157.34

Departmental Staff

87. **Deputy Jonathan O'Brien** asked the Taoiseach the number of staff employed in the Office of the Director of Public Prosecutions; the number of these employees in receipt of salaries €200,000, and over €150,000 and over €100,000, and their job titles. [14906/12]

The Taoiseach: The number of staff employed in the Office of the Director of Public Prosecutions is 200. When worksharing patterns and staff on unpaid leave are taken into account this equates to 192.10 whole time equivalent staff.

No employees of the Office of the Director of Public Prosecutions are in receipt of salaries of €200,000 or higher. Two individuals are in receipt of salaries of over €150,000 but less than €200,000 and 21 employees are in receipt of salaries of more than €100,000 but less than €150,000. The table below shows the job titles.

Salary	Grade Title	Number of Staff
Over €200,000	Nil	
€150,000 to €200,000	Director of Public Prosecutions	1
	Deputy Director of Public Prosecutions	1
€100,000 to €150,000	Professional Officer Grade II	3
	Professional Officer Grade III	9
	Principal Prosecution Solicitor	6
	Principal Officer (Higher)	2
	Senior Prosecution Solicitor	1

88. **Deputy Jonathan O'Brien** asked the Taoiseach the average amount paid to staff in the Office of the Director of Public Prosecutions for travel and subsistence on an annual basis; the details of the types of expenses staff may recoup; and if he will make a statement on the matter. [14907/12]

The Taoiseach: The table below shows the total amount paid on travel and subsistence in the Office of the Director of Public Prosecutions in the last three years, the number of staff who received payment and the average payment made.

	2009	2010	2011
Total Travel and Subsistence Paid	€44,849.90	€49,524.97	€49,726.11
Number of Staff Paid	53	58	69
Average payment	€846.22	€853.88	€720.67

The Office of the Director of Public Prosecutions complies with Civil Service regulations with regard to travel and subsistence and expenses. The types of expenses which staff may recoup when travelling are mileage costs if driving or bus, train or taxi costs if not driving.

Departmental Expenditure

89. **Deputy Jonathan O'Brien** asked the Taoiseach if he will provide a breakdown of spending on postal and telecommunications services in the Office of the Director of Public Prosecutions. [14908/12]

90. **Deputy Jonathan O'Brien** asked the Taoiseach if he will provide a breakdown of spending on office equipment and external IT services in the Office of the Director of Public Prosecutions. [14909/12]

92. **Deputy Jonathan O'Brien** asked the Taoiseach if he will provide details of any office premises expenses of the Office of the Director of Public Prosecutions during each of the past three years; the amounts paid in rent; and if he will make a statement on the matter. [14911/12]

97. **Deputy Jonathan O'Brien** asked the Taoiseach if he will provide a breakdown of administration, non-pay related, in the Office of the Director of Public Prosecutions during each of the past three years. [14916/12]

The Taoiseach: I propose to take Questions Nos. 89, 90, 92 and 97 together.

The information sought in Question No. 97 — administration, non-pay related — contains the expenditure details sought in the other three questions.

The Deputy has sought information on expenditure on administration, non-pay related based on the headings published in the Revised Estimated for the Public Services 2012. I would draw the Deputy's attention to the fact that titles of administration subheads in respect of the Vote of the Office of Director of Public Prosecutions were changed in the Revised Estimate for the Public Services 2012. Expenditure is therefore shown in the table below under the old titles under which the expenditure was incurred. I would also draw the Deputy's attention to the fact that consultancy services, which for 2012 are shown in subhead A07 (Consultancy Services and Value for Money Reviews and Policy Reviews), were accounted for under subhead A03 (Incidental Expenses) in the years 2009-2011. Expenditure on consultancy has therefore been shown under subhead A03.

The Office of the Director of Public Prosecutions does not pay rent in respect of its buildings. The payment of rent is part of the responsibility of the Office of Public Works.

	2009	2010	2011
<i>A02 Travel and subsistence></i>			
Foreign Travel	26,536	28,452	37,507
Domestic Travel	62,359	67,017	61,914
Sundry	1,034	1,757	1,995
	89,929	97,226	101,415

[The Taoiseach.]

	2009	2010	2011
<i>A03 Incidental Expenses</i>			
Library Expenditure	216,531	201,714	138,331
Memberships and Training	83,711	117,876	128,098
Conferences and Seminars	14,173	12,635	13,100
Security	512,332	458,994	469,988
Internal Audit	22,895	42,280	25,015
Consultancy	58,369	4,878	
General Operative	45,562	49,072	41,870
Recruitment / Advertising	25,285	8,064	10,507
Sundry	61,584	41,424	31,103
	1,040,442	936,937	858,013
<i>A04 Telephone and Post</i>			
Land and Data Lines	172,561	127,082	114,201
Mobile Phones	33,675	40,345	25,788
Postage	77,460	68,023	59,133
Couriers	36,309	30,313	38,339
Sundry	23,275	4,210	3,332
	343,281	269,973	240,793
<i>A05 Office Machinery and Supplies</i>			
Software and Equipment Maintenance	64,616	134,197	161,538
Office Supplies + Stationery	122,109	101,722	102,558
Computer Consumables	41,891	57,701	13,356
Printing and Design	15,062	32,673	8,407
Computer Hardware and Software	705,639	122,480	121,415
Office Machinery	62,178	45,440	47,587
	1,011,495	494,213	454,861
<i>A06 Office Premises Expenses</i>			
Heat Light and Fuel	197,232	182,416	165,766
Cleaning	130,102	149,809	140,143
Building Maintenance	172,556	145,444	147,421
Furniture and Fittings	41,165	24,359	30,172
File Storage and retrieval	18,986	19,325	24,684
Sundry	14,331	1,412	842
	574,372	522,764	509,028

Departmental Bodies

91. **Deputy Jonathan O'Brien** asked the Taoiseach if he will provide details of any external companies which performed duties for the Office of Public Prosecutions during each of the past three years; the type of services they provided; and the amounts they were paid for these services. [14910/12]

The Taoiseach: The Office of the Director of Public Prosecutions has outsourced a number of functions to private companies. The functions outsourced relate to security and cleaning

services as well as the provision of one general operative staff member. Contracts were placed following a competitive tendering process. For security reasons, the Office of the Director of Public Prosecutions has not disclosed the names of the companies. The cost of the services over the last three years is shown as follows.

Service	2009	2010	2011
Security	€512,332	€458,994	€469,988
Cleaning	€130,102	€149,809	€140,143
General Operative	€45,562	€49,072	€41,870

Question No. 92 answered with Question No. 89.

Departmental Expenditure

93. **Deputy Jonathan O'Brien** asked the Taoiseach if he will provide a breakdown of moneys paid during each of the past three years by the Office of the Director of Public Prosecutions for consultancy services and value for money and policy reviews; the names of those who provided these services and reviews and the purpose of each review and service. [14912/12]

The Taoiseach: No value for money or policy reviews were undertaken in the period in question. The title for subhead A07 published in the Revised Estimated for the Public Services 2012 is Consultancy Services and Value for Money and Policy Reviews. I would draw the Deputy's attention to the fact that titles of administration subheads in respect of the Vote of the Office of Director of Public Prosecutions were changed in the Revised Estimated for the Public Services 2012. Consultancy services were accounted for under subhead A03 (Incidental Expenses) in the years 2009-2011. Expenditure on consultancy has therefore been shown in the table below under subhead A03 and the relevant information has been supplied with my answer to questions 14916/12. For ease of reference I am showing the total of expenditure incurred as follows. The types of services involved are also shown.

Consultancy Services	2009	2010	2011
Implementation of a major IT Project	€37,558	€2,700	€0
Legal Advice on the contract for IT project	€20,811	€0	€0
Health and Safety Review	€0	€2,178	€0
Total	€58,369	€4,878	€0

The Director of Public Prosecutions has not disclosed the names of the companies involved for security reasons. The companies were engaged following a competitive tendering process.

94. **Deputy Jonathan O'Brien** asked the Taoiseach if he will provide a breakdown of fees paid to counsel during each of the past five years by the Office of Director of Public Prosecutions; and if he will make a statement on the matter. [14913/12]

The Taoiseach: The table gives a breakdown of fees paid to counsel in each of the past five years. Since 2009, two 8% cuts and one 10% cut in fee rates paid to barristers by the Office of the Director of Public Prosecutions have been implemented.

[The Taoiseach.]

Court	2007	2008	2009	2010	2011
DUBLIN CIRCUIT	€4,149,896	€4,014,732	€4,806,448	€4,182,479	€3,936,101
SPECIAL CRIMINAL COURT	€264,194	€132,820	€271,399	€337,661	€220,611
CENTRAL CRIMINAL COURT	€4,289,909	€3,340,142	€3,841,896	€4,334,636	€3,611,987
HIGH/SUPREME COURT	€1,720,898	€2,178,254	€1,549,289	€2,085,014	€1,645,038
COURT OF CRIMINAL APPEAL	€526,902	€539,944	€530,540	€399,775	€660,424
NORTHERN CIRCUIT	€234,190	€305,808	€342,426	€276,205	€237,205
WESTERN CIRCUIT	€368,577	€217,764	€305,913	€305,835	€257,192
SOUTH WESTERN CIRCUIT	€530,680	€466,016	€795,015	€630,816	€675,173
CORK CIRCUIT	€715,673	€1,029,230	€1,111,797	€692,302	€638,650
SOUTH EASTERN CIRCUIT	€504,528	€673,856	€738,698	€603,052	€767,844
EASTERN CIRCUIT	€614,340	€549,840	€661,256	€539,473	€607,674
MIDLAND CIRCUIT	€221,811	€296,429	€328,395	€346,800	€242,828
	€14,141,598	€13,744,835	€15,283,072	€14,734,048	€13,500,727

95. **Deputy Jonathan O'Brien** asked the Taoiseach the reason behind the drop in law costs awarded against the Director of Public Prosecution's office between 2010 and 2011. [14914/12]

The Taoiseach: The significant reduction in the amount paid in respect of law costs awarded against the Office of the Director of Public Prosecution between 2010 and 2011 resulted from a 32% reduction in the number of cases and a 38% reduction in the average payment.

Departmental Bodies

96. **Deputy Jonathan O'Brien** asked the Taoiseach if he will provide a breakdown of general law expenses from the Office of the Director of Public Prosecutions for each of the past five years; and if he will make a statement on the matter. [14915/12]

The Taoiseach: I have shown as follows the details sought. The most significant item of expenditure incurred was in respect of law costs awarded against the Office of the Director of Public Prosecutions.

	2007	2008	2009	2010	2011
Award of Law Costs	€5,722,283	€5,691,519	€7,147,476	€5,957,466	€2,541,660
Psychologists Fees	€38,674	€42,753	€35,333	€23,265	€25,946
Cost Accountants	€100,809	€84,577	€58,794	€63,043	€27,269
Stenographers Fees	€17,253	€28,240	€21,907	€9,512	€9,996
Sundry	€51,405	€61,294	€25,959	€25,505	€17,419
Total	€5,930,424	€5,908,384	€7,289,469	€6,078,790	€2,622,289

Question No. 97 answered with Question No. 89.

98. **Deputy Jonathan O'Brien** asked the Taoiseach the number of staff employed in the Office of the Chief State Solicitor; the number of these employees in receipt of salaries over €200,000, and over €150,000 and over €100,000, and their job titles. [14917/12]

The Taoiseach: —

	2009	2010	2011
CSSO Staff Numbers	249	230	228

Year	Employees Earning	Number	Job Title
2009	Over €200,000 ¹	1	Chief State Solicitor
	Over €150,000	3	Assistant Chief State Solicitor
	Over €100,000	1	Assistant Chief State Solicitor
		10	Deputy Assistant Chief State Solicitor
		7	Principal Solicitor
		1	Principal Legal Executive
2010	Over €200,000	0	
	Over €150,000	1	Chief State Solicitor,
		1	Assistant Chief State Solicitor
		3	Assistant Chief State Solicitor
		9	Deputy Assistant Chief State Solicitor
2011	Over €200,000	0	
	Over €150,000	1	Chief State Solicitor,
		1	Assistant Chief State Solicitor
		3	Assistant Chief State Solicitor
		10	Deputy Assistant Chief State Solicitor
		3	Principal Solicitor

¹The Chief State Solicitor took a voluntary pay cut of €22,931 in 2009 bringing his gross pay to €197,361.

99. **Deputy Jonathan O'Brien** asked the Taoiseach the average amount paid to staff in the Office of the Chief State Solicitor for travel and subsistence on an annual basis; the details of the types of expenses staff may recoup; and if he will make a statement on the matter. [14918/12]

The Taoiseach: The Office of the Chief State Solicitor complies with the Civil Service Regulations with regard to travel, subsistence and expenses. The types of expenses which can be claimed are those which are laid down in the Department of Finance/Department of Public Expenditure and Reform circulars.

Year	Average Amount
2009	€752.62
2010	€573.91
2011	€588.40

[The Taoiseach.]

100. **Deputy Jonathan O'Brien** asked the Taoiseach if he will provide a breakdown of spending on postal and telecommunications services in the Office of the Chief State Solicitor. [14919/12]

The Taoiseach: —

	2009	2010	2011
TELEPHONE EQUIPMENT — Support and Maintenance	€15,293.52	€11,283.28	€11,283.28
TELEPHONIST CONTRACT	€71,293.32	€99,458.391	€85,199.75
TELEPHONES	€213,997.85	€164,444.27	€162,353.66
COURIERS	€17,811.20	€21,925.39	€21,974.47
POSTAL SERVICES	€77,020.01	€71,591.26	€58,276.41
	€395,415.90	€368,702.59	€339,087.57

¹Service provided at the end of 2009 was not paid for until 2010.

101. **Deputy Jonathan O'Brien** asked the Taoiseach if he will provide a breakdown of spending on office equipment and external IT services in the Office of the Chief State Solicitor. [14920/12]

The Taoiseach: —

Type of Service	2009	2010	2011
IT Hardware and Software	€158,031	€123,572	€153,994
External IT Services		€21,272	€24,205
Office Machinery	€43,454	€92,283	€26,863
Equipment and Software maintenance and repairs	€384,262	€280,336	€313,173
Stationery and Printing	€183,457	€202,974	€166,387
IT and Equipment Consumables	€2,327	€18,133	€30,893
Total	€771,531.61	€738,569.81	€715,517

102. **Deputy Jonathan O'Brien** asked the Taoiseach the details of any external companies which performed duties for the Office of the Chief State Solicitor during each of the past three years; the types of services they provided; and the amounts they were paid for these services. [14921/12]

The Taoiseach: —

Type of Service	2009	2010	2011
Security	€412,208	€443,063	€443,266
Cleaning	€130,390	€130,262	€127,314
Taxi	€13,517	€20,199	€16,725
Courier	€17,811	€21,925	€21,974
Postal	€77,020	€71,591	€58,276

Type of Service	2009	2010	2011
Telephonist	€71,293	€99,548	€85,200

For security reasons, the Office of the Chief State Solicitor has not disclosed the names of the companies involved in the provision of duties over the last three years.

103. **Deputy Jonathan O'Brien** asked the Taoiseach the details of any office premises expenses of the Office of the Chief State Solicitor during each of the past three years; the amount paid in rent; and if he will make a statement on the matter. [14922/12]

The Taoiseach: The following are the costs of office expenses for the Office of the Chief State Solicitor for 2008 to 2010:

Account	2009	2010	2011
Furniture and Fittings	€191,399	€83,420	€148,655
Utilities	€116,743	€109,362	€106,555
Maintenance and Repairs	€84,417	€166,407	€190,059
	€392,559	€359,190	€445,269

This expenditure comprises costs in relation to Furniture and Fittings, Utilities and Office maintenance and repairs.

The Office of the Chief State Solicitor does not pay any rent in the buildings it occupies. Osmond House is owned by the Office of Public Works and rent for the three floors occupied in The Chancery Building is paid for by the OPW.

Consultancy Contracts

104. **Deputy Jonathan O'Brien** asked the Taoiseach if he will provide a breakdown of moneys paid during each of the past three years by the Office of the Chief State Solicitor for consultancy services and value for money and policy reviews; the names of those who provided these services and reviews and the purpose of each review and service. [14923/12]

The Taoiseach: —

Year	Amount
2009	€13,658
2010	€18,238
2011	€19,786

Name	Purpose of Service
Brendan Shiels	Expenditure Review
Business Transformation Consulting Limited	Accounting and Financial Management
Conal Devine and Associates	Mediation
Cantrell And Crowley Architects	Architectural Services
Corporate Translations Services	Translations Services
Institute Of Public Administration	Risk Management
MentecPlus Integrated Solutions Ltd	Financial Management

[The Taoiseach.]

Name	Purpose of Service
Andrew Doyle Safety Consultants	Health and Safety
Nifast	Health and Safety
HR Professional Services	Interview Selection
Working Solutions Ltd	Mediation
Pat Firth	HR Consultancy
Pathway	Customer Service Survey
Renaissance Contingency Services Ltd.	Business Continuity
Stephanie Regan and Associates	Counselling

Departmental Bodies

105. **Deputy Jonathan O'Brien** asked the Taoiseach if he will provide a breakdown of fees paid to counsel during each of the past five years by the Office of the Chief State Solicitor; and if he will make a statement on the matter. [14924/12]

The Taoiseach: —

Year	Counsel		Amount
2007	Senior	€7,634,574	€15,118,784
	Junior	€7,477,038	
	Counsel Travel ¹	€6,812	
2008	Senior	€8,313,321	€17,786,200
	Junior	€9,465,914	
	Counsel Travel	€6,965	
2009	Senior	€6,705,959	€16,136,402
	Junior	€9,416,755	
	Counsel Travel	€13,688	
2010	Senior	€4,624,971	€12,372,056
	Junior	€7,732,952	
	Counsel Travel	€14,133	
2011	Senior	€3,696,641	€10,267,720
	Junior	€6,287,202	
	Counsel Travel	€10,877	

¹Counsel Travel includes the cost of flights and accommodation for Counsel who travel to the Court of Justice of the European Union. Travel expenses are not paid to Counsel within Ireland.

Management of the expenditure in relation to Counsel Fees from 2008 outturn to 2011 outturn has seen a reduction in spend of 42%. The Office will continue to tightly control expenditure in this area.

106. **Deputy Jonathan O'Brien** asked the Taoiseach if he will provide a breakdown of general law expenses from the Office of the Chief State Solicitor for each of the past five years; and if he will make a statement on the matter. [14925/12]

The Taoiseach: —

	2007	2008	2009	2010	2011
Legal Expenses ¹	€1,715,362	€920,779	€671,436	€498,049	€523,115
Law Searches	€114,308	€122,225	€104,342	€41,330	€72,816
Legal Cost Accountants	€449,125	€568,186	€371,259	€386,279	€490,529
Stenographers Fees	€709,804	€365,353	€270,915	€330,633	€293,595
Medical Fees	€121,738	€45,888	€44,950	€59,892	€55,764
Attorney General's Scheme	€1,648,162	€2,949,225	€2,121,315	€2,625,596	€4,087,730
Total	€4,758,498	€4,971,656	€3,584,216	€3,941,778	€5,523,549

¹Legal Expenses comprise of Solicitor Costs and Services, Witness expenses and engineers fees.

107. **Deputy Jonathan O'Brien** asked the Taoiseach if he will provide a breakdown of administration, non-pay related, in the Offices of the Chief State Solicitor during each of the last three years. [14926/12]

The Taoiseach: —

Non Pay Subhead	2009	2010	2011
Travel and Subsistence	€51,289.34	€56,558.26	€61,373.29
Incidental Expenses	€873,197.11	€946,824.14	€991,613.81
Postal and Telecoms	€395,415.90	€368,702.59	€339,087.57
Office machinery and other office supplies	€771,531.61	€738,569.81	€715,516.51
Office Premises Expenses	€392,558.93	€359,189.90	€445,269.84
Consultancy	€13,657.88	€18,237.88	€19,786.40
Local State Solicitors Services	€149,285.16	€240,816.05	€146,796.81
	€2,646,935.93	€2,728,898.63	€2,719,444.23

108. **Deputy Jonathan O'Brien** asked the Taoiseach if he will provide a breakdown of moneys spent by the Office of the Chief State Solicitor on external legal services over each of the past three years; and if he will make a statement on the matter. [14927/12]

The Taoiseach: —

Year	Amount
2009	€149,285
2010	€240,816
2011	€146,797

These payments are in relation to work carried out by the local State Solicitors in relation to ministerial prosecutions around the country. Ministerial prosecutions comprise mainly of social welfare and agriculture-related prosecutions.

Appointments to State Boards

109. **Deputy Jonathan O'Brien** asked the Taoiseach if he will provide a full breakdown by gender of all appointments to State boards since February 2011; the current status of State

[Deputy Jonathan O'Brien.]

boards in relation to the percentage of participation of women and men in each one; and if he will make a statement on the matter. [16677/12]

The Taoiseach:

The National Economic and Social Development Office (NESDO)

The National Economic and Social Development Office (NESDO) is the body corporate of the National Economic and Social Council (NESC). Two appointments were made to the NESDO since February 2011. The two appointees are the sole members of the NESDO and both were male appointments.

The National Economic and Social Council (NESC)

Fourteen appointments (four females and ten males) have been made to the NESC since February, 2011. Women account for 29% of the Council's membership while men account for 71% of its membership.

The National Statistics Board (NSB)

There have been no appointments to the National Statistics Board (NSB) since February 2011.

The current Board has seven members, six male members (86%) and one female member (14%).

National Lottery Funding

110. **Deputy John McGuinness** asked the Taoiseach if he will confirm the amount of National Lottery funds allocated to his Department; if the funds are spent on specific projects; if so, the name of the project; if the National Lottery fund is allocated to the general spend by his Department; and if he will make a statement on the matter. [17021/12]

The Taoiseach: My Department receives no funding from the National Lottery.

Departmental Equipment

111. **Deputy Regina Doherty** asked the Taoiseach the number of laptops in use in his Department; the number of tablets in use in his Department; the number of the laptops in use that are due to be upgraded this year; and if he will make a statement on the matter. [17580/12]

The Taoiseach: The number of laptops in use in my Department is 31 broken down as follows:

- For the provision of remote out-of-hours support — 5;
- For secure remote access to applications and email — 24;
- For specific technical functions (e.g. streaming) — 2.

The number of tablets in use in my Department is 2. The number of the laptops in use that are due to be upgraded this year is 6.

Human Rights Issues

112. **Deputy Clare Daly** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will raise with the Chinese President the issue of human rights in relation to all persecuted groups in China; and if he will make a statement on the matter. [16073/12]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): As I have stated previously, human rights are, and have always been, a priority of successive Irish Governments and a key plank of our foreign policy. Through the formal framework of the EU-China Human Rights Dialogue, which was established in 1995, the EU continues to share with China its experience in the field of human rights protection and promotion, and to urge China to take clear steps to improve the human rights situation.

Human rights are a constant and important issue of dialogue and discussion with the Chinese Authorities, at both national and European Union level. In the course of the recent visit of the H.E. Xi Jinping the Vice-President of the People's Republic of China, the issue of human rights was raised at a variety of levels, including directly between the Taoiseach, myself and Vice President Xi. I will be visiting China in 2012 and officials on both sides are working closely on identifying dates and these have not yet been established.

Departmental Staff

113. **Deputy Sean Fleming** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will provide a list of staff in his Department that serve as directors of companies arising from their employment; the names of the companies involved; the annual remuneration received, if any; if they are indemnified by his Department in respect of their role as directors; and if he will make a statement on the matter. [16418/12]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): There are no staff in my Department that serve as directors of companies.

Foreign Conflicts

114. **Deputy Clare Daly** asked the Tánaiste and Minister for Foreign Affairs and Trade further to Parliamentary Question No. 74 of 21 February 2012 if he will confirm that he will oppose any UN resolution which enables an attack on Syria. [16427/12]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): Ireland and its EU partners condemn unreservedly the violent assault by the Syrian government on the people of Syria. We are determined to assist the latter to chart a new way forward. We fully support the work of UN-Arab League Envoy Kofi Annan and his six-point plan which was presented to President Assad on 10 March. I welcome the fact that this plan has now been fully endorsed by all members of the Security Council including Russia and China in a Presidential Statement on 21 March, and I urge President Assad to accept and fully support the implementation of this plan without any further delay. I have made it clear that Ireland shares the majority view amongst the international community that, despite the gravity of the situation, outside military intervention will not bring about an end to the violence in Syria and instead runs the risk of precipitating all-out civil war in that country. For the moment, all efforts must be concentrated on support for the work of Special Envoy Annan and increasing diplomatic pressure on the Assad regime to halt its appalling campaign of violence.

There is no serious proposal at UN or EU level for a no-fly zone over Syria at present and it is very unlikely that one will emerge given that there is considerable resistance, not least within the ranks of the Syrian opposition and within the region, to any idea of outside intervention in Syria. Any no-fly zone in any case could only be authorised or properly mandated through a UN Security Council Resolution and there is no prospect of this at present, given clear Russian and Chinese opposition to such a step or any idea of external intervention in Syria. Any proposal to establish a no-fly zone would also have to be endorsed by the Arab League and by Turkey.

[Deputy Eamon Gilmore.]

The focus of this Government and of the international community has been on increasing diplomatic and political pressure on the Assad regime to halt its violence and repression. In this regard, I fully support the Foreign Affairs Council's decision on 23 March to apply further EU sanctions against additional individuals and entities that support the Syrian regime. We will continue to take all possible measures to increase pressure on President Assad and his supporters until the violence against the civilian population stops, international humanitarian access is secured, and an inclusive Syrian-led political dialogue begins.

115. **Deputy Clare Daly** asked the Tánaiste and Minister for Foreign Affairs and Trade further to Parliamentary Question No. 74 of 21 February 2012 regarding events in Syria and Iran and noting the 27 February 2012 statement by the Brazilian Foreign Minister that any attack by Israel or the US on Iran would be contrary to international law, and noting that the when Israel unilaterally bombed the Osirik nuclear reactor in Iraq in 1981, that the UN Security Council unanimously condemned the attack, if he will make a public statement declaring that any attack on Iran by the US or Israel is a war crime under the UN Charter. [16428/12]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): While the issues relating to Iran's nuclear programme raised in the 8 November 2011 IAEA reports, and in repeated UN Security Council and IAEA Resolutions, are very serious and must be comprehensively addressed by Iran, it is clear that any form of military intervention or military action against Iran would have extremely grave and unpredictable consequences for the entire region. Despite recent media speculation about military options, both the US and Israel have stated that they fully support the dual track approach, namely sanctions and negotiations. In this regard, the EU agreed extensive additional measures against Iran in December 2011 and January of this year, including a phased oil import ban. These measures complement tough bilateral sanctions implemented by US, Canada and the UK, including significant US legislation targeting the Iranian financial system signed into law by President Obama on 31 December.

It is my belief that these measures have been instrumental in triggering a belated acceptance of talks by Iran. Arrangements are now being made for resumed talks between the E3 + 3 (France, Germany, UK, US, Russia, China) and Iran to commence next month. Hopefully the talks will comprehensively address all the issues arising in relation to Iran's nuclear programme. The negotiation track must now be given time to succeed. In this regard I would urge the Iranian side to enter negotiations this time in a genuine spirit of compromise and cooperation.

Ireland has been consistent in supporting the dual track approach. We will continue to argue strongly at EU and UN level that the serious issues surrounding Iran's nuclear activities can only be addressed and resolved through negotiations and not by any other means.

Ministerial Expenses

116. **Deputy Niall Collins** asked the Tánaiste and Minister for Foreign Affairs and Trade the amount of expenses claimed on a monthly basis since March 2011 by all Ministers attached to his Department; and if he will make a statement on the matter. [16452/12]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): The following table sets out the subsistence expenses paid to me as Minister and the combined subsistence and mileage expenses paid to the Ministers of State attached to my Department since March 2011 to date:

	Mr. Eamon Gilmore T.D, Tánaiste and Minister for Foreign Affairs and Trade	Ms Lucinda Creighton T.D., Minister of State with responsibility for European Affairs	Ms Jan O' Sullivan T.D., Minister of State with responsibility for Trade and Development	Mr. Joe Costello T.D., Minister of State with responsibility for Trade and Development
	€	€	€	€
2011				
March		613.21		
April		649.16		
May		1,397.11	995.20	
June		1,605.95	3,135.53	
July		1,183.48	1,539.86	
August			1,481.34	
September	706.75	779.72	424.05	
October	462.99	1,576.91	1,081.04	
November		2,376.37	1077.97	
December		392.74	971.34	
2012				
January		1,042.39	819.65	
February		2,741.68		
To 23 March				347.14

Passport Applications

117. **Deputy Jack Wall** asked the Tánaiste and Minister for Foreign Affairs and Trade the position regarding an application for a passport in respect of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [16653/12]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): The Passports Act, 2008 provides, among other things, that only Irish citizens are entitled to be issued with Irish passports. Each application received by the Passport Service must, therefore, demonstrate that person's entitlement to Irish citizenship before a passport can issue. The person in question was born in Dublin on 13 April, 2010. His entitlement to Irish citizenship is governed by the provisions of the Irish Nationality and Citizenship Act 1956, as amended (the Act). Section 6A of the Act provides that persons, born in the State on or after 1 January 2005, where neither parent is an Irish or British citizen or otherwise entitled to reside in the State or Northern Ireland without restriction, may claim citizenship by birth in the State (and thereby establish eligibility for an Irish passport) only where a parent has been lawfully resident in the State for three years of the four years preceding their birth.

It is the practice of this Department to seek and consider documentary proofs of Irish citizenship in all passport applications. In the case of passport applicants, born in the State on or after 1 January 2005, where neither parent is Irish, British, or otherwise entitled to reside in the State or Northern Ireland without restriction, proofs are specifically required in respect of the lawful residence in the island of Ireland of a parent to establish an entitlement to citizenship for the child.

In line with guidelines provided by Department of Justice and Equality, which is the Department responsible for immigration and citizenship, the proofs of lawful residence which are

[Deputy Eamon Gilmore.]

accepted and considered by this Department for passport applications are immigration stamps in passports and/or the registration cards/books which are given to persons registering with the Garda National Immigration Bureau (GNIB). These are official documents which can be objectively verified by the Department.

In the case of the person in question, two applications were made, on his behalf, to the Department in 2011. On both occasions, the evidence of immigration stamps and cards in respect of the child's mother in the period 13 April, 2006 to 12 April, 2010 did not yield the required amount of lawful residence to demonstrate the applicant's entitlement to Irish citizenship and thus a passport.

The Passport Service wrote to the applicant's mother in respect of both applications to explain to her that she did not have the required amount of lawful residence that was reckonable for the purposes of section 6A of the Act to demonstrate her son's entitlement to Irish citizenship. These letters also advised that, as her son was not an Irish citizen, a passport could not issue to him under the Passports Act 2008.

Missing Persons

118. **Deputy Eoghan Murphy** asked the Tánaiste and Minister for Foreign Affairs and Trade the efforts he and his Department has made in attempting to locate a person (details supplied). [16817/12]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): As the Deputy will be aware, my Department has been providing consular assistance to the family of the missing person since being notified of the matter on 27 February this year. The Embassy of Ireland in New Delhi immediately alerted the relevant authorities and asked that full assistance be given in tracing the person. The Embassy advised the family on various sources of local information, such as traveller's forums which allowed the family to tap into the traveller's network and get practical help such as posting notices and translating into Hindi and Hebrew as appropriate.

The Embassy also confirmed details of the person's Indian visa and checked with the Indian authorities whether an extension had been granted or not.

After the person's belongings were found, a hugely significant milestone in the case, a Consular official travelled to Rishikesh to see the area and meet with the authorities both at local level in Rishikesh and State level (Director General of Police) in Dehradun, Uttarakhand. The purpose of this visit was to thank them for their efforts and to ask that a full search of the surrounding area be carried out. A search of the area was carried out. The Consular official also met with the person's family and friends who had travelled from Ireland to assist in the search.

The Ambassador of Ireland to India also met with the person's father in New Delhi.

The Embassy remains in close contact with the family on this case.

National Lottery Funding

119. **Deputy John McGuinness** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will confirm the amount of National Lottery funds allocated to his Department; if the funds are spent on specific projects; if so, the name of the project; if the National Lottery fund is allocated to the general spend by his Department; and if he will make a statement on the matter. [17015/12]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): I can confirm that there are no National Lottery funds allocated to my Department.

Departmental Equipment

120. **Deputy Regina Doherty** asked the Tánaiste and Minister for Foreign Affairs and Trade the number of laptops in use in his Department; the number of tablets in use in his Department; the number of the laptops in use that are due to be upgraded this year; and if he will make a statement on the matter. [17575/12]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): There are currently 376 laptops and 29 tablets in use in my Department. My Department has no plans to upgrade any laptops this year.

Disabled Drivers

121. **Deputy Peadar Tóibín** asked the Minister for Finance the criteria used for the purposes of issuing a primary care certificate; when these criteria were set; when the criteria are set for review; if there are any circumstances where the criteria can be eased for certain applicants; and if he will make a statement on the matter. [16107/12]

Minister for Finance (Deputy Michael Noonan): The disability criteria for eligibility for the tax concessions under the Disabled Drivers and Disabled Passengers (Tax Concessions) Scheme are set out in the Disabled Drivers and Disabled Passengers (Tax Concessions) Regulations 1994. To get the Primary Medical Certificate, an applicant must be severely and permanently disabled and satisfy one of the following conditions:

- a) be wholly or almost wholly without the use of both legs;
- b) be wholly without the use of one leg and almost wholly without the use of the other leg such that the applicant is severely restricted as to movement of the lower limbs;
- c) be without both hands or without both arms;
- d) be without one or both legs;
- e) be wholly or almost wholly without the use of both hands or arms and wholly or almost wholly without the use of one leg;
- f) have the medical condition of dwarfism and have serious difficulties of movement of the lower limbs.

The Senior Medical Officer (SMO) for the relevant local Health Service Executive administrative area makes a professional clinical determination as to whether an individual applicant satisfies the medical criteria. An unsuccessful applicant can appeal the decision of the SMO to the Disabled Drivers Medical Board of Appeal, which makes a new clinical determination in respect of the individual.

A special Interdepartmental Review Group reviewed the operation of the Disabled Drivers Scheme. The terms of reference of the Group were to examine the operation of the existing scheme, including the difficulties experienced by the various groups and individuals involved with it, and to consider the feasibility of alternative schemes, with a view to assisting the Minister for Finance in determining the future direction of the scheme.

[Deputy Michael Noonan.]

The Group's Report, published on my Department's website in July 2004, sets out in detail the genesis and development of the scheme. It examines the current benefits, the qualifying medical criteria, the Exchequer costs, relationship with other schemes and similar schemes in other countries. The Report also makes a number of recommendations, both immediate and long-term, referring respectively to the operation of the appeals process and options for the future development of the scheme.

In respect of the long-term recommendations, including the qualifying disability criteria, given the scale and scope of the scheme, further changes can only be made after careful consideration. For this reason, the Government decided that the Minister for Finance would consider the recommendations contained in the Report of the Interdepartmental Review Group in the context of the annual budgetary process having regard to the existing and prospective cost of the scheme. This consideration is undertaken on a regular basis.

Official Engagements

122. **Deputy Maureen O'Sullivan** asked the Minister for Finance if he will publish a schedule of all communications, written and verbal, and all encounters he, or officials of his Department, or officials of agencies for which his Department is accountable, has had with a former chairman and a multinational bulge bracket investment banking and securities firm (details supplied); and if he will make a statement on the matter. [16059/12]

Minister for Finance (Deputy Michael Noonan): As Minister for Finance I meet with a wide range of individuals and firms from various sectors. These interactions provide a useful forum for exchanges of views. It allows me to set out for investors the steps we have taken to stabilize and promote growth in the economy and the measures we have taken to restructure the Irish banking system. It also provides me with important feedback on these measures and an insight into market perceptions on the Irish economy.

In relation to the firm referred to in the Deputy's question, I have not met directly with them since my appointment as Minister for Finance. However, I along with Ministers from other countries attended a reception hosted by the firm in Washington in September, on the margins of the IMF Annual Meetings. Having worked closely with the individual referred to in the question in a previous Government, I have spoken with this individual on a number of occasions since my appointment.

As previously advised, Goldman Sachs was engaged by the NTMA following a competitive tender in April 2011 as external advisor for the liability management exercises and capital raising transactions to be undertaken in respect of Anglo, AIB, BOI, ILP, EBS, INBS and also for advice on the sale of Irish Life. The delegation of banking system functions to the NTMA ended in August 2011 with the secondment of the NTMA Banking Unit to the Department of Finance Banking Division. Following the transfer, the Department of Finance Banking Division liaised directly with Goldman Sachs on this engagement. Officials in my department are in regular communication with a team from Goldman Sachs as part of the engagement, which has not yet completed.

Pension Provisions

123. **Deputy Pearse Doherty** asked the Minister for Finance the pension arrangements for the ten top National Treasury Management Agency and ten top National Asset Management Agency executives and if the remuneration from these pensions was altered or increased when

the executives involved waived their performance related bonuses and or took pay cuts; and if he will make a statement on the matter. [16105/12]

Minister for Finance (Deputy Michael Noonan): I am informed by the National Treasury Management Agency (NTMA) that NTMA employees are members of the NTMA defined benefit superannuation scheme or else have Personal Retirement Savings Accounts (PRSAs). The pension benefits of members of the NTMA superannuation scheme prior to 1 January 2010 are based on final salary. The pension benefits of members who joined the scheme on or after 1 January 2010 are based on career average earnings. The NTMA superannuation scheme is a funded scheme and pension entitlements are within the standard entitlements in the model public sector defined benefit superannuation scheme.

I am also informed by the Agency that performance-related payments do not count towards the calculation of pension benefits which are derived from base salary. Gifting of a proportion of salary to the Exchequer under Section 483 of the Taxes Consolidation Act 1997 does not affect the calculation of pension benefits. The pension benefits of NTMA executives have not been altered or increased following either the waiving of performance-related payments or the gifting of a proportion of salary to the Exchequer.

124. **Deputy Eoghan Murphy** asked the Minister for Finance if he will review a pension issue (details supplied). [16120/12]

Minister for Finance (Deputy Michael Noonan): The position is that an individual liable to income tax on his or her social welfare pension is entitled to the PAYE tax credit against the tax due on that pension providing, of course, that the PAYE tax credit is not utilised against the tax due on another source of PAYE income that an individual may have. Regarding the example provided by the Deputy, if an individual has a social welfare pension and a source of non-PAYE income, then he or she is entitled to the PAYE tax credit against only the tax due on that social welfare pension and any unused portion of the PAYE tax credit can not be off set against tax due on any other non-PAYE income.

Tax Collection

125. **Deputy Seán Ó Feargháil** asked the Minister for Finance if he will consider correspondence (details supplied) concerning the issuing of a P60; and if he will make a statement on the matter. [16190/12]

Minister for Finance (Deputy Michael Noonan): I have been advised by the Revenue Commissioners that they have contacted the employer concerned and have been advised that the delay relates to technical problems with the production of the forms. The employer has also advised that form P60 will be issued to the person concerned next week.

Your enquiry about the government's intention to impose further pay cuts to teachers' salaries vis-a-vis a cumulative reduction of 20% of teachers' allowances by 2014 is a matter for my colleague, the Minister for Public Expenditure and Reform.

126. **Deputy Seán Ó Feargháil** asked the Minister for Finance if he will ensure that a P60 is issued to a person (details supplied); and if he will make a statement on the matter. [16289/12]

Minister for Finance (Deputy Michael Noonan): I have been advised by the Revenue Commissioners that they have contacted the employer concerned and have been advised that form P60 will be issued to the person concerned next week.

Banking Sector Regulation

127. **Deputy Dara Murphy** asked the Minister for Finance the current staffing levels at PTSB; the number of staff that has been made redundant since 2008; the current remuneration of the Board of Directors including the CEO and the remuneration in 2008; the measures being taken to reduce and control costs in PTSB; the actions he is taking to ensure PTSB will pass on reductions from the ECB; and if he will make a statement on the matter. [16339/12]

Minister for Finance (Deputy Michael Noonan): I am advised that staffing levels in permanent tsb bank stood at 2,243 (headcount) as at 29th February last. This figure includes staff that were recently transferred from Irish Nationwide Building Society and Northern Rock but excludes Career Break staff and other Long Term Absences. I am further advised that a total of 688 staff have been made redundant since 2008 in permanent tsb. Detail in relation to all Senior Executive remuneration including Executive Directors is disclosed each year in the institutions Annual Report and Accounts. The Annual Reports for prior years are available at <http://www.irishlifepermanent.ie/investor-relations/reports-and-presentations/annual-and-interim-reports/2011.aspx>, disclosure for 2011 will be included in the latest Annual Report due to be published on 2nd April.

Neither the Central Bank nor the Department of Finance has a statutory function in relation to interest rate decisions made by individual lending institutions at any particular time. However, I can confirm to the Deputy that Permanent TSB did pass on, in full, the recent reductions to customers holding standard variable rate (SVR) mortgages and reduced further their LTV standard variable rates to align them with the SVR.

Finally, I am acutely aware of the need to ensure that costs in the State owned banks are managed and controlled appropriately. The Department of Finance maintains an active dialogue with the bank in respect of overall costs as part of the State's role as shareholder in the bank.

National Treasury Management Agency

128. **Deputy Dara Murphy** asked the Minister for Finance his views on a matter (details supplied) regarding the National Asset Management Agency; and if he will make a statement on the matter. [16351/12]

Minister for Finance (Deputy Michael Noonan): NAMA has a commercial mandate to obtain the best achievable financial return on behalf of the State. It has emphasised repeatedly that one of its objectives is to instigate the sale of properties by its debtors and in order to facilitate this, it approves the sale of properties by debtors at realistic current market prices. In terms of determining an appropriate current level of pricing for particular properties, I am advised that NAMA has access to expert valuers with local knowledge of properties.

In some cases, potential purchasers may disagree with NAMA-approved pricing. I am informed by NAMA that it is open to discussion with any potential purchaser on the sale of particular properties but only through engagement by those purchasers with sales agents acting for NAMA debtors or NAMA-appointed receivers.

It is not appropriate that details of individual sales transactions should be divulged or discussed in public. However, the Deputy will be aware that NAMA has set up a dedicated e-mail address, oir@nama.ie, to which members of the Oireachtas may direct questions on matters of public interest provided the terms of Section 221 of the National Asset Management Act 2009 are respected. Accordingly, NAMA informs me that if the Deputy directs his query through this channel, the agency will provide him with relevant information.

Section 221 applies where a person communicates with NAMA on behalf of another person with the intention of influencing the making of a decision in relation to the performance of the functions of NAMA, subject to certain exceptions. One of the functions of NAMA which is explicitly covered by the provision is the purchase or sale of property. If a representation were made on behalf of another person with the intention of influencing NAMA in relation to a decision on the purchase or sale of property this would be an offence under section 221, unless it fell within the exception in subsection (3).

Betting Regulations

129. **Deputy Dara Calleary** asked the Minister for Finance the level of potential revenue losses to the Exchequer as a result of on-line betting; and if he will consider addressing the issue. [16365/12]

Minister for Finance (Deputy Michael Noonan): The proposed Betting (Amendment) Bill, which is being drafted at present, will amend the 1931 Betting Act to inter alia establish the regulatory framework for the licensing of remote bookmakers and betting exchanges, including measures to enforce the regulatory framework. The drafting of the Bill, which is fairly complex, is well advanced and it is my intention to publish the Bill in the second quarter. The Finance Act 2011 contained measures to allow for the extension of the 1% betting duty to remote bookmakers and for a 15% gross profit tax to betting exchanges. The taxation provisions are subject to a Ministerial Commencement order which can only be commenced when the Betting (Amendment) Bill is enacted. It is estimated that the full year yield from the taxation of remote betting would be around €20 million.

Tax Code

130. **Deputy Michael Healy-Rae** asked the Minister for Finance if he will provide a breakdown at today's prices of the amount of VAT, tax, charges and so on taken out of every €10.00 of diesel and petrol; and if he will make a statement on the matter. [16373/12]

Minister for Finance (Deputy Michael Noonan): I am informed by the Revenue Commissioners that the breakdown of Mineral Oil Tax, Carbon Tax and VAT out of €10 of petrol and auto-diesel at average prices is as follows:

	Petrol	Diesel
	€	€
Mineral Oil Tax	3.25	2.67
Carbon Tax	0.27	0.33
VAT	1.87	1.87
Total Tax	5.39	4.87

The Mineral Oil Tax and Carbon Tax amounts were calculated using an average price of 166.9 cent per litre for petrol and 159.9 cent per litre for auto-diesel.

Departmental Strategies

131. **Deputy Michael Healy-Rae** asked the Minister for Finance his views on a matter (details supplied); and if he will make a statement on the matter. [16381/12]

Minister for Finance (Deputy Michael Noonan): A report setting out a Strategy for Financial Inclusion was published on my Department's website in June 2011. The main operational

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recommendation from the report was the proposed introduction of a basic payment account. An implementation group, which is chaired by my Department, has been established to manage the implementation process and a basic payment account is expected to be rolled out in June 2012 on a pilot basis in three locations in the State. Following an analysis of the outcome of the pilot it is expected that the basic payment account will be rolled out nationally in 2013.

It was noted in the Strategy for Financial Inclusion report that the post office network has the potential to play a key role in the delivery of basic payment accounts. However the delivery of a basic payment account by the post office network is contingent on suitable systems, operational, commercial and governance arrangements being in place to facilitate such a process. I am advised that this is one of the many issues which will be considered in the context of the pilot programme.

Departmental Staff

132. **Deputy Sean Fleming** asked the Minister for Finance if he will provide a list of staff in his Department that serve as directors of companies arising from their employment; the names of the companies involved; the annual remuneration received, if any; if they are indemnified by his Department in respect of their role as directors; and if he will make a statement on the matter. [16417/12]

Minister for Finance (Deputy Michael Noonan): In response to the Deputy's question no staff in my Department serve as directors of companies arising from their employment.

I understand from the Department of Public Expenditure and Reform that the Office of the Attorney General has advised that people working for the State are entitled to be indemnified for such work. The indemnification would cover any reasonable legal fees and/or damages incurred where people are sued for undertaking their duties on behalf of the State provided they acted in good faith and in a bona fide manner. The State carries its own insurance in this regard. This indemnity would apply to those civil servants appointed to State boards as part of their official duties.

Ministerial Expenses

133. **Deputy Niall Collins** asked the Minister for Finance the amount of expenses claimed on a monthly basis since March 2011 by all Ministers attached to his Department; and if he will make a statement on the matter. [16451/12]

Minister for Finance (Deputy Michael Noonan): In response to the Deputy's question the following table gives details of mileage and subsistence claimed by me since March 2011:

Month	Amount Claimed
March 2011	€335
April 2011	€203
May 2011	€3,353
June 2011	€1,621
July 2011	€1,890
August 2011	€1,929
September 2011	€2,558
October 2011	€1,947
November 2011	€1,786
December 2011	€1,671

Month	Amount Claimed
January 2012	€3,231
February 2012	€2,782
March 2012	€127

Pension Provisions

134. **Deputy Mary Mitchell O'Connor** asked the Minister for Finance if he is investigating recent assertions that companies are offering early draw down of pension savings (details supplied); and if he will make a statement on the matter. [16507/12]

135. **Deputy Mary Mitchell O'Connor** asked the Minister for Finance if Ireland is losing tax revenue due to the early draw down of pensions referred to in a publication (details supplied); and if he will make a statement on the matter. [16508/12]

136. **Deputy Mary Mitchell O'Connor** asked the Minister for Finance if, in view of the fact that companies are offering early draw down of pension funds that he will reconsider legislating for the early draw down of AVC's and personal pension schemes as previously requested; and if he will make a statement on the matter. [16509/12]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 134 to 136, inclusive, together.

The transfer of an occupational pension scheme member's pension fund benefits or a Personal Retirement Savings Account (PRSA) contributor's PRSA assets to an overseas pension arrangement is permitted, subject to the transfer complying with the Department of Social Protection's "Occupational Pension Schemes and Personal Retirement Savings Accounts (Overseas Transfer Payments) Regulations 2003" and Revenue rules. Under the Regulations, in the case of occupational pension schemes, the facility to transfer only applies to a scheme member who is entitled under the Pensions Act 1990 to "preserved benefits" under the scheme — in other words to a scheme member whose service in the relevant employment has terminated.

It is the responsibility of all trustees to ensure full compliance with the requirements of the Regulations. In essence, the Regulations require that, prior to making any overseas transfer payments, the trustees and PRSA providers must be satisfied that:

(a) The member has requested a transfer.

(b) The overseas arrangement provides relevant benefits as defined by section 770 of the Taxes Consolidation Act 1997.

(c) The overseas arrangement has been approved by the appropriate regulatory authority in the country concerned.

In practice, trustees and PRSA providers are required to obtain written confirmation to that effect from the trustees, custodians, managers or administrators of the overseas arrangement to which the transfer is to be made.

I am advised by the Revenue Commissioners that if the transfer is to another EU Member State, Revenue rules require the overseas scheme to be operated or managed by an Institution for Occupational Retirement Provision (IORPS), within the meaning of the EU Pensions Directive (known as the "IORPS Directive"), and to be established in a Member State of the

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European Communities which has implemented the IORPS Directive in its national law. The scheme administrator must also be resident in an EU Member State. In broad terms, the purpose of the IORPS Directive is to ensure that members and beneficiaries of occupational pension schemes are properly informed about the rules and financial position of the scheme and their rights under the scheme and to ensure the efficient management and investment of scheme assets.

If the transfer is to a country outside the EU, under Revenue rules a transfer may not be made to a country other than the one in which the member is currently employed

I am also advised by the Revenue Commissioners that in late 2009, they introduced an additional approval condition for all existing and new retirement benefit schemes and PRSAs to the effect that all overseas transfers under the provisions of the above mentioned Regulations may be made to facilitate bona fide transfers only, that is that they are not made with the primary purpose of circumventing Irish tax requirements. Moving pension funds abroad in an effort to frustrate Irish tax rules would fall foul of that approval condition and could ultimately result in approval being withdrawn which would have very significant consequences for any individual concerned.

Tax relief given on pension savings is intended to encourage individuals to save for the long-term with a view to providing them with an income in retirement. That is why our tax rules, like those in many other jurisdictions, set a minimum age from which benefits from pension savings can normally be accessed. It is important that these rules are not abused and that savings built up with the benefit of generous tax reliefs are not misused.

Issues relating to an apparent increase in requests for transfers of Irish pension funds abroad, following newspaper advertisements encouraging such actions in order to access tax-free cash early, have been brought to the attention of my Department and the Revenue Commissioners as well as, I understand, to other relevant bodies. My Department has, in conjunction with the Revenue Commissioners, set in train an examination of the issues involved in order to ensure that any transfers of Irish pension funds overseas are for bona fide purposes and in compliance with the requirements and intentions of the existing rules and regulations.

I am not in a position at this point to comment on the tax revenue implications, if any, of the issues raised in connection with the apparent increase in transfer payment requests.

The question of pre-retirement access to Additional Voluntary Contributions (AVCs) and personal pension plans is a separate matter and I have recently set out my position in this regard to the Deputy and to other public representatives.

Tax Code

137. **Deputy Michael McCarthy** asked the Minister for Finance if a person (details supplied) in County Cork is liable to pay the universal social charge; and if he will make a statement on the matter. [16574/12]

Minister for Finance (Deputy Michael Noonan): I am advised by the Revenue Commissioners that their records indicate that this individual is not exempt from the Universal Social Charge (USC) based on the quantum of his income, as returned by his employer. An individual becomes liable for USC once their income, excluding social welfare payments, exceeds €10,036 per annum.

138. **Deputy Robert Troy** asked the Minister for Finance in view of the escalating price of petrol at the pumps, if he will considering reducing excise duty. [16589/12]

153. **Deputy Michael Healy-Rae** asked the Minister for Finance his views on a matter (details supplied) regarding taxation issues; and if he will make a statement on the matter. [16823/12]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 138 and 153 together.

Ireland, as with other countries, has experienced an increase in the cost of petrol and auto-diesel. The increase in fuel prices is an international phenomenon. Fuel prices are driven by a number of factors including the price of oil on international markets, exchange rates, production costs and refining costs. The rise in oil prices over recent periods reflected additional factors such as geopolitical uncertainty in Northern Africa and the Middle East with potential supply disruptions.

The excise rates (including the carbon charge) in Ireland on motor fuels are 58.8 cent per litre of petrol and 47.9 cent per litre of auto-diesel. However, our rates remain lower than many of our main trading partners and significantly lower than our nearest neighbour the UK. The rates for petrol and auto-diesel were increased with effect from 7 December 2011, arising from an increase in the carbon charge for those fuels from €15 to €20 per tonne of CO₂ emitted. This represented an increase of less than 1.5 cent per litre in the case of petrol and just over 1.5 cent per litre in the case of diesel, when VAT is included. The rate of VAT that applies to those fuels increased from 21% to 23% with effect from 1 January 2012.

The Exchequer yield from excise, as excise is set at a nominal amount, does not increase as the price of fuels increase. On the other hand, the yield from VAT per litre of fuel, as VAT is set as a percentage of the price, increases as the price of fuels increase. However, in this regard it should be borne in mind that to the extent that spending in the economy is re-allocated to petrol and other oil products, and away from other VAT liable spending, and to the extent that the overall level of economic activity is reduced by higher oil prices, there may be little or no net gain to the Exchequer.

It should also be noted that businesses are of course entitled to reclaim VAT incurred on their business inputs, including VAT incurred on fuel. For example, VAT incurred on auto-diesel and marked gas oil (MGO or green diesel) used in the course of business is a deductible credit for business in the Irish VAT system. VAT on petrol can not be deducted/reclaimed.

There are no plans for temporary taxation adjustments, as to do so, could lead to significant costs to the Exchequer. The issue of rising fuel prices was discussed by EU Finance Ministers at an ECOFIN meeting last year where they reconfirmed the approach taken in 2005 and again in 2008, when oil prices were very high, which endorsed a coordinated approach towards not making distortionary fiscal adjustments.

Haulage Sector

139. **Deputy Brendan Griffin** asked the Minister for Finance his views on a matter (details supplied) regarding road haulage; and if he will make a statement on the matter. [16601/12]

Minister for Finance (Deputy Michael Noonan): A fuel rebate system could not under EU law be restricted to Irish licensed hauliers but would have to be extended to all vehicles intended exclusively for the carriage of goods by road with a maximum permissible gross laden weight of not less than 7.5 tonnes. In addition, the rebate would have to include the carriage of passengers by a motor vehicle of category M2 or category M3 as defined in Council Directive 70/156/EEC. The Deputy may wish to note that a working group between my officials and representatives of the Irish Road Haulage Association was set up to examine the issues currently affecting the sector.

National Asset Management Agency

140. **Deputy Michael McGrath** asked the Minister for Finance the amount of cash reserves currently held by the National Assets Management Agency; the nature of the account in which the money is deposited; the rate of return being earned; and if he will make a statement on the matter. [16615/12]

Minister for Finance (Deputy Michael Noonan): I am advised by NAMA that it currently holds cash balances of €4.3 billion. NAMA have advised me that cash is either placed on deposit with approved counterparties or the Central Bank or it is invested in Qualifying Liquid Assets (Short-term Irish Government securities). It is necessary for NAMA to invest in highly liquid, lower risk and therefore lower yielding assets as NAMA must ensure that it has available liquidity over the medium term to meet all of its contractual obligations as they fall due. Such obligations include its day-to-day operating costs, coupon payments due on its bonds and derivative contract payments. It also includes advances for project funding to ensure that the assets underlying the NAMA project have the best chance of achieving the best return for the taxpayer. In addition, NAMA has set itself the target of repaying €7.5 billion of its Senior Notes by the end of 2013.

The rate of return on cash held in whatever form during the first quarter of 2012 was 1.1%. However, this should be viewed against a background of a reduction in Euro interest rates and in the context of NAMA's pressing need to manage its liquidity in line with the short term and medium term demands placed on NAMA as outlined above.

141. **Deputy Michael McGrath** asked the Minister for Finance if he will provide details of the number of enquiries and formal applications made to National Asset Management Agency by debtors and tenants for a rent reduction prior to the issuing by NAMA of the Guidance Note on Upward Only Commercial Leases on 6 December 2011; the number of such applications which ultimately resulted in NAMA approving a rent reduction; the number which were refused by NAMA; and the number still under consideration by the agency. [16621/12]

142. **Deputy Michael McGrath** asked the Minister for Finance if he will provide details of the number of enquiries and formal applications made to National Asset Management Agency by debtors and tenants for a rent reduction since the issuing by NAMA of the Guidance Note on Upward Only Commercial Leases on 6 December 2011; the number of such applications which ultimately resulted in NAMA approving a rent reduction; the number which were refused by NAMA; and the number still under consideration by the agency. [16622/12]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 141 and 142 together.

NAMA issued a Guidance Note on Upward Only Commercial Leases on 6 December 2011. The Guidance Note was intended to deal with situations where tenants of NAMA debtors could show that the rents they were paying were in excess of current market levels and, as a result, the viability of their businesses was threatened. In such circumstances, tenants were given an opportunity to seek NAMA's approval for rent reductions.

NAMA points out that, prior to issuing the guidance note; it had received and approved a substantial number of applications for rent abatements which it had processed on an informal basis. I am advised by NAMA that, in 2011 prior to the issuing of the Guidance Note, it received 114 direct applications for rent abatement. NAMA states that 113 of these applications were approved and one was refused.

I am further advised that, since 6 December 2011, NAMA has received 40 applications for rent abatements under the terms of the Guidance Note. Five of these applications were approved. Another two were ineligible as they related to properties which are not held as security by NAMA. As regards the remaining 33 cases, the applications are currently under review. In the majority of these cases, NAMA has, as per the Guidance Note, facilitated direct discussion between the landlord and the tenant and is awaiting the outcome of these discussions. In some of the cases, it is awaiting receipt of additional information from tenants. On receipt of the necessary information by NAMA, I am advised that the average turnaround time for decisions in respect of applications is six days and that the Agency works to a turnaround target of seven days.

143. **Deputy Seán Crowe** asked the Minister for Finance if he will provide a detailed list of the assets and holdings of companies (details supplied) that are assets in loans transferred to the National Assets Management Agency [16632/12]

144. **Deputy Seán Crowe** asked the Minister for Finance if he will provide a detailed list of the assets and holdings of County Mayo based construction companies that are assets in loans transferred to the National Assets Management Agency. [16633/12]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 143 and 144 together.

Properties under the control of receivers or other insolvency professionals appointed by NAMA are listed on its website at <http://www.nama.ie/PropertiesEnforced.php>. The site includes properties located in Mayo, including Castlebar and Mulranny. This list is searchable by region and is updated on a monthly basis. Where relevant, information about the firm dealing with the insolvency and its contact details are provided. Potential purchasers are encouraged to contact the receivers to obtain additional information on specific properties and to submit expressions of their interest to purchase.

In the case of property under the control of debtors, NAMA is precluded, under Section 202 of the NAMA Act 2009, from disclosing confidential information. Confidential information is specifically defined to include information relating to debtors. Furthermore, Section 99 of the Act provides that, on acquisition of a loan, NAMA takes over the obligations of the participating institution under the loan, one of which is the contractual duty of confidentiality which the debtor enjoyed while still a customer of the participating institution. Information about individual debtors or guarantors is also protected against disclosure by the Data Protection Acts with which NAMA must comply as a data controller.

However, in cases where NAMA receives enquiries from potential purchasers about specific properties under the control of debtors, it can facilitate contact with a view to enabling sales transactions to take place.

Consultancy Contracts

145. **Deputy Mary Lou McDonald** asked the Minister for Finance if the external investigation into his Department's €3.6 billion accounting error was completed on the 16 of March 2012 as agreed in the "Terms of Reference for External Review"; when he will submit the report to the Public Accounts Committee; and when he will publish the report. [16708/12]

146. **Deputy Mary Lou McDonald** asked the Minister for Finance the fee he agreed with a company (details supplied) for latter's work in completing the external review of his Departments €3.6 billion accounting error. [16710/12]

147. **Deputy Mary Lou McDonald** asked the Minister for Finance further to the former Department Secretary General Kevin Cardiff's confirmation on 11 January 2012 that an Internal Review into the Departments €3.6 billion accounting error had been carried out and a draft report completed by end-November 2011 with the expectation that the final report would be submitted to him before the end of January 2012, if he will confirm when he intends to submit the report to the Public Accounts Committee; when he will publish the report; and if he will make a statement on his delay in making public the findings of the Internal Review. [16711/12]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 145 to 147, inclusive, together.

The Deputy will be aware that Deloitte Consultants have been appointed to undertake an External Review of the €3.6bn General Government Debt issue. A fixed price of €50,000 has been agreed with the company; this is exclusive of VAT and any associated expenses which are capped at a maximum of 10% of the contract price.

At this stage, the work of the External Review is well under way and I understand that the consultants are likely to complete their work in the course of next week.

In regard to the Internal Report, it is my understanding that this work is near completion following its circulation to relevant parties involved, who were given sufficient time to provide their final comments on it.

Following consideration by the Government, it is my intention, subject to legal advice and in a timely manner, to send the Internal Report and the External Review to the Committee of Public Accounts. It is also my intention to publish them.

As previously highlighted in questions on this matter, it has to be recognised that while this matter was most regrettable, it was a statistical reporting discrepancy where our debt level was mistakenly stated as being higher than it actually was. This discrepancy had no impact on the 2011 budgetary deficit and the State is no better or worse off as a result of it.

Departmental Staff

148. **Deputy Mary Lou McDonald** asked the Minister for Finance the number of positions that have been filled in his Department from Assistant Principal upwards since taking office; the number of the available positions that were filled by existing staff and the number from outside the public sector; and if he will provide in tabular form the name of the position and job description filled, the educational qualifications and skills of each of the successful applicants and the salary awarded. [16721/12]

Minister for Finance (Deputy Michael Noonan): The table outlines the number of positions that have been filled by promotion in my Department from Assistant Principal upwards since I took office on 9 March 2011. Under the Ministers and Secretaries Act, 2011, the Department of Public Expenditure and Reform was formally established on 6th July 2011. (My replies to previous Parliamentary Questions from the Deputy refer).

Grade	Number of Positions filled	Number of Existing Staff	Number from outside the Civil/Public Sector	Salary Range
Assistant Principal	17	17	N/A	€67,913 — €88,598
Principal	7	6	1	€85,957 — €110,844
Assistant Secretary	2	1	1	€127,796 — €153,855

Grade	Number of Positions filled	Number of Existing Staff	Number from outside the Civil/Public Sector	Salary Range
Secretary General	1	1	Appointed by the Government (previously served as Second Secretary with effect from 16/03/2011)	€200,000

In selecting staff for appointment to higher grades, staff must demonstrate the requisite merit in their current jobs, as well as displaying the required capacity in the key competencies for the particular grade while bringing to bear the skills, experience, aptitudes and qualifications required to fulfil the duties and responsibilities of the post.

The overall staffing levels in my Department is determined within the context of the staffing levels governed by the Employment Control Framework (ECF) for the Department currently in place. The filling of staff vacancies through promotion or otherwise is determined so as to ensure that my Department is adequately resourced and skilled to meet its strategic goals and priorities.

General Government Debt

149. **Deputy Paschal Donohoe** asked the Minister for Finance further to Parliamentary Question No.137 of 6 March 2012, if he will details the amount the buy-out contract between the National Roads Authority and National Toll Roads of Westlink is capitalised as general Government debt; if he will details the document in which this is published; and if he will make a statement on the matter. [16741/12]

Minister for Finance (Deputy Michael Noonan): Buying out the West Link Toll Bridge in 2008 allowed the removal of the toll plaza on the Westlink and its replacement by a barrier free tolling arrangement which facilitated the upgrading of the M50, resulting in the State and the travelling public, rather than NTR, being the direct beneficiary of the tolls. The terms of the contract are that NTR will receive annual payments of €50 million, adjusted in line with the Consumer Price Index, for each of the years 2008 to 2020.

As outlined in Figure 12, page 18, of the Comptroller and Auditor General's Annual Report 2011, the amount outstanding was €433m in 2010, and this amount is used in the calculation of the General Government Debt for that year.

Financial Services Regulation

150. **Deputy Thomas P. Broughan** asked the Minister for Finance in relation to a financial business (details supplied) if he and the regulator will hold the company board and leadership to account in relation to the loss of clients' funds and if he will ask the Office of the Director of Corporate Enforcement to invigilate all aspects of the operation of this company; and if he will make a statement on the matter. [16758/12]

Minister for Finance (Deputy Michael Noonan): Following the collapse of Home Payments (HPL) the Central Bank commenced an investigation into the matter. Home Payments Limited ("HPL") was not authorised or licensed by the Central Bank of Ireland ("Central Bank") and as such, customers of HPL are not eligible for recourse to statutory compensation. Joint liquidators have been appointed to HPL (KPMG and Leahy and Co.) and in relation to the specific issues regarding the accountability of the board and management of HPL, it is the responsibility

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of the liquidators in place to report to the relevant authorities (e.g. ODCE, Gardaí, Revenue etc.), any issues that come to light regarding the actions of the board and management of HPL that may have led to the collapse of the firm. The Central Bank has also informed me that it is undertaking a review of all firms in the State which appear to offer customers debt advice and/or debt management type services.

The Government is committed to introducing an effective regulatory/supervisory system for those firms which provide a household budgeting, and debt management and/or debt advice services.

My officials are working with the Central Bank to provide for this regime and I will seek Government approval to include the provision as an amendment to the Central Bank (Supervision and Enforcement) Bill, 2011 in the near future.

State Banking Sector

151. **Deputy Nicky McFadden** asked the Minister for Finance the extent to which he can involve himself in negotiations with the IBOA and AIB senior management to deliver a fair and reasonable outcome in a matter (details supplied); and if he will make a statement on the matter. [16776/12]

Minister for Finance (Deputy Michael Noonan): The Deputy will be aware that AIB, as part of its announcement of 8th March 2012 of a voluntary severance programme, stated “as required under the bank’s partnership principles with IBOA, a consultation process will begin immediately with trade union representatives.” It went on to state that “AIB will not be making any further public comment until the consultation process with staff representatives is concluded.” Accordingly, the Deputy will appreciate that it would not be appropriate for me to comment directly on some of the issues raised by him in his question. It is deeply regrettable, for all concerned, that the proposed action of shedding some 2,500 jobs has had to be taken but it is an inevitable consequence of the necessary restructuring of the banking system to render it fit to better serve personal and business customers throughout the economy.

I have been at pains to point out, in any public pronouncements on the issue, that all parties involved in this most sensitive of issues for individuals need to be treated with utmost consideration and respect and this most certainly includes the State.

As for any group of workers whose positions are being made redundant, the services of the State will be available to assist them across a range of issues including employment support services, education and training interventions and income maintenance and money advice.

Any such supports will supplement the facilities being put in place by the employer. The exact nature of the supports will be determined by the particular circumstances.

Tax Code

152. **Deputy Paul J. Connaughton** asked the Minister for Finance if an error was made when 0.6% was deducted in annual stamp duty from a pension fund, which matured on 29 December 2011; and if he will make a statement on the matter. [16814/12]

Minister for Finance (Deputy Michael Noonan): An annual stamp duty levy of 0.6% applies in each of the four years from 2011 to 2014, to the market value of assets under management in pension funds and pension plans approved under Irish tax legislation, including Occupational Pension Schemes, Retirement Annuity Contracts and Personal Retirement Savings Accounts. The value of most pension fund assets subject to the levy for 2011 was the market value of

those assets on 30 June 2011. In the case of a defined benefit scheme with assets that are not held under insurance contracts or a one member scheme, in respect of which scheme accounts are prepared, the trustees may choose between valuing the assets as at 30 June 2011 or on the last date of the accounting period ending in the 12 month period preceding that date. Similar asset valuation arrangements will apply for the remaining 3 years of the pension fund levy. The levy is payable in one tranche by 25 September for each of the four years of its operation.

I do not have the full details of the pension fund to which the Deputy refers in his question. However, since retirement benefits were not taken from the pension fund until 29 December 2011, the stamp duty was properly levied in respect of 2011 in line with the requirements set out above.

Question No. 153 answered with Question No. 138.

Financial Services Regulation

154. **Deputy Michael Healy-Rae** asked the Minister for Finance his plans to ensure that persons will not be exposed to having to pay exorbitant rates of interest when they borrow money; and if he will make a statement on the matter. [16844/12]

Minister for Finance (Deputy Michael Noonan): Illegal money lending is a criminal offence and a matter for An Garda Síochána to investigate. Licensed moneylenders are subject to strict legislative requirements. In this regard, the following position applies:

- Licensed moneylenders are subject to provisions in the Consumer Credit Act 1995 (the Act) and the Central Bank's Consumer Protection Code for Licensed Moneylenders (the ML Code).
- Section 93 of the Act sets out the Central Bank's powers in relation to the grant or refusal of a moneylender's license and includes a provision whereby the Central Bank may refuse to grant a moneylenders license if it considers that the cost of credit proposed in a license application is excessive or any of the terms or conditions attaching to a license application are unfair.
- Licensed moneylenders are prohibited from offering top-up loans to consumers under Section 99 of the Act.
- Section 110 of the Act sets out requirements relating to prohibitions on collecting repayments at certain times.
- Section 112 of the Act prohibits licensed moneylenders from applying increased credit charges on a defaulted loan.
- Licensed moneylenders are obliged to inform the consumer of the cost of credit per €100 borrowed under common rule 2 of the ML Code.
- Licensed moneylenders are subject to the "Knowing the Consumer" and "Suitability" requirements, as set out in Chapter 2 of the ML Code.
- Licensed moneylenders are prohibited from offering unsolicited pre-approved credit facilities to consumers under common rule 31 of the ML Code.
- Licensed moneylenders are obliged to assess the creditworthiness of consumers before concluding an agreement with the consumer in accordance with regulation 11 of the European Communities (Consumer Credit Agreements) Regulations 2010.

[Deputy Michael Noonan.]

Interest rate caps for *licensed* moneylenders are not provided for in law there are no interest rate caps applied by the Central Bank apart from the interest rate cap imposed on the credit union sector.

Tax Reliefs

155. **Deputy Seán Kyne** asked the Minister for Finance if strong consideration can be given, in view of the recent measures announced in the UK Budget, to the introduction of new measures and the strengthening of existing ones to ensure Ireland maintains its competitive advantage in the film and TV industry over other competitors and in particular in extending tax relief to include not only film and TV production but also animation and gaming; and if he will make a statement on the matter. [16947/12]

Minister for Finance (Deputy Michael Noonan): Section 481 film relief is one of the longest running sector specific tax reliefs and was first introduced in the Finance Act of 1987 to support the indigenous film sector. Finance Act 2011 provided for a further extension of the scheme to the end of 2015 to afford a medium term certainty to the industry, which exists in a competitive international environment. The scheme makes a positive contribution to the development and sustainability of the Irish film/screen industry which supports a significant number of jobs in the local economy and contributes to cultural tourism initiatives. In 2011 a total of 58 projects were approved for Section 481 funding with an eligible Irish spend of €114m. These 58 projects supported employment for crew, cast and extras of over 15,000 individuals and had the effect of maintaining and creating jobs in a very difficult climate, while at the same time producing a product that will help to sell Ireland abroad.

I have asked my Department to undertake a review later this year in order to inform future policy making in relation to the scheme. I do not intend to make any major adjustments to the scheme prior to the completion of this review.

Tax Code

156. **Deputy Gerald Nash** asked the Minister for Finance if he will make arrangements to provide citizens with annual personal taxation statements providing a breakdown of the way moneys raised by way of income tax are spent by the State; and if he will make a statement on the matter. [16990/12]

Minister for Finance (Deputy Michael Noonan): The Revised Estimates Volume, which was presented to the Oireachtas on 23 February, contains a full and detailed breakdown of every area of public spending. I should add that this year, the Book of Estimates includes an unprecedented amount of new material, making clear the outputs and impacts that the public is seeing as a result of this expenditure. This new initiative is in keeping with the Government Programme commitments to strengthen the focus upon performance and delivery in the public service. A Databank giving access to detailed information on expenditure trends across each area of public spending is also available on www.per.gov.ie.

The Government also publishes Exchequer Statements each month which sets out the Central Government current and capital account receipts and expenditure, tax and non-tax revenue receipts.

In addition, my Department each year prepares detailed accounts of the Central Fund known as the Finance Accounts. These are the most comprehensive set of accounts published by

the Government and include, in summary form, information on almost every aspect of the Government's operations.

It should be noted that every taxpayer in the State is already provided annually with a document detailing the amount of income tax and Universal Social Charge that has been paid. This is provided by way of a P60 for employees and an assessment from Revenue for the self-employed.

I believe that the Deputy's request comes on foot of the United Kingdom's Chancellor of the Exchequer recent announcement that he plans to provide personal tax statements in 2014 to every individual taxpayer. In addition, these statements will also include tax paid broken down into the proportion which is used for each function of the State. I assume that this initiative will be a very big overhead for the Her Majesty's Revenue and Customs and one for which it has budgeted.

I should point out that this would also be a significant overhead and costs for the Irish Revenue Commissioners entailing individual statements being sent out to over 2 million taxpayers.

However, as I stated in respect to a similar request, to an opposition recommendation submitted during the Committee Stage in the Seanad of the Finance Bill 2012, I have asked the Revenue Commissioners to monitor the progress made in the United Kingdom and, having regard to the experience in that country, to advise me of the feasibility of introducing such an initiative.

Currency Exchange

157. **Deputy Tony McLoughlin** asked the Minister for Finance the amount of Irish Punts currency still in circulation; the amount still not converted to Euros; and if he will make a statement on the matter. [17002/12]

Minister for Finance (Deputy Michael Noonan): Irish pound notes and coins ceased to be legal tender with effect from 9 February 2002. Of the Irish pound notes and coins remaining in circulation at that point, IR£185m in banknotes and IR£98m in coin had not been converted to euro by 15 March 2012 and remain outstanding. This represents 7.5% of the total amount of Irish pound notes and coins in circulation at end 2001. Irish pound notes and coins may still be exchanged at the Central Bank of Ireland in Dublin.

Currency Circulation

158. **Deputy Tony McLoughlin** asked the Minister for Finance the amount of Irish Punts currency in circulation in the years 1995, 1996, 1997, 1998, 1999, 2000 and 2001. [17003/12]

Minister for Finance (Deputy Michael Noonan): The information requested by the Deputy is set out as follows:

Value (IR£m)

	1995	1996	1997	1998	1999	2000	2001
Circulation of Irish Pound Coin	165.05	180.71	202.14	222.87	255.04	295.11	305.48
Circulation of Irish Pound Notes	1,926.50	2,105.94	2,416.38	2,816.00	3,562.81	3,935.51	3,421.02

National Lottery Funding

159. **Deputy John McGuinness** asked the Minister for Finance if he will confirm the amount of National Lottery funds allocated to his Department; if the funds are spent on specific projects; if so, the name of the project; if the National Lottery fund is allocated to the general spend by his Department; and if he will make a statement on the matter. [17014/12]

Minister for Finance (Deputy Michael Noonan): My Department does not receive any funding from the National Lottery.

Appointments to State Boards

160. **Deputy Jonathan O'Brien** asked the Minister for Finance if he will provide a full breakdown by gender of all appointments to State boards since February 2011; the current status of State boards in relation to the percentage of participation of women and men in each one; and if he will make a statement on the matter. [17561/12]

Minister for Finance (Deputy Michael Noonan): In response to the Deputy's question in the period in question 5 appointments made to the Fiscal Advisory Council. Of the five members appointed four were males including the Chairperson. In respect of the Irish Banks Resolution Corporation two new members were appointed as Directors both of whom were males. Currently there are eight directors sitting on the board all of whom are males.

In respect of the remaining bodies under the remit of my Department the current gender make up of each board is contained in the following table:

Body	No of Members	% of Male Members	% of Female Members
Disabled Drivers Medical Board of Appeal	5	60	40
National Treasury Management Agency Advisory Committee	7	86	14
National Pensions Reserve Fund Commission	7	86	14
Financial Services Ombudsman Council	6	83	17
Irish Financial Services Appeals Tribunal	7	57	43
Credit Union Advisory Committee	7	57	43
Commission on Credit Unions	13	85	15
State Claims Agency Advisory Committee	7	86	14
Central Bank Commission	10/12	92	8
National Assets Management Agency	9	89	11
Irish Bank Resolution Company	8	100	0
National Development Finance Agency	8	87	13

Departmental Equipment

161. **Deputy Regina Doherty** asked the Minister for Finance the number of laptops in use in his Department; the number of tablets in use in his Department; the number of the laptops in use that are due to be upgraded this year; and if he will make a statement on the matter. [17574/12]

Minister for Finance (Deputy Michael Noonan): IT is now provided on a shared service basis between the Department of Public Expenditure and Reform and the Department of Finance. There are 55 laptops and 1 tablet in use across the two Departments.

Laptops are not upgraded, they are replaced when they fail.

FÁS Training Programmes

162. **Deputy Catherine Murphy** asked the Minister for Education and Skills the arrangements in place or are intended to put in place for FÁS/Solas to reduce delays in providing certificates including competency certificates for those who have satisfactorily completed courses; and if he will make a statement on the matter. [16137/12]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): In accordance with FETAC requirements all training providers, including FÁS, are required to implement specified verification processes to ensure that the integrity of their assessment systems and their assessment results approval processes are maintained and compliant. All FÁS assessment scripts and associated assessment marks are therefore subject to both internal and external verification processes, and a results approval process.

Internal verification of assessment results is an on-going process. When a course finishes, the assessment results packs (including the evidence) for each learner are submitted by the course Instructor/Contractor to FÁS Training Standards Offices for processing. External Authentication subsequently provides independent confirmation of fair and consistent assessment of learners in accordance with national standards. It establishes the credibility of the provider's assessment processes and ensures that assessment results have been marked in a valid and reliable way and are compliant with the requirements of the award.

The external authentication process heretofore was a six week fixed-date cycle within the each of the six FETAC certification-requesting periods for Construction Skills Certification Scheme (CSCS). FÁS now operates the external authentication process on a monthly basis for programmes that lead to the issue of competency skills cards. The introduction of monthly external authentication of results for these programmes will greatly expedite the issuing of such cards.

Departmental Agencies

163. **Deputy Barry Cowen** asked the Minister for Education and Skills when it is expected that the new education and training authority SOLAS will be finally set up; and if he will make a statement on the matter. [16180/12]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): Following the Government Decision to create SOLAS, an Implementation Group was set up to establish SOLAS. I am chairing this Group and its membership includes representatives from the Department of Education and Skills, FÁS, the Irish Vocational Education Association and the Department of Social Protection. The Group has been meeting regularly to drive the process forward. Legislation is being prepared by officials in the Department. A public consultation process with stakeholders is currently underway. In addition, a number of projects are currently being undertaken to ensure the smooth integration of the further education and training sectors. Given the complex elements involved, including enacting appropriate legislation, it is expected that the process of establishing SOLAS will be completed by the end of 2012.

Higher Education Grants

164. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills his views on a matter (details supplied) regarding student grants; and if he will make a statement on the matter. [16839/12]

Minister for Education and Skills (Deputy Ruairí Quinn): As I announced last December, the means test for student grants will be amended to take account of the value of certain capital assets as well as income for the 2013/14 academic year.

A dedicated Capital Asset Test implementation group has been established. The group has been charged with bringing forward detailed implementation proposals on new means testing arrangements for student grants, to include the value of assets, for new applicants from the 2013/14 academic year. No decision has been taken on the treatment of farm or other business assets. In the circumstances, I am not in a position to say at this time what assets may be included.

However, any proposals will require further Government agreement and necessitate legislative amendment.

Home Tuition

165. **Deputy Pat Breen** asked the Minister for Education and Skills if extra home tuition hours will be allocated to a person (details supplied) in County Clare; and if he will make a statement on the matter. [16056/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The Home Tuition scheme provides funding to parents to provide for education at home for children who, for a number of reasons such as chronic illness, are unable to attend school. The scheme was extended in recent years to facilitate tuition for children awaiting a suitable educational placement including eligible pre-school children with an Autistic Spectrum Disorder.

Eligibility for children with a medical condition is assessed with reference to a completed medical report and attendance records supplied by the school in which the pupil is enrolled. The allocation of home tuition hours for children with a medical ailment is determined with reference to the age of the child and their level of attendance. Additional hours can be allocated to eligible children during their leaving certificate year.

The allocation made to the child referred to by the Deputy cannot be increased for the remainder of this school year.

Higher Education Grants

166. **Deputy Aodhán Ó Ríordáin** asked the Minister for Education and Skills further to Parliamentary Question No. 211 of 13 March 2012, if he will provide clarification to a person (details supplied) regarding their student grant application; and if he will make a statement on the matter. [16063/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The Deputy will be aware that the decision on eligibility for grant assistance is a matter for the relevant grant awarding authority — a local authority or VEC.

Further to my answer in this case to Parliamentary Question No. 211 of 13 March 2012, officials of my Department have been in contact with the VEC concerned. I understand that the applicant applied through the grants online facility in July 2011 and that since then, although a number of requests have been made, not all of the outstanding documentation in relation to the application has yet been furnished.

In the circumstances, any further queries in relation to this application should be directed to the VEC.

If the applicant has been deemed ineligible for a student grant by the grant awarding authority, that decision may be appealed to the awarding authority's appeals officer. Where the

appeals officer decides to reject the appeal, the applicant may appeal this decision to my Department or the independent appeals board, as appropriate.

Teachers' Remuneration

167. **Deputy Ann Phelan** asked the Minister for Education and Skills if he will clarify whether teachers may work a maximum of 25 hours per week; if he will further clarify if a resource or learning support teacher may only work a number of hours per week, whereas a person initially working 15.2 hours per week spread over three days may make up their hours by teaching on a substitute basis for the other two days; if she will further clarify that when the hours are combined it would make 25.2, which 0.2 hours above the maximum rate, even though the teacher is willing to forfeit the 0.2 hours, the primary payroll system is unable to process this and therefore may only pay 20.2 hours; his views on whether this is a disincentive to sub for the extra two days when it would appear they would merely be penalised for doing so; and if he will make a statement on the matter. [16070/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The issues raised by the Deputy are being examined by officials from my Department and a reply will issue direct to the Deputy.

School Staffing

168. **Deputy Charlie McConalogue** asked the Minister for Education and Skills his plans to allow a school (details supplied) in County Donegal to retain its permanent learning support teacher; if not, if an avenue is open to them to appeal this loss; and if he will make a statement on the matter. [16076/12]

184. **Deputy Ann Phelan** asked the Minister for Education and Skills if he will examine the case of a school (details supplied) in County Kilkenny which requires 25 general allocation teaching hours, and the difficulties being faced by the principal of the school in attaining an additional five hours for learning support; and if he will make a statement on the matter. [16294/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 168 and 184 together.

The staffing arrangements for the 2012/13 school year are set out in Primary Circular 0007/2012 which is available on my Department's website. The new arrangements incorporate a long overdue updating of the GAM (learning support) allocation for all schools. From September 2012 the combined resources available for GAM (General Allocation Model) and language support are being merged into a single simplified allocation process.

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 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.

[Deputy Ruairí Quinn.]

The GAM/EAL allocation for each school is conditional on schools making all reasonable efforts to combine their GAM/EAL hours into full-time GAM/EAL posts through contact with neighbouring schools. Schools that have been unable to get all of their GAM/EAL hours clustered into full-time posts will be processed by the Department at a later stage. If necessary and where appropriate, the Department may use the opportunity to do a Department led clustering process of remaining GAM/EAL hours to facilitate the redeployment of any remaining surplus permanent teachers.

There are also new and separate arrangements for how resource hours for individual pupils are converted into teaching posts in schools. The requirement for resource hours in a school varies from year to year depending on the number, if any, of its pupils with autism etc. Small schools generally have a lower requirement for resource hours. The new arrangements take account of the later timescale for the allocation of these hours necessitated by individual assessment by the NCSE.

All of the changes are designed to enable a more efficient operation of the teacher allocation and redeployment process and to reduce the impact of travel time between schools where teachers are shared. My Department will be working with schools and the relevant education partners to ensure that the new arrangements operate as efficiently as possible. As the process proceeds this work can take account of any appropriate local arrangements that might be made to further optimise travel arrangements.

The staffing schedule also includes an appeals mechanism for schools to submit an appeal under certain criteria to an independent Appeals Board. Details of the criteria for appeal are contained in the staffing schedule, Circular 0007/2012. The Appeals Board operates independently of the Department and its decision is final.

Schools Building Projects

169. **Deputy Michael McGrath** asked the Minister for Education and Skills if her attention has been drawn to the fact that a primary school (details supplied) in County Cork is rapidly expanding, that it has recently been forced to use multiple locations, that it will need a permanent school building well in advance of the 2014/15 time frame set out in the recent capital programme; and if he will make a statement on the matter. [16077/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The building project for the school referred to by the Deputy is currently at an early stage of architectural planning. While a site has been identified for purposes of a new permanent school building, there are a number of planning issues to be resolved. The Department will be in communication with the school concerned in relation to the next steps to be taken, at the appropriate time, as the project progresses through the various stages of the architectural planning process. As outlined in the five year plan, it is expected that this school project will progress to the construction stage of the architectural planning process in 2014/15.

Details of all projects on the Five Year Plan are published on my Department's website, www.education.ie, and this will be updated regularly.

170. **Deputy Patrick O'Donovan** asked the Minister for Education and Skills when an application for funding was made in respect of a school (details supplied) in County Mayo; the stage this application is at; the reason this school was not included in the recent announcements; and if he will make a statement on the matter. [16083/12]

Minister for Education and Skills (Deputy Ruairí Quinn): In view of the need to ensure that every child has access to a school place, the delivery of major school projects to meet the demographic demands nationally will be the main focus for capital investment in schools in the coming years. The five year programme announced recently is focused on meeting those demographic needs. In that context, it was not possible to advance all applications for capital funding concurrently.

The Major Building Project for the school referred to by the Deputy is currently at an advanced stage of Architectural Planning.

School building projects currently in architectural planning, including the project referred to by the Deputy, will continue to be advanced incrementally over time within the context of the funding available. However, in light of current competing demands on the Department's capital budget, it is not possible at this time to indicate when this project will be progressed to tender and construction stage.

Special Educational Needs

171. **Deputy Michael McGrath** asked the Minister for Education and Skills the position regarding the retention of the special class and the existing special needs assistant provision at a school (details supplied) in County Tipperary; and if he will make a statement on the matter. [16109/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I wish to advise the Deputy that the National Council for Special Education (NCSE), through its network of local Special Educational Needs Organisers (SENOs), is responsible for processing applications from schools for special educational needs supports. The NCSE operates within my Department's criteria in allocating such support, which now includes a requirement for them to have regard to an overall cap on the number of posts available.

The NCSE is responsible for the allocation of resource teaching hours and Special Needs Assistants (SNAs) to schools to support children with special educational needs, as well as the establishment of special classes in various geographical areas, as required, and the discontinuation of such classes where the need no longer exists.

I have therefore arranged for the Deputy's question in relation to the continuation of a special class at a particular school to be forwarded to the NCSE for their attention and direct reply.

In relation to the allocation of SNAs, I wish to clarify for the Deputy that SNAs are recruited specifically to assist in the care of pupils with disabilities in an educational context. SNA allocations are not permanent as the level of SNA support allocated to a school may be increased or decreased as pupils who qualify for SNA support enrol or leave a school or where a child's care needs may have diminished over time. The allocation of SNAs in each school can therefore alter from year to year.

Schools have been invited to make applications to the NCSE for SNA support for the 2012/13 school year by 16th March, 2012. Schools will subsequently be advised by the NCSE of their allocation for the next school year, based on the number of valid applications received and the extent of the care needs of qualifying children.

Third Level Courses

172. **Deputy Jack Wall** asked the Minister for Education and Skills if he is satisfied with the number of degree courses in oil and gas exploration in universities here; if he has plans to address this position; and if he will make a statement on the matter. [16112/12]

Minister for Education and Skills (Deputy Ruairí Quinn): Universities are autonomous institutions and my Department does not have any function in relation to decisions concerning course provision.

Potential students have access to a wide range of undergraduate and postgraduate courses in science and engineering disciplines many of which contain modules relevant to the field of oil and gas exploration. Details of science and engineering programmes offered in higher education institutions are available on the Qualifax website: www.qualifax.ie.

School Staffing

173. **Deputy Thomas P. Broughan** asked the Minister for Education and Skills if he will take action to ensure that a school (details supplied) in Dublin 17, does not lose two of its legacy posts in the staffing schedule for the school year 2012/2013; and if he will make a statement on the matter. [16122/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The staffing arrangements for the 2012/13 school year are set out in Primary Circular 0007/2012 which is available on my Department's website. This includes details of the reform of the allocation process which is designed to bring a more equitable distribution of existing posts between schools.

The overall objective with the reforms is to enable the teacher allocation and redeployment process to operate more smoothly and efficiently within the new climate of fixed ceilings on teaching posts. The changes are designed to give a more equitable distribution of existing posts between schools, give earlier certainty to schools about their staffing allocations and, where possible, simplify and streamline existing processes and give greater autonomy to schools.

The new arrangements incorporate a long overdue updating of the General Allocation Model (GAM) combining learning support for high incidence special needs and language support for all schools. It also includes changes to NCSE approved (low incidence) resource hours in the base schools or in neighbouring schools. This approach builds on the interim arrangements that operated in 2011 but in a more structured and transparent manner.

The school to which the Deputy refers is a DEIS Band 1 School but was not among the 140 DEIS Band 1 and Band 2 schools included in the recent report on the impact, in terms of posts, that certain Budget measures would have on these schools, the main focus of which concerned additional posts allocated under disadvantage schemes pre-dating DEIS.

Applying the new staffing schedule for Band 1 schools to this school, it is due to lose two mainstream class teachers due to falling enrolment for the 2012/13 school year.

The allocation process also includes an appeals mechanism under which schools can appeal against the allocation due to them under the staffing schedules. The appeal procedures are set out in the circular referred to above.

The closing date for submission of appeals for the April meeting of the Staffing Appeals Board was 23 March, 2012. The Appeals Board meeting will take place on Wednesday 18 April, 2012 which will be prior to the release of the main redeployment panel and allow for any impact of the Board's decision on redeployment panels to be effected. Once the Appeals Board meeting has taken place schools will be notified of the outcome of their appeal.

Further meetings of the Appeals Board will be held as required in June and October, 2012. The Appeals Board operates independently of the Department and its decision is final. The final staffing position for all schools will ultimately not be known until later in 2012. At that stage the allocation process will be fully completed and any appeals to the Staffing Appeal Board will have been considered.

The school to which the Deputy refers has submitted an appeal.

Gaelscoileanna

174. D'fhiafraigh **Éamon Ó Cuív** den Aire Oideachais agus Scileanna cén fath nach bhfuil síneadh ar Ghaelscoil Mhic Amhlaoibh ar an gClár Cúig Bliana do scoileanna a fógraíodh le gairid, i bhfianaise an ráitis a rinne sé nuair a bhí sé ina urlabhraí oideachais ag an bhfreasúra nach ceart d'aon ghasúr a bheith á mhúineadh i seomraí réamhdhéanta; agus an ndéanfaidh sé ráiteas ina thaobh. [16128/12]

Minister for Education and Skills (Deputy Ruairí Quinn): De bharr an riachtanais atá ann lena chinntiú go mbíonn rochtain ag gach aon pháiste ar ionad scoile, beidh sé ina phríomhfhócas ag an infheistíocht chaipitil i scoileanna sna blianta amach romhainn tionscadaíl mhóra scoile a sheachadadh chun freastal ar na héilimh dhéimeagrafacha ar fud na tíre. Tá an clár chúig bliana a fógraíodh níos luaithe dírithe ar na héilimh dhéimeagrafacha a shásamh. Sa chomhthéacs sin, níorbh fhéidir na hiarratais uile ar mhaoiniú caipitil a chur chun cinn go comhthráthach.

Tá an tionscadal mór tógála don scoil dá dtagraíonn an Teachta ag ardchéim phleanáil ailtireachta faoi láthair agus thug Aonad Pleanála agus Tógála mo Roinne faomhadh d'aighneacht Chéim 2(b) (Dearadh Mionsonraithe) ar 10ú Eanáir 2012.

Ní féidir, áfach, i bhfianaise na n-éileamh iomaíocha faoi láthair ar bhuiséad caipitil mo Roinne, an tionscadal seo a chur ar aghaidh chun tairisceana agus tógála ag an tráth seo.

In view of the need to ensure that every child has access to a school place, the delivery of major school projects to meet the demographic demands nationally will be the main focus for capital investment in schools in the coming years. The five year programme announced recently is focused on meeting those demographic needs. In that context, it was not possible to advance all applications for capital funding concurrently. The major building project for the school referred to by the Deputy is currently at an advanced stage of architectural planning and the Stage 2(b) submission (Detailed Design) was approved by the Departments Planning and Building Unit on 10th January 2012. However, in light of current competing demands on the Department's capital budget, it is not possible to progress this project to tender and construction at this time.

Third Level Fees

175. **Deputy Simon Harris** asked the Minister for Education and Skills if his attention has been drawn to the policy of a university (details supplied) to charge non-EU resident fees for persons who are Irish and EU citizens who have resided in the United States of America but are classified as non-resident by the American authorities; his views that this situation is fair given that the relevant applicants are Irish and EU citizens who are not legally resident in another country; the steps he intends to take to address this anomaly; and if he will make a statement on the matter. [16129/12]

176. **Deputy Simon Harris** asked the Minister for Education and Skills the directives he has issued to third level institutions as regards Irish and EU citizens who apply for postgraduate courses of study who have lived abroad in non-EU/EEA states but who are classified as non-residents by the immigration authorities of their current countries; if he will direct that these Irish citizens should be charged the EU/EEA rate of fees for postgraduate study; and if he will make a statement on the matter. [16130/12]

177. **Deputy Simon Harris** asked the Minister for Education and Skills if his attention has been drawn to a situation (details supplied) whereby a university refused to classify an individual as an EU resident and insisted on charging non-EU resident fees; and if he will make a statement on the matter. [16131/12]

188. **Deputy Martin Heydon** asked the Minister for Education and Skills the reason Irish passport holders who have been abroad for three years or more have to pay significantly larger fees non EU rates to partake in education courses when they return home to Ireland, while EU residents get to take advantage of the lower fees; and if he will make a statement on the matter. [16352/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 175 to 177, inclusive, and 188 together.

Under the terms of my Department's Free Fee Scheme the Exchequer meets the cost of tuition fees in respect of eligible students who are pursuing full-time undergraduate courses of study which are a minimum of two years duration in an approved higher education institution. The main conditions of the scheme are that students must be first-time undergraduates, hold *inter alia* EU/EEA/Swiss nationality in their own right, and have been ordinarily resident in an EU/EEA/Swiss state for at least three of the five years preceding their entry to an approved third level course.

Higher education institutions are autonomous bodies and the criteria governing the level of tuition fees to be charged (EU or Non EU rate), in cases where undergraduate students do not qualify for free fees and in the case of postgraduate study, are determined by the institutions and accordingly I have no role in the matter.

Section 473A, Taxes Consolidation Act, 1997, as amended by Section 11 of the Finance Act 2011, provides for tax relief, at the standard rate of tax, for tuition fees paid in respect of approved courses at approved colleges of higher education including certain approved undergraduate and postgraduate courses in E.U. Member States and in non EU countries. Details are available on the Revenue Commissioners' website at www.revenue.ie.

Schools Building Projects

178. **Deputy Michael McGrath** asked the Minister for Education and Skills the reason two schools (details supplied) in County Meath are not listed as part of the school building programme 2012-2016. [16142/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The Deputy will be aware of the demographic challenges that we are facing. Total enrolment in both primary and post-primary schools is expected to grow by almost 70,000 between now and 2018 — over 45,000 at primary level and 25,000 at post primary — and will continue to grow up to at least 2024 at post-primary level. For purposes of the 5 Year Plan, new school building projects as well as major extensions have been identified and prioritised on the basis of meeting significant demographic needs in areas where such needs have been identified. In that context, it was not possible to advance all applications for capital funding concurrently. School building projects currently in architectural planning, including the projects for the schools referred to by the Deputy, will continue to be advanced incrementally over time within the context of the funding available. My Department will be in communication with the schools concerned in relation to the next steps to be taken, at the appropriate time, as the projects progress through the design stages of the architectural planning process up to and including the preparation of tender documents. Details of all pro-

jects in respect of the current school building programme, including these projects, are available on the Department's website at www.education.ie.

179. **Deputy Michael McGrath** asked the Minister for Education and Skills the reason two schools (details supplied) in County Louth are not listed as part of the school building programme 2012-2016 [16143/12]

Minister for Education and Skills (Deputy Ruairí Quinn): In view of the need to ensure that every child has access to a school place, the delivery of major school projects to meet the demographic demands nationally will be the main focus for capital investment in schools in the coming years. The five year programme announced recently is focused on meeting those demographic needs. In that context, it was not possible to advance all applications for capital funding concurrently.

The building project for the school referred to by the Deputy is currently at an advanced stage of architectural planning. The Design Team are currently working on Stage 2(b) of Architectural Planning which includes securing Planning Permission, Fire Certificate and Disability Access Certificate (DAC) and the preparation of tender documents.

School building projects currently in architectural planning, including the project referred to by the Deputy, will continue to be advanced incrementally over time within the context of the funding available.

However, in light of current competing demands on the Department's capital budget, it is not possible to progress this project to tender and construction at this time.

School Accommodation

180. **Deputy Pat Breen** asked the Minister for Education and Skills the position regarding an application in respect of a school (details supplied) in County Clare. [16150/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The school to which the Deputy refers submitted an application for grant-aid towards ancillary office accommodation in the school. In view of the need to ensure that every child has access to a school place, priority is being given to applications for essential classroom accommodation to meet significant demographic needs. Accordingly my Department is not in a position to provide funding towards such projects at this time. This decision was advised to the school in December last. I also wish to advise the Deputy that my Department approved funding for the provision of a mainstream classroom to this school in June 2011 and is satisfied that the school has sufficient accommodation to cater for its current pupil needs.

Special Educational Needs

181. **Deputy Seán Crowe** asked the Minister for Education and Skills if he will confirm when a school place will be made available to a person (details supplied) in Dublin 17. [16159/12]

Minister for Education and Skills (Deputy Ruairí Quinn): 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 establishment of special classes in various geographical areas as required. The NCSE operates within my Department's criteria in allocating such support.

The NCSE also has a role to assist parents in identifying suitable school placements for children with special educational needs.

[Deputy Ruairí Quinn.]

All schools have the names and contact details of their local SENO. Parents may also contact their local SENO directly to discuss their child's special educational needs, using the contact details available on www.ncse.ie.

I have arranged for the matters raised by the Deputy to be forwarded to the NCSE for their direct reply.

School Placement

182. **Deputy Dominic Hannigan** asked the Minister for Education and Skills the reason a person (details supplied) in County Meath is not being allowed to continue their dual school placement; the way they can appeal this decision; and if he will make a statement on the matter. [16187/12]

229. **Deputy Dominic Hannigan** asked the Minister for Education and Skills his formal policy on dual placement for children with autism between Applied Behaviour Analysis schools and mainstream schools; if schools are allowed informal arrangements between themselves for these types of dual placements; the number of children with autism, in each county that are currently in dual placements, in tabular form; the reasons that can be given for a child to be taken out of a dual placement and asked to attend only one school; and if he will make a statement on the matter. [16751/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 182 and 229 together.

The enrolment of a child in a school is a matter in the first instance for the parents of the child and the Board of Management of a school. My Department has no role in relation to processing applications for enrolment to schools.

My Department provides for a range of placement options and supports for schools which have enrolled pupils with special educational needs in order to ensure that, wherever a child is enrolled, s/he will have access to an appropriate education. A specific function of the National Council for Special Education (NCSE), through its network of local Special Educational Needs Organisers (SENOs), is to identify appropriate educational placements for all children with special educational needs, including children with autism.

My Department does not facilitate the dual enrolment of children. Children with special educational needs may transfer from special schools to special classes attached to ordinary primary school or to mainstream classes where they may attend on a fully integrated basis with teaching and special needs assistant supports, as appropriate. In considering such transfers, it would be important to have regard to the professionally assessed needs of the child involved and his or her capacity to function successfully in the more integrated setting. However, children with special educational needs in special schools or special classes can also attend mainstream classes on a part-time basis in line with their abilities and local arrangements made by the relevant boards of management. These arrangements are referred to locally as dual placements and are a regular feature of transitional plans for children who are transferring from one placement to another. However it's important to differentiate between a dual placement and a dual enrolment.

The Deputy will be aware that my Department strives to ensure that a continuum of special education provision is available as required for children with special educational needs. In line with this, the policy is to promote a child-centred approach to education of all children with special educational needs including those with autism. As each child with autism is unique they

should have access to a range of different approaches to meet their individual needs. This facilitates access to individualised education programmes, fully qualified professional teachers who may draw from a range of autism-specific interventions, including Applied Behaviour Analysis (ABA), Treatment and Education of Autistic Communication Handicapped Children (TEACCH) and Picture Exchange Communications System (PECS). The schools referred to by the Deputy operate in line with this policy.

Schools Building Projects

183. **Deputy Gerry Adams** asked the Minister for Education and Skills the criteria used to establish which schools were included in the school building programme which he recently announced [16287/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The Deputy will be aware of the demographic challenges that we are facing. Total enrolment in both primary and post-primary schools is expected to grow by almost 70,000 between now and 2018 — over 45,000 at primary level and 25,000 at post primary — and will continue to grow up to at least 2024 at post-primary level. As such enrolment increases are not uniformly distributed nationally, my Department has carried out a study of the country using data from the Central Statistics Office, the General Register Office and the Department of Social Protection in addition to recent schools' enrolment data to identify the areas it is projected that there will be significant enrolment increases. For purposes of the 5 Year Plan, new school building projects as well as major extensions have been identified and prioritised on the basis of meeting demographic needs in areas where such needs have been identified. Other criteria that were taken into account included factors such as whether projects, already in the Department's architectural process, were technically ready to proceed to tender and construction in the duration of the Plan. I also wish to advise the Deputy that where an immediate enrolment need in an area has been identified e.g. the appointment of an additional teacher and where school's existing accommodation cannot provide for this growth, the Department will be prepared to consider applications by schools for capital funding for additional classrooms mainly on a devolved basis.

Question No. 184 answered with Question No. 168.

School Accommodation

185. **Deputy Tom Hayes** asked the Minister for Education and Skills the reason every application by a school (details supplied) in County Tipperary to have the prefabs on the school grounds replaced with proper classrooms has been refused; and if he will make a statement on the matter. [16298/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The Deputy will be aware that this school has also submitted an application for a major extension refurbishment school project, that includes for the replacement of the temporary accommodation referred to by the Deputy. This project is currently in early architectural planning. Any application for the separate replacement of the temporary accommodation concerned cannot be considered in isolation of the major project plan application. Details of all projects in respect of the current school building programme, including this project, are available on the Department's website, www.education.ie. In relation to the temporary accommodation currently being rented by the school, it is a matter, in the first instance, for the school authorities to ensure that the supplier(s) of these prefabricated buildings maintain them to a standard suitable for use.

Schools Amalgamation

186. **Deputy Sean Fleming** asked the Minister for Education and Skills the reason the amalgamation of two schools (details supplied) in County Laois were not included on the schools building programme announced by him on 12 March 2012; and if he will make a statement on the matter. [16342/12]

Minister for Education and Skills (Deputy Ruairí Quinn): In view of the need to ensure that every child has access to a school place, the delivery of major school projects to meet significant demographic demands nationally will be the main focus for capital investment in schools in the coming years. The five-year programme announced earlier this month is focused on meeting those demographic needs. In that context, it was not possible to advance all applications for capital funding concurrently. School building projects currently in architectural planning, including the project for the school referred to by the Deputy, will continue to be advanced incrementally over time within the context of the funding available. The project for this school is just commencing the process of appointing a design team. Once appointed, the design team will commence the architectural planning process and will progress the project through the design stages up to and including the preparation of tender documents. However, in light of current competing demands on the Department's capital budget, it is not possible to give an indicative timeframe for the progression to tender and construction of the project at this time.

Schools Building Projects

187. **Deputy Sean Fleming** asked the Minister for Education and Skills the reason a school (details supplied) in County Laois was not included on the schools building programme announced by him on 12 March 2012; and if he will make a statement on the matter. [16343/12]

Minister for Education and Skills (Deputy Ruairí Quinn): In view of the need to ensure every child has access to a school place, the delivery of major school projects to meet the demographic demands nationally will be the main focus for capital investment in schools in the coming years. The five-year programme announced earlier this month is focused on meeting those demographic needs. In that context, it was not possible to advance all applications for capital funding concurrently. I can confirm to the Deputy that a potential site has been identified for a building for the school referred to by the Deputy. Once the site is secured, my officials will be in contact with the school authority in relation to the next steps to be taken to progress the project.

Question No. 188 answered with Question No. 175.

Higher Education Grants

189. **Deputy Tom Fleming** asked the Minister for Education and Skills if he will ensure that the eligibility criteria for higher education grants for farmers sons and daughters remains based on the yearly income of the farmer rather than the capital assets of the farm holding; and if he will make a statement on the matter. [16358/12]

Minister for Education and Skills (Deputy Ruairí Quinn): As I announced last December, the means test for student grants will be amended to take account of the value of certain capital assets as well as income for the 2013-14 academic year. A dedicated Capital Asset Test implementation group has been established. The group has been charged with bringing forward detailed implementation proposals on new means testing arrangements for student grants, to include the value of assets, for new applicants from the 2013-14 academic year. No decision has been taken on the treatment of farm or other business assets. In the circumstances, I am

not in a position to say at this time what assets may be included. However, any proposals will require further Government agreement and necessitate legislative amendment.

Departmental Expenditure

190. **Deputy Simon Harris** asked the Minister for Education and Skills the way roofing and construction companies can be included on his Departments tender lists for works; and if he will make a statement on the matter. [16366/12]

Minister for Education and Skills (Deputy Ruairí Quinn): School building projects are tendered in line with public procurement procedures. There are two methods of tendering, the Restricted procedure and the Open procedure. In both procedures, there are minimum standards for participation including previous experience, turnover, insurance, capacity to obtain a bond, etc. The minimum standards for participation are stated in the Contract notice or the eTenders advertisement. For less complex projects of a small to medium scale, the open procedure is generally used. All contractors meeting the minimum standards are entitled to submit a tender, thus facilitating the inclusion of small to medium enterprises and those with no experience in educational projects. For larger or more complex projects, where it is considered that pre-qualification of contractors is warranted, the Restricted procedure is normally used. In the Restricted procedure, there is an intermediary qualification stage during which the numbers of applicants is reduced or restricted to a specified amount (normally 10). The criteria for suitability assessment, which are taken from the Department of Finance's capital management works framework, include company turnover, insurance, capacity to obtain a bond, personnel for the project, previous experience and health and safety competence. Guidance on this process and standard questionnaires used by the Department are available on my Department's website. The dedicated website for Irish public tenders, www.etenders.gov.ie, has been developed as part of the Government's strategy for the implementation of eProcurement in the Irish public sector. The site is designed to be a central facility for all public sector contracting authorities to advertise procurement opportunities and award notices. Contractors seeking to tender for public works contracts in Ireland should register with this website.

Training Programmes

191. **Deputy Dara Calleary** asked the Minister for Education and Skills the eligibility criteria for those 9,000 construction workers who were included in the globalisation funding; and who defined who was eligible and who was excluded under the European Globalisation Adjustment Fund scheme and those who are not [16389/12]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): On 9 June 2010, the Department submitted an application for co-funded assistance from the European Globalisation Adjustment Fund (EGF) in respect of 9,089 former workers made redundant in the construction industry during the nine-month EGF reference period between 1 July 2009 and 31 March 2010. In the case of this EGF application, the subsequent ten-week application submission period ended on 9 June 2010. This proposal sought to maximise the number of eligible redundant workers for co-financed assistance as far as practically possible. I understand the aggregated application submitted contains collectively the largest number of redundant workers to be encompassed in an EGF application to date. However, of the utmost importance is the requirement for the Irish authorities to be able to verify the cohort who are deemed eligible for EGF supports and to ensure all the relevant criteria of the fund are met in respect of that cohort. For this purpose, this Department used data from the statutory redundancy payments system. This is a demonstrably verifiable source of data such as is deemed sufficient to satisfy both national and EU audits and control checks. Furthermore, these data

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were complemented by additional material on redundant apprentices from the apprenticeship database held by FÁS. Those redundant workers who were ultimately included in the EGF application were identified on the basis of the most recent recorded date of registration for a statutory redundancy payment as at 28 April 2010.

I appreciate the frustration which can arise for those redundant workers who fall outside the reference period. However, I should point out that a host of other non-EGF aided supports may be available to these persons, including a wide range of active labour market interventions which are available to all qualifying redundant workers, provided by FÁS, the Vocational Education Committees and the County Enterprise Boards and the higher education system, subject to the meeting of the relevant criteria of existing schemes in individual cases. For example, FÁS runs the Professional Networking and Support Programme, which is open to all professionals and available through their local Employment Services Office. Free part-time higher education places were launched as part of the Springboard initiative and are available to unemployed people to reskill in areas of identified skills needs. Last month, more than 500 additional places were made available on courses that had exceptionally high demand when first run in 2011. Some €10 million has been made available for the roll-out of Springboard 2012, which will be available in May 2012, following a competitive tendering process. More than 750 free places are being provided on 17 new graduate ICT skills conversion programmes. The programmes allow those with the appropriate qualifications to convert their skills during an intensive course of study in a higher education institute and a corresponding work placement in a collaborative company. Details of the Springboard and ICT Skills Conversion programmes are available on www.bluebrick.ie and participants can apply online at this website.

Departmental Staff

192. **Deputy Sean Fleming** asked the Minister for Education and Skills if he will provide a list of staff in his Department that serve as directors of companies arising from their employment; the names of the companies involved; the annual remuneration received, if any; if they are indemnified by his Department in respect of their role as directors; and if he will make a statement on the matter. [16415/12]

Minister for Education and Skills (Deputy Ruairí Quinn): Three officials from my Department are serving as directors of companies arising from their employment. The officers concerned do not receive remuneration. Mr. Micheál Delaney is a director of Middletown Centre for Autism (Holdings) Limited. Mr. Des O'Loughlin and Ms. Gerardine Skelly are directors of Léargas, the Exchange Bureau. I understand from the Department of Public Expenditure and Reform that the Office of the Attorney General has advised that people working for the State are entitled to be indemnified for such work. The indemnification would cover any reasonable legal fees and/or damages incurred where people are sued for undertaking their duties on behalf of the State provided they acted in good faith and in a bona fide manner. The State carries its own insurance in this regard. This indemnity would apply to those civil servants appointed to State boards as part of their official duties.

Ministerial Expenses

193. **Deputy Niall Collins** asked the Minister for Education and Skills the amount of expenses claimed on a monthly basis since March 2011 by all Ministers attached to his Department; and if he will make a statement on the matter. [16449/12]

Minister for Education and Skills (Deputy Ruairí Quinn): Details of the amounts of expenses claimed by the Ministers attached to my Department since March 2011 to date are included in the following table:

Minister for Education and Skills (Deputy Ruairí Quinn)

Month Paid	Amount of Payment
Apr-11	€315.21
Jun-11	€2,853.46
Aug-11	€2,072.99
Sep-11	€2,435.84
Oct-11	€1,614.88
Nov-11	€521.53
Dec-11	€3,091.13
Jan-12	€1,289.26
Mar-12	€3,911.04
Total	€18,105.34

Minister of State at the Department of Education and Skills (Deputy Ciaran Cannon)

Month Paid	Amount of Payment
May-11	€5,222.77
Jul-11	€2,587.01
Aug-11	€1,596.32
Sep-11	€157.90
Oct-11	€3,295.73
Dec-11	€4,476.35
Feb-12	€5,427.54
Total	€22,763.62

Departmental Expenditure

194. **Deputy Michael Creed** asked the Minister for Education and Skills the total capital allocation in his Department for school building in 2012; the amount of this which is available for devolved grants; the way the remainder of the allocation will be spent; and if he will make a statement on the matter. [16494/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The total capital allocation for my Department is €430 million, of which €357 million has been assigned to the school sector. Expenditure in 2012 on large scale projects and the acquisition of sites is estimated at €240 million while expenditure under the Additional Accommodation Scheme and the initiative I announced recently to replace rented prefabs in schools will cost in the region of €80 million this year. The balance of the allocation will be expended on emergency works, the provision of furniture and equipment, remediation programmes and commitments arising from the 2011 Summer Works Scheme and the 2011 Jobs Initiative and other miscellaneous items.

School Staffing

195. **Deputy Pádraig Mac Lochlainn** asked the Minister for Education and Skills his views

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on the suppression of four teaching posts in a school (details supplied) in County Donegal in the past year; if he will review the staffing situation of the school and retain at the very least their concessionary post. [16504/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The staffing arrangements for the 2012/13 school year are set out in Primary Circular 0007/2012 which is available on my Department's website. This includes details of the reform of the allocation process which is designed to bring a more equitable distribution of existing posts between schools.

The overall objective with the reforms is to enable the teacher allocation and redeployment process to operate more smoothly and efficiently within the new climate of fixed ceilings on teaching posts. The changes are designed to give a more equitable distribution of existing posts between schools, give earlier certainty to schools about their staffing allocations and, where possible, simplify and streamline existing processes and give greater autonomy to schools.

The new arrangements incorporate a long overdue updating of the General Allocation Model (GAM) combining learning support for high incidence special needs and language support for all schools. It also includes changes to NCSE approved (low incidence) resource hours in the base schools or in neighbouring schools. This approach builds on the interim arrangements that operated in 2011 but in a more structured and transparent manner.

Arising from the decisions taken following Budget 2012, of the 328 DEIS Rural primary schools, 16 of these schools with legacy posts will lose one teaching post each, including the school referred to by the Deputy. The allocation process also includes an appeals mechanism under which schools can appeal against the allocation due to them under the staffing schedules. The appeal procedures are set out in the circular referred to above. The closing date for submission of appeals for the April meeting of the Staffing Appeals Board was 23 March, 2012. I can confirm that the school to which the Deputy refers has submitted an appeal.

The Appeals Board meeting will take place on Wednesday 18 April, 2012 which will be prior to the release of the main redeployment panel and allow for any impact of the Board's decision on redeployment panels to be effected. Once the Appeals Board meeting has taken place schools will be notified of the outcome of their appeal. Further meetings of the Appeals Board will be held as required in June and October, 2012. The Appeals Board operates independently of the Department and its decision is final.

The final staffing position for all schools will ultimately not be known until later in 2012. At that stage the allocation process will be fully completed and any appeals to the Staffing Appeal Board will have been considered.

Statutory Trust Fund

196. **Deputy Clare Daly** asked the Minister for Education and Skills the reason he is proceeding with the establishment of the Statutory Trust Fund despite the objection of many survivor group leaders and individuals, and upon the recommendation of which groups or organisations he is proceeding. [16519/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I had a very constructive meeting with groups representing survivors of residential institutional abuse on 22nd July last, when we discussed the Government's approach to the proposed Statutory Fund to support the needs of victims of residential institutional abuse. The Government is proceeding with the drafting of the Residential Institutions Statutory Fund Bill on the basis of the General Scheme prepared by my Department, which followed extensive consultations with survivors of residential abuse and the groups which support them, together with a public consultation process. The General

Scheme of the Bill and a Report on the Consultation Process are available on my Department's website as is a copy of the minutes of the meeting of 22 July.

I am aware that some former residents advocated a simple distribution of the available money rather than the establishment of the Statutory Fund. However, as I outlined when I published the legislative proposals, I believe that the Fund should target resources at services to support former residents' needs. The General Scheme provides for a wide range of services to be approved for the Fund including counselling, psychological support services and mental health services, health and personal social services, educational services and housing services.

I am committed to establishing the proposed Statutory Fund for survivors of institutional abuse. Work on the drafting of the Bill is currently being finalised and I expect to be in a position to publish it very shortly.

Special Educational Needs

197. **Deputy Clare Daly** asked the Minister for Education and Skills if he will consult with professional bodies in Applied Behaviour Analysis Ireland to ascertain the extent of the misrepresentation of ABA in the report of the taskforce on Autism. [16521/12]

198. **Deputy Clare Daly** asked the Minister for Education and Skills in relation to appropriate investment in education the reason professionals not trained in Applied Behaviour Analysis are being consulted with rather than international organisations representing the science of ABA. [16522/12]

218. **Deputy Finian McGrath** asked the Minister for Education and Skills if he will review a matter (details supplied) regarding autism. [16673/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 197, 198 and 218 together.

The Task Force on Autism Report was published in 2001 and its recommendations concerning broad educational provision for children on the autistic spectrum from pre-school through to third level provided the basis for the development of educational services and supports for persons with autism since then.

The Task Force was composed of a combination of parents, education and health professionals, advocates and researchers. The professional backgrounds of members included psychiatry, psychology and education. The Task Force was chaired by the then head of the Education Department in UCD. The final report, which is available on my Department's website, represents the insights of the members and a number of experts from Ireland and other jurisdictions.

In line with the recommendations of the Task Force Report, my Department strives to ensure that a continuum of special education provision is available as required for children with special educational needs. In line with this, the policy is to promote a child-centred approach to education of all children with special educational needs including those with autism. As each child with autism is unique the policy is that they should have access to a range of different approaches to meet their individual needs. This facilitates access to individualised education programmes, fully qualified professional teachers who may draw from a range of autism-specific interventions, including Applied Behaviour Analysis (ABA), Treatment and Education of Autistic Communication Handicapped Children (TEACCH) and Picture Exchange Communications System (PECS).

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This policy is based on advice received from my Department's National Educational Psychological Service (NEPS), research and reviews published by international and national experts, including:

- “The Evaluation of Educational Provision for Children with Autistic Spectrum Disorders (2006)” published by my Department's Inspectorate,
- “The International Review of the Literature of Evidence of Best Practice Provision in the Education of Persons with Autistic Spectrum Disorders” undertaken by the Autism Centre for Education and Research, University of Birmingham and funded by the National Council for Special Education.

My Department continues to develop policy and programmes for children with special educational needs, including those with autism, and will continue to take relevant professional advice into account in this regard.

Religious Education

199. **Deputy Clare Daly** asked the Minister for Education and Skills the reason Ireland misled the UN Human Rights Committee by rejecting the request to eliminate religious education on the grounds that there are a growing number of non-denominational schools, when in fact there are no non-denominational schools registered with the Department. [16523/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I wish to assure the Deputy that Ireland did not mislead the UN Human Rights Committee in any way in relation to this matter.

The UNHRC request in question related to the elimination of religious discrimination in access to education. Ireland did not accept this. There is a growing non-denominational school sector in Ireland, particularly at primary level. These schools cater for all pupils and there is no denominational involvement in their governance. The existing system of school admissions is currently under review, and issues of access are being considered as part of that review process. Religious groups are free to establish their own schools to cater for members of their particular faith. This religious freedom is a core element in our system at primary and secondary level.

I would like to clarify for the Deputy that there is a distinction between the classification of schools by the Department on the basis of the ethos of the schools as against that of the governance structures of the schools.

Special Educational Needs

200. **Deputy Pádraig Mac Lochlainn** asked the Minister for Education and Skills the number of autistic children and children with special needs for Inishowen, County Donegal, that are forced to travel to Letterkenny, to avail of post primary education; and his plans to address this situation. [16532/12]

Minister for Education and Skills (Deputy Ruairí Quinn): My Department provides for the education of children with special educational needs through a number of support mechanisms depending on the child's assessed disability. In general, educational provision for children with special needs is made; in special schools; in special classes attached to mainstream schools; or in integrated settings in mainstream classes.

The Deputy will be aware that the National Council for Special Education (NCSE), through its network of local Special Educational Needs Organisers (SENOS), is responsible for pro-

cessing applications from primary and post primary schools for special educational needs supports. This includes the allocation of resource teaching hours to schools as well as the establishment of special classes in various geographical areas, including the area referred to by the Deputy.

I have therefore arranged for the questions raised by the Deputy to be forwarded to the NCSE for their attention and direct reply.

Schools Building Projects

201. **Deputy Brendan Smith** asked the Minister for Education and Skills in relation to each of the five new schools announced for Lucan, Dublin, when were these projects initiated; the anticipated timeframe for delivery; the stage of these projects; if delays are anticipated; the funding that has been set aside for these projects; and if he will make a statement on the matter. [16583/12]

Minister for Education and Skills (Deputy Ruairí Quinn): On the 12th of March I announced a five year plan which outlined the major school projects that will proceed to construction over the lifetime of the plan. Details of the individual projects and the indicative timeline for when each project is expected to proceed to construction were published as part of the announcement.

A total of €1.5 billion will be spent on those projects included in the five year plan. This expenditure will form part of a larger €2 billion capital investment programme over that period.

There will be a small number of additional projects, required for demographic reasons, which will need to proceed to construction in the lifetime of the Plan which did not form part of my recent announcement. These are school projects where discussions are underway with a school concerning an extension and which have not been completed.

Details of the five year plan and the individual projects included in the plan are available on my Department's website at www.education.gov.ie.

FÁS Training Programmes

202. **Deputy Regina Doherty** asked the Minister for Education and Skills when a person (details supplied) in County Meath will be allocated a place on a FÁS ECDL course; the reason for the waiting list for ECDL course places when there is a high demand; and if he will make a statement on the matter. [16585/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I am informed by FÁS that the individual in question commenced an ECDL course on the 20th March 2012 in Drogheda. ECDL courses are very popular and a very high number of clients have been referred to these programmes. As a result of this high demand, waiting lists are necessarily in place.

Schools Building Projects

203. **Deputy Simon Harris** asked the Minister for Education and Skills when an extension for a school (details supplied) in County Wicklow will take place; if the urgent nature of this extension can be taken into consideration; the current status of the school's application for an extension within his Department; and if he will make a statement on the matter. [16616/12]

Minister for Education and Skills (Deputy Ruairí Quinn): As the Deputy is aware, on 12th March last, I announced details of the new major school building projects where construction is expected to commence over the next five years as part of a €1.5 billion major school project

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capital investment programme. The school referred to by the Deputy was included in that announcement to commence construction of their extension in 2015/2016.

The timeline for when work is expected to proceed is outlined in the announcement. Each project is listed in the year when the commencement of construction works is anticipated. The Department will be in communication with all those schools, including the school referred to by the Deputy, on the programme in relation to the next steps to be taken, at the appropriate time, as the projects progress through the various stages of the architectural planning process.

Details of all projects in respect of the current school building programme, including this project, are available on the Department's website at *www.education.ie*.

In the meantime, I am pleased to inform the Deputy that my Department has recently approved a temporary mainstream classroom to meet the school's immediate accommodation needs from September, 2012.

204. **Deputy Dominic Hannigan** asked the Minister for Education and Skills when a school (details supplied) in County Meath can expect an announcement about their school building project; when it will go from design stage to the next stage; and if he will make a statement on the matter. [16618/12]

Minister for Education and Skills (Deputy Ruairí Quinn): In view of the need to ensure that every child has access to a school place, the delivery of major school projects to meet the demographic demands nationally will be the main focus for capital investment in schools in the coming years. The five year programme announced on March 12th is focused on meeting those demographic needs. In that context, it was not possible to advance all applications for capital funding concurrently.

School building projects currently in, or entering into, architectural planning, including the project referred to by the Deputy, will continue to be advanced incrementally over time within the context of the funding available up to the preparation of tender documents.

The process of appointing a design team to the school building project referred to by the Deputy is currently nearing completion, i.e. contracts are being signed by the Client and the design team consultants. Once these contracts are in place, work will commence on Stage 1 of the architectural planning process.

School Staffing

205. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the extent to which urgently required extra facilities at a school (details supplied) have been identified in the wake of meeting special needs provisions; if he will identify the full extent of extra facilities required and as presented by the Board of Management; if he will indicate a timetable within which provision is likely; and if he will make a statement on the matter. [16629/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I understand that the Deputy's question relates to the provision of Special Needs Assistant (SNA) support at the school referred to by him.

I wish to advise that the National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOs) for allocating SNAs to schools to support children with special educational needs. The NCSE operates within my Department's criteria in allocating such support, which now includes a requirement for them to have regard to the overall cap on numbers.

The NCSE has advised all schools, including the school referred to by the Deputy, of their SNA allocation for the current school year, taking into account the care needs of qualifying pupils attending the school.

The NCSE has retained a number of SNA posts in order to allocate them over the remainder of the school year in respect of emergency cases or new diagnosis. Should a school seek to have their SNA provision reviewed or make a new application, they should contact the NCSE in this regard. It is expected that schools, before requesting any review of their SNA provision, will be in a position to demonstrate that they have made every effort to manage their allocation of SNA posts to best effect.

Schools have also been advised to make applications to the NCSE for resource teaching and SNA support for the 2012/13 school year by 16th March, 2012. Schools will subsequently be advised by the NCSE of their allocation for the 2012/13 school year, based on the number of valid applications received and in the case of SNA support, the extent of the care needs of qualifying children. It is open to schools to contact their local SENO in this regard, using the contact details available on *www.ncse.ie*.

Departmental Bodies

206. **Deputy Richard Boyd Barrett** asked the Minister for Education and Skills the steps he will take to ensure that the English language sector is represented on the Board of Directors of the Qualifications and Quality Assurance Authority of Ireland; and if he will make a statement on the matter. [16636/12]

207. **Deputy Richard Boyd Barrett** asked the Minister for Education and Skills the reason the advertisement for expressions of interest in being on the board of the Qualifications and Quality Assurance Authority of Ireland appeared during the Christmas holiday period of the education sector when it was most likely those most interested would not see it; and if he will make a statement on the matter. [16637/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 206 and 207 together.

In December 2011, expressions of interest were sought, through the Public Appointments Service (PAS), from suitably qualified and experienced persons for positions on three Boards of State Bodies under the aegis of my Department, including the Qualifications and Quality Assurance Authority of Ireland (QAAI). The deadline was extended to mid January to take account of the Christmas period. The Deputy may be aware that the term of office of the Board of the HEA, which was also advertised concurrently, expired on 31st January 2012. In order to appoint the new Board in a timely manner, it was necessary to close expressions of interest by mid-January. The invitation to apply for positions was issued in a press release and was advertised on my Department's website.

In making appointments to any Board vacancies, I am not necessarily confined to those who apply through that process, but I will in all cases ensure that all of those appointed have the relevant qualifications for the positions. Indeed, in the case of QAAI, the relevant legislation will require that members of the Authority have experience of, and expertise in relation to, the functions of the Authority. In that respect, it is important to have regard to the particular area of responsibility of the Authority and to ensure, with due regard to the Government policy on gender balance, that the board members have an appropriate mix of skills and experience in such areas as, for example, corporate governance and financial expertise.

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The Qualifications and Quality Assurance (Education and Training) Bill 2011 provides for an eight person board to include an international expert and a representative of learners. The Bill does not provide for stakeholder nominations to board positions and, given the broad remit of QQAAI, this would be very difficult to achieve while maintaining the board at an effective size. It is not envisaged that stakeholders would represent their interests through Board membership but rather through the consultative structures that QQAAI develops.

Sixty expressions of interest were received for positions on the board of QQAAI. The selection of members has not yet taken place.

School Staffing

208. **Deputy Richard Boyd Barrett** asked the Minister for Education and Skills when the National Council for Special Education review will take place at a school (details supplied) in County Wexford; and if he will make a statement on the matter. [16638/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I wish to advise the Deputy that the National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOs) for allocating resource teachers and Special Needs Assistants (SNAs) to schools to support children with special educational needs. The NCSE operates within my Department's criteria in allocating such support, which now includes a requirement for them to have regard to an overall cap on numbers of posts available.

Schools have been advised to make applications to the NCSE for resource teaching and SNA support for the 2012/13 school year by 16th March, 2012. Schools will subsequently be advised by the NCSE of their allocation for the 2012/13 school year, based on the number of valid applications received and in the case of SNA support, the extent of the care needs of qualifying children.

It is open to schools to contact their local SENO in this regard, using the contact details available on www.ncse.ie.

209. **Deputy Richard Boyd Barrett** asked the Minister for Education and Skills if he has any plans to reinstate the appeals process for National Council of Special Education decisions; and if he will make a statement on the matter. [16639/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I wish to advise the Deputy that the National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOs), for allocating resource teaching support and Special Needs Assistants (SNAs) to schools to support children with special educational needs. The NCSE operates within my Department's criteria in allocating such support which now includes a requirement for them to have regard to an overall cap on the number of posts available.

Whereas the NCSE does not currently have a formal appeal system in place, in relation to the allocation of SNA support, the NCSE has retained a number of SNA posts in order to allocate them over the remainder of the school year in respect of emergency cases or new diagnosis. Should a school seek to have their SNA provision reviewed or make a new application, they should contact the NCSE in this regard. It is expected that schools, before requesting any review of their SNA provision, will be in a position to demonstrate that they have made every effort to manage their allocation of SNA posts to best effect.

The NCSE has advised my Department that it is in the process of reviewing and developing an appeals process which is intended to be in place for the 2012/13 school year allocations process.

210. **Deputy Pearse Doherty** asked the Minister for Education and Skills the loss of teaching positions and other support positions to a school (details supplied) in County Donegal in 2011/2012 academic year; the proposed reduction in teaching positions and other to the same school for the academic year 2012/2013; if he will reconsider the proposed cuts to this particular school in view of its rural Deis status; and if he will make a statement on the matter. [16646/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The staffing arrangements for the 2012/13 school year are set out in Primary Circular 0007/2012 which is available on my Department's website. This includes details of the reform of the allocation process which is designed to bring a more equitable distribution of existing posts between schools.

The overall objective with the reforms is to enable the teacher allocation and redeployment process to operate more smoothly and efficiently within the new climate of fixed ceilings on teaching posts. The changes are designed to give a more equitable distribution of existing posts between schools, give earlier certainty to schools about their staffing allocations and, where possible, simplify and streamline existing processes and give greater autonomy to schools.

The new arrangements incorporate a long overdue updating of the General Allocation Model (GAM) combining learning support for high incidence special needs and language support for all schools. It also includes changes to NCSE approved (low incidence) resource hours in the base schools or in neighbouring schools. This approach builds on the interim arrangements that operated in 2011 but in a more structured and transparent manner.

Arising from the decisions taken following Budget 2012, of the 328 DEIS Rural primary schools, 16 of these schools with legacy posts will lose one teaching post each, including the school referred to by the Deputy.

The allocation process also includes an appeals mechanism under which schools can appeal against the allocation due to them under the staffing schedules. The appeal procedures are set out in the circular referred to above. The closing date for submission of appeals for the April meeting of the Staffing Appeals Board was 23 March, 2012. I can confirm that the school to which the Deputy refers has submitted an appeal.

The Appeals Board meeting will take place on Wednesday 18 April, 2012 which will be prior to the release of the main redeployment panel and allow for any impact of the Board's decision on redeployment panels to be effected. Once the Appeals Board meeting has taken place schools will be notified of the outcome of their appeal.

Further meetings of the Appeals Board will be held as required in June and October, 2012. The Appeals Board operates independently of the Department and its decision is final.

The final staffing position for all schools will ultimately not be known until later in 2012. At that stage the allocation process will be fully completed and any appeals to the Staffing Appeal Board will have been considered.

Departmental Expenditure

211. **Deputy Mary Mitchell O'Connor** asked the Minister for Education and Skills if he will provide in tabular form the cost of the provision of transition year imposed on the Exchequer each year since its conception; and if he will make a statement on the matter. [16660/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The Transition Year was introduced as a pilot project in September 1974, and was mainstreamed in September 1994.

My Department is not in a position to provide the information requested by the Deputy going back to 1974. Schools offering transition year are provided with additional teaching and financial resources in respect of the cohort of pupils availing of the programme.

In the current school year, an additional teacher allocation is given to each school in the Free Education Scheme offering the transition year based on a pupil teacher ratio (PTR) of 19 to 1. In the case of fee-charging schools, the PTR applicable is 20 to 1. My Department has allocated circa 1,600 whole time equivalent teaching posts in the 2011/2012 school year in respect of transition year.

Schools in the Free Education Scheme also qualify for payment of a transition year grant of €95 for each pupil participating in the programme. Fee-charging schools do not receive any grant aid. The estimated cost of transition year grants in 2012 is €2.5m.

School Curriculum

212. **Deputy Mary Mitchell O'Connor** asked the Minister for Education and Skills if there is a national transition year curriculum programme; and if he will make a statement on the matter. [16661/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The Transition Year (TY) is a one-year programme that forms the first year of a three-year senior cycle.

It is designed to act as a bridge between the Junior Certificate and Leaving Certificate programmes. It is available to all second level schools. Transition Year is optional for students in most schools. Some 28,500 students in 550 post-primary schools follow this option.

Each school designs its own Transition Year programme to suit the needs and interests of its students. The Transition Year Programmes document 1994-95 published in 1993 provides overarching guidelines in the Transition Year.

School Staffing

213. **Deputy Mary Mitchell O'Connor** asked the Minister for Education and Skills the number of teachers that are employed by the State to teach transition year students; and if he will make a statement on the matter. [16662/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The management authority of each school carries responsibility for making decisions regarding the Transition Year (TY) Programme in that school. Based on information available to my Department the number of students enrolled in the Transition Year programme for the 2011/2012 school year is 30,536 with circa 1,600 whole time equivalent teaching posts allocated in respect of same.

Transition Year Programme

214. **Deputy Mary Mitchell O'Connor** asked the Minister for Education and Skills if he will provide in tabular form the number of students who are partaking in transition year in 2012; the number of students per year who have partaken in transition year since its inception; and if he will make a statement on the matter. [16663/12]

215. **Deputy Mary Mitchell O'Connor** asked the Minister for Education and Skills if he will provide in tabular form the number of students as a percentage of the cohort of eligible students

who are partaking in transition year in 2012; the percentage who have partaken in transition years since it's inception; and if he will make a statement on the matter. [16664/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 214 and 215 together.

The information sought by the Deputy is not readily available. I have asked my officials to compile the information for the past five years and to forward it to the Deputy as soon as it is available.

216. **Deputy Mary Mitchell O'Connor** asked the Minister for Education and Skills if his attention has been drawn to any Irish or international research that has proven education or social benefits resulting from participation in transition year; and if he will make a statement on the matter. [16665/12]

Minister for Education and Skills (Deputy Ruairí Quinn): An evaluation of the Transition Year Programme was published by the ESRI in 2005. A key finding from this study was that school principals and teachers see the Transition Year programme as broadly successful, especially in developing personal and social skills among students.

The evaluation showed that transition year students were 1.3 more likely to enter higher education, and achieved higher grade point averages in the Leaving Certificate than non transition year programme students. The advantage of this may be related to longer exposure to the various subjects, more maturity, better selection of senior cycle subjects, and experience of self directed learning leading to improved study skills.

The Transition Year Programme is designed to enable students to experience a wide range of educational inputs, sample subjects which have not been taken at lower second level, and provide for a strong focus on personal development, collaborative, self directed and experiential learning, learning in the community and work experience. Increased maturity, social awareness, social competence, and enhanced career awareness are important outcomes from the programme.

There are no formal examinations, but schools provide for assessment through a range of test, journal, project and portfolio approaches. Most schools offer a mix of academic subjects, a key focus on personal and social development, ICT and work related learning, taster programmes and civic, cultural, sport and leisure options. Mini-company, where students set up and operate a real business, enterprise and work experience are popular options in schools.

School musicals, fashion shows, participation in competitions such as the Young Scientist and the Young Enterprise and the Young Social Innovators Programme provide important opportunities for students to hone their research, planning, teamwork, evaluation, and critical reflection skills.

Some 28,500 students in 550 post-primary schools follow this option (approx 50% of cohort).

School Curriculum

217. **Deputy Mary Mitchell O'Connor** asked the Minister for Education and Skills if his attention has been drawn to the average extra cost imposed on families who have a child partaking in transition year; and if he will make a statement on the matter. [16666/12]

Minister for Education and Skills (Deputy Ruairí Quinn): Information concerning the costs referred to by the Deputy is not available to my Department.

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The key aim of the Transition Year Programme is to provide for a strong focus on personal development, collaborative and experiential learning, learning in the community and work experience. The programme is also designed to enable students to experience a wide range of educational inputs, and sample subjects which have not been taken at lower second level. It is a maturing process and a chance to engage in group work, project work and self directed learning.

Schools are free to devise a flexible modular programme within an overall framework set out by my Department. The cost therefore of the programme is dependent upon the particular circumstances in any individual school.

My Department provides specific teaching resources and additional grant aid to schools that offer transition year.

Question No. 218 answered with Question No. 197.

219. **Deputy Brendan Smith** asked the Minister for Education and Skills if he will indicate the level of resources which would normally be provided by him to a new post primary school for the purposes of establishing its first transition year programme; if he will indicate the best practice guidelines that are available to schools in relation to transition year including class and group sizes, admissions, policy admission appeals, programme content and so on; and if he will make a statement on the matter. [16690/12]

220. **Deputy Brendan Smith** asked the Minister for Education and Skills if he will indicate the resources, if any, sought by a school (details supplied) for the establishment of a transition year programme for the 2012/2013 academic year; and if he will make a statement on the matter. [16691/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos 219 and 220 together.

The Transition Year (TY) is a one-year programme that forms the first year of a three-year senior cycle. It is designed to act as a bridge between the Junior Certificate and Leaving Certificate programmes. It is available to all second level schools.

Each school designs its own Transition Year programme to suit the needs and interests of its students. A Transition Year Programmes document is published on my Department's website and provides overarching guidelines on the Transition Year.

The management authority of each school carries responsibility for making decisions regarding the Transition Year Programme in that school. In some schools, the programme is compulsory for all students. In those that offer it as an option, circumstances may arise where it is necessary to limit the number of students who can avail of it.

It is the board of management of each individual school that decides the number of places available to students on programmes such as Transition Year. In cases where restrictions apply, schools should have clear procedures regarding how places are allocated to students.

My Department has recently published Circular 0009/2012 setting out the staffing arrangements for post-primary schools for the 2012/13 school year. A proportion of posts allocated to post-primary schools are determined on the basis of ratios of recognised pupils to teachers for the various approved programmes including Transition Year. The pupil teacher ratio (PTR) applicable in respect of Transition Year pupils is equal to the PTR applicable in respect of pupils enrolled in programmes such as the Junior Certificate, Leaving Certificate, Leaving Certificate Applied and Leaving Certificate Vocational (LCVP) programmes.

The school referred to by the Deputy has projected that there will be 24 pupils in Transition Year for the 2012/13 school year. These pupils will be included in the overall enrolment of the school when determining the 2012/13 staffing allocation for the school. The school has been provisionally allocated 3 additional whole time equivalent teaching posts in respect of its total projected enrolment figure (including its TY pupils) for 2012/13

Schools Building Projects

221. **Deputy Paul J. Connaughton** asked the Minister for Education and Skills the reason a school (details supplied) in County Galway was not included in the school building programme considering it had been approved for school building for the past number of years; and if he will make a statement on the matter. [16694/12]

Minister for Education and Skills (Deputy Ruairí Quinn): In view of the need to ensure that every child has access to a school place, the delivery of major school projects to meet the demographic demands nationally will be the main focus for capital investment in schools in the coming years. The five year programme announced on March 12th is focused on meeting those demographic needs. In that context, it was not possible to advance all applications for capital funding concurrently.

The process of appointing a design team for the major school building project referred to by the Deputy is nearing completion. Once appointed, the design team will start commence work on Stage 1 of architectural planning. School building projects currently in, or entering into, architectural planning, including the project referred to by the Deputy, will continue to be advanced incrementally over time within the context of the funding available.

222. **Deputy Paul J. Connaughton** asked the Minister for Education and Skills the reason a school (details supplied) in County Galway was not included in the school building programme considering it had been approved for school building for the past number of years; and if he will make a statement on the matter. [16695/12]

Minister for Education and Skills (Deputy Ruairí Quinn): In view of the need to ensure that every child has access to a school place, the delivery of major school projects to meet the demographic demands nationally will be the main focus for capital investment in schools in the coming years. The five year programme announced on March 12th is focused on meeting those demographic needs. In that context, it was not possible to advance all applications for capital funding concurrently.

The building project for the school referred to by the Deputy is currently at an advanced stage of architectural planning and the Stage 2(b) submission (Detailed Design) was approved by the Departments Planning and Building Unit on 30th November 2011.

However, in light of current competing demands on the Department's capital budget, it is not possible to progress this project to tender and construction at this time.

223. **Deputy Paul J. Connaughton** asked the Minister for Education and Skills the reason a school (details supplied) in County Galway was not included in the school building programme considering it had been approved for school building for the past number of years; and if he will make a statement on the matter. [16696/12]

Minister for Education and Skills (Deputy Ruairí Quinn): In view of the need to ensure that every child has access to a school place, the delivery of major school projects to meet the demographic demands nationally will be the main focus for capital investment in schools in the coming years. The five year programme announced recently is focused on meeting those

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demographic needs. In that context, it was not possible to advance all applications for capital funding concurrently.

The building project for the school referred to by the Deputy is currently at an advanced stage of architectural planning. The Design Team are currently working on Stage 2(b) of Architectural Planning which includes securing Planning Permission, Fire Certificate and Disability Access Certificate (DAC) and the preparation of tender documents.

School building projects currently in architectural planning, including the project referred to by the Deputy, will continue to be advanced incrementally over time within the context of the funding available.

However, in light of current competing demands on the Department's capital budget, it is not possible to progress this project to tender and construction at this time.

Special Educational Needs

224. **Deputy Aodhán Ó Ríordáin** asked the Minister for Education and Skills in relation to a school (details supplied) the position regarding the Health Service Executive recommendations compiled after inspection; the position regarding the implementation of the recommendations; if he will provide any proposals he may have regarding the training of teachers in specialised autism units, with regard to primary schools with Applied Behaviour Analysis instruction; if he accepts instruction through ABA is an effective and successful method; and if he will make a statement on the matter. [16702/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I am pleased to advise the Deputy that the Board of Management of the school in question has advised that the recommendations of the HSE report have been implemented in full. My Department remains in regular contact with the school and my officials will continue to monitor the position. My Inspectorate visited the school recently.

The Deputy will be aware that my Department's policy is focused on ensuring that all children including those with autism can have access to an education appropriate to their needs, preferably in school settings through the primary and post primary school network. This facilitates access to individualised education programmes, fully qualified professional teachers who may draw from a range of autism-specific interventions, including Applied Behaviour Analysis (ABA), Treatment and Education of Autistic Communication Handicapped Children (TEACCH) and Picture Exchange Communications System (PECS).

The Deputy will be familiar with the standards associated with qualified teachers, the registration of qualified teachers required by the Teaching Council, the probationary process, whereby teachers are supported and advised by the inspectorate during their first year of teaching. Furthermore the Department recognises that specialised training and continued professional development (CPD) is important for staff working with children with special educational needs and supports the provision of CPD through the Special Education Support Service (SESS) which was specifically established for this purpose. The SESS co-ordinates and delivers a range of professional development initiatives and support structures for school personnel working with students with special educational needs.

Grant Payments

225. **Deputy John McGuinness** asked the Minister for Education and Skills if an appeal against his decision not to pay 40 hours of home tuition will be expedited in respect of persons

(details supplied) in County Kilkenny; and if he will make a statement on the matter. [16722/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I wish to inform the Deputy that my Department has, as an exceptional measure, agreed to pay the full amount of grant aid in this case.

The persons to which the Deputy refers have been notified of this decision.

Disadvantaged Status

226. **Deputy John McGuinness** asked the Minister for Education and Skills the length of time it will take to consider a submission from a school (details supplied) in County Kilkenny with regard to the proposed cuts in teaching posts in DEIS schools; if he will protect the existing levels of service available to the students/parents of this school and enhance the service where possible as this is the only DEIS school in Kilkenny of junior cycle pupils; and if he will make a statement on the matter. [16725/12]

Minister for Education and Skills (Deputy Ruairí Quinn): My Department has considered a submission received from the school to which the Deputy refers in January 2012 in relation to proposed Budget measures.

The staffing arrangements for the 2012/13 school year are set out in Primary Circular 0007/2012 which is available on my Department's website. This includes details of the reform of the allocation process which is designed to bring a more equitable distribution of existing posts between schools.

The overall objective with the reforms is to enable the teacher allocation and redeployment process to operate more smoothly and efficiently within the new climate of fixed ceilings on teaching posts. The changes are designed to give a more equitable distribution of existing posts between schools, give earlier certainty to schools about their staffing allocations and, where possible, simplify and streamline existing processes and give greater autonomy to schools.

The new arrangements incorporate a long overdue updating of the General Allocation Model (GAM) combining learning support for high incidence special needs and language support for all schools. It also includes changes to NCSE approved (low incidence) resource hours in the base schools or in neighbouring schools. This approach builds on the interim arrangements that operated in 2011 but in a more structured and transparent manner.

The school to which the Deputy refers was among the 140 DEIS Band 1 and Band 2 schools included in the recent report on the impact, in terms of posts, that certain Budget measures would have on these schools.

The main focus of this report concerned additional posts allocated under disadvantage schemes predating DEIS. The outcome of this report was published last month and schools were notified of the Government's decision to retain these posts in DEIS Band 1 and Band 2 Schools.

As I have already indicated, I requested my Department to examine these schools due to conflicting number of posts being reported as potentially lost to these schools. It was necessary to obtain clarity with regard to the net effect of a range of factors on teacher allocations in these schools; for example, increasing and decreasing enrolments, the reforms to the existing teacher allocations process and up to date enrolments, all of which contribute to determining the staffing requirement for these schools for 2012/13 school year.

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Applying the new staffing schedule for Band 1 schools and the Government's decision in relation to schools retaining posts from previous disadvantage schemes ensures that these schools can continue to implement the appropriate favourable pupil teacher ratios from previous disadvantage schemes while not exceeding this entitlement for 2012/13 school year. Notification issued to the school outlining the teaching staff allocation for 2012/13. There is no change to the number of teaching staff allocated to this school for 2012/13 over their current teaching staff compliment.

The allocation processes also include an appeals mechanism under which schools can appeal against the allocation due to them under the staffing schedules. The appeal procedures are set out in the circular referred to above.

For the coming school year the existing staffing appeals criteria have been extended to enable some limited phasing arrangements for schools where the combination of budget and reform measures impact on a particularly adverse manner on a school's overall allocation. The closing date for submission of appeal is 23 March, 2012.

The Appeal Boards operate independently of the Department and their decisions are final.

The final staffing position for all schools at primary level will ultimately not be known until the Autumn. At that stage the allocation process will be fully completed and any appeals to the Staffing Appeal Boards will have been considered.

School Staffing

227. **Deputy John McGuinness** asked the Minister for Education and Skills the time frame for considering a submission and appeal in respect of a school (details supplied) in County Kilkenny relative to the retention of a fourth mainstream class teacher and if he will expedite a response [16734/12]

246. **Deputy Brendan Smith** asked the Minister for Education and Skills when he expects the final staffing position for primary schools to be known taking into account the work of the appeals board; and if he will make a statement on the matter. [16944/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 227 and 246 together.

The closing date for submission of appeals for the April meeting of the Staffing Appeals Board was 23 March, 2012. The Appeals Board meeting will take place on Wednesday 18 April, 2012 which will be prior to the release of the main redeployment panel and allow for any impact of the Board's decision on redeployment panels to be effected. Once the Appeals Board meeting has taken place schools will be notified of the outcome of their appeal.

Further meetings of the Appeals Board will be held as required in June and October, 2012. The Appeals Board operates independently of the Department and its decision is final. The final staffing position for all schools will ultimately not be known until later in 2012. At that stage the allocation process will be fully completed and any appeals to the Staffing Appeal Board will have been considered.

Schools Building Projects

228. **Deputy Jim Daly** asked the Minister for Education and Skills the position regarding an application for an extension to a school (details supplied) in County Cork; if he will confirm whether the position has advanced since his reply on this issue of 1 March 2012; and if he will make a statement on the matter. [16742/12]

Minister for Education and Skills (Deputy Ruairí Quinn): Officials from my Department have recently been in contact with the school to which the Deputy refers and further information regarding their application has been received. This is currently under consideration and a decision will be conveyed to the school in due course.

Question No. 229 answered with Question No. 182.

Higher Education Grants

230. **Deputy Éamon Ó Cuív** asked the Minister for Education and Skills the method by which the distance from a person's normal residence to an approved institution is measured for the purposes of determining whether an applicant is eligible for an adjacent or non-adjacent grant under the student grant scheme 2011; and if he will make a statement on the matter. [16754/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The measurement of the distances for student grant purposes is a matter for grant awarding bodies — the relevant local authority or VEC.

There has been no change as to how these distances are measured. As in the past for all cases, the shortest most direct route to the institution attended is measured. I understand that a range of mechanisms can be used, for example, online mapping such as AA Route Planner and Google Maps.

If the distance is disputed, the matter should be taken up with the grant awarding body concerned. In some cases, it may be necessary to carry out a physical measurement.

Stay Safe Programme

231. **Deputy Brendan Smith** asked the Minister for Education and Skills if, due to the new primary school staffing schedules, a school is reduced to a staffing complement of one, and if there is no other support staff in that school, he will outline the implications, if any, in relation to the implementation of child protection protocols; and if he will make a statement on the matter. [16757/12]

Minister for Education and Skills (Deputy Ruairí Quinn): Last Autumn, my Department published updated “Child Protection Procedures for Primary and Post-Primary Schools”. These procedures are based on the recently published “Children First — National Guidance for the Protection and Welfare of Children 2011” and apply to all primary and post-primary schools, irrespective of size.

The new procedures incorporate significant improvements to the previous school guidelines and are intended to better ensure consistent and uniform implementation of Children First across all schools. The improvements include a new template child protection policy, a requirement that all primary schools fully implement the Stay Safe programme and also put in place improved oversight arrangements at Board of Management level.

Higher Education Grants

232. **Deputy Brendan Griffin** asked the Minister for Education and Skills his views on a matter (details supplied); and if he will make a statement on the matter. [16783/12]

Minister for Education and Skills (Deputy Ruairí Quinn): As I announced last December, the means test for student grants will be amended to take account of the value of certain capital assets as well as income for the 2013/14 academic year.

[Deputy Ruairí Quinn.]

A dedicated Capital Asset Test implementation group has been established. The group has been charged with bringing forward detailed implementation proposals on new means testing arrangements for student grants, to include the value of assets, for new applicants from the 2013/14 academic year. No decision has been taken on the treatment of farm or other business assets. In the circumstances, I am not in a position to say at this time what assets may be included.

However, any proposals will require further Government agreement and necessitate legislative amendment.

School Staffing

233. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills his views on a matter (details supplied) regarding small schools; and if he will make a statement on the matter. [16822/12]

Minister for Education and Skills (Deputy Ruairí Quinn): As part of the Budget decisions announced, the number of pupils required to gain and retain a teaching post in small primary schools will be gradually increased between September 2012 and September 2014. The schools concerned are those with four or less classroom teachers. The phasing of these measures can provide the schools concerned with time to consider the potential for amalgamation with other schools where this is feasible. If amalgamations take place, they will be voluntary and follow decisions taken by local communities and not by my Department.

This Government recognises that small schools are an important part of the social fabric of rural communities. They will continue to be a feature of our education landscape. However, this does not mean that small schools can stand still or never have their staffing levels changed to something that is more affordable and sustainable for these difficult and challenging times. The teachers in small schools cannot be immune from the requirement that is being asked of all public servants to deliver our public services on a reduced level of resources.

My Department has expanded the existing appeals process so that it is accessible to the 73 small schools that are losing a classroom post as a result of the budget measure. These schools won't lose their classroom post if any of them are projecting increased enrolments in September 2012 that would be sufficient to allow them to retain their existing classroom posts over the longer term. The detailed arrangements are set out in the Department's Staffing Circular that is now published on my Department's website. The closing date for submission of appeals for the April meeting of the Staffing Appeals Board was 23 March, 2012. The Appeals Board meeting will take place on Wednesday 18 April, 2012 which will be prior to the release of the main redeployment panel and allow for any impact of the Board's decision on redeployment panels to be effected.

The Appeals Board operates independently of the Department and its decision is final.

School Transport

234. **Deputy Charlie McConalogue** asked the Minister for Education and Skills if he will grant an exemption to proposed changes in school transport rules in relation to students (details supplied) if it can be demonstrated that there will not be a cost saving to enforcing the proposed changes and that doing so would lead to overcrowding issues; and if he will make a statement on the matter. [16826/12]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): From the commencement of the 2012/13 school year, the use of the Catchment Boundary Area (CB) System as a means of determining eligibility will cease for all pupils newly entering post primary school. This means that from the 2012/13 school year, school transport eligibility for all pupils newly entering a post primary school will be determined by reference to the distance they reside from their nearest post-primary education centre having regard to ethos and language. This change was announced as part of Budget 2011 but is not being introduced until the 2012/13 school year in order to allow parents of children newly entering post primary school ample time to consider their school choice options, taking account of the revised school transport eligibility arrangements.

At post primary level, the evidence is, as set out in the Value for Money Review of the School Transport Schemes, that the majority of children are attending their nearest post primary school/centre.

The changes to the Post Primary School Transport Scheme will be applied equitably on a national basis.

Residential Institutions Redress Scheme

235. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills his views on a matter (details supplied) regarding survivor groups; and if he will make a statement on the matter. [16840/12]

Minister for Education and Skills (Deputy Ruairí Quinn): My Office has corresponded previously with the person concerned.

The position in relation to the proposed Statutory Fund is that last July, I announced that the Government was proceeding with legislation to provide for the establishment of a Statutory Fund to support the needs of victims of residential institutional abuse, as endorsed by Dáil Éireann in the aftermath of the publication of the Ryan Report in 2009. The legislative proposals followed extensive consultations with survivors of residential abuse and the groups which support them, together with a public consultation process. In this context, the report on the consultation process and the General Scheme of the Residential Institutions Statutory Fund Bill were published on my Department's website.

Some former residents advocated a simple distribution of the available money rather than the establishment of the Statutory Fund. However, as I outlined when I published the legislative proposals, I believe that the Fund should target resources at services to support former residents' needs. The General Scheme outlines the range of services proposed.

I had a very constructive meeting with groups representing survivors of residential institutional abuse on 22nd July last, when we discussed the Government's approach to the proposed Statutory Fund. The minutes of this meeting are also available on my Department's website.

Work on the drafting of the Bill is currently being finalised and I expect to be in a position to publish it very shortly.

State Examinations

236. **Deputy Brendan Smith** asked the Minister for Education and Skills the number of retired teachers involved in oral Irish examinations, oral French examinations, oral German examinations and oral Spanish examinations in the State Examinations 2011; and if he will make a statement on the matter. [16921/12]

237. **Deputy Brendan Smith** asked the Minister for Education and Skills the number of retired teachers employed supervising the State Examinations 2011; and if he will make a statement on the matter. [16923/12]

238. **Deputy Brendan Smith** asked the Minister for Education and Skills the number of then recently qualified graduates who applied for employment with the State Examinations 2011; the number that were offered employment; and if he will make a statement on the matter. [16924/12]

239. **Deputy Brendan Smith** asked the Minister for Education and Skills the number of retired teachers involved in oral Irish examinations, oral French examinations, oral German examinations and oral Spanish examinations in the State Examinations 2012; and if he will make a statement on the matter. [16925/12]

240. **Deputy Brendan Smith** asked the Minister for Education and Skills the number of recently qualified graduates who applied for employment with the State Examinations 2012; the number that were offered employment; and if he will make a statement on the matter. [16926/12]

241. **Deputy Brendan Smith** asked the Minister for Education and Skills the number of retired teachers who were employed to correct examination papers for the State Examinations 2011; and if he will make a statement on the matter. [16927/12]

242. **Deputy Brendan Smith** asked the Minister for Education and Skills the number of retired teachers who will be employed to correct examination papers for the State examinations 2012; and if he will make a statement on the matter. [16928/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 236 to 242, inclusive, together.

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.

School Staffing

243. **Deputy Brendan Smith** asked the Minister for Education and Skills the total staffing complement for a school (details supplied) in Dublin 1 for 2011/2012; the number of teachers this school will have for the next school year; if this school will retain its existing entitlements under DEIS Band 1 school categorisation; and if he will make a statement on the matter. [16929/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The total staffing compliment for the school referred to by the Deputy in 2011/12 is 7.83 posts. The staffing arrangements for the 2012/13 school year are set out in Primary Circular 0007/2012 which is available on my Department's website. This includes details of the reform of the allocation process which is designed to bring a more equitable distribution of existing posts between schools.

The overall objective with the reforms is to enable the teacher allocation and redeployment process to operate more smoothly and efficiently within the new climate of fixed ceilings on

teaching posts. The changes are designed to give a more equitable distribution of existing posts between schools, give earlier certainty to schools about their staffing allocations and, where possible, simplify and streamline existing processes and give greater autonomy to schools.

The new arrangements incorporate a long overdue updating of the General Allocation Model (GAM) combining learning support for high incidence special needs and language support for all schools. It also includes changes to NCSE approved (low incidence) resource hours in the base schools or in neighbouring schools. This approach builds on the interim arrangements that operated in 2011 but in a more structured and transparent manner.

The school to which the Deputy refers was among the 140 DEIS Band 1 and Band 2 schools included in the recent report on the impact, in terms of posts, that certain Budget measures would have on these schools.

The main focus of this report concerned additional posts allocated under disadvantage schemes pre-dating DEIS. The outcome of this report was published last month and schools were notified of the Government's decision to retain these posts in DEIS Band 1 and Band 2 Schools.

As I have already indicated, I requested my Department to examine these schools due to conflicting number of posts being reported as potentially lost to these schools. It was necessary to obtain clarity with regard to the net effect of a range of factors on teacher allocations in these schools; for example, increasing and decreasing enrolments, the reforms to the existing teacher allocations process and up to date enrolments, all of which contribute to determining the staffing requirement for these schools for 2012/13 school year.

Applying the new staffing schedule for Band 1 schools and the Government's decision in relation to schools retaining posts from previous disadvantage schemes ensures that these schools, including the school referred to by the Deputy, can continue to implement the appropriate favourable pupil teacher ratios from previous disadvantage schemes while not exceeding this entitlement for 2012/13 school year.

The allocation processes also include an appeals mechanism under which schools can appeal against the allocation due to them under the staffing schedules. The appeal procedures are set out in the circular referred to above.

For the coming school year the existing staffing appeals criteria have been extended to enable some limited phasing arrangements for schools where the combination of budget and reform measures impact on a particularly adverse manner on a school's overall allocation. The closing date for submission of appeal is 23 March, 2012. The Appeal Boards operate independently of the Department and their decisions are final.

The final staffing position for all schools at primary level will ultimately not be known until the Autumn. At that stage the allocation process will be fully completed and any appeals to the Staffing Appeal Boards will have been considered.

Schools Refurbishment

244. **Deputy John McGuinness** asked the Minister for Education and Skills the position regarding an application for major capital works at a school (details supplied) in County Carlow; if correspondence sent to his Department by the board of management has been processed; and if he will make a statement on the matter. [16936/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I can confirm that the school referred to by the Deputy has an application with the Department for a major school project involving school refurbishment and ancillary accommodation. Information in respect of the

[Deputy Ruairí Quinn.]

current school building programme along with all assessed applications for major capital works, including this project, is available on the Department's website at *www.education.ie*.

In view of the need to prioritise available funding for the provision of additional school accommodation, the delivery of major school projects required to meet demographic demands nationally will be the main focus for capital investment in schools in the coming years. The five year programme announced on 12th March is focused on meeting those demographic needs. It is not possible therefore to give an indicative timeframe for the progression of this school project at this time. I wish however to advise the Deputy that to meet its immediate accommodation needs, my Department sanctioned devolved funding to the school in June last to facilitate the building of a permanent additional mainstream classroom.

Special Educational Needs

245. **Deputy Finian McGrath** asked the Minister for Education and Skills if he will end the proposed reduction in provision for special needs students at exam time (details supplied). [16943/12]

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.

Question No. 246 answered with Question No. 227.

School Staffing

247. **Deputy Tom Hayes** asked the Minister for Education and Skills the reason a DEIS Band 1 primary school (details supplied) in County Tipperary, which had two legacy posts, has not had these posts reinstated in their staffing schedule for 2012/13 as per his announcement that he was reversing the proposed cuts to DEIS Band 1 and 2 Schools, and that they would not lose any teachers; and if he will make a statement on the matter. [16960/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The staffing arrangements for the 2012/13 school year are set out in Primary Circular 0007/2012 which is available on my Department's website. This includes details of the reform of the allocation process which is designed to bring a more equitable distribution of existing posts between schools.

Applying the new staffing schedule for Band 1 schools to this school, it is due to lose one mainstream class teacher for the 2012/13 school year due to falling enrolment.

The overall objective with the reforms is to enable the teacher allocation and redeployment process to operate more smoothly and efficiently within the new climate of fixed ceilings on teaching posts. The changes are designed to give a more equitable distribution of existing posts between schools, give earlier certainty to schools about their staffing allocations and, where possible, simplify and streamline existing processes and give greater autonomy to schools.

The new arrangements incorporate a long overdue updating of the General Allocation Model (GAM) combining learning support for high incidence special needs and language support for all schools. It also includes changes to NCSE approved (low incidence) resource hours in the

base schools or in neighbouring schools. This approach builds on the interim arrangements that operated in 2011 but in a more structured and transparent manner.

The school to which the Deputy refers is a DEIS Band 1 School but was not among the 140 DEIS Band 1 and Band 2 schools included in the recent report on the impact, in terms of posts, that certain Budget measures would have on these schools, the main focus of which concerned additional posts allocated under disadvantage schemes pre-dating DEIS.

The allocation processes also include an appeals mechanism under which schools can appeal against the allocation due to them under the staffing schedules. The appeal procedures are set out in the circular referred to above.

For the coming school year the existing staffing appeals criteria have been extended to enable some limited phasing arrangements for schools where the combination of budget and reform measures impact on a particularly adverse manner on a school's overall allocation. The closing date for submission of appeals for the April meeting of the Staffing Appeal Board was 23 March, 2012.

The school to which the Deputy refers has not submitted an appeal.

Pension Provisions

248. **Deputy Aodhán Ó Ríordáin** asked the Minister for Education and Skills the position regarding an application for early retirement in respect of a person (details supplied) in Dublin 5; and if he will make a statement on the matter. [16965/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The person in question has not applied for early retirement at this time. However, he has recently sought details from my Department as to the earliest date at which he may retire with a pension. The information sought by the person in question is being compiled in the Pension Unit of my Department and will issue to the person in question within the next 2 weeks which is well within the timeframe outlined in my Department's Business Plan for the provision of such information.

Higher Education Grants

249. **Deputy Aodhán Ó Ríordáin** asked the Minister for Education and Skills the position regarding a student grant application to Dublin VEC (details supplied); and if they may appeal a decision as they did not receive correspondence from the VEC and therefore did not supply additional information. [16992/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The decision on eligibility for grant assistance under the student grant scheme is a matter for the relevant grant awarding authority, i.e. local authority or Vocational Education Committee.

The closing date for receipt of completed grant applications including all required supporting documentation for the 2011/12 academic year was the 31st August, 2011. It is a matter for each grant awarding authority to determine, at its own absolute discretion, whether or not to accept a late application or outstanding documentation submitted after the closing date.

As this is a matter between the candidate and the grant awarding authority concerned, any queries in relation to the candidate's grant application, correspondence issued to the candidate or outstanding documentation should be directed to the VEC.

250. **Deputy Seán Ó Fearghail** asked the Minister for Education and Skills if he will expedite an appeal in the case of a student grant application (details supplied) in County Kildare; if he will consider the issues raised in correspondence; and if he will make a statement on the matter. [16993/12]

Minister for Education and Skills (Deputy Ruairí Quinn): A student may appeal the decision of the grant awarding authority's appeals officer to my Department or the Student Grants Appeals Board, as appropriate.

Appeals on grant applications made under the Student Grant Scheme 2011 and subsequent schemes are appropriate to the Appeals Board. This is provided for under the Student Support Act 2011. Appeals on applications under all previous schemes are appropriate to my Department.

As the appeal from the student referred to by the Deputy related to a grant application made under a previous scheme, it was considered by my Department rather than the Appeals Board. A response has recently issued from my Department to the student.

National Lottery Funding

251. **Deputy John McGuinness** asked the Minister for Education and Skills if he will confirm the amount of National Lottery funds allocated to his Department; if the funds are spent on specific projects; if so, the name of the project; if the National Lottery fund is allocated to the general spend by his Department; and if he will make a statement on the matter. [17012/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The Revised Estimates Volume (REV) published by the Department of Public Expenditure and Reform provides summary details of programmes part-financed by the National Lottery and disbursed by relevant Government Departments and Offices. The REV provides these details at Vote subhead level and identifies the aggregate amount of National Lottery funding towards the programmes in question, together with the amount of Exchequer funding. For example the 2012 REV identifies that estimated total expenditure of €339 million will be financed by €220 million from the National Lottery, with the remainder funded by the Exchequer (reference page 245 of the 2012 REV).

€147,000 in funding has been allocated to my Department's Vote for expenditure in 2012 which will be part-financed by the National Lottery. The allocations for specific recipients have not yet been finalised.

For the information of the Deputy I enclose details of National Lottery related expenditure disbursed by my Department in 2010 and 2011 in a spreadsheet.

2010 National Lottery Funding from Vote 26 — Education and Skills

6.1 National Lottery Funding

Under subheads B.1 and B.14, a total of €1.06 million was grant aided in 2010 to support adult education and cultural activities. The subheads in Vote 26 from which the funding was paid are noted below. This expenditure is part-financed by National Lottery funding.

Recipients of Funding from National Lottery

	2010	2009
	€000	€000
Expenses of Adult Education Organisations (Subhead B.1.)	864	941
Cultural Activities (Subhead B.14.)	196	207
Total	1,060	1,148

Recipients of Grants from Subhead B.1 — Adult Education Organisations

Name of Recipients	Sum Received 2010	Sum Received 2009
	€000	€000
Aontas	440,000.00	477,000.00
National Adult Literacy Agency	302,000.00	333,000.00
Peoples College	99,000.00	108,000.00
Irish Countrywomen's Association	23,000.00	23,000.00
Total	864,000.00	941,000.00

Recipients of Grants from Subhead B.14 — Cultural Activities

Name of Recipients	Sum Received 2010	Sum Received 2009
	€000	€000
Foras Éireann	11,000.00	11,400.00
National Youth Orchestra of Ireland	108,000.00	114,000.00
Feis Maitiu	38,500.00	41,000.00
Artane School of Music	38,500.00	41,000.00
Total	196,000.00	207,400.00

Appointments to State Boards

252. **Deputy Jonathan O'Brien** asked the Minister for Education and Skills if he will provide a full breakdown by gender of all appointments to State boards since February 2011; the current status of State boards in relation to the percentage of participation of women and men in each one; and if he will make a statement on the matter. [17560/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The information requested by the deputy is being compiled and will be forwarded in the near future.

Departmental Equipment

253. **Deputy Regina Doherty** asked the Minister for Education and Skills the number of laptops in use in his Department; the number of tablets in use in his Department; the number of the laptops in use that are due to be upgraded this year; and if he will make a statement on the matter. [17572/12]

Minister for Education and Skills (Deputy Ruairí Quinn): There are 439 laptops currently deployed within my Department. No tablet PCs have been purchased for use by officials.

My Department does not have an annual programme for the upgrading of laptops. Individual laptops are replaced when deemed beyond repair. Since the start of 2012, a need to replace 5 laptops has been identified.

Hazardous Waste

254. **Deputy Thomas P. Broughan** asked the Minister for Public Expenditure and Reform if he has published the report of the Working Group chaired by the Office of Public Works that was set up to examine all outstanding issues relating to the clean-up of the former Irish Steel

[Deputy Thomas P. Broughan.]

and Irish Ispat site at Haulbowline, County Cork; and if he will make a statement on the matter. [16092/12]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes): The Working Group, established by Government, to develop a structured and coherent approach to the further management and development of the former Irish ISPAT site at Haulbowline, County Cork, concluded its deliberations in May 2011 and issued its final report to Government.

It should be noted that matters pertaining to the clean up were outside the terms of reference of this Working Group.

It is a matter for Government to decide whether to publish the report.

Local Authority Services

255. **Deputy Simon Harris** asked the Minister for Public Expenditure and Reform if he has issued a directive to local authorities explaining the way construction and roofing companies can tender for infrastructure construction projects; and if he will make a statement on the matter. [16367/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): All policy, guidance and implementation measures relating to capital projects is published on the Construction Procurement Reform website www.constructionprocurement.gov.ie where the Capital Works Management Framework provides a suite of best practice guidance, standard contracts and generic template documents are available to download for all contracting authorities to provide a consistent approach to the management of public works projects.

The Capital Works Management Framework was introduced on a phased basis from 2007 and became mandatory for all contracting authorities through the issue of Department of Finance Circular 06/10 on 5 May 2010. The documents are updated and augmented where appropriate to respond to new developments in the industry and changes in the regulatory environment.

Under EU rules all public works contracts above €5m must be published in the Official Journal of the EU and on the eTenders website, whilst our national rules require all public works contracts above €50,000 to be advertised on the eTenders website. While there is no requirement to advertise works projects below €50,000 on eTenders or elsewhere, the principle of transparency and non-discrimination still needs to be satisfied. Where a Contracting Authority does not advertise for projects below €50,000 and has satisfied the principles in some other way, five firms should be invited to tender with the expectation that five tenders will be submitted. Department of Finance Circular 10/10 'Facilitating SME Participation in Public Procurement' requires all public works contracts up to €250,000 to be procured using an "Open" procedure.

Public Service Reform

256. **Deputy Gerry Adams** asked the Minister for Public Expenditure and Reform the progress that has been made in his plans to abolish 50 quangos; and if he will provide a list of which quangos are due to be abolished. [16406/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): As the Deputy will be aware the Public Service Reform Plan, published in November, demonstrated the Government's commitment to reform and the pursuit of efficiencies by deciding (i) to proceed with

the rationalisation of 48 bodies by the end of 2012 and (ii) the critical review of a further 46 bodies by the end of June 2012. Details of the bodies involved are set out in Appendices IIa and IIb of the Plan which can be found at: <http://reformplan.per.gov.ie/files/2012/01/Public-Service-Reform-28112011.pdf>.

With regard to the progress made, I refer the Deputy to my answer to Deputy Shane Ross (PQ Ref No: 7802/12) on 14 February 2012, which details the progress to date on rationalising the State bodies.

Sports Funding

257. **Deputy Eoghan Murphy** asked the Minister for Public Expenditure and Reform if he will consider asking the Office of Public Works to support an association (details supplied) in its efforts to secure the reopening of the real tennis court in Earlsfort Terrace. [16818/12]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes): I have agreed to meet representatives of the Irish Real Tennis Association in the coming weeks to hear their proposals.

Valuation Office

258. **Deputy Brendan Smith** asked the Minister for Public Expenditure and Reform if he will clarify the situation in relation to general revaluation currently on-going by the valuation office; the purpose and reason for same if requested by Government; if he will outline local authorities which have been completed and which are in progress; if the programme is on schedule or the action that can be taken to speed the process up; also in relation to local authorities completed, if a summary of findings can be outlined; if revaluations decided are in respect of individual properties or categories of property; if there has been any consistencies in the changes recommended particularly as between categories of properties; if same will be outlined; if he will clarify the original remit, if overall rate base can be reduced or if purpose is to reconfigure same; and if he will make a statement on the matter. [16919/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The work of the Valuation Office is underpinned by The Valuation Act 2001, which provides for the valuation of all commercial and industrial property. The Commissioner of Valuation is independent in the performance of his functions under the Act, and the making of valuations for local authority rating is his sole prerogative. In accordance with the 2001 Act, which came into force on 2nd May, 2002, a national programme is being rolled out progressively for the revaluation of all commercial and industrial properties in the State.

The revaluation programme aims to provide up-to-date valuations for individual properties across all economic sectors that are subject to local authority rates. It is an important programme, especially given the significant changes in values and rents following the economic downturn of recent years. The revaluation process is the mechanism whereby economic changes that take place in the property market are reflected in the valuation lists for rates purposes and in individual ratepayers' rates liabilities. The purpose of a revaluation is to redistribute commercial rates liabilities among ratepayers based on up-to-date values. Following revaluation, there will be a much closer relationship between rental value and commercial rates liability. Even though property values have fallen generally, some ratepayers will gain, while others will lose from the process of redistribution but, overall, there will be a fairer distribution of the rates burden. In general, however, more ratepayers have gained than lost in the revaluations carried out to date. A table illustrates the changes that have occurred in the areas already valued:

[Deputy Brendan Howlin.]

Local Authority Area	Ratepayers with a reduced rates liability following revaluation	Ratepayers with an increased rates liability following revaluation	New Property Valuations
South Dublin County	49%	39%	12%
Fingal County	65%	30%	5%
DunLaoghaire- Rathdown	54%	46%	0%

It is not the purpose of a revaluation to increase the total amount of commercial rates collected by local authorities. In fact, the relevant legislation (Valuation Act 2001 and the Local Government Business (Improvement Districts) Act 2006) provides that the commercial rates income of local authorities in the year following a revaluation is capped and cannot be increased, while there is no impediment to a decrease in the rates income under the legislation. The only increase in the total rates income of a local authority permitted in the year following publication of the new Valuation List is an increase for the rate of inflation.

The redistribution of the rates liability following revaluation is a function of market conditions at the date of valuation and the composition of the valuation list in terms of property type. Therefore, the trend of reduced or increased rates liability in certain sectors in the revaluations to-date may not be replicated in the revaluations of other areas.

The revaluation programme, which has been completed in three County Council areas in Dublin, began in November 2005 in the South Dublin County Council area and has since been rolled out to the areas covered by Fingal and Dún Laoghaire-Rathdown County Councils. The revaluation of South Dublin was completed in December 2007, Fingal was completed in 2009 and Dún Laoghaire-Rathdown was completed in 2010. The revaluation of Dublin City Council area was launched on the 5th May 2011 and the Commissioner signed valuation orders on 12th January, 2012 to commence the revaluation of the three local authority areas in Waterford. In addition, he has recently concluded consultations with the local authorities in Limerick and expects to sign valuation orders extending the revaluation programmes to these areas very shortly. It is intended to extend the revaluation programme to further local authority areas as soon as it is practicable to do so but it is not possible at present to say where these areas will be.

While the extension of the project to Dublin City is the major current focus, the Commissioner has expressed his concern that the present rate of progress may not allow the Office to complete the job nationally within the ten years from 2008 to which the Office previously committed.

The Valuation Office is actively pursuing ways to accelerate the revaluation programme. The Commissioner has indicated that, following detailed examination of various possibilities over the past year, the Office has concluded that it may be feasible to introduce a self-assessment approach, accompanied by appropriate controls, and that it might be possible also to outsource some of the work. As well as helping to speed up the national programme, an element of outsourcing, if it proves practicable, would allow comparison of the Valuation Office productivity and costs with those in the private sector. The enabling provisions to allow for these changes are included in proposals for amending legislation currently being drafted by the Parliamentary Draftsman and, subject to the enactment of the legislation; I understand that the intention would be to initiate pilot revaluations in two local authority areas using the new methodologies.

EU Funding

259. **Deputy Dessie Ellis** asked the Minister for Public Expenditure and Reform the rationale for excluding citizens in the Border, Midland and Western region from being identified under the Connecting Europe facility; and if he will make a statement on the matter. [16970/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): In October 2011, the European Commission announced a proposal to introduce the Connecting Europe Facility (CEF) — a plan to fund €50 billion worth of investment to improve Europe’s transport, energy and digital networks. The proposal’s key objectives are to improve competitiveness and make Europe’s economy greener by promoting cleaner transport modes, high speed broadband connections and facilitating the use of renewable energy in line with the Europe 2020 Strategy.

Discussions in relation to the structure of the CEF are ongoing and form part of the overall discussions on the Multi-Annual Financial Framework 2014-2020 and cohesion policy. The Facility is open to all Member States; the Border, Midland and Western region is not excluded, but I would point out that the proposal is not a structural funds regulation and as such, does not apportion funding on the basis of regions. Given that the Facility is aimed at large strategic, cross border, transnational projects and given Ireland’s position on the periphery of Europe, there may be limited scope for Ireland to access funding. My Department is examining the details of the proposal in conjunction with relevant departments (Department of Finance, Department of Communications, Energy and Natural Resources and Department of Transport, Tourism and Sport) and is exploring with them how we can maximise drawdown of funds for investing in digital, energy and transport infrastructure.

Departmental Staff

260. **Deputy Martin Heydon** asked the Minister for Public Expenditure and Reform the reason, when considering temporary vacancies in a Department, redeployment from other Departments or agencies is considered before the transfer list of the same Department is used; if this means employees on temporary contracts have a greater chance of transfer than permanent employees in the Department in which there are vacancies; and if he will make a statement on the matter. [16062/12]

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 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 Public Appointments Service (PAS) has put in place a system of Resource Panels of Civil Service and State Agency staff to support the redeployment processes in those sectors agreed under the Croke Park Agreement. It is a matter for the employer to identify the number and grades of posts to be redeployed in the first instance and to upload the posts onto the PAS panels. Posts to be filled by redeployment are offered in the first instance to the relevant panel or panels.

In situations where an organisation has a need for staff on a temporary basis it is considered reasonable to seek to fill these in the first instance from the redeployment Resource Panels. Where it is agreed that posts should be filled on a temporary basis by redeployment, a loan arrangement would apply. Staff on such assignments would remain as employees of their cur-

[Deputy Brendan Howlin.]

rent employer and be retained on the payroll of the sending organisation, with salary costs etc. being met on a recoupment basis.

National Monuments

261. **Deputy Brendan Griffin** asked the Minister for Public Expenditure and Reform if a member of staff (details supplied) will engage with locals in relation to an Office of Public Works site in County Kerry; and if he will make a statement on the matter. [16356/12]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes): Kilgobnait Church is a recorded national monument. It is not, however, in State ownership and does not come under the care of the Office of Public Works. The National Monuments Service of the Department of Arts, Heritage and the Gaeltacht has statutory responsibility for recorded national monuments and may be contacted in this regard.

Public Service Reform

262. **Deputy Michael Healy-Rae** asked the Minister for Public Expenditure and Reform his views on a matter (details supplied); and if he will make a statement on the matter. [16379/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): As the Deputy will be aware, this Government is committed to far reaching reform of the Public Service and providing better value for money in service delivery.

The Government's Public Service Reform Plan, which was published last November, outlines the priority actions and timelines for reform. These reforms reflect five major commitments to change, namely:

- placing customer service at the core of everything we do;
- maximising new and innovative service delivery channels;
- radically reducing costs to drive better value for money;
- leading, organising and working in new ways; and
- a strong focus on implementation and delivery.

As part of the Reform Plan, the Government has set a target of reducing public service staff numbers to 282,500 by end-2015, from a peak of 320,000 in 2008. The number of staff working in the Public Service continues to fall, with the provisional outturn for end-2011 standing at 296,900, which means that there has already been a reduction of over 23,000 and that we are now at close to the 2005 staffing levels.

In the context of these reduced numbers, together with the changed economic environment, it is necessary to look at new ways of working that use fewer resources and that provide real value for money for the Irish taxpayer by maximising efficiency and eliminating waste. This includes, for example, a strong focus on making greater use of technology and online service delivery; increased use of shared services to reduce costs across all sectors of the Public Service; a coordinated programme to improve key business processes; rationalisation of State Agencies and other bodies; and reorganisation of Public Service structures to ensure a more efficient, responsive and customer orientated Public Service.

The Reform Plan also commits to the identification and evaluation of further potential non-core activities suitable for external service delivery. My Department has recently written to all

Departments and Offices requesting them to carry out an assessment of potential areas of work/processes, both new and existing, within their Departments/Offices or wider sectors that could be done on a more cost effective basis through alternative delivery mechanisms and to report back with suggestions in this area. This information will form the basis for an integrated approach to the use of alternative services delivery models in the Public Service.

Departmental Staff

263. **Deputy Sean Fleming** asked the Minister for Public Expenditure and Reform if he will provide a list of staff in his Department that serve as directors of companies arising from their employment; the names of the companies involved; the annual remuneration received, if any; if they are indemnified by his Department in respect of their role as directors; and if he will make a statement on the matter. [16422/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): In response to the Deputy's question Mr. David Moloney Assistant Secretary responsible for Labour Market and Enterprise Policy, is a member of the Governing Council the Economic and Social Research Institute for which he receives no remuneration.

Ms. Marie McLaughlin Principal Officer is a director on the boards of the National Building Agency and the Housing and Sustainable Communities Agency Limited. She receives no remuneration in relation to serving on these boards.

The Office of the Attorney General has advised that people working for the State are entitled to be indemnified for such work. The indemnification would cover any reasonable legal fees and/or damages incurred where people are sued for undertaking their duties on behalf of the State provided they acted in good faith and in a bona fide manner. The State carries its own insurance in this regard. This indemnity would apply to those civil servants appointed to State boards as part of their official duties.

Ministerial Expenses

264. **Deputy Niall Collins** asked the Minister for Public Expenditure and Reform the amount of expenses claimed on a monthly basis since March 2011 by all Ministers attached to his Department; and if he will make a statement on the matter. [16456/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The information sought by the Deputy is set out in the tables below:

Minister Howlin's Expenses claims since March 2011

Month	Milage	Other Expenses	Total
May 2011	€1,949	Nil	€1,949
June 2011	€1,970	Nil	€1,970
July 2011	€911	Nil	€911
August 2011	€218	Nil	€218
September 2011	€968	Nil	€968
October 2011	€1,005	Nil	€1,005
November 2011	€939	Nil	€939
December 2011	€840	Nil	€840

[Deputy Brendan Howlin.]

Minister of State Office of Public Works, Brian Hayes claims since March 2011

Month	Milage	Other Expenses	Total
March 2011	€372	Nil	€372
April 2011	€1,206	€143	€1,349
May 2011	€1,790	€353	€2,143
June 2011	€1,708	€410	€2,118
July 2011	€1,202	€498	€1,700
August 2011	€553	€60	€613
September 2011	€2,114	€88	€2,202
October 2011	€984	€115	€1,099
November 2011	€1,613	€112	€1,725
December 2011	€1,134	€73	€1,207
January 2012	€1,573	€18	€1,591
February 2012	€2,691	€223	€2,914

Minister Hayes claims include monies received from OPW as well as any claims made to the Department of Finance and Department of Foreign Affairs.

Departmental Staff

265. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform further to Parliamentary Questions Nos 72 and 74 of 7 March 2010, if he will provide the responses to the questions. [16810/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): A letter issued with the response in hard copy and by email to the Deputy's office on Wednesday the 21st of March 2012 in relation to the issues raised in Parliamentary Questions no's 72 and 74.

Departmental Equipment

266. **Deputy Regina Doherty** asked the Minister for Public Expenditure and Reform the number of laptops in use in the civil service; the number of tablets in use in the civil service; the number of the laptops in use that are due to be upgraded this year; and if he will make a statement on the matter. [16934/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): My Department would not have information on the number of laptops or tablets in use in the civil service.

IT is now provided on a shared service basis between the Department of Public Expenditure and Reform and the Department of Finance. There are 55 laptops and 1 tablet in use across the two Departments. Laptops are not upgraded, they are replaced when they fail.

National Lottery Funding

267. **Deputy John McGuinness** asked the Minister for Public Expenditure and Reform if he will confirm the amount of National Lottery funds allocated to his Department; if the funds are spent on specific projects; if so, the name of the project; if the National Lottery fund is allocated to the general spend by his Department; and if he will make a statement on the matter. [17019/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The surplus generated by the National Lottery is transferred annually to the Exchequer and is applied to part-fund the Exchequer allocations to a specified range of expenditure subheads across various Votes.

The amount transferred to the Exchequer from the National Lottery surplus, together with details of the total Exchequer allocations to the relevant Lottery supported subheads, are published each year in Appendix 1 of the annual Revised Estimates for Public Services (REV) which gives a breakdown of allocations by programme. It is important to note that these programmes are only part-funded by the Lottery and that the remaining expenditure comes from general Exchequer funding. In 2012, total expenditure under subheads that are part-funded by the National Lottery is estimated at 339 million euro. It is estimated that this expenditure will be part-funded by 220 million euro from the National Lottery with the balance coming from the Exchequer.

While as Minister for Public Expenditure and Reform, I have overall responsibility for regulating the National Lottery, my Department's Vote does not include any subheads that are part funded by the Lottery.

Appointments to State Boards

268. **Deputy Jonathan O'Brien** asked the Minister for Public Expenditure and Reform if he will provide a full breakdown by gender of all appointments to State boards since February 2011; the current status of State boards in relation to the percentage of participation of women and men in each one; and if he will make a statement on the matter. [17565/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): In response to the Deputy's question the following appointments were made to Boards under the aegis of my Department since February 2011.

Five reappointments, all of which were male, were made for a 12 month term ending 30 June 2012 to the Arbitration Board under the Conciliation and Arbitration Scheme for the Civil Service, the Defence Forces, the Gardai and Teachers.

In September 2011 members of the Board of the Public Appointments Service were appointed. Of the external appointments to the board (not including the CEO) three females and five males were appointed.

The Public Service Management (Recruitment and Appointments) Act, 2004 states that the Minister for Public Expenditure and Reform (in consultation with Minister for the Environment, Community and Local Government, the Minister for Health and the Minister for Justice, Equality and Defence) should appoint members of the Board of the Public Appointments Service.

The Board is representative of the client base. The majority of the board are therefore civil or public servants, nominated by the relevant Minister (two males and two females were nominated in this category). There is also a union representative nominated by ICTU (male). The outgoing Chairman (male) was reappointed by me. The two external members were appointed by me because of their expertise in strategic change and public service recruitment respectively. In this category one male and one female were appointed.

In relation to An Post National Lottery one reappointment was made to the Board in the form of the current chairman. Of a possible seven members of the board one is a female.

Intellectual Property Rights

269. **Deputy Robert Dowds** asked the Minister for Jobs, Enterprise and Innovation if estimates were prepared by him on the potential financial and employment impact which S.I. No. 59/2012 would have on the Irish creative arts business; if so, if he will provide those estimates; and if he will make a statement on the matter. [16346/12]

Minister of State at the Department of Jobs, Enterprise and Innovation (Deputy Sean Sherlock): As the Deputy is aware, Regulatory Impact Analysis (RIA) is a tool used by Government Departments and Offices for the structured exploration of different options to address particular policy issues and it is used where one or more of these options is new regulation or a regulatory change. This process helps to identify any possible side effects or hidden costs associated with new regulation and to quantify the likely costs of compliance on the individual citizen or business. The European Union (Copyright and Related Rights) Regulations 2012 (i.e. S.I. No. 59 of 2012) was enacted to ensure the return to the legal position that was considered to pertain, in relation to injunctions against intermediaries, prior to a High Court judgment in the case of EMI Ireland and others versus UPC in October 2010. This judgment also stated that Ireland was not in compliance with its EU obligations under Copyright Directive 2001/29/EC. It is important to note that there was no policy or regulatory change put forward in this Statutory Instrument as it had been the intention of the Copyright and Related Rights Act 2000 to provide such civil remedies and it had been assumed that such was the case up to the aforementioned High Court judgment. The purpose of the Statutory Instrument was not to implement new EU legislation but rather it has been introduced to merely restate the position that was thought to exist within the copyright legislation prior to Justice Charleton's judgement here and in all EU Member States.

270. **Deputy Robert Dowds** asked the Minister for Jobs, Enterprise and Innovation if his staff were aware of United States of America special report 301, which is an annual review of the global state of intellectual property rights protection and enforcement, conducted by the Office of the United States Trade Representative pursuant to Section 182 of the US Trade Act of 1974, as amended by the US Omnibus Trade and Competitiveness Act of 1988 and the US Uruguay Round Agreements Act, enacted in 1994; and if so, the conclusions that were drawn by his staff from the content of this report. [16347/12]

Minister of State at the Department of Jobs, Enterprise and Innovation (Deputy Sean Sherlock): I wish to inform the Deputy that the staff at the Department of Jobs, Enterprise and Innovation are aware of the United States of America special report 301, which is an annual review of the global state of intellectual property rights protection and enforcement, conducted by the Office of the United States Trade Representative.

As you are aware, counterfeiting and piracy are now serious problems which undermine legitimate trade and the sustainable development of the world economy. The growth of illegal trade requires international cooperation regarding tackling this serious development.

The Department of Jobs, Enterprise and Innovation is also fully aware of the current trends in the infringement of intellectual property rights and to that end is currently involved in a number of initiatives to strengthen intellectual property rights protection and enforcement, both at EU level and international level.

The Department participates in the European Observatory on Infringements of Intellectual Property Rights and is currently involved in a number of EU legislative proposals in this area such as:

- the Regulation of the European Parliament and of the Council on entrusting the Office for Harmonisation in the Internal Market (Trade Marks and Designs) with tasks related to the enforcement of intellectual property rights, including the assembling of public and private sector representatives as a European Observatory on Infringements of Intellectual Property Rights;
- the review of the Enforcement Directive 2004/48/EC; and
- the Proposal for a Regulation of the European Parliament and of the Council concerning customs enforcement of intellectual property rights.

Industrial Development

271. **Deputy Finian McGrath** asked the Minister for Jobs, Enterprise and Innovation the reason unemployed persons with new ideas for a business are being charged €20 and later €50 in the Dublin enterprise board mentor programme. [16348/12]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The provision of mentoring services is a day to day operational matter for the County and City Enterprise Boards (CEBs) operating under my Department's remit.

I have asked that the relevant Business Unit based within Enterprise Ireland, who provide administrative coordination and support to the CEBs, to ascertain the information required on behalf of the CEBs, which will then be supplied direct to the Deputy.

Departmental Staff

272. **Deputy Sean Fleming** asked the Minister for Jobs, Enterprise and Innovation if he will provide a list of staff in his Department that serve as directors of companies arising from their employment; the names of the companies involved; the annual remuneration received, if any; if they are indemnified by his Department in respect of their role as directors; and if he will make a statement on the matter. [16420/12]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): Shannon Free Airport Development Co. Ltd. (SFADCo) is the only Company under the aegis of my Department.

By virtue of his employment in the Liaison Unit dealing directly with SFADCo; Mr Stephen Curran serves on the board of SFADCo. As a Civil Servant, Mr Curran is not entitled to receive of any fee or remuneration for this appointment, but is entitled to travel and subsistence expenses, which are paid by SFADCo at the normal rates.

SFADCo directors are covered under Directors and Officers cover which includes cover for any wrongful act by the insured in their capacity as an officer/director of SFADCo. I understand from the Department of Public Expenditure and Reform that the Office of the Attorney General has advised that people working for the State are entitled to be indemnified for such work. The indemnification would cover any reasonable legal fees and/or damages incurred where people are sued for undertaking their duties on behalf of the State provided they acted in good faith and in a bona fide manner. The State carries its own insurance in this regard. This indemnity would apply to those civil servants appointed to State boards as part of their official duties.

Ministerial Expenses

273. **Deputy Niall Collins** asked the Minister for Jobs, Enterprise and Innovation the amount of expenses claimed on a monthly basis since March 2011 by all Ministers attached to his Department; and if he will make a statement on the matter. [16454/12]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): I interpret the Deputy's question as relating to travel expenses claimed by the Ministers attached to my Department.

Travel expenses are claimed and paid in arrears and are reimbursed in accordance with Department of Finance rates and regulations.

Please find in the tables below the monthly totals paid in respect of travel expenses to each Minister of my Department since March 2011.

Table 1

Details of travel expenses paid by the Department of Jobs Enterprise and Innovation to Minister Richard Bruton T.D., Minister for Jobs Enterprise and Innovation during the period 9 March 2011 to 23 March 2012

Month expense reimbursed	Mileage €	Subsistence/ Accommodation €	Total €
June 2011	872.28	—	872.28
August 2011	503.66	—	503.66
November 2011	—	280.00	280.00
December 2011	3,791.31	—	3,791.31
January 2012	279.48	—	279.48
March 2012	1,244.01	—	1,244.01
Total:	6,690.74	280.00	6,970.74

Table 2

Details of travel expenses paid by the Department of Jobs Enterprise and Innovation to Mr Sean Sherlock T.D., Minister for Research and Innovation during the period 9 March 2011 to 23 March 2012

Month expense reimbursed	Mileage €	Subsistence/ Accommodation €	Total €
April 2011	—	52.08	52.08
May 2011	3,117.12	175.16	3,292.28
June 2011	2,002.05	162.76	2,164.81
July 2011	1,858.44	242.24	2,100.68
August 2011	1,290.38	—	1,290.38
September 2011	925.80	331.77	1,257.57
October 2011	1,821.44	162.76	1,984.20
November 2011	2,312.38	73.03	2,385.41
December 2011	1,082.62	—	1,082.62
January 2012	1,374.62	—	1,374.62
February 2012	3,327.41	—	3,327.41
March 2012	2,281.56	90.42	2,371.98
Total	21,393.82	1,290.22	22,684.04

Table 3

Details of travel expenses paid by the Department of Jobs Enterprise and Innovation to Mr John Perry T.D., Minister for Small Business during the period 9 March 2011 to 23 March 2012.

Month expense reimbursed:	Mileage €	Subsistence/ Accommodation €	Total:
April 2011	2,069.99	—	2,069.99
May 2011	3,517.36	—	3,517.36
June 2011	2,011.78	—	2,011.78
July 2011	2,272.34	162.76	2,435.10
August 2011	2,978.56	—	2,978.56
September 2011	1,508.41	—	1,508.41
October 2011	2,591.30	216.89	2,808.19
November 2011	2,678.04	—	2,678.04
December 2011	2,909.92	1,059.82	3,969.74
January 2012	2,214.29	—	2,214.29
February 2012	5,030.36	—	5,030.36
March 2012	2,084.52	—	2,084.52
Total:	31,866.87	1,439.47	33,306.34

Industrial Development

274. **Deputy Paul J. Connaughton** asked the Minister for Jobs, Enterprise and Innovation if he will provide a list of exporting companies in County Galway that have received Government assistance in the past three years; and if he will make a statement on the matter. [16502/12]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The Industrial Development agencies under the aegis of my Department, IDA Ireland and Enterprise Ireland, together with the Galway County and City Enterprise Board provide assistance for companies in County Galway.

As this is a day-to-day operational matter for the agencies and the Enterprise Board concerned, I have asked the agencies to respond directly with the information required to the Deputy.

275. **Deputy Robert Troy** asked the Minister for Jobs, Enterprise and Innovation if he will consider meeting a deputation from the TD's representing Longford/Westmeath to discuss the Marlinstown IDA businesses parks, Mullingar and all IDA sites in the constituency. [16590/12]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The recently published Action Plan for Jobs 2012 is the first in a series of annual Action Plans which will be rolled out, with the objective of supporting the creation of 100,000 net new jobs over the period 2012 to 2016, and the longer-term target of having 2 million people at work by 2020.

As part of a campaign to inform the enterprise sector of the measures included in the Action Plan for Jobs, I am undertaking a series of regional consultative meetings around the country. Three of these meetings have already taken place, in Cork, Limerick and in Waterford, but the schedule for the remaining meetings has not yet been finalised. These regional meetings will enable me to take on board local concerns and identify further measures suitable for inclusion in the 2013 Action Plan for Jobs.

[Deputy Richard Bruton.]

The management of IDA's property function is a day to day operational matter for the Agency and not one in which I have a function.

The main thrust of IDA's Property policy is the provision of high quality, fully serviced property solutions in regional locations, to international standards. IDA's Business Parks are designed to have a variety of sizes of sites and advance buildings, to suit the varied requirements of new companies locating in them, both manufacturing and services. The strategy of developing lands and property solutions in advance of securing new investments has been a fundamental differentiator in IDA's marketing efforts with overseas clients.

IDA has invested significantly in developing its Business and Technology Park in Mullingar in order to make it attractive to overseas clients.

However, as Ireland competes for investments at the highest end of the value chain, the concept of scale is crucial. Leading corporations require a significant population of highly qualified talent, essential physical and digital infrastructure coupled with the availability of sophisticated professional support services. There is intense and continual international competition to win FDI, which is mainly dominated by Metro City Regions with populations in excess of 1 million i.e. London, Manchester, Boston and Los Angeles. Ireland has only one Metro City Region, the Greater Dublin area, so, in order to achieve regional economic development, IDA Ireland focuses on marketing Gateway locations within each Region and highlights the opportunities provided by Hub locations which are within commuting distances of these Gateways. Of course, IDA Ireland promotes other locations as part of its marketing. However in the final analysis it is the investor who decides where to visit and where to locate.

Research and Development Fund

276. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation the amount awarded to business through the Enterprise Ireland research and development fund and small projects for each of the past five years. [16643/12]

277. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation the number of applications made, and the number of applications awarded support under the Enterprise Ireland research and development fund and small projects for each of the past five years. [16644/12]

278. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation the number of successful applications by county to the Enterprise Ireland research and development and small projects for each of the past three years. [16645/12]

Minister of State at the Department of Jobs, Enterprise and Innovation (Deputy Sean Sherlock): I propose to take Questions Nos. 276 to 278, inclusive, together.

The information sought in relation to Enterprise Ireland research and development and small projects, is taken to refer to Enterprise Ireland's support for in-company Research and Development under the R&D Fund.

The total amount approved under Enterprise Ireland's in-company R&D project support funds for each of the past five years is summarised in table 1 below:

Table 1

Year	In-company R&D project approvals
2007	€19,897,785.52
2008	€23,183,862.23

Year	In-company R&D project approvals
2009	€23,499,605.50
2010	€15,755,588.00
2011	€17,016,537.00

The total number of applications made under Enterprise Ireland's in-company R&D project support funds for each of the past five years is summarised in table 2 below:

Table 2

Year	2007	2008	2009	2010	2011
Number of Applications	121	128	138	108	112

The total number of applications approved under Enterprise Ireland's in-company R&D project support funds for each of the past five years is summarised in table 3 below:

Table 3

Year	2007	2008	2009	2010	2011
Number of Approvals	95	104	133	96	104

The total number of approvals made under Enterprise Ireland's in-company R&D project support funds for each of the past three years by county is summarised in table 4 below.

Table 4

No. of Approvals by County	2009	2010	2011
Carlow	3		3
Cavan	5	2	6
Clare	5	1	1
Cork	20	11	14
Donegal		3	
Dublin	41	39	36
Galway	6	2	7
Kerry	1	2	4
Kildare	2	3	2
Kilkenny	5	2	1
Laois	1	1	4
Leitrim	1		
Limerick	6	9	1
Longford		1	5
Louth	1		4
Mayo	7	1	
Meath	3	1	4
Monaghan	4	1	2
Offaly	6		
Roscommon	1	2	

[Deputy Sean Sherlock.]

No. of Approvals by County	2009	2010	2011
Sligo	4	3	
Tipperary	2	2	1
Waterford	1		
Westmeath	1	2	
Wexford	2	4	2
Wicklow	5	4	7

279. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation if he will detail the investments made by the Innovation Fund Ireland for each of the years since its establishment. [16679/12]

280. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation if he will detail the investments made by Enterprise Ireland and investments made by the NPRF as part of the Innovation Fund Ireland for each of the years since its establishment. [16680/12]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): I propose to take Questions Nos. 279 and 280 together.

The establishment of Innovation Fund Ireland was formally announced on 12th July 2010 and a call for “expressions of interest” was made in September 2010.

The €250m Fund is currently operating along two parallel tracks. The €125m provided by the Exchequer is managed by Enterprise Ireland (EI). Successful applicants who receive an investment from EI have to commit to investing an equivalent amount in Irish companies or companies with substantial Irish operations over the lifetime of their fund. The second is for a similar amount, and is designed to allow Ireland’s National Pension Reserve Fund (NPRF) to make a similar level of commercial investments assuming its criteria are met.

The Board of Enterprise Ireland approved three commitments under Call 1 to three venture capital managers. On 15th March last, I announced the first investment by Enterprise Ireland under the programme in Sofinnova Ventures. Sofinnova Ventures is one of the premier US healthcare venture capital funds, recently raising their eighth fund, a \$440M vehicle focused solely on life sciences, and the fund will be establishing a presence in the Irish market. Enterprise Ireland has committed \$25 million to the Fund, alongside a commitment of \$12.5 million by the National Pensions Reserve Fund.

As well as its investment in Sofinnova Ventures, the NPRF have made three other investments. The first investments were in DJF and DFJ Esprit resulting in a partner being hired on the ground in Ireland to invest in Irish companies. The other investment was in Polaris who have recently established Dog Patch Labs in Ireland — opened by An Taoiseach on 29 September 2011.

On 16th March, I announced a second call from Innovation Fund Ireland. The Government, through Enterprise Ireland, will look to commit a total of more than €60 million in venture capital funds which establish a presence in Ireland. The announcement of a second call represents the delivery of a major Q1 commitment in Action Plan for Jobs 2012.

Export Controls

281. **Deputy Thomas Pringle** asked the Minister for Jobs, Enterprise and Innovation the checks carried out by Enterprise Ireland and IDA Ireland to ensure that exporters are compliant with the EU Dual Use Regulations 428/2009; the reporting procedures are in place

between his department and the Revenue authorities in relation to Dual Use exports; if a company has ever been prosecuted for a breach of the regulation; if so, the penalty; and if he will make a statement on the matter. [16707/12]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The Licensing Unit of my Department is responsible for the administration in Ireland of the EU Dual Use Regulation 428/2009. The Unit has regular contacts with Enterprise Ireland and IDA regarding export control matters, including dual use licensing, with a view to ensuring that EI and IDA client companies are aware of the provisions of the Dual Use Regulation and their legal responsibilities in this regard. However, primary responsibility for ensuring compliance with the Regulation rests with my Department.

My Department liaises regularly with representatives of Revenue's Customs Services regarding implementation of various pieces of export control legislation, including the EU Dual Use Regulation 428/2009. Revenue's Customs Service applies the provisions of Council Regulation No 2913/92 (Community Customs Code), Commission Regulation 2454/93 (implementing provisions of the Community Customs Code) and also Council Regulation 648/2005 as implemented by Commission Regulation 1875/2006 in respect of the import of goods from outside the Community and export of goods from the Community to third countries. The cooperation of Revenue's Customs Service is therefore key to the effective implementation of the export control regime and the vigilance of Customs officers is vital. Revenue's Automated Entry Processing System (AEP) is responsible for receiving, validating, processing and clearance of all Customs declarations in real time environment. All declarations at import and export are subject to risk assessment which allows Customs staff increased scope to target movement of high risk and suspicious transactions.

Penalties for breaches of the Dual Use Regulation 428/2009 are provided for in Section 8 of the Control of Exports Act 2008 Act. That section provides for penalties on summary conviction of a fine not exceeding €5,000 or imprisonment for a term not exceeding 6 months, or both. It provides for penalties on conviction on indictment of a fine not exceeding €10 million or three times the value of the goods or technology concerned, or imprisonment for a term not exceeding 5 years, or both. To date there have been no prosecutions for a breach of the Dual Use Regulation 428/2009.

National Lottery Funding

282. **Deputy John McGuinness** asked the Minister for Jobs, Enterprise and Innovation if he will confirm the amount of National Lottery funds allocated to his Department; if the funds are spent on specific projects; if so, the name of the project; if the National Lottery fund is allocated to the general spend by his Department; and if he will make a statement on the matter. [17017/12]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): My Department did not receive any National Lottery funding in 2011 and does not expect to receive any such funding in 2012.

Appointments to State Boards

283. **Deputy Jonathan O'Brien** asked the Minister for Jobs, Enterprise and Innovation if he will provide a full breakdown by gender of all appointments to State boards since February 2011; the current status of State boards in relation to the percentage of participation of women and men in each one; and if he will make a statement on the matter. [17563/12]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): I have made the following appointments since taking office in March 2011:

Forfás

Mr. John Murphy, Secretary General of the Department was appointed to the Board of Forfás with effect from 18th January 2012. The Industrial Development legislation provides that the Director General of Science Foundation Ireland (SFI) serves on the board of Forfás. Professor Mark Ferguson therefore became a member of the Forfás Board on taking up his position with SFI with effect from 18th January 2012.

National Standards Authority of Ireland Board (NSAI)

Helen Curley, a Principal Officer in my Department, was appointed on 8 July 2011. Ms Curley resigned from the Board on 15 November 2011, as due to an internal transfer she was no longer responsible for the NSAI policy area.

Following an open expression of interest campaign, organised through the Public Appointments Service, Mr. Terry Landers and Ms Barbara O'Leary were appointed to the Board with effect from 06 March 2012.

Competition Authority

While it does not have a typical board structure, the Competition Authority consists of a Chairperson and up to four other members who act as an executive board. The Competition Acts 2002 to 2010 set out the requirements pertaining to appointments to the Authority. I re-appointed Mr. Declan Purcell as Chairperson of the Competition Authority on 1st July 2011 and following his retirement, I subsequently appointed Ms Isolde Goggin as Chairperson following her selection by the Public Appointments Service (PAS) who publicly advertised this position. I appointed Ms Noreen Mackey and Mr. David McFadden as temporary members of the Authority in July 2011 and I subsequently re-appointed both from 1st October. On 9th August 2011, I re-appointed Mr. Ciarán Quigley as a temporary member of the Authority.

Advertisements for three full time members of the Competition Authority were published in June 2011 and following the completion of the PAS selection process for these posts I appointed Mr. Stephen Calkins and Mr. Gerald FitzGerald from December 2011 and Mr. Patrick Kenny from January 2011.

Irish Auditing and Accounting Supervisory Authority

Seven appointments were made to the Irish Auditing and Accounting Supervisory Authority (IAASA). Mr. Dave Martin and Mr. Kevin O'Donovan were both appointed as nominees of the Prescribed Accountancy Bodies on the 26 May 2011. Ms Sylvia McNeece of the Irish Pension Board, Ms Deirdre Behan of the Revenue Commissioners, Ms Mairead Devine of the Central Bank, Ms Marie Daly of the Irish Business and Employers Confederation and Mr. Sean Hawkshaw of the Irish Association of Investment Managers were all appointed as nominees of the Designated Bodies on the 3rd January 2012. Mr. Conor O'Mahony was appointed as a nominee of the designated bodies on the 2nd March 2012. These appointments were made in compliance with the Companies (Auditing and Accounting) Act 2003.

National Consumer Agency

Ms Isolde Goggin was appointed to the Board of the National Consumer Agency in November 2011. Ms Goggin's appointment was made in the light of the forthcoming merger

of the Competition Authority and the National Consumer Agency and also given her appointment as chairperson of the Competition Authority and Chairperson designate of the new body, of the proposed merger.

PIAB

Two appointments were made to the Personal Injuries Assessment Board (PIAB).

One was the re-appointment of Ms Ann Fitzgerald in her capacity as Chief Executive of the National Consumer Agency, which is a statutory position on the Board.

In the case of the second appointment, it was considered appropriate to have a representative from the Department on the Board and Ms Breda Power, Assistant Secretary, was appointed.

Science Foundation Ireland

Dr. Rita Colwell and Professor Martina Newell-McGloughlin were both reappointed to the Board of Science Foundation Ireland with effect from 26th of July 2011. Dr. Colwell and Professor Newell-McGloughlin are internationally renowned scientific experts in the Life Sciences and Biotechnology sectors.

InterTrade Ireland

The InterTradeIreland Board expired on the 12th December 2011.

Minister Richard Bruton nominated four new members to that Board. These members included the following:

Mr. Martin Cronin Chairman;

Mr. Philip Doherty;

Mr. Kevin Norton;

Ms Mairead Sorenson.

These four members were subsequently appointed to the Board on the 13th December, 2011 by the North South ministerial Council. Mr. Philip Doherty did not take up his membership on the Board, and I have recently nominated an alternative Mr. John Corbett. Mr. Corbett's nomination has not yet been approved by the North South ministerial Council which is not likely to happen until April.

Shannon Development

Mr. Stephen Curran, Principal Officer, was appointed to my Department on 9 January 2012 and was subsequently appointed to the Board of Shannon Development on 23 February 2012. This appointment was a direct replacement of Mr. Bob Keane, Principal Officer, who transferred from the Department to a position in Brussels and subsequently resigned from the Board.

IDA

I have recently made the following two appointments to the Board of the IDA:

Alan W. Gray and Mary Campbell. Ms Mary Campbell was identified following consultations with IDA Ireland to nominate a person with relevant international financial experience for my consideration for appointment to the Board.

[Deputy Richard Bruton.]

Appointments to the boards of bodies accountable to my Department are made in accordance with the legislation under which the body was established. The relevant legislative provisions vary from body to body. For example, in certain cases the legislation provides for the appointment of persons nominated by specified stakeholders, such as employer or trade union representative bodies. This can sometimes have a limiting effect on the scope to address gender imbalances. In other cases there may be no such provisions.

Appointments are also made based on the expertise and experience of individuals, the balance of skills and attributes in terms of the overall composition of the board, the gender balance of the board and the availability and commitment of people to serve on the board. So, whilst achieving greater gender balance on State boards is an important goal, the overriding focus is on getting the best people for particular board appointments.

In this respect, the Deputy will be aware that Government policy is to introduce greater transparency in the appointment process. In line with this policy and in an effort to broaden the pool of suitable candidates for consideration for appointment to boards, I sought expressions of interest last summer from suitably qualified people for appointment to the boards of several agencies under my Department's remit. I made it clear in advertising those vacancies that I would not be restricted to only those who responded to the advert. I intend to launch another expressions of interest campaign in the near future in respect of further vacancies that have arisen or that are due to arise over the coming months. In this respect, my overriding focus is to find the best people for particular board appointments. In making appointments I will have regard to the expertise and experience of individuals, the balance of skills and attributes in terms of the overall composition of the board, the gender balance of the board and the availability and commitment of people to serve on the board.

As part of the Government's commitment to achieving a minimum of 40 per cent representation of women on State Boards, The Department of Justice and Equality collect data on a six monthly basis for reporting to Government. I have attached the latest Report in respect of the State Boards under the aegis of my Department for the Deputy's information.

Departmental Equipment

284. **Deputy Regina Doherty** asked the Minister for Jobs, Enterprise and Innovation the number of laptops in use in his Department; the number of tablets in use in his Department; the number of the laptops in use that are due to be upgraded this year; and if he will make a statement on the matter. [17577/12]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): My Department's records indicate that there are currently 81 laptops in use across the Department. None of these are due to be upgraded this year.

While no tablet devices have been issued to staff, my Department's ICT unit is currently testing their suitability for official use and to that end 5 Apple iPads and 5 BlackBerry Playbooks have been acquired.

The upcoming Irish presidency of the EU will place significant additional pressures on my Department. Staff will be required to travel extensively whilst co-ordinating activities with colleagues at home, and collaborating with officers from other Government Departments and Agencies. Accordingly, to increase productivity and to ensure staff have timely access to important information, my Department is currently reviewing its requirements for additional mobile computing devices.

Social Welfare Appeals

285. **Deputy Michael Creed** asked the Minister for Social Protection if she will confirm receipt of an appeal in respect of a claim for domiciliary care allowance in respect of a person (details supplied) in County Cork; and if she will make a statement on the matter. [16084/12]

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 March 2012. 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. When received, the appeal in question will be referred in due course to an Appeals Officer for consideration.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Social Welfare Benefits

286. **Deputy John O'Mahony** asked the Minister for Social Protection the reason persons (details supplied) in County Cork was turned down for domiciliary care allowance; the reason the person was not seen by her Departments medical advisor, and will she review the attached files and supporting evidence; and if she will make a statement on the matter. [16091/12]

Minister for Social Protection (Deputy Joan Burton): An application for domiciliary care allowance (DCA) was received on 11th November 2011. This application was referred to one of the Department's Medical Assessors who found that the child was not medically eligible for DCA. A letter issued on 7th February 2012 refusing the allowance. The person concerned subsequently requested a review of this decision and supplied additional medical information in support of their application. The case was reviewed by a medical assessor on 26th March 2012 and they are now satisfied that the child qualifies for the payment. A revised decision will issue to the person concerned shortly and they will be notified of when the first payment will be available.

287. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if she will indicate the precise grounds for determination of entitlement to rent support, where the applicants have been assessed and accepted on the established Local Authority Housing List with dependent children, whether such decisions are based on a specific section of a relevant social welfare act in a particular year and subject to guidelines and statutory limits, or whether the decision is entirely at the discretion of the Deciding Officer who may disregard such evidence and if doing so she will indicate the legal basis under social welfare law for such decisions; and if she will make a statement on the matter. [16097/12]

288. **Deputy Bernard J. Durkan** asked the Minister for Social Protection further Parliamentary Question No. 95 of 14 March 2011, wherein it would that there are no guidelines to indicate the exact amount of time a parent must have access to their child in order to qualify for rent support and that every claim for rent support is determined having regard to all the circumstances of the case, if the lack of such guidelines bestows on the Deciding Officer the absolute discretion to determine entitlement to rent support, if this procedure is compliant with social welfare law; and if she will make a statement on the matter. [16098/12]

Minister for Social Protection (Deputy Joan Burton): I propose to take Questions Nos. 287 and 288 together.

[Deputy Joan Burton.]

The purpose of the rent supplement scheme is to provide short-term support to eligible people living in private rented accommodation whose means are insufficient to meet their accommodation costs and who do not have accommodation available to them from any other source. The overall aim is to provide short term assistance, and not to act as an alternative to the other social housing schemes operated by the Exchequer.

There are numerous qualifying conditions for the rent supplement scheme all of which are based on legislation. For example, any person seeking a rent supplement must satisfy the Department that they have a housing need that they are unable to meet from their own resources. In addition, the Department must be satisfied that the residence is reasonably suited to the residential and other needs of the claimant. The Department must also be satisfied that the rent payable is reasonable having regard to the nature, character and location of the residence.

There is no absolute discretion to determine entitlement to support under the rent supplement scheme. Entitlement to rent supplement is determined under Chapter 11 of the Social Welfare Consolidation Act 2005, as amended and under S.I. No. 412 of 2007, Social Welfare (Consolidated Supplementary Welfare Allowance) Regulations 2007, as amended. These legislative provisions are supported by staff guidelines issued by the Department.

As previously advised, in a case where parents have joint custody of a child, the needs of both parents to have adequate accommodation to look after the child are taken into account when an application for a rent supplement is being determined. There is no exact amount of time a parent must have access to their child and every claim for rent supplement is determined having regard to all of the circumstances of the case.

Social Welfare Appeals

289. **Deputy Seán Kenny** asked the Minister for Social Protection when a decision will be made on the appeal against the refusal of a family income supplement application in respect of a person (details supplied) in Dublin 13; and if she will make a statement on the matter. [16104/12]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that an appeal by the person concerned has not been received by that office.

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.

Industrial Disputes

290. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Social Protection when it is expected that payments will be issued to employees of a company (details supplied) in respect to their claims awarded by the Rights Commissioner under the Organisation of Working Time Act 1997 following a hearing by the Commissioner in The Shirley Arms Hotel, Carrickmacross on 30 November 2011; and if she will make a statement on the matter. [16133/12]

Minister for Social Protection (Deputy Joan Burton): Insolvency payment claims, in relation to employees of the company, were received online by the Department on 14 February 2012. The Department is processing January claims at present.

Redundancy Payments

291. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Social Protection when a person (details supplied) in County Monaghan can expect to receive redundancy payment from the social insurance fund; and if she will make a statement on the matter. [16134/12]

Minister for Social Protection (Deputy Joan Burton): A redundancy lump sum claim in respect of the person concerned was awarded on 29 February 2012 and a cheque payment issued directly to the person concerned.

Social Welfare Appeals

292. **Deputy Michael McGrath** asked the Minister for Social Protection the position regarding an invalidity pension appeal in respect of a person (details supplied) in County Cork. [16138/12]

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 29th 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 being sought. These papers were received in the Social Welfare Appeals Office on 20th January 2012 and the appeal will be assigned, in due course, to an Appeals Officer who will decide whether the case can be decided on a summary basis or whether to list it for oral hearing.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

293. **Deputy Pat Breen** asked the Minister for Social Protection when a decision on an invalidity pension claim appeal will issue to a person (details supplied) in County Clare; and if she will make a statement on the matter. [16141/12]

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 1st March 2012 and in accordance with the statutory procedures the relevant department papers and the comments of the Deciding Officer 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.

Redundancy Payments

294. **Deputy Charlie McConalogue** asked the Minister for Social Protection the position regarding a redundancy payment application in respect of a person (details supplied) in County Donegal; and if she will make a statement on the matter. [16161/12]

Minister for Social Protection (Deputy Joan Burton): A redundancy lump sum claim in respect of the person concerned was awarded on 29 February 2012 and a cheque payment issued directly to the person concerned.

Social Welfare Benefits

295. **Deputy Noel Coonan** asked the Minister for Social Protection when an application for domiciliary care allowance will be finalised in respect of a person (details supplied) in County Cork; and if she will make a statement on the matter. [16168/12]

Minister for Social Protection (Deputy Joan Burton): An application for domiciliary care allowance (DCA) was received on 11th November 2011. This application was referred to one of the Department's Medical Assessors who found that the child was not medically eligible for DCA. A letter issued on 7th February 2012 refusing the allowance. The person concerned subsequently requested a medical review of this decision and supplied additional medical information in support of their application. The case was reviewed by a medical assessor on 26th March 2012 and they are now satisfied that the child qualifies for the payment. A revised decision will issue to the person concerned shortly and they will be notified of when the first payment will be available.

Employment Support Services

296. **Deputy Kieran O'Donnell** asked the Minister for Social Protection the arrangements in place to ensure the prompt processing of individuals in receipt of a jobseeker's payment who have the opportunity of undertaking casual employment; the length of time it takes to administer a person's case where that person has to sign off temporarily to undertake work, and then sign back on again once the work has ended; and if she will make a statement on the matter. [16170/12]

Minister for Social Protection (Deputy Joan Burton): Where a jobseeker client states that they have found work, it is normal practice for their jobseeker claim to be closed. However, in cases where the client is taking up a short period of temporary work (up to 4 weeks) or training (up to 8 weeks), arrangements are now in place to simplify the process of signing off and back on at the end of this period.

In these cases, instead of closing the claim, the local office temporarily suspends payment for the duration of the work or training. When the person signs on again after the period of work or training, the claim can be reactivated very quickly and payment restored within a few days.

It is important for the client to make clear to the local office in advance that the work is expected to last for up to 4 weeks only or 8 weeks in the case of training.

297. **Deputy Barry Cowen** asked the Minister for Social Protection the number of persons that have secured paid employment following the completion of an internship on the jobbridge programme; and if she will make a statement on the matter. [16172/12]

301. **Deputy Barry Cowen** asked the Minister for Social Protection when she expects the evaluation of the jobbridge programme to be completed; if this evaluation will cover the types of jobs taken up and the numbers that were offered paid employment at the end of the internship; and if she will make a statement on the matter. [16176/12]

Minister for Social Protection (Deputy Joan Burton): I propose to take Questions Nos. 297 and 301 together.

JobBridge, the National Internship Scheme, came into operation on the 1st July 2011. The Scheme has made significant progress to-date. Currently over 5,600 internships have commenced to date with 4,170 internships currently in place and over 2,100 opportunities are cur-

rently advertised on *www.jobbridge.ie*. Our records indicate that a significant proportion of individuals have progressed into employment on completion of their internship placements. As the first internships did not commence until mid July it is too early to report on the number of interns who have completed their internship due to the inherent six or nine months duration of a JobBridge Internship. However, initial data (5th March 2012) provided by Host Organisations in relation to interns who have finished their internship indicates that 33% of finishers secured employment immediately on the conclusion of their internship. This data does not reflect those who subsequently secured employment and is based solely on the feedback from the Host Organisations. Further information on outcomes will be ascertained as a result of the forthcoming evaluation of JobBridge.

The Department of Social Protection has recently conducted a tendering process for a company to conduct and evaluate JobBridge. This Project will assess the design, delivery and impact of the JobBridge Scheme on the unemployed. It should also assist the Department in making further policy decisions on the benefit of work placement programmes in the overall context of the Government's activation policy, which is to engage with every unemployed individual to provide them with a pathway to employment and to prevent and reduce long term unemployment.

The evaluation should include the following key outcomes:

- Socio economic profile of the participants on the Scheme;
- Information on the host organisations that have used the Scheme including, size, sector, and reason for participating;
- Details of the progression of those on the Scheme into education, training or job placement. In the case of job placement this should detail if the placement is with the same company, in the same sector and the sustainability of that placement;
- Details of the nature of the work experience of the participants and a measurement of the relevance of that experience to the labour market and to progression into employment;
- An assessment of the displacement effect of the Scheme;
- An assessment of the level of deadweight in the Scheme;
- Information on the satisfaction of participants with their experience of the Scheme;
- Information on the satisfaction of host organisations with their experience of the Scheme;
- An assessment of the process and procedures used by the Department in running the Scheme;
- Recommendations on how the Scheme might be improved.

The selection process for the engagement of the successful vendor is currently being finalised. It is anticipated that the evaluation review will be completed by the first quarter 2013

298. **Deputy Barry Cowen** asked the Minister for Social Protection if she is satisfied that all employers taking part in the jobbridge programme are completing their monthly compliance reports; and if she will make a statement on the matter. [16173/12]

299. **Deputy Barry Cowen** asked the Minister for Social Protection the number of unannounced inspections that have taken place in relation to employers taking part in the jobbridge programme; and if she will make a statement on the matter. [16174/12]

300. **Deputy Barry Cowen** asked the Minister for Social Protection the number of persons that have availed of the whistle blowing function set up as part of the jobbridge programme; and if she will make a statement on the matter. [16175/12]

302. **Deputy Barry Cowen** asked the Minister for Social Protection the measures that are in place to ensure no jobs are displaced as a result of the jobbridge programme; her views that there should be stronger penalties for employers who are found to have displaced jobs; and if she will make a statement on the matter. [16177/12]

Minister for Social Protection (Deputy Joan Burton): I propose to take Questions Nos. 298 to 300, inclusive, and 302 together.

JobBridge, the National Internship Scheme came into operation on the 1st July 2011. Currently over 5,600 internships have commenced to date with 4,170 internships currently in place and over 2,100 opportunities are currently advertised on www.jobbridge.ie. This represents very significant progress in a short period of time.

All organisations who are participating in JobBridge are required to abide by the criteria of the Scheme including the specific measures which have been designed to prevent the abuse of the Scheme; protect the intern from exploitation; and to ensure the integrity of the JobBridge.

As such JobBridge internships are monitored in accordance with the criteria governing the Scheme to ensure compliance. My Department conduct this monitoring to ensure that they are of sufficient quality and that both host organisations and interns are abiding by the spirit and the rules of the Scheme.

As part of this process Host Organisations must complete a monthly online compliance return for each Intern. The obligation to complete these returns is clearly stated in the Standard Agreement with is signed by both parties to the internship. A guide to completing Compliance Returns is available on www.jobbridge.ie and the JobBridge Team are available to provide support in relation to any queries which may arise.

Of the current active internships, 99% of Host Organisations are within compliance regulations. Of the remaining 1% who has not completed compliance the Job Bridge team investigate the matter fully.

Monitoring visits are another integral part of our continuous efforts to improve the JobBridge scheme. The aim to facilitate individual discussions with both the Intern and the Host Organisation to ensure compliance with the terms outlined in the JobBridge Standard Agreement. Unannounced visits would be incongruous with this approach. A monitoring pilot has been conducted in relation to active internships. This pilot is under review in order to enhance the monitoring process. It is intended to conduct monitoring of 5% of active internships on a monthly basis.

It is worth noting that an intern may contact the JobBridge Team at any stage of their internship whether for advice or as part of the “whistle blowing” feature. Consequently any individual who suspects that an internship may be in breach of the scheme’s criteria, including cases of suspected displacement or poor quality, may contact the JobBridge Team. All such claims are fully investigated.

To-date over 7,800 emails have been received and responded to accordingly by the JobBridge Team and our Regional Support network. Of the current matters under review, in the region

of 89 queries relate to matters associated with whistleblowing. This may include reports of potential displacements, possible issues arising with the conducting of the internship or quality matters relating to current advertisements. These queries are currently active undergoing investigation and are consequently subject to change pending outcomes.

My Department continues to monitor and review the operation of the JobBridge Scheme including its control mechanisms and conditions on an on-going basis. Failure to comply with the terms of the JobBridge Scheme will result in a Host Organisation not being entitled to offer further placements under the Scheme

Question No. 301 answered with Question No. 297.

Question No. 302 answered with Question No. 298.

EU Funding

303. **Deputy Jack Wall** asked the Minister for Social Protection the funding available to a club (details supplied) in County Kildare under the EU social inclusion programme 2007/13; and if she will make a statement on the matter. [16191/12]

Minister for Social Protection (Deputy Joan Burton): The European Union Programme for Employment and Social Solidarity — PROGRESS (2007-2013) is a programme fully implemented and managed by the European Commission. It was established to financially support the implementation of the objectives of the European Union in the employment, social affairs and equal opportunities area, and thereby contribute to the achievement of the Europe 2020 Strategy goals in these fields. The seven-year Programme targets all stakeholders who can help shape the development of appropriate and effective employment and social legislation and policies, across the EU-27, EFTA-EEA and EU candidate and pre-candidate countries. The Programme specifically supports the following five policy areas:

- Employment;
- Social inclusion and social protection;
- Working conditions;
- Anti-discrimination; and

The overall mission of PROGRESS is to financially support EU Member States' efforts to build a more cohesive society. It promotes the involvement of the relevant stakeholders, including social partners and civil society organisations, in the policy making process and is particularly targeted at policy level projects on an EU-wide scale.

The EU Commission selects the projects to fund either through calls for tender or calls for proposals. Groups/organisations that are eligible for project co-financing generally receive a maximum of 80 per cent funding. They are required to make up the remaining 20 per cent funding themselves, either from their own resources or from funding received from other sources such as partners or national organisations.

In the case of Irish projects under the social inclusion and social protection strand of PROGRESS, my Department has been allocated funding of €75,000 in 2012 to support the matching funding requirements for such projects.

Redundancy Payments

304. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the reason an award

[Deputy Bernard J. Durkan.]

arising agreed via 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. [16293/12]

Minister for Social Protection (Deputy Joan Burton): Claims made under the Insolvency Payments Scheme can only be processed if an employer is legally insolvent within the definition of the Protection of Employees (Employers' Insolvency) Act 1984. The employer in this case was not legally insolvent. No redundancy payment application has been received in respect of the individual concerned.

Social Welfare Code

305. **Deputy Simon Harris** asked the Minister for Social Protection the reason persons in receipt of lone parents allowance and jobseeker's benefit payment have their payments changed from weekly to monthly when they take up limited employment; if her attention has been drawn to the hardship that this change causes many families; and if she will make a statement on the matter. [16376/12]

Minister for Social Protection (Deputy Joan Burton): All payments to jobseeker and one-parent family clients are made on a weekly basis. A person claiming one-parent family payment can work and receive a weekly payment provided their earnings are within certain parameters. A person on a jobseeker scheme who is working full time would not normally be entitled to a payment. However, if the work is of a casual nature, payment is made on a weekly basis once all of the conditions of the scheme are met.

If the deputy has a particular case in mind, my officials will be happy to examine the matter.

Social Welfare Offices

306. **Deputy Simon Harris** asked the Minister for Social Protection the guidelines she has issued to local social welfare offices regarding the manner in which staff must interact with clients; if she will outline the manner of conduct expected from staff; the number of complaints she has received from clients unhappy with the manner in which they have been treated by local social welfare office staff; the complaints procedure she operates in this regard; the number of disciplinary actions that she has taken against staff in this regard; the sanctions that have been handed down; and if she will make a statement on the matter. [16377/12]

342. **Deputy Alan Farrell** asked the Minister for Social Protection the number of formal complaints received by her from social welfare applicants; the process in which complaints are undertaken by her; the standard timeframe in which complaints are dealt with; and if she will make a statement on the matter. [16986/12]

Minister for Social Protection (Deputy Joan Burton): I propose to take Questions Nos. 306 and 342 together.

My Department is committed to delivering a quality customer service. The Customer Charter sets out the commitments and standard of service people can expect from the Department. Customers will be served in a fair, courteous and timely manner and their privacy will be respected. They will be informed of their rights and entitlements and provided with full and clear information. The Customer Charter is prominently displayed in all our public offices and is also available on my Departments website, www.welfare.ie.

My Department makes 1.4 million payments each week, when adult and child dependants are taken into account that constitutes payments to almost 2.1 million people. Annually over 87 million payments are processed and approximately 6.5 million telephone calls answered in respect of all schemes and services. In 2011, some 1,734 complaints were received of which 947 were complaints regarding Social Welfare Local Offices, which represented a decrease of 20% from 2010.

If a customer is dissatisfied with the standard of service they receive from a staff member, they can make a formal complaint in person, by telephone, by email, in writing and on line at www.welfare.ie. The complaint is immediately acknowledged and referred to a complaints officer for investigation. A response to the customer normally issues within 15 working days of the date of receipt of the complaint. If the customer is not satisfied with the response they have the option of requesting a review by a more senior officer. If the customer is still dissatisfied a formal complaint can be made to the Ombudsman.

Two cases were referred to the Personnel Officer, over the past two years, for consideration of disciplinary action following complaints made against staff of my Department by customers. In one case no disciplinary action or sanction was applied and the other case is currently under investigation. My Department is committed to delivering the best possible service to its customers and continuously strives to achieve the highest standard of customer service.

Social Welfare Benefits

307. **Deputy Dessie Ellis** asked the Minister for Social Protection if she has any plans to act on IMF suggestions to cut free travel and free electricity/gas units for older persons. [16391/12]

Minister for Social Protection (Deputy Joan Burton): The International Monetary Fund (IMF) recently completed the fifth review of the Programme of Financial Support for Ireland. In this review, the IMF outlined that the Government has continued the strong implementation of the programme despite deteriorating external conditions, meeting 2011 fiscal targets with a margin and advancing structural reforms to support growth and job creation. The IMF staff report for this review mentions areas of Irish social welfare expenditure which they believe merit examination in the context of the current reform of the system and fiscal consolidation which is already well under way.

My Department completed a Comprehensive Review of Expenditure last September and all social protection expenditure, including free travel and free electricity/gas, continues to be reviewed as part of the Government's ongoing examination of all Government Expenditure.

Departmental Staff

308. **Deputy Sean Fleming** asked the Minister for Social Protection if she will provide a list of staff in her Department that serve as directors of companies arising from their employment; the names of the companies involved; the annual remuneration received, if any; if they are indemnified by her Department in respect of their role as directors; and if she will make a statement on the matter. [16423/12]

Minister for Social Protection (Deputy Joan Burton): The information sought by the Deputy is not readily available. The information will be collated and forwarded to the Deputy when it becomes available.

I understand from the Department of Public Expenditure and Reform that the Office of the Attorney General has advised that people working for the State are entitled to be indemnified for such work. The indemnification would cover any reasonable legal fees and/or damages

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incurred where people are sued for undertaking their duties on behalf of the State provided they acted in good faith and in a bona fide manner. The State carries its own insurance in this regard. This indemnity would apply to those civil servants appointed to State boards as part of their official duties.

Ministerial Expenses

309. **Deputy Niall Collins** asked the Minister for Social Protection the amount of expenses claimed on a monthly basis since March 2011 by all Ministers attached to her Department; and if she will make a statement on the matter. [16457/12]

Minister for Social Protection (Deputy Joan Burton): Details of payments made by the Department since March 2011 in respect of expenses claimed by me are set out in the following table:

Month	Amount (€)
March 2011	469
April 2011	411
May 2011	3,252
June 2011	417
July 2011	1,017
August 2011	0
September 2011	258
October 2011	59
November 2011	134
December 2011	0
January 2012	0
February 2012	116
to date March 2012	132
Total	6,265

Expenses included mileage claimed under the ministerial travel scheme, expenses incurred in representing the government in London for St. Patrick's Day 2011, airfares and accommodation at European Council for Ministers meetings and travel and subsistence within the State on official business.

Social Welfare Appeals

310. **Deputy John O'Mahony** asked the Minister for Social Protection when a decision will be made on an invalidity pension appeal in respect of a person (details supplied) in County Mayo following a decision by a medical officer in her Department that they are unfit for work; and if she will make a statement on the matter. [16505/12]

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 27th February 2012. 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. When received, the appeal in question will be referred to an Appeals Officer for consideration.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

311. **Deputy Brendan Griffin** asked the Minister for Social Protection if a decision has been made on an appeal for invalidity pension in respect of a person (details supplied) in County Kerry; and if she will make a statement on the matter. [16577/12]

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 s/he will be informed when arrangements have been made.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Social Welfare Offices

312. **Deputy Robert Troy** asked the Minister for Social Protection in view of the large increase in the number using the local social welfare offices and the reduction in the public service numbers, if she has engaged with An Post and IPU with regards to the possibility of An Post offering services currently available at the local social welfare office such as signing on. [16593/12]

Minister for Social Protection (Deputy Joan Burton): The Department is committed to delivering the best possible service to its clients and continuously strives to achieve the highest standard of customer service possible. In order to adapt to the large increase in the volume of claims in recent years, the Department has embarked on a major programme of process redesign and modernisation including the deployment of new computer systems. Arrangements have also been made to augment Departmental resources and to increase the staff numbers available to process claims.

As regards signing, the Department has developed a facility which captures a client's signature on an electronic signature pad and it is planned to use this facility as part of the future certification process for fully unemployed clients. This introduces greater flexibility to the certification process as it means that the client can sign on at any counter in the office whereas they have been restricted to one particular counter point in the past. Offices will be able to respond immediately if a queue begins to form by opening and closing counters, as required, to deal with the volumes on hand. This will enable offices to reduce queuing times and provide a higher quality of customer service. The facility is operational in a number of offices at present and will be rolled out, on a phased basis, to other offices during this year.

In addition, in order to offer a more streamlined, efficient and integrated service to clients, the Department is undergoing a process of intensive planning and organisational change in establishing the new National Employment and Entitlements Service (NEES). The new NEES

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model will integrate all employment and benefit support services in a single delivery unit and will provide a coherent integrated and more personalised service to customers. It will also serve to eliminate the duplication of work that characterised services which were provided separately in the past.

There are currently no plans to outsource any portion of the work involved in managing jobseekers claims to An Post.

Community Employment Schemes

313. **Deputy Arthur Spring** asked the Minister for Social Protection when her review of community employment schemes will be complete; and if she will make a statement on the matter. [16598/12]

Minister for Social Protection (Deputy Joan Burton): A financial review of Community Employment schemes is ongoing following the announced changes in Budget 2012. All schemes have been communicated with and met by an officer of my Department. Returns from these meetings are now being examined on a regional basis in terms of the funding requirements and what savings can be achieved within the limits set down by the Department. These outcomes will be analysed and will form the basis of the review findings which will be available to my Department from the end of March. Initial feedback is that the additional flexibility of €1,000 provided by my Department has helped to ease the situation. There is a growing realisation that some reduction is necessary given the budgetary situation and there is a general acceptance of this in principle.

A series of meetings is taking place at national level with representative bodies in relation to coming up with solutions as to how savings can be gained within the programme and further meetings are planned. Due to the widespread consultation and the level of detail being provided it is not possible to make any recommendations or decisions until the process is completed. There is also a review of Employment Support programmes, which includes Community Employment. Stakeholders are also being consulted as part of this review process. This review will also be completed by the end of March 2012.

These reviews and subsequent reports at both the individual CE scheme level and at the macro level will provide good evidence on which to base future policy and ensure the most appropriate support for participants and the services provided to the community and voluntary sector.

Social Welfare Appeals

314. **Deputy Niall Collins** asked the Minister for Social Protection the position regarding an appeal in respect of a person (details supplied) in County Limerick. [16600/12]

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 31st 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 17th January 2012 and the appeal was assigned to an Appeals Officer on 27th January 2012 who, on consideration of the evidence submitted, will decide whether the case can be decided on a summary basis or whether to list it for oral hearing.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Social Welfare Benefits

315. **Deputy Patrick O'Donovan** asked the Minister for Social Protection further to Parliamentary Question No. 15266/12 of 15 March 2012, her views on a matter (details supplied); and if she will make a statement on the matter. [16603/12]

Minister for Social Protection (Deputy Joan Burton): Applications for disability allowance are assessed on a case to case basis by one of the Department's medical assessors who are all fully qualified medical practitioners and who have training/experience in human disability evaluation. The medical assessor's opinion is based on information provided by the person's treating physician in the medical section of the application form. This information includes detail on medical history and investigations and detail on medication and treatment and a competency grid to gauge activities of daily living. Any specialist medical evidence supplied is also reviewed by the medical assessor.

All medical evidence is reviewed by the medical assessor in accordance with Department's evidence based medical protocols and guidelines.

Social Welfare Appeals

316. **Deputy Ciarán Lynch** asked the Minister for Social Protection when a decision will issue on an appeal to be granted habitual residence in respect of a person (details supplied) following an oral hearing on 14 March; and if she will make a statement on the matter. [16609/12]

Minister for Social Protection (Deputy Joan Burton): I am advised by the Social Welfare Appeals Office that the Appeals Officer is now considering the appeal in the light of all the evidence submitted, including that adduced at the hearing. The person concerned will be notified of the Appeals Officer 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.

Community Employment Schemes

317. **Deputy Eric Byrne** asked the Minister for Social Protection if she outline the terms applying to a person (details supplied) in Dublin 12 and community employment workers in general as to the duration of their entitlements to BCE; if her attention has been drawn to the fact that there seems to be perpetual confusion among FÁS advisors and CE supervisors as to the eligibility for continuing CE workers on the schemes for more than two years; and if she will make a statement on the matter. [16627/12]

Minister for Social Protection (Deputy Joan Burton): Community Employment participants may be eligible, but not entitled, to extensions in their participation under the following criteria:

Part-time Integration Option

Participation on the Part-time Integration Option is for 1 year. In certain limited circumstances a second year may be available, subject to the approval of the Department and the availability of places and budget.

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Part-time Job Option

Participation on the Part-time Job Option is for 1 year initially with annually renewable contracts for a further 2 years, subject to annual departmental approval and the availability of places and budget. Persons under 55 years of age, who meet the qualifying conditions, may be eligible for a maximum of 3 years overall participation on Community Employment (CE). Persons of 55 or over, who meet the qualifying conditions, may be eligible to a maximum of 6 years overall participation on CE. Persons in receipt of any of the 4 disability-linked social welfare payments may be eligible for 1 additional year's participation. Only time spent on CE since the 3rd April 2000 counts towards these participation limits. Each CE participant on completion of a 52 week period is considered, on an individual basis, for an extension for a further period of time. Their record of training and "job-readiness" is considered by both the employer (CE sponsor) and the Department in arriving at a decision to extend participation.

The person concerned commenced on the Athru Education and Training CE programme on the 22nd February 2010 and completed a second consecutive year on the 19th February 2012. Request for a third year was to engage in a reception post which is not an agreed position on the CE programme. It was considered that the person concerned was ready to progress to employment or mainstream training.

Social Welfare Benefits

318. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the reason rent support has not been paid since January to a person (details supplied) in County Kildare; and if she will make a statement on the matter. [16634/12]

Minister for Social Protection (Deputy Joan Burton): The person concerned was awarded rent supplement on the 15th of March 2012. The claim was delayed due to a lack of information provided by the client.

Social Welfare Code

319. **Deputy Ciarán Lynch** asked the Minister for Social Protection if she will confirm that a person on invalidity pension who applies for partial capacity benefit but whose capacity to work is assessed as moderate or severe will lose 50% or 75% of their payment respectively; the provision made for a person whose capacity to work varies from day to day due to the underlying medical condition; if the reduction in the invalidity pension will continue when a person is assessed as having a moderate or severe invalidity but no suitable work is available; and if she will make a statement on the matter. [16654/12]

Minister for Social Protection (Deputy Joan Burton): The Partial Capacity Benefit scheme 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. 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. There is no earnings limit in place either.

The level of partial capacity benefit payable is related to the level of restriction on claimants' employment capacity, as assessed by a Medical Assessor. In the case of a person who was in receipt of invalidity pension prior to qualifying for partial capacity benefit, s/he will continue

to receive a payment equivalent to 75% of the personal rate of invalidity pension where the claimant is assessed as having a severe restriction on his/her capacity for work. Where the claimant is assessed as having a moderate restriction on his/her capacity for work, s/he will continue to receive a payment equivalent to 50% of the personal rate of invalidity pension. I should emphasise that any increases payable in respect of qualified adults or children are not affected in any way. I should mention also that where the claimant is assessed as having a profound restriction on his/her capacity for work, s/he will continue to receive a payment equivalent to 100% of the personal rate of invalidity pension.

It is not possible to make adjustments in the rates of payment where the capacity to work varies from day to day. However, the scheme provides that a claimant may revert to their underlying payment in the event that s/he is unable to continue to work for any reason.

Social Welfare Appeals

320. **Deputy Anne Ferris** asked the Minister for Social Protection if she will expedite an application in respect of a person (details supplied) in County Wicklow; and if she will make a statement on the matter. [16687/12]

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 10th March 2012. 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. When received, the appeal in question will be referred in due course 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.

321. **Deputy Simon Harris** asked the Minister for Social Protection the position regarding an appeal for domiciliary care allowance in respect of a person (details supplied); when a decision on their case may be expected; and if she will make a statement on the matter. [16692/12]

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 28th 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 13th February 2012 and the appeal will be assigned, in due course, to an Appeals Officer who will decide whether the case can be decided on a summary basis or whether to list it for oral hearing.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

322. **Deputy Simon Harris** asked the Minister for Social Protection the position regarding an appeal for domiciliary care allowance in respect of a person (details supplied) when a decision on their case may be expected; and if she will make a statement on the matter. [16693/12]

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 29th February 2012. It is a statutory requirement of the appeals process that the relevant Depart-

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mental papers and comments by the Deciding Officer on the grounds of appeal be sought. When received, the appeal in question will be referred to an Appeals Officer for consideration.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

323. **Deputy John McGuinness** asked the Minister for Social Protection if following an oral hearing, carers allowance will now be paid to a person (details supplied) in County Kilkenny; and if she will expedite a decision. [16723/12]

Minister for Social Protection (Deputy Joan Burton): I am advised by the Social Welfare Appeals Office that an oral hearing of this case took place on 12th March 2012 and the Appeals Officer is now considering the appeal in the light of all the evidence submitted, including that adduced at the oral 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.

324. **Deputy John McGuinness** asked the Minister for Social Protection if an appeal submitted by a relative to her Department's decision to reduce one parent family payment will be expedited and approved in respect of a person (details supplied) in County Kilkenny. [16729/12]

Minister for Social Protection (Deputy Joan Burton): I am informed by the Social Welfare Appeals Office that an appeal for the person concerned hasn't been registered. However, because of the large number of appeals currently being lodged, there is a delay of some three weeks in registering appeals and appeals received in this timeframe may not yet have been registered. The Chief Appeals Officer has assured me that all appropriate measures are being taken to address this backlog in registration.

The Social Welfare Appeals Office is an office of the Department that is independently responsible for determining appeals against decisions on social welfare entitlements.

Employment Support Services

325. **Deputy John McGuinness** asked the Minister for Social Protection the action she will take to facilitate a person (details supplied) in County Kilkenny; and if she will expedite a resolution to the problem. [16730/12]

Minister for Social Protection (Deputy Joan Burton): The National Internship Scheme provides internship opportunities of either 6 or 9 months for unemployed individuals on the Live Register, in organizations in the private, public and community voluntary sectors. The scheme is limited to individuals who are currently on the Live Register and have been in receipt of Jobseekers Allowance/Benefit or are signing on for credits for at least 3 of the last 6 months.

The eligibility to access the National Internship Scheme is based on the overall objective of labour market policy in ensuring a pathway to appropriate employment, training and education opportunities for those on the Live Register. It is important that as employment opportunities become available they are taken up by those on the Live Register. The structure for achieving this objective is through a reinvigorated National Employment Action Plan (NEAP) which currently provides the framework for engaging with the unemployed.

Given the scale of the unemployment crisis, the key objective of labour market policy and of the NEAP will be to keep those on the Live Register close to the Labour Market and prevent the drift into long-term unemployment. This will ensure that Live Register members availing of activation measures such as the National Internship Scheme will, while retaining social welfare unemployment payments and a top up allowance of €50, get an opportunity to engage in the workplace, get work experience and so be in a position to avail of employment opportunities as the economy improves.

For these reasons, it has been proposed as a matter of public policy that eligibility for the scheme be confined to those on the Live Register and in receipt of unemployment payments or signing for credits for 3 of the last 6 months. As such, the policy objective is to prioritise scarce resources on those on the Live Register so as to increase their chances of leaving it thereby ensuring a reduction in Exchequer costs over time.

The JobBridge Team are available to support and provide advice to all potential interns in relation to eligibility criteria and participation in the JobBridge Scheme. Should any further information be required, I would therefore recommend that the individual contact the JobBridge Team to discuss the details of their individual case and to explore the options available. My Department continues to monitor and review the operation of the JobBridge scheme including its eligibility criteria on an ongoing basis.

Social Welfare Fraud

326. **Deputy Joan Collins** asked the Minister for Social Protection further to Parliamentary Question No. 309 of 13 March 2012, the reason she finds it so hard to get the real figures for fraud into the public domain instead of control savings that this Deputy has pointed out are a minimum expected of any public system that pays out money; if she accepts that control savings and proven fraud are not the same thing and can her Department make it clear that our welfare state actually has low levels of fraud; and if she will make a statement on the matter. [16740/12]

Minister for Social Protection (Deputy Joan Burton): My Department processes in excess of 2 million applications each year and makes payments to some 1.4 million people each week. I want to emphasise again that the vast majority of people are receiving the entitlement due to them. I therefore agree with the Deputy that issues in relation to fraud and abuse should always be reported in a fair and balanced way. However as Minister, I am very conscious of the need to protect public money and I am determined to ensure that abuse of the system is prevented and is dealt with effectively when detected. Social welfare fraud undermines public confidence in the entire system as well as being unfair to other recipients of social welfare payments, businesses run on a legitimate basis and taxpayers. The Fraud Initiative 2011-2013 sets out a range of actions to combat fraud and abuse of the social welfare system and to ensure public confidence and trust in the system. Control Savings are an estimate of the value of prevented expenditure on fraudulent claims over a future period. The target for 2012 is €645m and this figure will be reviewed during the course of the year.

However, the most reliable measure of excess payments by the Department through fraudulent claiming is by way of fraud overpayments raised. In 2010, there were a total of 51,950 overpayments assessed on scheme cases which amounted to €83.4m and represented 0.41% of total Departmental expenditure. The corresponding figures for 2011 will not be available until audited by the Comptroller and Auditor General.

Social Welfare Appeals

327. **Deputy Martin Heydon** asked the Minister for Social Protection the position regarding

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rent allowance which was discontinued in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [16748/12]

Minister for Social Protection (Deputy Joan Burton): The Department had not been informed by the person concerned that his partner was self employed. For the purposes of rent supplement, the client's partner has the potential to work more than the permitted 30 hours per week and is hence considered to be in full time employment. The person concerned has appealed the decision to refuse rent supplement and this case is with the Social Welfare Appeals Office for consideration.

Question No. 328 withdrawn.

Social Welfare Benefits

329. **Deputy Billy Timmins** asked the Minister for Social Protection the position regarding a rent allowance in respect of a person (details supplied) in County Wicklow; and if she will make a statement on the matter. [16761/12]

Minister for Social Protection (Deputy Joan Burton): The limit applicable to the person concerned is for a single person in shared accommodation. No evidence has been furnished by the landlord in question to suggest that a separation of ownership exists within the property. Until such information has been provided the limit will remain unchanged.

Social Welfare Appeals

330. **Deputy Michelle Mulherin** asked the Minister for Social Protection the position regarding an appeal in respect of a person (details supplied) in County Mayo; and if same will be expedited. [16775/12]

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 29th September 2011. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. These papers were received in the Social Welfare Appeals Office on 12th March 2012 and the appeal will be assigned, in due course, to an Appeals Officer who will decide whether the case can be decided on a summary basis or whether to list it for oral hearing.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Question No. 331 withdrawn.

Community Employment Schemes

332. **Deputy Finian McGrath** asked the Minister for Social Protection if she will review a matter in respect of a person (details supplied) [16806/12]

Minister for Social Protection (Deputy Joan Burton): The Community Employment (CE) Programme is a labour market intervention designed to assist the long term unemployed return to the work force. Persons eligible to apply should be aged 25-65 years who are unemployed for over 12 months and who are currently in receipt of one of the following payments from the Department of Social Protection:

Jobseeker's Benefit (JB);

Jobseeker's Assistance (JA);

One-Parent Family payment (OFP);

Widows/Widowers/Surviving Civil Partner's (Contributory) Pension;

Widows/Widowers/Surviving Civil Partner's (Non-Contributory) Pension;

Deserted Wife's Benefit (DWB);

Farm Assist (FA).

To be eligible to participate on a community employment scheme, it is mandatory that all participants are currently in receipt of one of the above listed payments on their expected CE start date for a period of one year.

Furthermore, the following applies:

Persons availing of the Tús, Springboard or JobBridge programmes, or receiving Back to Education Allowance (BTEA) may not simultaneously participate on Community Employment (CE). Persons engaged on the Tús, Springboard or JobBridge programmes, or receiving Back to Education Allowance (BTEA) may not avail of spousal swap option for CE (to allow their spouse on CE) for the duration of their own programme. Time spent on Tús, Springboard, JobBridge or Back to Education Allowance (BTEA) will not count towards the qualifying period for eligibility to CE.

The person concerned was in receipt of Jobseeker's Benefit from 6th February 2010 to 1st October 2010, a total of 33 weeks. To be eligible for CE, she would have to be currently in receipt of one of the payments listed above, for a total of 52 weeks. Time spent on the VTOS programme does not count as part of this qualifying period.

Social Welfare Appeals

333. **Deputy Paul J. Connaughton** asked the Minister for Social Protection when a decision will issue in relation to a social welfare appeal when the oral hearing element of the appeal is now over in respect of a person (details supplied) in County Galway; and if she will make a statement on the matter. [16811/12]

Minister for Social Protection (Deputy Joan Burton): I am advised by the Social Welfare Appeals Office that an oral hearing of the appeal of the person concerned took place on 14th March 2012 and the Appeals Officer is now considering the appeal in the light of all the evidence submitted, including that adduced at the hearing. The person concerned will be notified of the Appeals Officer 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.

334. **Deputy Michael Creed** asked the Minister for Social Protection when a decision will issue on an appeal for invalidity pension in respect of a person (details supplied) in County Cork; and if she will make a statement on the matter. [16827/12]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that the invalidity pension claim of the person concerned was disallowed following

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an assessment by a Medical Assessor who expressed the opinion that she was medically unsuitable for the allowance. An appeal was registered on 28th January 2012 and in accordance with the statutory procedures the relevant department papers and the comments of or on behalf of the Deciding Officer on the matters 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.

Community Employment Schemes

335. **Deputy Brendan Smith** asked the Minister for Social Protection if she will refer to community employment schemes previously run by FÁS and comment on the changes recently introduced and the arrangements now in place or are proposed to assist community organisations such as scout troops for example who used to rely on FÁS sponsored CE schemes to take on a worker which they now cannot retain due to the change in the operation of the CES that is previously CES worker was paid a higher rate than the social welfare rate for taking up a CE Scheme but since this additional income was removed, there is now no incentive for a person to come off unemployment payments and such community organisation are left without the benefit of a CES; if she will verify that all such schemes will be offered a competent worker; and if she will make a statement on the matter. [16918/12]

Minister for Social Protection (Deputy Joan Burton): The budget for Community Employment (CE) in 2012 is €315 million and the number of places remains at the previous level of 23,300. The changes announced in the Budget had no effect on the rates paid to CE participants, which remain unchanged at 2011 levels. As announced in Budget 2012, new entrants to the Community Employment (CE) programme will not be able to claim another social welfare-funded payment at the same time, but will continue to receive the standard additional €20 CE participation bonus on top of the amount of their original payment.

All persons engaging in CE are still at least €20 better off financially than they were on their social welfare payment. They also have the opportunity of doing valuable work, benefiting both themselves through work experience and training and benefiting their communities in the course of their work. The Community Employment scheme vacancies continue to be heavily over-subscribed, so there are no issues with filling the available places on the scheme.

Social Welfare Appeals

336. **Deputy Dara Calleary** asked the Minister for Social Protection the position regarding an appeal in respect of a person (details supplied) in County Mayo [16920/12]

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 3rd January 2012. 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. When received, the appeal in question will be referred in due course to an Appeals Officer for consideration.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Question No. 337 withdrawn.

338. **Deputy John McGuinness** asked the Minister for Social Protection further to Parliamentary Question No. 243 of 17 January 2012, the position regarding a review of medical evidence in respect of a person (details supplied) in County Kilkenny; and if she will expedite a response. [16939/12]

Minister for Social Protection (Deputy Joan Burton): Further to my response to Parliamentary Question Ref. No. 2125/12 on 17 January 2012, I am advised by the Social Welfare Appeals Office that there is no update to the information given previously.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Redundancy Payments

339. **Deputy Seán Kyne** asked the Minister for Social Protection if pursuant to the recently announced changes to the redundancy rebate scheme, favourable consideration can be given in introducing a tiered rebate system which would take into account the much greater difficulties encountered by small to medium companies, in particular local, indigenous companies, in covering the cost of redundancy payments which are regrettably necessitated at times of severe economic conditions for such companies. [16946/12]

Minister for Social Protection (Deputy Joan Burton): The purpose of the redundancy payments scheme is to compensate workers, under the Redundancy Payments Acts, for the loss of their jobs by reason of redundancy. Compensation is based on the worker's length of reckonable service and reckonable weekly remuneration, subject to a ceiling of €600.00 per week. All payments are made from the Social Insurance Fund (SIF). There are two types of redundancy payment made from the SIF — rebates to those employers who have paid statutory redundancy to eligible employees and statutory lump sums to employees whose employers are insolvent and/or in receivership or liquidation.

It is the responsibility of the employer to pay statutory redundancy to all their eligible employees. An employer who pays statutory redundancy payments to their employees is then entitled to a rebate from the State. Rebates to employers and lump sums paid directly to employees are paid from the SIF.

Significant and increasing amounts have been paid out in redundancy rebates to employers from the SIF in recent years. While the SIF is constituted primarily from employer contributions, the taxpayers' contribution is also significant. One of the factors which influenced the Government's decision to revise the rebate rate was the increasing costs of rebates in recent years.

Where the date of dismissal for the purposes of redundancy occurred before 1 January 2012 the Social Insurance Fund refunded employers 60% of the cost of making people redundant. €152.2 million was paid out in rebates to employers in 2006; €167.4 million was paid in 2007; €161.8 million was paid in 2008; €247.9 million in 2009; €373.2 million in 2010 and €188.2 million in 2011. The amounts paid out in lump sums to employees have also increased.

As part of the deliberations on Budget 2012, the approach taken in other countries was examined and it was decided that the 60% level of rebate is not sustainable in the current economic climate. While this may cause difficulties for employers it should be noted that redundancy rebate payments to employers are not common in many EU and other jurisdictions. The new arrangements bring Ireland more closely into line with practice in other countries.

[Deputy Joan Burton.]

It is not proposed to introduce a tiered system of redundancy rebate rates.

Social Welfare Code

340. **Deputy Simon Harris** asked the Minister for Social Protection if she has any plans to introduce additional top-up payments to social welfare entitlements for diabetes sufferers in recognition of the additional expenses they incur on account of the disease; and if she will make a statement on the matter. [16956/12]

Minister for Social Protection (Deputy Joan Burton): Under the supplementary welfare allowance scheme, a diet supplement may be paid to a person who is receiving a social welfare or health service executive payment where a special diet is prescribed as a result of a specified medical condition and they satisfy a means test. A person's medical condition, such as diabetes, does not qualify them for a diet supplement rather it is the requirement for a special diet that allows them to be considered for a diet supplement.

The Department commissioned a study by an expert from the Irish Nutrition and Dietetic Institute which was called 'The Examination of the Cost of Healthy Eating and Specialised Diets'. The study was published in January 2006 before revised diet supplement arrangements were introduced in April 2006 and subsequently updated in January 2007.

These revised arrangements reflected the findings of the study. The objective is that all social welfare recipients, including those with special dietary needs, should be able to purchase an appropriate diet at a cost of no more than one third of their income. However, under the revised arrangements, diabetes was not classified as a prescribed diet but rather comes within a healthy eating diet which every person can meet from one third of their basic weekly payment from the Department.

There are no plans to make diabetes a prescribed diet for the purpose of qualifying for diet supplement.

Pension Provisions

341. **Deputy Catherine Byrne** asked the Minister for Social Protection if a matter concerning electronic transfer of a UK pension can be resolved in respect of a person (details supplied) in Dublin 8; and if she will make a statement on the matter. [16959/12]

Minister for Social Protection (Deputy Joan Burton): The matter in question has been referred to the Pension Service of the Department of Works and Pensions, Newcastle-Upon-Tyne, England. The Pension Services of the Department of Work and Pensions will contact the person concerned directly in relation to this matter.

Question No. 342 answered with Question No. 306.

Social Welfare Appeals

343. **Deputy Alan Farrell** asked the Minister for Social Protection the total number of applications for appeals on social welfare decisions in 2010 and 2011; the number of those appeals which were successful in changing the outcome of their application through this process; and if she will make a statement on the matter. [16987/12]

Minister for Social Protection (Deputy Joan Burton): I am advised by the Social Welfare Appeals Office that there is no direct link between the number of appeals received in a given year and the number processed in that year as all appeals received in a given year will not have

been reached and the number of appeals processed will include appeals received in previous years.

A total of 32,432 appeals were received in 2010 and 31,241 in 2011. In 2010, 28,166 were processed of which 12,029 (43%) had a favourable outcome for the appellant. Of these, 7,282 were revised by the Deciding Officer on further examination of the case in the light of the grounds of appeal and new evidence submitted by the appellant. The relevant figures for 2011 were 34,027 appeals processed, of which 14,366 (42%) had a favourable outcome. Of these 6,035 were revised by the Deciding Officer.

National Lottery Funding

344. **Deputy John McGuinness** asked the Minister for Social Protection if she will confirm the amount of National Lottery funds allocated to her Department; if the funds are spent on specific projects; if so, the name of the project; if the National Lottery fund is allocated to the general spend by her Department; and if she will make a statement on the matter. [17020/12]

Minister for Social Protection (Deputy Joan Burton): This Department does not receive any funding from the National Lottery.

Appointments to State Boards

345. **Deputy Jonathan O’Brien** asked the Minister for Social Protection if he will provide a full breakdown by gender of all appointments to State boards since February 2011; the current status of State boards in relation to the percentage of participation of women and men in each one; and if she will make a statement on the matter. [17566/12]

Minister for Social Protection (Deputy Joan Burton): The three statutory bodies operating under the aegis of the Department of Social Protection are the Social Welfare Tribunal, the Citizens Information Board and the Pensions Board. In addition, the Office of the Pensions Ombudsman (which does not have a board) comes under the remit of the Department.

The information sought by the Deputy is set out in the tables:

Appointments to State Boards by Gender since February 2011

Agency/Board	Total	Male	Female
Social Welfare Tribunal	1	0	1
Citizens Information Board	2	1	1
Pensions Board	0	0	0

Percentage of Males/Females currently serving on each Board

Board	Number of people currently serving on the Board	Male	Female	Male %	Female %
Social Welfare Tribunal	5	4	1	80%	20%
Citizens Information Board	15	7	8	47%	53%
Pensions Board	15	8	7	53%	47%

Departmental Equipment

346. **Deputy Regina Doherty** asked the Minister for Social Protection the number of laptops in use in her Department; the number of tablets in use in her Department; the number of the laptops in use that are due to be upgraded this year [17579/12]

Minister for Social Protection (Deputy Joan Burton): There are in total 535 laptops deployed across the Department and there are no specific plans to upgrade any laptops this year.

No tablets have been purchased by the Department for production use, however a small number of devices are being evaluated at present in the context of increased requirements for mobile working. In addition, some staff have been authorised, subject to appropriate security clearance, to use their own tablet devices.

National Gallery

347. **Deputy Eoghan Murphy** asked the Minister for Arts, Heritage and the Gaeltacht the reason behind the proposed merger of the Irish Museum of Modern Art, the National Gallery and the Crawford Gallery in Cork; and the potential savings to the State as a result of this proposed merger. [16119/12]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): As the Deputy will be aware, the Government announced its Public Service Reform Plan on 17 November, 2011. Appendix IIA to that plan sets out a number of bodies to be rationalised, amalgamated or abolished in 2012, including, in respect of my Department, the following action: “*Combine Irish Museum of Modern Art, Crawford Art Gallery and the National Gallery of Ireland, while retaining separate identities*”. The Reform Plan sets out the context and background to the decision.

My Department has commenced a detailed examination of the issues involved. The input of the Institutions will be crucial in this examination. At this point, it is not yet possible to properly assess the issue of projected savings. The Deputy will appreciate that the pursuit of efficiencies and synergies are also some of the elements under consideration.

Departmental Staff

348. **Deputy Sean Fleming** asked the Minister for Arts, Heritage and the Gaeltacht if he will provide a list of staff in his Department that serve as directors of companies arising from their employment; the names of the companies involved; the annual remuneration received, if any; if they are indemnified by his Department in respect of their role as directors; and if he will make a statement on the matter. [16411/12]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): I am advised that one member of staff of my Department serves as director of a company arising from his employment. The official in question is a director of the NPLD (Network to Promote Linguistic Diversity), which is a company limited by guarantee. NPLD is a pan-European network which encompasses constitutional, regional and smaller-state languages to promote linguistic diversity in the context of a multilingual Europe (www.npld.eu). He receives no remuneration from this appointment and is indemnified by my Department in respect of this role.

Ministerial Travel

349. **Deputy Niall Collins** asked the Minister for Arts, Heritage and the Gaeltacht the amount of expenses claimed on a monthly basis since March 2011 by all Ministers attached to his Department; and if he will make a statement on the matter. [16445/12]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): As the Deputy will be aware, the Department of Arts, Heritage and the Gaeltacht has only been established since 2 June 2011, following substantial Departmental reconfigurations. The cost each month since June 2011 of travel and subsistence expenses (including mileage relating to official business) paid to me and to the Minister of State at my Department, in accordance with the Department of Public Expenditure and Reform guidance on such matters, is set out in the following table:

	Minister	Minister of State
2011		
June	3,888.85	0.00
July	2,192.56	0.00
August	2,802.17	7,003.60
September	2,144.16	0.00
October	2,803.33	498.14
November	2,257.45	4,320.45
December	2,472.87	2,297.58
2012		
January	180.83	690.46
February	5,887.32	2,406.36
March	286.92	0.00

Harbours and Piers

350. **Deputy Clare Daly** asked the Minister for Arts, Heritage and the Gaeltacht the steps he will take to prevent the eviction of residents by Waterways Ireland from Lowtown Marina near Naas, County Kildare; and if he will make a statement on the matter. [16675/12]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): As the Deputy will appreciate, the issue referred to relates to operational day-to-day matters for Waterways Ireland (WI) and is one for which I have no direct responsibility. On foot of the Deputy's Question, however, I have been informed by WI that for some time it has been endeavouring to regularise the ownership and lease arrangements at Lowtown Marina and that, following lengthy negotiations, it is in the process of recovering the property. WI advises that part of that recovery will be to restore the public right of way over the towpath and to remove any unauthorised developments attaching to the marina, especially those which present health and safety risks. I am advised also that certain remedial works are considered necessary, following inspections by WI's safety advisor, and that these works require the removal of craft moored at the locations in question.

I understand from WI that affected persons living on board craft moored at Lowtown Marina have already been advised to contact WI's Inspectorate in regard to alternative locations. I am informed that, ultimately, WI intends to re-develop the area in question and is presently examining possibilities for the site, including the installation of serviced berths for houseboats. Any such plans will, however, be contingent on available resources and planning permission.

Film Industry Development

351. **Deputy Simon Harris** asked the Minister for Arts, Heritage and the Gaeltacht if his attention has been drawn to the difficulties facing a studio (details supplied) in County Wicklow; if he has had any contact with that studio on the matter to date; and if he will make a statement on the matter. [16760/12]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): I am aware of the difficulties facing the studios referred to in the Deputy's Question. I understand that the statutory agency with responsibility for the development of the sector in question, and which is funded by my Department, is in ongoing discussions with the owners of the studios. Accordingly, it would not be appropriate for me to comment further at this juncture.

352. **Deputy Seán Kyne** asked the Minister for Arts, Heritage and the Gaeltacht if strong consideration can be given, in view of the recent measures announced in the UK Budget, to the introduction of new measures and the strengthening of existing ones to ensure Ireland maintains its competitive advantage in the film and TV industry over other competitors and in particular in extending tax relief to include not only film and TV production but also animation and gaming; and if he will make a statement on the matter. [16948/12]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): Primary responsibility for the support and promotion of film-making in Ireland, in respect of both the indigenous sector and inward productions, is a matter for the Irish Film Board. This agency is funded through my Department and has been allocated €15.7m in 2012 to carry out its functions. Under section 481 of the Taxes Consolidation Act 1997, tax relief is allowed for investments in certain films. The types of film eligible for certification are feature film, television drama, creative documentary and animation. The scheme is kept under regular review in conjunction with the Irish Film Board and any enhancements considered necessary to retain or regain competitiveness are brought to the attention of the Minister for Finance, as appropriate. The scheme has been extended to the end of 2015. I have asked the Irish Film Board to provide an analysis of the likely impact of the proposed move by the U.K. Treasury.

National Lottery Funding

353. **Deputy John McGuinness** asked the Minister for Arts, Heritage and the Gaeltacht if he will confirm the amount of National Lottery funds allocated to his Department; if the funds are spent on specific projects; if so, the name of the project; if the National Lottery fund is allocated to the general spend by his Department; and if he will make a statement on the matter. [17008/12]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): As the Deputy is aware, an overall allocation is provided from the National Lottery each year for expenditure through the Votes of various Departments. Details of this allocation are published in Appendix 1 of the annual Revised Estimates Volume and I understand that a total provision of €220m is being made available in 2012. Three subheads in my Department's Vote are partially funded from this National Lottery allocation. The 2012 allocations for these subheads (which include both Lottery and Exchequer funding) are set out in the following table:

Subhead	2012 Allocation €000
A.9 Grant for the Arts Council	63,241
B.3 Grant for the Heritage Council	4,811
C.4 Irish Language Support Schemes	4,625

Appointments to State Boards

354. **Deputy Jonathan O'Brien** asked the Minister for Arts, Heritage and the Gaeltacht if he will provide a full breakdown by gender of all appointments to State boards since February 2011; the current status of State boards in relation to the percentage of participation of women and men in each one; and if he will make a statement on the matter. [17557/12]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): The information sought by the Deputy concerning the current status of State boards in relation to the participation of women and men, and also a breakdown by gender of all appointments to State boards since my appointment as Minister for Arts, Heritage and the Gaeltacht, is set out in the following tables. I should add that my Department reviews the membership of boards, including gender balance, on a regular basis.

State Body/Agency under the remit of D/AHG	Current membership of the board of that body/agency	Men	Women	Board members appointed by the Minister since his appointment.	Men	Women
National Museum of Ireland	Dr John O'Mahony (Chair) Mr Gerard Collins Mr Fergus McKenna O'Hagan Mr Eamonn McEaney Mr Eamon Stack Ms Eileen Jackson Mr Olivier Kazmierczak Ms Mary Sleeman Ms Frances Rocks Mr Paul Kelly Professor Dervilla M.X. Donnelly Professor Peter Woodman Dr Chris Nicholas Professor Gearóid Ó Tuathaigh Ms Máirín de Brún Ms Mary Crotty	10	6	0	N/A	N/A
National Library of Ireland	Mr David Harvey (Chair) Professor Diarmaid Ferriter Dr Marian Fitzgibbon Mr Brian Halpin Mr Patrick McMahon Ms Carol Maddock Mr Des Marnane Mrs Susan Phillips Ms Pat Quinn Mr Paul Rellis Mr H. Paul Shovlin Professor Robert Spoo	8	4	0	N/A	N/A
National Concert Hall	Mr Kieran Tobin (Chair) Ms Dearbhla Collins Mr John McGrane Ms Laurie Cearr Ms Gina Menzies Mr Bruce Arnold Ms Margaret Ryan Mr Ray Bates Ms Alma Hynes Ms Artemis Kent Ms Deborah Kelleher Mr Peter McEvoy Mr Pat Heneghan Ms Rachel Holstead Ms Patricia Slavin	6	9	Mr Kieran Tobin (Chair) Ms Dearbhla Collins Mr John McGrane Ms Laurie Cearr Ms Gina Menzies Mr Bruce Arnold Ms Margaret Ryan Mr Ray Bates Ms Alma Hynes Ms Artemis Kent Ms Deborah Kelleher Mr Peter McEvoy Mr Pat Heneghan Ms Rachel Holstead Ms Patricia Slavin	6	9

[Deputy Jimmy Deenihan.]

State Body/Agency under the remit of D/AHG	Current membership of the board of that body/agency	Men	Women	Board members appointed by the Minister since his appointment.	Men	Women
National Gallery of Ireland	Ms Olive Braiden (Chair) Mr John Mulcahy Dr Abdul Bulbulia Mr Paul O'Brien Mr Jackie Gallagher Mr Dermod Dwyer Dr Tom McCarthy (Vice Chair) Ms Kathleen Watkins Mr Michael Cush SC Mr Fred Krehbiel Mr James Hanley Mr Martin Gale Ms Clare McGrath Professor Luke O'Connor Drury Mr Des McMahon Mr Matthew Dempsey Mr Martin Alphonsus (Fonsie) Mealy	14	3	Mr Fred Krehbiel	1	0
Irish Museum of Modern Art	Mr Eoin McGonigal (Chair) Ms Emer O'Kelly Mr Conor Bowman Ms Anne O'Donoghue Mr Eamon Delaney Mr Brian McMahon Ms Julie O'Neill Mr Brian Randalow Mr Brendan Flynn Mr Rowan Gillespie Ms Mary McCarthy Dr Éimear O'Connor	7	5	0	N/A	N/A
Chester Beatty Library	Dr Patricia Donlon Ms Madeline O'Sullivan		2	Dr Patricia Donlon	0	1
Crawford Art Gallery	Mr John R. Bowen (Chair) Ms Sheila Maguire Mr Noel O'Keefe Ms Úna Feely Cllr Jim Corr Cllr Tim Brosnan Mr Tim Lucey Mr Kevin Lonergan	6	2	Ms Sheila Maguire Mr Noel O'Keefe Ms Úna Feely Cllr Jim Corr Cllr Tim Brosnan Mr Tim Lucey	4	2
Irish Film Board	Mr James Morris (Chair) Ms Lesley McKimm Mr Tristan Orpen Lynch Mr Kevin Moriarty Ms Kirsten Sheridan Mr Barry Grace Mr Johnny Gogan	5	2	0	N/A	N/A

State Body/Agency under the remit of D/AHG	Current membership of the board of that body/agency	Men	Women	Board members appointed by the Minister since his appointment.	Men	Women
Arts Council	Ms. Pat Moylan (Chair) Ms. Aibhlín McCrann Ms. Louise Donlon Ms. Caroline Senior Ms. Fiona Kearney Mr. Colm Tóibín Mr. Paul Johnson Ms. Judith Woodworth Mr. John O'Donnell Dr. Éimear O'Connor Mr. Ciarán Walsh Mr. Mark O'Regan Mr. John Fanning	6	7	Dr. Éimear O'Connor Mr. Ciarán Walsh Mr. Mark O'Regan Mr. John Fanning	3	1
Heritage Council	Mr Conor Newman (Chair) Dr Caro-lynn Ferris Dr Brendan Dunford Ms Mary Keenan Professor Gabriel Cooney Ms Kealin Ireland Dr Henry Lyons Ms Gráinne Shaffrey Mr Ian Lumley Ms Helen O'Carroll Dr Ciara Breathnach Dr Kieran O'Connor Mr Ted Creedon Ms Catherine Heaney Dr Fidelma Mullane Mr Michael Parsons	8	8	Dr Ciara Breathnach Dr Kieran O'Connor Mr Ted Creedon Ms Catherine Heaney Dr Fidelma Mullane Mr Michael Parsons	3	3
Údarás na Gaeltachta	<i>Appointed members:</i> Mr Liam Ó Cuinneagáin (Chairman) Ms Treasa Uí Lorcáin Ms Cathy Ní Ghoill <i>Elected members:</i> Mr Brian Ó Domhnaill Ms Connie Ní Fhatharta Mr Fiachra Ó Céilleachair Mr Ian Mac Aindriú Mr Seán Ó Tuairisg Mr Micheál Ó Scanaill Mr Pádraig Ó Dochartaigh Mr Daithí Alcorn Ms Gráinne Mhic Géidigh Mr Seán Ó Créabháin Mr Séamas Breathnach Mr Val Hanley Mr Cathal Seoighe Mr Séamus Cosáí Mac Gearailt Mr Breandán Mac Gearailt Mr Seosamh Ó Cuaig Mr Tadhg Ó Cuinn	16	4	0	N/A	N/A

[Deputy Jimmy Deenihan.]

Boards of the North South Implementation bodies under the aegis of my Department:

State Body/ Agency under the remit of D/AHG	Current membership of the board of that body/agency	Men	Women	Board members appointed by the Minister since his appointment.	Men	Women
Foras na Gaeilge	Mr Liam Ó Maolmhichíl (Chair) Mr Eoghan Mac Cormaic (Vice Chair) Mr Pól Callaghan Mr Colm Cavanagh Ms Áine Ní Chiaráin Ms Bríd Ní Chonghoile Mr Liam Kennedy Mr Seosamh Mac Donnchadha Mr Tomás Mac Eochagáin Mr Marcus MacRuairi Mr Seán Mícheal Ó Dómhnaill Mr Dónal Ó hAiniféin Ms Therese Ruane Mr Tomás Sharkey Ms Cáitríona Ní Shúilleabháin	11	4	N/A — Appointments to the boards of North South Implementation Bodes are made by the North South Ministerial Council on the basis of 50:50 nominations in each jurisdiction.	N/A	N/A
Ulster-Scots Agency	Mr Tom Scott (Chair) Mr Tony Crooks (Vice Chair) Ms Ida Fisher Mr William Leatham Mr Val O'Kelly Ms Hilary Singleton Ms Sharon Tracey-Dunne Mr Trevor Wilson	5	3	N/A — Appointments to the boards of North South Implementation Bodes are made by the North South Ministerial Council on the basis of 50:50 nominations in each jurisdiction.	N/A	N/A

Departmental Equipment

355. **Deputy Regina Doherty** asked the Minister for Arts, Heritage and the Gaeltacht the number of laptops in use in his Department; the number of tablets in use in his Department; the number of the laptops in use that are due to be upgraded this year; and if he will make a statement on the matter. [17568/12]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): The Department has 76 laptops and 11 tablet devices available for use. These numbers do not include laptops which are used by staff of the Department's Heritage Division but which are assets of the Department of Environment, Community and Local Government. The latter provides ICT services for the Heritage Division by agreement between both Departments. The Department does not intend at this juncture to carry out a systematic upgrade of its stock of laptops. As and when laptops become faulty, a decision is made as to whether it is more economical to repair or to replace the device.

Energy Sector

356. **Deputy Dara Murphy** asked the Minister for Communications, Energy and Natural Resources if his attention has been drawn to the fact that a person (details supplied) in County Cork has been charged €960 by Bord Gais Networks and €390 by ESB Networks to have their

meter moved while they are having insulation installed on the outside walls of their home; and if he will make a statement on the matter. [16300/12]

361. **Deputy Dara Murphy** asked the Minister for Communications, Energy and Natural Resources if approval was sought from the Energy Regulator for a price increase from Bord Gáis Networks and in the case of the ESB Networks the introduction of charging, when an individual moves their metering box for the purposes of having insulation installed on the outside of their home and or any other building work carried out; and if he will make a statement on the matter. [16297/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): I propose to take Question Nos. 356 and 361 together.

The relocation or alteration of a meter due to home renovations is a matter for Bord Gáis Networks or ESB Networks, as appropriate. As such it is an operational matter for the companies and not one in which I have any function. The Commission for Energy Regulation, a statutorily independent body established under the Electricity Regulation Act 1999, has responsibility for overseeing the regulation of Ireland's electricity and gas sectors, including the regulation of tariffs and connection fees.

Offshore Exploration

357. **Deputy Thomas P. Broughan** asked the Minister for Communications, Energy and Natural Resources his views on the current prospects for the Barryroe site 50km off the south coast of Cork which is currently being explored by Providence resources; if he will report on potential prospects at the site; and if he will make a statement on the matter. [16090/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The results of tests carried out recently on the Barryroe oil appraisal well are encouraging. The flow rates achieved are the highest so far for any testing operations in the Wealden formation and represent the first significant flows of oil on test anywhere offshore Ireland in twelve years. While the recent results are encouraging, more work will be required to determine if the discovery can be declared commercial.

My Department is actively promoting exploration for oil and gas both for security of energy supply and as a potentially valuable source of revenue. The results of the Barryroe well further demonstrate the hydrocarbon potential present offshore Ireland and should be of considerable interest to the oil industry.

State Agencies

358. **Deputy Michelle Mulherin** asked the Minister for Communications, Energy and Natural Resources the bonus or performance related payment the chief executive officer of An Post receives per annum on top of their basic salary; the circumstances in which a bonus becomes payable; and the way it is calculated. [16146/12]

359. **Deputy Michelle Mulherin** asked the Minister for Communications, Energy and Natural Resources the salary paid to the chief executive officer of An Post over the past five years; and if he will provide details and amounts of all bonuses and performance related payments received by them over that period. [16152/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): I propose to take Questions Nos. 358 and 359 together.

[Deputy Pat Rabbitte.]

The following table shows the amounts paid to the An Post Chief Executive Officer (CEO) for the years 2006 to 2010 as stated in the five most recently published Annual Reports for the company:

	2010 €	2009 €	2008 €	2007 €	2006 (CEO retired 13/7/06) €	2006 (CEO appointed 14/8/06) €
Basic Salary	386,000	386,000	379,000	353,000	170,000	130,000
Director's fee	16,000	16,000	18,000	18,000	9,000	7,000
Non-pensionable performance related pay	—	—	—	61,000	58,000	21,000
Taxable benefits including use of company car	21,000	21,000	21,000	21,000	10,000	7,000

An Post's Performance Related Payment Scheme provides for up to 35% of basic pay: 25% applicable to annual objectives and 10% for multi-annual (3 years) objectives. The CEO has waived his entitlement under the 25% short term scheme since 2008. Amounts payable under the 10% long term scheme are not finalised and do not become payable until the end of the three year term. However, it is estimated that an amount of €97,000 has been earned by the current CEO under the 10% long term scheme since the date of his appointment (14 August 2006) up to 31 December 2009. No determination has been made yet in relation to amounts earned by the CEO in 2010 under the 10% long term scheme. An Post Annual Reports are available on its website: *www.anpost.ie*. The Annual Report for 2011 is currently being finalised and will be published in due course. I should also wish to advise the Deputy that the CEO voluntarily waived 15% of his salary with effect from 1st December 2011 and for 2012.

Post Office Network

360. **Deputy Michelle Mulherin** asked the Minister for Communications, Energy and Natural Resources the number of sub-post offices that have been shut down over the past five years in the Dublin metropolitan area. [16155/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): Post office network issues, including the closure of sub-post offices, are an operational matter for the Board and management of An Post and one in which I have no direct role. I have however, requested that the information be provided to the Deputy by An Post.

Question No. 361 answered with Question No. 356.

Postal Services

362. **Deputy Michelle Mulherin** asked the Minister for Communications, Energy and Natural Resources the public service obligations upon An Post in the postal service it is required to deliver to rural areas; and if he will make a statement on the matter. [16368/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The Communications Regulation (Postal Services) Act 2011, designates An Post as the universal postal service provider in the newly liberalised postal services market. This designation, which is for a period of twelve years, will be reviewed by the Commission for Communications Regulation (ComReg) to decide whether the designation of An Post after the expiry of the first

seven years should continue for the remainder of the twelve years, whether other postal operators should be designated or that no designation is required in order to fulfil the universal service obligation. Designation requires An Post to provide a minimum level of postal service throughout the State, the essential element of which is the collection and delivery of mail to every address on every working day, which is effectively each day from Monday to Friday.

Post Office Network

363. **Deputy Michael Healy-Rae** asked the Minister for Communications, Energy and Natural Resources his views on a matter (details supplied) regarding post offices; and if he will make a statement on the matter. [16380/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The operation of An Post's post office network is a matter for the board and management of the company and not one in which I have a statutory function. However, I do appreciate the importance of the rural post office infrastructure in particular. The Government's core policy goal for the postal sector is to ensure that Irish customers, both business and residential, enjoy competitively priced, high quality postal services. The Government is committed to a strong and viable An Post and supports its maintenance of the maximum number of economically viable post offices. Decisions regarding the contract for the provision of social welfare payments are a matter for the Minister for Social Protection.

Departmental Staff

364. **Deputy Sean Fleming** asked the Minister for Communications, Energy and Natural Resources if he will provide a list of staff in his Department that serve as directors of companies arising from their employment; the names of the companies involved; the annual remuneration received, if any; if they are indemnified by his Department in respect of their role as directors; and if he will make a statement on the matter. [16413/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): I wish to advise the Deputy that there are currently 3 staff serving on the Boards of 4 Non Commercial State companies, which come under the aegis of my Department, details of which are set out in tabular form as follows. None of these individuals is in receipt of remuneration. The Attorney General has advised that people working for the State are entitled to be indemnified for such work. The indemnification covers any reasonable legal fees and/or damages incurred where people are sued for undertaking their duties on behalf of the State provided they acted in good faith and in a bona fide manner. The State carries its own insurance in this regard. This indemnity applies to civil servants appointed to State boards as part of their official duties.

Board	Member of staff serving on the Board
Digital Hub Development Agency	Ms Katherine Licken
Irish National Petroleum Corporation	Ms Aoife McAvilly
National Oil Reserves Agency	Ms Aoife McAvilly
Sustainable Energy Authority of Ireland	Mr Brian Carroll

Ministerial Travel

365. **Deputy Niall Collins** asked the Minister for Communications, Energy and Natural Resources the amount of expenses claimed on a monthly basis since March 2011 by all Ministers attached to his Department; and if he will make a statement on the matter. [16447/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): Information requested by the Deputy is outlined in the following tables and includes the mileage allowance applied for senior Ministers following the Government decision to end the provision of state cars to most Ministers.

Minister Pat Rabbitte

Month	Expenses
March 2011	—
April 2011	—
May 2011	—
June 2011	€241.87
July 2011	€176.96
August 2011	€5,200.70
September 2011	—
October 2011	—
November 2011	€2,674.15
December 2011	€1,470.84
January 2012	€402.14
February 2012	—
March 2012	—

Minister of State Fergus O'Dowd

Month	Expenses
March 2011	—
April 2011	—
May 2011	—
June 2011	€2,570.61
July 2011	€2,131.56
August 2011	—
September 2011	€902.25
October 2011	€3,338.57
November 2011	€884.32
December 2011	€1,881.34
January 2012	€360.52
February 2012	€2,475.62
March 2012	€2,124.02

Broadcasting Services

366. **Deputy Thomas P. Broughan** asked the Minister for Communications, Energy and Natural Resources when he will carry out a public consultation of suggested new TG4 stations; and if he will make a statement on the matter. [16698/12]

367. **Deputy Thomas P. Broughan** asked the Minister for Communications, Energy and Natural Resources when he expects the Broadcasting Authority of Ireland to carry out a Sectorial Impact Analysis on suggested new TG4 channels; and if he will make a statement on the matter. [16699/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): I propose to take Questions Nos. 366 and 367 together.

In 2011, the Broadcasting Authority of Ireland (BAI) undertook a process which involved seeking expressions of interest from any broadcasters or content providers interested in providing additional broadcast services on the RTÉ Saorview platform. This process was undertaken in accordance with the additional functions conferred on the BAI by way of Statutory Instrument No. 67 of 2011. The BAI submitted its initial report on the expressions of interest process in May 2011 and the report indicated some broadcaster interest in using SAORVIEW, including a proposal from TG4. Since then, my Department has actively engaged with the BAI on the detail of this report and has sought a number of clarifications concerning the implementation of the Report's recommendations. I can confirm that the necessary clarifications were provided last week to my Department and my officials are now preparing a recommendation to me in regard to the specific additional channels to be carried on SAORVIEW. I expect to have this recommendation very shortly. Once I have made my decision on the recommendation, contact will be made with the successful applicants in regard to their proposed new services.

Should TG4 be amongst these successful applicants, section 103 of the Broadcasting Act 2009 requires that, as a public service broadcasting corporation, a Public Value Test shall be carried out on any new services proposed by them. As part of this process, I am required, as Minister, to consult with the BAI as to the sectoral impact of any such proposals. This Sectoral Impact Assessment is undertaken by the BAI in accordance with the provisions of section 100 of the Broadcasting Act 2009.

368. **Deputy Thomas P. Broughan** asked the Minister for Communications, Energy and Natural Resources if the Sound and Vision Fund is being promoted as part of his Department's Digital Switch Over Campaign along with other digital platforms; if not, the reason, as it is available to free to air satellite channels; and if he will make a statement on the matter. [16700/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): There is no connection between the Sound and Vision Fund and the Digital Switch Over Campaign. The objective of the Digital Switch Over Campaign is to ensure that no one loses access to the Irish TV stations after the analogue network is switched off on the 24th October 2012. In particular the Campaign aims to inform the public that—

1. The national analogue TV service is switching to a national digital TV service,
2. Analogue switch off will take place on 24th October 2012,
3. Those reliant on the analogue network have to take action to avoid their screens going blank,
4. The options in going for digital, those reliant on the analogue of, and
5. Pay TV service providers or similar multichannel TV services will not be affected.

The Sound and Vision Fund, delivered by the Broadcasting Authority of Ireland, offers funding to independent television producers for various genres of programming, for example documentaries, children's programming and film production.

Energy Conservation

369. **Deputy Brendan Griffin** asked the Minister for Communications, Energy and Natural

[Deputy Brendan Griffin.]

Resources if he will review a matter in respect of a person (details supplied); and if he will make a statement on the matter. [16747/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The Sustainable Energy Authority of Ireland (SEAI) operates the Better Energy Programme on behalf of my Department. The scheme is delivered through a range of Community Based Organisations (CBOs), augmented by a panel of private contractors in order to ensure national coverage. The SEAI has informed my Department that the applicant was registered for the scheme on the 1st October 2010 and surveyed on the 29th September 2011. This survey identified the recommended energy efficiency measures to be installed, which included in full, attic insulation, cold water storage tank lagging, feed and expansion tank lagging, pipe lagging, energy advice and energy efficient light bulbs.

The application was allocated to an SEAI contractor on the 18th November 2011 with a view to installing the measures recommended in his survey. It is noted on his application file that the contractor tried to make contact with the applicant on a number of occasions but was unsuccessful on each attempt. The contractor also confirmed that numerous voicemails were left on the homeowner's phone, but they never received a return call. As a result of this, his installation work was cancelled on the 28th November 2011.

The SEAI is currently in the process of contract renewal with the network of CBOs and the process of appointing a contractor panel for 2012 delivery of the Better Energy Programme is currently underway. This is subject of EU tendering procedures and it is expected that the panel will be in place and operational during the second quarter of 2012. Once the panel is appointed, the application will be addressed before the end of July 2012.

Telecommunications Services

370. **Deputy Catherine Murphy** asked the Minister for Communications, Energy and Natural Resources the remedies which are available for premises which cannot obtain a broadband service commercially due to their geographical location and who are not applicants under the rural broadband scheme; if he intends to pursue any further measures of State assistance in this regard; and if he will make a statement on the matter. [16784/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): Ireland's telecommunications market has been liberalised since 1999 and thus the delivery of broadband services is a matter, in the first instance, for private sector commercial operators. The State only intervenes in cases of clear market failure, such as in the cases of both the National Broadband Scheme (NBS) and the Rural Broadband Scheme (RBS). Any such State intervention is subject to EU State Aid scrutiny to ensure that it does not give rise to an unacceptable level of market distortion.

The availability of funding from the European Economic Recovery Plan enabled the Department of Agriculture Food and the Marine to make funding available under the Rural Development Programme (RDP) aimed at improving rural broadband. The RBS was developed by my Department as a measure under the RDP and was launched last year, aimed at making a basic broadband service available to those individual un-served premises in rural non-NBS areas who wish to avail of such services. Under the funding rules, this measure must be completed by the end of 2012.

Approximately 3,700 applications qualified under the Scheme and the Verification Phase of the Scheme is now underway. Under this phase, the details of applicants have been passed to Internet Service Providers (ISPs) who are participating in the Scheme and these companies

have responded to my Department indicating where they may be able to offer services. My Department will shortly be providing further information to the participating ISPs to enable them to write to applicants with offers of service. I expect that these written offers will be sent out in April and, subject to final agreement with the ISPs concerned, the provision of services to applicants during this phase of the Scheme will be carried out over the period May to July this year.

The response to date by industry suggests that virtually all premises in the country are capable of obtaining a broadband service from a supplier using one of the available technology platforms i.e. DSL, fixed or mobile wireless, cable or satellite. Where a commercial service has been shown to be available, the State cannot intervene with a subvention for alternative services. Accordingly, I do not anticipate the introduction of a further similar scheme in the future.

The Government accepts that the widespread availability of high speed broadband is a key requirement in delivering future economic and social development. The Next Generation Broadband Taskforce, which I convened last summer, has an important role to play in this regard. It comprises the CEOs of all of the major telecommunications companies operating in the Irish market, as well as CEOs of some other companies that provide broadband services. The purpose of the Taskforce is to discuss and report on policy issues and proposals in relation to the provision of high speed broadband across Ireland. I expect that the Taskforce will help to identify how best to deliver wider customer access to high-speed broadband generally and thereby assist in delivering on the commitment in the Programme for Government. The Taskforce will conclude its deliberations shortly. It is my intention to consider the findings, conclusions and recommendations of the report of the Taskforce and to move quickly thereafter to put in place the optimal policy environment for the delivery of high speed broadband.

Telecommunications Services

371. **Deputy Simon Harris** asked the Minister for Communications, Energy and Natural Resources the number of houses participating in the national broadband scheme in County Wicklow; and if he will make a statement on the matter. [16832/12]

372. **Deputy Simon Harris** asked the Minister for Communications, Energy and Natural Resources the minimum standards acceptable for satellite Internet supply under the national broadband scheme; the quality of service this should enable users to avail of; if his attention has been drawn to the difficulties facing some users of the service in accessing certain websites (details supplied); and if he will make a statement on the matter. [16833/12]

373. **Deputy Simon Harris** asked the Minister for Communications, Energy and Natural Resources if there are any plans to improve the standard of broadband to those availing of the national broadband scheme in rural areas; and if he will make a statement on the matter. [16834/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): I propose to take Questions Nos. 371 to 373, inclusive, together.

Under the National Broadband Scheme (NBS), services are available since October 2010 from the NBS service provider, 3, to persons with a fixed residence or fixed business in each of the 1,028 Electoral Divisions (ED) designated to be covered under the Scheme. There are 37 EDs within the NBS Coverage Area in County Wicklow. To date, 1,240 customers within these EDs have chosen to avail of the NBS service.

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With regard to plans to improve the standard of the NBS service, a contractual upgrade of the specifications of the NBS mobile product will take place from October of this year, without an increase in the monthly fee. Following the upgrade, the minimum download speed will increase from 1.6Mbps to 2.3Mbps while the minimum upload speed will increase from 1.2Mbps to 1.4Mbps, with a maximum contention ratio of 18:1. The combined monthly data allowance will move from 25GB to 40GB.

For technical reasons associated with location, the NBS contract always envisaged that a small percentage of premises would require connection via satellite. For satellite customers, currently minimum speeds of 1Mbps download and 128Kbps upload, subject to a maximum contention ratio of 48:1 and a monthly data allowance of 11GB apply. There will be a contractual upgrade to the NBS satellite product in July 2012, which will see the minimum download speed increase to 1.6Mbps and minimum upload speed increase to 256Kbps, while the contention ratio and data allowance remain the same. Similarly, following the further satellite upgrade in February 2014, the minimum download speed will increase to 2Mbps while the other specifications remain the same. My Department has put in place robust monitoring arrangements to ensure that the NBS delivers the minimum specified service or better to all users. The NBS contract guarantees service levels and imposes a service credit regime on 3 with significant financial consequences in the event that minimum specification service levels are not met. I understand that if a customer's usage remains within the monthly data allowance of 11GB, customers should not be experiencing any problems accessing "everyday" websites. Should such problems arise, the customer should contact 3 and their issues will be addressed. 3's customer care centre can be contacted 24 hours a day 7 days a week by phone at 1913 (free of charge), via email to nbsupport@three.ie or by post to 3 Customer Services, Hutchison 3G Ireland Limited, PO Box 333, Dublin 2.

My Department has a role when customers have fully utilised the established complaints process. It operates a dedicated NBS mailbox, which NBS customers can contact by email at nationalbroadbandscheme@dcenr.gov.ie with any comments or complaints they may have about their NBS service. Should any customers have unresolved problems with their NBS service, they can contact my Department and my officials will liaise with 3 to remedy their service performance issues.

Post Office Network

374. **Deputy Michelle Mulherin** asked the Minister for Communications, Energy and Natural Resources his policy in relation to the operation of post office services and the extent thereof in rural areas now and into the future; and the consideration required to be given by An Post to matters other than commercial in decisions on the continuation of services for individual rural post offices. [16949/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): Matters relating to the post office network, including decisions regarding the delivery of services, are an operational matter for the management and Board of An Post and one in which I have no statutory function. I have asked the company to reply directly to the Deputy in relation to the matters she has raised.

Offshore Exploration

375. **Deputy Tony McLoughlin** asked the Minister for Communications, Energy and Natural Resources if he will distinguish between as asset or royalties and exploration licences; if the

Irish Government owns all the asset and royalties to all Irish lands in relation to gas oil and minerals. [16999/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The ownership of all State and non-State petroleum was vested in the Minister for Industry and Commerce and his successors on the enactment of the Petroleum and Other Minerals Development Act 1960. In the event of a commercial extraction project involving petroleum that was not State petroleum prior to the enactment of the 1960 Act, the Act provides that compensation is payable by the Minister.

Petroleum exploration in Ireland, in common with most other jurisdictions, is carried out under licence. Exploration authorisations are issued by my Department under the Petroleum and Other Minerals Development Act 1960 and the operational framework is set out in the Licensing Terms for Offshore Oil and Gas Exploration, Development and Production 2007. In relation to non-petroleum minerals, it is estimated that about 60% of minerals in the State are State owned, such ownership mainly arising through dealings under the Land Acts. Regardless of ownership, the exclusive right to work minerals in the State is vested in the Minister under the Minerals Development Act 1979, subject to a right to compensation to the mineral owners. An exception to this statutory vesting was allowed for mines in operation at the time.

Minerals exploration and extraction is undertaken by private enterprise. Exploration is conducted under prospecting licences granted under the Minerals Development Act 1940. Mineral extraction requires a State Mining Facility — either a lease under the Minerals Development Act 1940 (State minerals) or a licence under the Minerals Development Act 1979 (private minerals). In either case, financial terms (including royalties) for State Mining Facilities are negotiated on a case-by-case basis, in accordance with the legislation.

State Agencies

376. **Deputy Tony McLoughlin** asked the Minister for Communications, Energy and Natural Resources the cost of the Inland Fisheries in 2010 and 2011 and also the savings since the Regional Boards were abolished. [17000/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): Inland Fisheries Ireland (IFI) was established on 1 July 2010 following the enactment of the Inland Fisheries Ireland Act 2010, with the merger of the seven Regional and Central Fisheries Boards. The Exchequer funding drawn down by IFI from my Department for 2010 and 2011 is as follows:

2010 — €14.1 million (for the period 1 July to 31 December),

2011 — €25 million.

Direct Exchequer funding for IFI was reduced by €2.582 million in 2010 compared to 2009 and there was a further €0.749 million reduction in 2011 although not all of this is attributable to savings arising from the restructuring of the inland fisheries sector.

It is not possible to fully extrapolate on an item by item basis the savings which have arisen from the merger of the former regional boards; however it is clear that significant administrative savings have been made. The economies of scale that resulted in these administrative savings are being sought across all expense headings, and I anticipate scope for further savings.

River Remedial Works

377. **Deputy Tony McLoughlin** asked the Minister for Communications, Energy and Natural

[Deputy Tony McLoughlin.]

Resources the progress made in restoring the Owengar River, Lough Allen, after the landslides in 2008; when all the works will be completed; if there is an itemised breakdown of the costs involved. [17001/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): I am advised by Inland Fisheries Ireland, which is implementing this project, that rehabilitation commenced in September 2010 and will be completed by October 2012. Details of the works undertaken to date and to the completion stage are as follows:

5km of the Owengar River and 3 km of Arigna River will be rehabilitated through a series of instream and river bank improvement works.

For the purpose of undertaking the rehabilitation project the catchment has been divided into three work areas and details of the works undertaken to date and projected to the completion stage are as follows:

Rogan’s Bridge Section

The project commenced in September 2010 with instream work on 2km of the river upstream and downstream of the bridge and has been completed to a high standard.

R280 Road Bridge Section

R280 Road Bridge Section involved in-stream and bank improvement works on a section 1km downstream of the Bridge and 1 km upstream of the Bridge. This section is due for completion shortly, prior to commencing work on the upper sections of the Arigna site.

Arigna River Section — 3 km section of Arigna River upstream at Gubharudda Bridge

This section will be undertaken in 2012 when R280 Road Bridge section is completed. The 3km section of river stretches 1km upstream of Gubharudda Bridge and 2km downstream. It is proposed to commence work on the Arigna River section in April 2012 and complete the project in October 2012. As requested, itemised costs incurred to date and estimated future costs to project completion totalling €377,897 is shown in the tables. Due to consistent debris destructing bank-work already remediated there will be ongoing maintenance works required for a period after the completion of the project.

Costs to date:

Project Cost Overview

	€	€	From	To	Weeks
Project Amount	375,000				
2010		56,263	Sept	Dec	11
2011		185,574	Aug	Dec	14
2012		136,060	April	Dec	20
Project Spend		377,897			45 Weeks

2010

Expenditure Item	Cost Incurred €
Safety Supplies	48.68
Safety Repairs and Maintenance	—

Expenditure Item	Cost Incurred €
Sub Contractor Costs	8,575.49
Development Supplies incl: Stone, gravel, timber for fencing, gate posts	31,779.70
Machine Hire	11,037.68
Field Supplies Incl Trees	5,182.00
Total Expenditure 2010	56,623.55

2011

Expenditure Item	Cost Incurred €
Sundry Expense	48.50
Vehicle Repairs and Maintenance	2,145.39
Car Hire	109.00
Safety Supplies	1,872.60
Safety Repairs and Maintenance	85.52
Sub Contractor Costs	36,631.00
Development Supplies incl: Stone, gravel, timber for fencing, gate posts	59,699.47
Machine Hire	20,658.47
Field Supplies	61,407.50
Field Consumables	16.50
Training Fees — on 360 machine, dumper, traffic management, banksman	2,900.00
Total Expenditure 2011	185,573.95

2012 — Budgeted Expenditure €

Sundry Expense — Gates	3,000.00
Vehicle Repairs and Maintenance Incl Fuel	12,380.00
Safety Supplies incl PPE	3,000.00
Safety Repairs and Maintenance	500.00
Sub Contractor Costs	29,600.00
Survey Work	5,000.00
Development Supplies incl: Stone, gravel, timber for fencing, gate posts	58,384.00
Machine Hire	—
Field Supplies incl. Trees	15,696.00
Field Consumables	500.00
Electrofishing Equipment	8,000.00
Total Projected Expenditure 2012	136,060.00

National Lottery Funding

378. **Deputy John McGuinness** asked the Minister for Communications, Energy and Natural Resources if he will confirm the amount of National Lottery funds allocated to his Department; if the funds are spent on specific projects; if so, the name of the project; if the National Lottery fund is allocated to the general spend by his Department; and if he will make a statement on the matter. [17010/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): I wish to advise the Deputy that my Department has not received National Lottery Funding in any year since its formation in June 2007.

Departmental Equipment

379. **Deputy Regina Doherty** asked the Minister for Communications, Energy and Natural Resources the number of laptops in use in his Department; the number of tablets in use in his Department; the number of the laptops in use that are due to be upgraded this year; and if he will make a statement on the matter. [17570/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): I am informed by the Information Systems Division of my Department that there are 105 laptops in use. The Division does not have any upgrade plans for 2012. This Department does not have any tablets in use.

Local Authority Housing

380. **Deputy Kieran O'Donnell** asked the Minister for the Environment, Community and Local Government if a cost benefit analysis has been carried out by him vis-a-vis the following methods of providing social housing, local authority tenancy provision, rental accommodation scheme, rent supplement; the result of that analysis; and if he will make a statement on the matter. [16169/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): I am determined to ensure that the social housing programme is framed in a manner which optimises the delivery of social housing and the return for the resources invested. To achieve this it is essential that we tailor the use of available Exchequer supports to prevailing conditions and explore the full range of solutions to address housing needs. The social housing capital budget has been reduced by some 78% since 2008, down from €1.535 billion to just over €333.7m this year, and the financial parameters within which we will be operating for the coming years rule out a return to large capital funded construction programmes. The results from a number of comparative value for money studies also support the wider use of RAS/leasing options. A further such study in regard to RAS is now nearing completion.

The conclusions of the report of the Comptroller and Auditor General on the leasing initiative in 2010 were also positive regarding the relative cost-effectiveness of leasing and RAS over traditional local authority construction or acquisition, while in addition pointing to the need to have a range of housing options to ensure a supply of accommodation to meet different types of housing need. This approach is clearly reflected in the housing policy statement issued in June 2011.

Redundancy Payments

381. **Deputy Jack Wall** asked the Minister for the Environment, Community and Local Government his views on a matter (details supplied); the plans he has to address the issue as outlined; and if he will make a statement on the matter. [16755/12]

382. **Deputy Joanna Tuffy** asked the Minister for the Environment, Community and Local Government when a person (details supplied) in County Wexford will receive redundancy payments; and if he will make a statement on the matter. [16829/12]

402. **Deputy Peadar Tóibín** asked the Minister for the Environment, Community and Local Government if his attention has been drawn to the fact that a community organisation (details supplied) in County Wexford receiving Government funds, has failed to implement Labour Court recommendation number LCR19755, in respect of redundancy pay and the steps he is taking to ensure that publicly funded bodies abide by Labour Court rulings. [16498/12]

416. **Deputy Gerry Adams** asked the Minister for the Environment, Community and Local Government if he is concerned by the failure of an organisation (details supplied) to fulfil the terms of a Labour Court recommendation; if the organisation is in receipt of funds from his Department via POBAL or otherwise; and if he will make a statement on the matter. [16672/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 381, 382, 402 and 416 together.

I am aware of the Labour Court recommendation in the case in question. The position is that neither my Department, nor the former Department of Community, Equality and Gaeltacht Affairs, was the employer of the staff members referred to in the Labour Court recommendation. The individuals were employed by an independent company, limited by guarantee, and had employment contracts with that company. Therefore, any employment matters are solely for the board of the company. Section 2(3) of the Community, Rural and Gaeltacht Affairs (Miscellaneous Provisions) Act 2007, provided that “The Minister shall not be, or be deemed to be, an employer, within the meaning of the Terms of Employment (Information) Acts 1994 and 2001 Terms of Employment (Information) Acts 1994 and 2001, by virtue of the provision of funding to a person or persons under any scheme.” The Department, at the time, supported the company to ensure that statutory redundancy payments were made available having regard to the impact of the job losses incurred as a result of the reduction in programme funding to the company.

In the latter part of 2008, the level of service required by the then Department of Community, Rural and Gaeltacht Affairs was significantly redefined in light of development across a range of programmes and schemes, some of which were delivered by Pobal. This reduction in the level of service requirement had a consequential impact on the costs associated with the delivery and administration of programmes and had implications for Pobal. A consequence in prioritising funding for frontline services was a reduction in the services required of Pobal requiring the company to restructure its operations and reduce related staff numbers. Pobal was in a position to fund the enhanced redundancy arrangements concluded with its Union representatives from contingency funds it had accumulated over its years of operations. No direct funding was made available by the then Department of Community, Rural and Gaeltacht Affairs, the Department of Finance or any other Government Department or Body to meet the redundancies which arose from the restructuring of Pobal.

State Agencies

383. **Deputy Tony McLoughlin** asked the Minister for the Environment, Community and Local Government if he will outline the cost to the Environmental Protection Agency in the years 2005, 2006, 2007, 2008, 2009, 2010 and 2011. [17005/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The financial allocation to the Environmental Protection Agency for the years specified is set out in the table. Funding to the Agency increased between 2006 and 2008, owing to the assignment of additional functions to the Agency, such as monitoring and assessment under the

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Water Framework Directive and increased funding for research and development during the period. In addition to the Exchequer allocation, the Environmental Protection Agency receives funding from the Environment Fund in respect of various key programmes including the National Waste Prevention Programme, the Office of Environmental Enforcement (OEE), Environmental Research and Development and water quality monitoring and assessment. There was a significant shift of funding from the Exchequer to the Environment Fund in 2011 when additional funding was provided to the OEE to tackle landfill remediation issues and when Programmes previously funded from the Exchequer, including Research and Development and Water Quality Monitoring, were transferred to the Environment fund.

Environmental Protection Agency Funding 2005-2011

	Exchequer Grant €'000	Environment Fund €000	Budget Outturn €'000
2005	15,019	9,602	24,621
2006	18,275	10,824	29,099
2007	27,661	11,998	39,659
2008	35,443	15,700	51,143
2009	34,308	17,223	51,531
2010	27,323	16,745	44,068
2011 (Prov)	19,796	26,500	46,296

Water and Sewerage Schemes

384. **Deputy Michael McGrath** asked the Minister for the Environment, Community and Local Government the current status of the planned lower harbour main drainage scheme in County Cork; if he will provide a timeline for the completion of this project; and if he will make a statement on the matter. [16065/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Water Services Investment Programme 2010-2012, a copy of which is available in the Oireachtas Library, provides for the development of a comprehensive range of new water services infrastructure in County Cork. The Programme includes contracts under construction and to commence to the value of some €230 million in the county during the life of the Programme. The Cork Lower Harbour Sewerage Scheme is included in the Programme as a scheme to advance through planning during the period of the Programme. I have recently approved Cork County Council's design proposals for this scheme. It is now a matter for the Council to proceed with the preparation of contract documents for the scheme with a view to seeking tenders at the earliest possible date.

Local Authority Charges

385. **Deputy Joanna Tuffy** asked the Minister for the Environment, Community and Local Government if he will consider extending the closing date deadline for payment of the household charge given the confusion about the methods of paying the new charges and other matters that have arisen about this issue and in view of the fact that the Government information leaflets have yet to be delivered to homes around the country; and if he will make a statement on the matter. [16094/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Local Government (Household Charge) Act 2011 and the Local Government (Household

Charge) Regulations 2012 provide the legislative basis for the household charge. There is a range of options available for persons to pay the household charge. An online system *www.householdcharge.ie* is in place in the Local Government Management Agency (LGMA) to enable homeowners to pay the household charge by credit/debit card. In addition, homeowners can make payment by cheque, postal order, credit/debit card by completing the mandate on the declaration form and posting it to Household Charge, PO Box 12168, Dublin 1. A bureau is in place in the LGMA to administer the charge on a shared service/agency basis for all local authorities. In addition, all county/city councils have been requested to have arrangements in place for persons to attend their principal offices to pay the household charge up to 31 March, 2012.

A household charge information leaflet was delivered to households across the earlier in the payment period. A final reminder is currently being delivered to households. I have already announced that I will not extend the period for payment of the household charge beyond 31 March, 2012.

386. **Deputy Eoghan Murphy** asked the Minister for the Environment, Community and Local Government if he will consider the a suggestion (details supplied) in relation to the household charge. [16118/12]

389. **Deputy Sean Fleming** asked the Minister for the Environment, Community and Local Government the arrangements in place in respect of the household charge for persons who are acting as executors of wills who are charged with selling a house on behalf of a deceased person; and if any exemption is available in these situations and also in respect of the charge for the non principal private residence during this period when the estate is being dealt with. [16295/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 386 and 389 together.

The Local Government (Household Charge) Act 2011 and the Local Government (Charges) Act 2009, as amended, set out the legislation underpinning the household charge and the charge on non-principal private residences respectively. Application of the legislation in particular circumstances is a matter for the relevant local authority. Interpretation of the legislation is a matter for legal advice in individual cases and ultimately a matter for the Courts. Both Acts contain common provisions dealing with the situation where a person who is the sole owner of a residential property dies. The legislation provides that the personal representative of the deceased person shall not, in respect of that residential property, be liable to pay the household charge or the charge on non-principal private residences relating to a year in which the liability falls after the date of death of the deceased person and before the date of issue of a grant of representation to the estate of the deceased person.

The specific provisions are contained in section 4(3) of the Local Government (Household Charge) Act 2011 and, in relation to the charge on non-principal private residences, in section 4(7) of the Local Government (Charges) Act 2009, as amended. In addition, both Acts provide that where a person who is the sole owner of a residential property dies and, at the date of his or her death, a household charge or a charge on non-principal private residence (and any related late payment penalties) remains unpaid in relation to that property, no further late payment penalties are payable in relation to that property until a grant of representation to the estate of the deceased person issues to the personal representative of such deceased person.

The personal representative of such deceased person is, as soon as a grant of representation to the estate of the deceased person issues to him or her, liable to pay to the relevant local authority the full amount due and owing by the deceased, at the date of his or her death, in

[Deputy Phil Hogan.]

respect of the household charge or the charge on non-principal private residences and any related late payment penalties. Where the full amount owing is paid by the personal representative within 3 months of the date of issue of the grant of representation to the estate of the deceased, he or she shall have no further liability.

Where the full amount owing is not paid by the personal representative within 3 months of the date of issue of the grant of representation to the estate of the deceased, he or she is liable to pay late payment penalties, in addition to the full amount, from the date of issue of the grant of representation to the estate of the deceased. These provisions are contained in section 7(3)-7(6) of the Local Government (Household Charge) Act 2011 and section 6(3)-6(6) of the Local Government (Charges) Act 2009, as amended.

Water and Sewerage Schemes

387. **Deputy Dan Neville** asked the Minister for the Environment, Community and Local Government the position regarding the upgrading of the sewerage scheme in Askeaton, County Limerick. [16123/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): A comprehensive range of new water services infrastructure has been approved for County Limerick in my Department's Water Services Investment Programme 2010-2012, a copy of which is available in the Oireachtas Library. The total value of contracts underway and those proposed for commencement during the period of the Programme in County Limerick is some €29 million. The Askeaton Sewerage Scheme — Wastewater Treatment Plant (Design Build Operate) contract is included among the contracts to start during the period of the Programme at a total estimated cost of €2.6 million. My Department is examining a Preliminary Report for the Askeaton Sewerage Schemes and a decision on the Preliminary Report will be conveyed to the Council as soon as possible.

Local Authority Charges

388. **Deputy Maureen O'Sullivan** asked the Minister for the Environment, Community and Local Government the amount of finance that has been spent on the household charge printed information promised to all households, to inform individuals of procedures, options, costs and so on; and the amount that has been estimated for the process of circulation of the relevant printed information to individual homes. [16292/12]

403. **Deputy Martin Ferris** asked the Minister for the Environment, Community and Local Government the amount he estimates will be spent by local authorities on advertisements calling on persons to pay the household charge. [16499/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 388 and 403 together.

The Local Government Management Agency (LGMA) is administering the household charge system on a shared service/agency basis for all county and city councils. The costs arising, including those in relation to printing and advertising, are a matter for the LGMA and the county and city councils.

Question No. 389 answered with Question No. 386.

390. **Deputy Tom Fleming** asked the Minister for the Environment, Community and Local Government if he will address the uncertainty amongst many members of the public, by provid-

ing assurances that he will never sell unpaid household charges to third party collection companies, that he will protect vulnerable families against unpaid household charges being dealt with through the courts and ultimately becoming judgement mortgages, which would forcibly be collected by foreclosing on homes and selling of those homes to collect debts; and if he will make a statement on the matter. [16299/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Local Government (Household Charge) Act 2011 and the Local Government (Household Charge) Regulations 2012 provide the legislation underpinning the household charge. Under the Act, it is a function of a local authority to collect household charges and late payment penalties due to it and all household charges and late payment penalties imposed and payable to a local authority are under the care and management of the local authority concerned. In this regard, application of the legislation in particular circumstances is a matter for the relevant local authority.

391. **Deputy Sean Fleming** asked the Minister for the Environment, Community and Local Government the arrangements that will be put in place so persons can pay the household charge through the Post Office; and if he will make a statement on the matter. [16345/12]

393. **Deputy Terence Flanagan** asked the Minister for the Environment, Community and Local Government the position regarding the household charge (details supplied); and if he will make a statement on the matter. [16370/12]

407. **Deputy Robert Troy** asked the Minister for the Environment, Community and Local Government if he has actively engaged with An Post and the IPU with regards the possibility of the Post Office offering services previously provided by the local authority such as motor tax renewals, household charges, water and commercial rates. [16592/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 391, 393 and 407 together.

An Post is assisting in broadening the number of local outlets where the household charge declaration form is available. The declaration form is available outside the counter in the network of 1,152 local post offices. Persons may complete the declaration and forward it to the central payment bureau at Household Charge, PO Box 12168, Dublin 1. There is a range of other options available for persons to pay the household charge. An online system www.householdcharge.ie is in place in the Local Government Management Agency (LGMA) to enable homeowners to pay the household charge by credit/debit card. In addition, homeowners can make payment by cheque, postal order or by credit/debit card by completing the relevant payment details on the declaration form and posting it to Household Charge, PO Box 12168, Dublin 1. Instalment payments were available by direct debit only and persons opting to pay in this way had to register their details before 1 March, 2012.

A bureau is in place in the LGMA to administer the charge on a shared service/agency basis for all local authorities. In addition, all county/city councils have been requested to have arrangements in place for persons to attend their principal offices to pay the household charge up to 31 March, 2012. The LGMA engaged with An Post in the consideration of payment options for the household charge. My Department has also engaged with An Post in the consideration of the suitability of its payment facilities for other local authority services. I am satisfied that there is a comprehensive suite of payment options available to persons to pay the household charge. I have no proposals to extend these further to post offices.

Departmental Expenditure

392. **Deputy Gerald Nash** asked the Minister for the Environment, Community and Local Government if he will provide information as to the total cost of employing retained fire-fighters in 2011; the total costs involved in providing training, uniforms and other associated costs to retained fire-fighters; if he will provide such information pertaining to each local authority; and if he will make a statement on the matter. [16355/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Outside of the main cities which have full-time fire services, fire services are provided by a retained staffing system. Retained firefighters are employees of fire authorities, and are organised to provide a full professional fire service for their communities. They are equipped, supervised and operate to the same procedures as their full time colleagues. At the end of December 2011, there were 2,077 retained firefighters employed by local authorities. While the information requested in the question is not available in my Department, retained firefighters are paid an annual retainer and an hourly drill rate the figures for which are detailed in the table:

Revised Local Authority Scales Operative from 1st January 2010

Part-Time Fire Service Personnel — Inclusive Annual Allowance

Service	Station Officer	Sub Officer, Driver Mechanic	Firefighter
0-5 years	€15,438	€11,687	€8,402
5-10 years	€17,345	€13,130	€9,439
10 years +	€19,078	€14,442	€10,383

Hourly rate of attendance	Drill	Fire			
		Day		Night/Weekend	
		1st Hour	Subsequent Hours	1st Hour	Subsequent Hours
Rate per Hour	€19.86	€39.72	€19.86	€79.44	€39.72

Question No. 393 answered with Question No. 391.

Local Authority Charges

394. **Deputy Michelle Mulherin** asked the Minister for the Environment, Community and Local Government the reason the household charge bureau will not accept direct debits mandate which were received and stamped by local authorities before the deadline of 1 March for payment of the house hold charge; and if he will make a statement on the matter. [16371/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Local Government Management Agency (LGMA) is administering the household charge system on a shared service/agency basis for all county and city councils.

Instalment payment facilities were available by direct debit and persons opting to pay in this way had to register their details with the LGMA before 1 March, 2012. This deadline was necessary in order to meet banking requirements for the establishment of direct debit arrangements.

Election Management System

395. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government the proposals he has with regard to reducing the voting age; when he proposes to introduce any changes; and if he will make a statement on the matter. [16374/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I have no proposals at present to reduce the voting age. However in line with the Programme for Government commitment the Government proposes to establish a Constitutional Convention and one of the questions that will be addressed by the convention is the reduction of the voting age to 17.

I will consider proposals for change to electoral law in the light of any recommendation for change that might arise from this process.

396. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government the proposals, if any, and the elections in which immigrants would be allowed to vote in the future; and if he will make a statement on the matter. [16375/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Subject to age and residency requirements, a person's citizenship determines the polls at which he or she is entitled to vote, as follows:

- all non-citizens are entitled to vote at local elections,
- non-citizens who are citizens of EU Member States are entitled, in addition, to vote at European Parliament elections,
- British citizens may vote in Dáil, European Parliament and local elections. While no agreements are currently in place, electoral law provides that citizens of other EU Member States, with whom Ireland may enter into an agreement to allow each other's citizens to vote in their respective National Parliaments, are also entitled to vote in Dáil elections, and
- Irish Citizens alone are entitled to vote in Presidential elections and referendums.

While electoral law is subject to ongoing review I have no proposals at present to extend the current arrangements for voting by non-citizens.

Local Authority Housing

397. **Deputy Dessie Ellis** asked the Minister for the Environment, Community and Local Government the position regarding the development of a national rent scheme, including guidelines for the treatment of PRD in means testing. [16390/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): Housing authority rents are set in accordance with a rent scheme adopted by each local council. The making and amending of rent schemes is the responsibility of housing authorities as an integral part of their housing management functions.

It is a matter for housing authorities, when assessing individual households, to consider whether rents payable are in accordance with the authority's rent scheme. Therefore, decisions on whether or not to disregard either a proportion of income or particular sources of income for the purposes of calculating rents are matters for each individual housing authority to consider in accordance with their own rent scheme.

[Deputy Jan O’Sullivan.]

Section 31 of the Housing (Miscellaneous Provisions) Act 2009, when commenced, will replace existing enactments in relation to differential rent schemes. Regulations and guidelines for housing authorities to give effect to section 31 are currently in preparation in my Department. When these are made section 31 will be commenced and authorities will have one year in which to put in place a differential rent scheme under the new provisions. While it is not the intention to introduce a national standardised differential rent scheme, the regulations to be made will more clearly set out the matters that may be included in a local rents scheme, including the level, type and sources of household income that may be assessed for rent purposes.

Local Authority Charges

398. **Deputy Aodhán Ó Ríordáin** asked the Minister for the Environment, Community and Local Government if he will provide clarification on a matter (details supplied) relating to the household charge; and if he will make a statement on the matter. [16393/12]

409. **Deputy Nicky McFadden** asked the Minister for the Environment, Community and Local Government if a person (details supplied) is liable to pay the household charge on an auxiliary building within a household property; and if he will make a statement on the matter. [16612/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 398 and 409 together.

The Local Government (Household Charge) Act 2011 and the Local Government (Household Charge) Regulations 2012 provide the legislative basis for the household charge.

The household charge is on a self assessment basis and interpretation of the legislation is a matter for legal advice in individual cases and ultimately a matter for the Courts.

Section 2 of the Act provides that residential property means a building that is situated in the State and that is occupied, or suitable for occupation, as a separate dwelling, whether or not the occupier shares, or would be entitled to share, in connection therewith, any accommodation, amenity or facility with any other person, and includes a house, maisonette, flat or apartment (including the form of accommodation commonly known as a bedsit). The household charge is payable in respect of each unit of accommodation that is occupied, or suitable for occupation, as a separate dwelling.

Departmental Staff

399. **Deputy Sean Fleming** asked the Minister for the Environment, Community and Local Government if he will provide a list of staff in his Department that serve as directors of companies arising from their employment; the names of the companies involved; the annual remuneration received, if any; if they are indemnified by his Department in respect of their role as directors; and if he will make a statement on the matter. [16416/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Current details in relation to staff in my Department serving as directors of State boards that are companies are as follows:

Company	Name of Official
Housing and Sustainable Communities Ltd	Eddie Lewis, Principal Officer
National Building Agency Ltd	Eddie Lewis, Principal Officer
Housing Finance Agency plc	Philip Nugent, Principal Officer

Civil servants do not receive payment (other than appropriate travel and subsistence expenses) or other benefit in kind when carrying out work that is part of their duties, including serving as a director of a company or board.

Civil servants are entitled to be indemnified for undertaking their duties, including civil servants appointed to State boards as part of their official duties. The indemnification would cover any reasonable legal fees and/or damages incurred where people are sued for undertaking their duties on behalf of the State provided they acted in good faith and in a bona fide manner.

Local Authority Charges

400. **Deputy John O'Mahony** asked the Minister for the Environment, Community and Local Government the reason a person (details supplied) in County Mayo has been refused a waiver under the household charge; and if he will make a statement on the matter. [16429/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Local Government (Household Charge) Act 2011 and the Local Government (Household Charge) Regulations 2012 provide the legislative basis for the household charge. Under the legislation, an owner of a residential property on the liability date of 1 January 2012 is liable to pay the household charge by 31 March 2012, unless otherwise exempted or entitled to claim a waiver.

The household charge is on a self assessment basis and interpretation of the legislation is a matter for legal advice in individual cases and ultimately a matter for the Courts.

The Local Government (Household Charge) Act 2011 provides for a number of exemptions and waivers from payment of the household charge.

The exemptions from payment of the household charge are—

- Residential properties that are part of the trading stock of a business and have not been sold or been the source of any income since construction,
- Residential property owned by a Minister of the Government, a housing authority or the Health Service Executive,
- Voluntary and co-operative housing,
- Residential property subject to commercial rates and wholly used as a dwelling,
- Residential property owned by certain charities or discretionary trusts, and
- Residential property which an owner has vacated due to long-term mental or physical infirmity (e.g. elderly person that has moved into a nursing home).

The waivers which apply concern—

- Owners of residential property entitled to mortgage interest supplement, and
- Owners of houses in certain unfinished housing estates.

In particular, section 4(1)(b) provides that a person who, on the liability date, is the owner of a residential property is not, in respect of that residential property, liable to pay the household charge for the year in which that liability date falls if, on that date the residential property is comprised in a discretionary trust within the meaning of the Capital Acquisitions Tax Consolidation Act 2003.

[Deputy Phil Hogan.]

In the circumstances set out in section 4(1)(b), a person is entitled to an exemption from payment of the household charge and the question of an application for a waiver does not arise.

Ministerial Expenses

401. **Deputy Niall Collins** asked the Minister for the Environment, Community and Local Government the amount of expenses claimed on a monthly basis since March 2011 by all Ministers attached to his Department; and if he will make a statement on the matter. [16450/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The expenses paid to me and the Ministers of State in my Department during the period in question are set out in the Table below. The expenses paid cover domestic and foreign travel and subsistence, telephone and motor insurance costs claimed.

	Minister Hogan	Minister of State O'Sullivan	Minister of State O'Dowd	Minister of State Penrose
March 2011	Nil	Nil	Nil	Nil
April	Nil	Nil	Nil	Nil
May	Nil	Nil	Nil	€2,563.40
June	Nil	Nil	Nil	€1,771.55
July	€1,244.16	Nil	Nil	€107.69
August	€6,494.31	Nil	Nil	€3,231.15
September	€5,286.31	Nil	Nil	Nil
October	Nil	Nil	Nil	€1,372.93
November	Nil	Nil	Nil	€1,641.54
December	Nil	Nil	€380.48	€137.28
January 2012	Nil	Nil	Nil	Nil
February	Nil	€2,194.17	Nil	Nil
March	Nil	€259.91	Nil	Nil

Question No. 402 answered with Question No. 381.

Question No. 403 answered with Question No. 388.

Proposed Legislation

404. **Deputy Mary Mitchell O'Connor** asked the Minister for the Environment, Community and Local Government when the heads of the Noise Nuisance Bill are expected to be approved; if the Bill will be expedited; and if he will make a statement on the matter. [16535/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Programme for Government includes a commitment to take further steps to address noise pollution, *inter alia*, through the introduction of fixed payment notices (also known as on-the-spot fines) and provision for mediation procedures between neighbours. The development of new noise legislation by my Department will be considered in the context of this commitment. However, it is not possible at this time to indicate when the Heads will be approved, having regard to other priorities in the area concerned and the broader range of legislative priorities to be progressed across my Department's remit, as set out in the Government Legislation Programme published on 11 January 2012.

EU Directives

405. **Deputy Patrick Nulty** asked the Minister for the Environment, Community and Local Government if he will confirm if Dublin Fire Brigade or Dublin City Council is in infringement of an EU Directive mandating that the authority must have five full-time fire prevention officers, whose role it is to survey buildings under construction and existing buildings to ensure fire safety regulations are adhered to; if he will outline his responsibility under fire safety legislation regarding same; and if he will make a statement on the matter. [16579/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Fire Services Act 1981 and 2003 is the primary legislation governing fire safety in Ireland, and I am not aware of any specific EU Directive in that regard. Section 18(2) of the Act places responsibility for fire safety in premises to which the public have access on the “persons-in-control” of those premises. The Act empowers fire authorities to inspect premises for compliance with the statutory fire safety responsibilities, and to take a range of enforcement actions which they consider appropriate in the circumstances.

Under section 159 of the Local Government Act 2011, each County and City Manager is responsible for staffing and organisational arrangements, including recruitment and day to day operational measures, 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 the Dublin City Manager, in the first instance, to arrange to have an appropriate balance of staff for fire prevention, fire protection and response activities. I am aware that 27 staff are working full-time in the fire prevention section of Dublin Fire Brigade, which currently provides fire services on behalf of the four Dublin local authorities.

As part of their work, fire prevention staff process applications for Fire Safety Certificates made under Building Control Regulations, deriving from the Building Control Act 1990.

Local Authority Housing

406. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Community and Local Government the implications for his housing policy or for guidelines that he will issue to local authorities to make allowance for persons who have lost their home following separation and who are unable to get on a local authority housing list; and if he will make a statement on the matter. [16586/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): Decisions on the eligibility of specific persons for social housing support and the allocation of that support are a matter solely for the housing authority concerned. Section 6 of the Housing (Miscellaneous Provisions) Act 2009 specifically provides that the Minister’s power to issue policy directions and guidelines to housing authorities in relation to their housing functions is not to be construed as enabling her to exercise any power or control in relation to any individual case with which a housing authority is or may be concerned.

Question No. 407 answered with Question No. 391.

Local Authority Charges

408. **Deputy Nicky McFadden** asked the Minister for the Environment, Community and Local Government if a person (details supplied) who has a non-principal residence for which they pay €200 for public services, is liable to pay the household charge; and if he will make a statement on the matter. [16611/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Local Government (Household Charge) Act 2011 and the Local Government (Household Charge) Regulations 2012 provide the legislative basis for the household charge. Under the legislation, an owner of a residential property on the liability date of 1 January 2012 is liable to pay the household charge by 31 March 2012, unless otherwise exempted or entitled to claim a waiver. The household charge is on a self assessment basis and interpretation of the legislation is a matter for legal advice in individual cases and ultimately a matter for the Courts.

The Local Government (Household Charge) Act 2011 provides for a number of exemptions and waivers from payment of the household charge.

The exemptions from payment of the household charge are—

- Residential properties that are part of the trading stock of a business and have not been sold or been the source of any income since construction,
- Residential property owned by a Minister of the Government, a housing authority or the Health Service Executive,
- Voluntary and co-operative housing,
- Residential property subject to commercial rates and wholly used as a dwelling,
- Residential property owned by certain charities or discretionary trusts, and
- Residential property which an owner has vacated due to long-term mental or physical infirmity (e.g. elderly person that has moved into a nursing home).

The waivers which apply concern—

- Owners of residential property entitled to mortgage interest supplement, and
- Owners of houses in certain unfinished housing estates.

I have no proposals to provide for an exemption in respect of an owner of a residential property who also has a liability to pay the €200 non-principal private residence charge.

Question No. 409 answered with Question No. 398.

410. **Deputy Mattie McGrath** asked the Minister for the Environment, Community and Local Government the types of properties that are exempt from the household charge under residential properties owned by a Minister of the Government; and if he will make a statement on the matter. [16614/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Local Government (Household Charge) Act 2011 and the Local Government (Household Charge) Regulations 2012 provide the legislation underpinning the household charge.

The household charge is on a self assessment basis and interpretation of the legislation is a matter for legal advice in individual cases and ultimately a matter for the Courts.

Section 2(2) of the Act provides that certain buildings are not residential property for the purposes of the legislation. Section 2(2)(b), in particular, provides that a building vested in a Minister of the Government, a housing authority (within the meaning of the Housing (Miscellaneous Provisions) Act 1992) or the Health Service Executive is not a residential property for the purposes of the Act.

Residential properties vested in a Minister of the Government and used/let in the performance of their functions are not residential property for the purposes of the legislation as making such properties liable would lead to unnecessary circular administrative structures.

However, residential property held in a personal capacity by a Minister of the Government would not be exempted under this provision.

411. **Deputy Simon Harris** asked the Minister for the Environment, Community and Local Government the reason a housing estate (details supplied) has not been included on the list of exempted ghost estates that are not required to pay the household charge; and if he will make a statement on the matter. [16624/12]

430. **Deputy Seán Ó Feargháil** asked the Minister for the Environment, Community and Local Government if he will consider the issues raised in correspondence (details supplied); and if he will make a statement on the matter. [16772/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): I propose to take Questions Nos. 411 and 430 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, 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.

[Deputy Jan O’Sullivan.]

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. The prescribed list of estates to which the waiver applies is the final and complete list for 2012.

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 significantly as my Department continues to work with local authorities and other stakeholders to resolve outstanding issues, including through the Public Safety Initiative.

Social and Affordable Housing

412. **Deputy Eric Byrne** asked the Minister for the Environment, Community and Local Government if he will explain the rationale, between a local authority housing applicant, (details supplied) living on a rent subsidy in the private sector, being allocated a housing association unit (details supplied) under the rental accommodation scheme of residency; if he will explain the rationale as such a tenant of a housing association living in a RAS designated unit does not qualify for an internal transfer within the housing association scheme, that they must go on the city council housing transfer scheme in order to be rehoused as their family develops by the local authority and not the housing association; and if he will make a statement on the matter. [16625/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): The range of social housing delivery mechanisms has broadened in recent years in response to the diversity of need of households unable to secure accommodation from their own resources. The needs of households in receipt of social housing support can also change over time, requiring arrangements to be put in place for transfer to other forms of social housing more suited to their current needs. In accordance with section 22 of the Housing (Miscellaneous Provisions) Act 2009, it is a matter for housing authorities to consider applications for alternative accommodation from households in receipt of social housing support from an approved housing body or under the Rental Accommodation Scheme in accordance with the transfer policies set out in their allocation schemes.

Local Authority Housing

413. **Deputy Brian Walsh** asked the Minister for the Environment, Community and Local Government if funding will be allocated to Galway City Council this year for the improvement and adaptation of the local authority’s social-housing stock for the needs of older persons and persons with disabilities; and if he will make a statement on the matter. [16640/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): Allocations under my Department’s Social Housing Investment Programme for 2012 were notified to local authorities last week. Under the programme, funding is provided for a range of measures to improve the standard and overall quality of the local authority housing stock. The allocation notified to Galway City Council included funding of €238,800 for the retrofitting of older social housing stock and €70,814 for the provision of necessary adaptations or extensions to meet the needs of tenants with a disability.

Architectural Qualifications

414. **Deputy Gerry Adams** asked the Minister for the Environment, Community and Local Government he will consider an amendment to the Building Control Act 2007 to allow the inclusion of a Grandfather clause in the legislation to facilitate architects who are not members of the RIAI; and if he will make a statement on the matter. [16652/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I refer to the reply to Questions Nos. 354, 356, 363 and 390 of 21 March 2012 which sets out the position on this matter. I have no plans to amend the Building Control Act 2007 along the lines suggested.

Local Authority Housing

415. **Deputy Simon Harris** asked the Minister for the Environment, Community and Local Government if he will outline all the affordable housing and shared ownership schemes offered by his Department via local authorities; their current status; the way an individual can apply to be considered for these schemes; and if he will make a statement on the matter. [16668/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): The Government’s new housing policy statement launched in June 2011 announced the standing down of all affordable housing schemes, including shared ownership, in the context of a full review of Part V of the Planning and Development Act 2000.

Following conclusion of the tendering process for the review, I anticipate that a contract will be awarded in the near future. . The Government is committed to supporting access to home ownership for lower income households and a range of paths to home ownership will remain in place in that regard. These include the incremental purchase scheme, the availability of loan finance from local authorities for house purchase, including open market purchase, and the tenant purchase scheme.

Question No. 416 answered with Question No. 381.

Homeless Strategy

417. **Deputy Simon Harris** asked the Minister for the Environment, Community and Local Government the actions he is undertaking to tackle homelessness here; and if he will make a statement on the matter. [16681/12]

418. **Deputy Simon Harris** asked the Minister for the Environment, Community and Local Government the number of persons he estimates are homeless here; if he will provide a breakdown by city and town; and if he will make a statement on the matter. [16682/12]

419. **Deputy Simon Harris** asked the Minister for the Environment, Community and Local Government the number of local authorities that currently have a full-time homeless officer; the number that had such a position in 2007; the number of such positions that are vacant; if he is satisfied that there are adequate resources and supports at local authority level to assist in tackling homelessness; and if he will make a statement on the matter. [16683/12]

420. **Deputy Simon Harris** asked the Minister for the Environment, Community and Local Government the number of persons in his Department that work in the area of addressing homelessness here; the projects they are working on in this regard; and if he will make a statement on the matter. [16685/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): I propose to take Questions Nos. 417 to 420, inclusive, together.

The current homeless strategy *The Way Home — A Strategy to Address Adult Homelessness 2008-2013* sets out Government policy on tackling homelessness and has a number of key aims including: preventing homelessness; eliminating the need to sleep rough; eliminating long-term occupation of emergency accommodation; providing long-term accommodation solutions; ensuring effective services; and better co-ordinated funding arrangements.

While the current Strategy is fundamentally sound some key targets have not been achieved and the Programme for Government is committed to reviewing it and to adopting a ‘housing led’ approach to homelessness. Work now underway on updating the strategy is almost complete and the review will take account of demands on existing housing, assess how best to continue providing services and seek to ensure more effective prevention strategies.

There is no single solution to increasing the level of social housing supply for the homeless and maximising delivery will require flexible and diverse approaches. The initial emphasis is necessarily on the Dublin region, where there is a concentration of those accessing homelessness services, by moving away from the current over reliance on emergency accommodation provision to a more permanent accommodation solution to be achieved through a number of measures including: directly linking the provision of funding with specific targets and outcomes; making better use of the existing available accommodation units in the local authorities and in the voluntary sector; additional social housing provision through acquisitions and remedial works/upgrading of vacant local authority housing stock and a leasing programme; ongoing engagement with NAMA to secure properties; targeted use of the Rental Accommodation Scheme (RAS); an enhanced role for the private rental sector; better co-ordination with the voluntary and cooperative housing sector; and the establishment of Homeless Action Teams across all regions.

My Department’s funding provision for homeless accommodation and related services for 2012 is €50 million, which together with 10% provided from housing authorities’ own resources, brings the total available funding to €55.55 million. This level of funding means that there will be no reduction in the provision of essential frontline support services.

The National Implementation Plan for the Homeless Strategy also provides for the development of a more devolved allocation-based system for the provision of accommodation-related funding to housing authorities with emphasis on increased decision making at local level, in lieu of the existing individual project based arrangements, to improve overall efficiency, value for money and greater local decision making in homeless services.

A protocol which sets out arrangements and responsibilities for delegation of Section 10, Housing Act 1988 funding between my Department and Dublin City Council in relation to the provision of ongoing revenue funding for homeless accommodation and related service costs has already been put in place. This will be extended nationally to the other regions later this year. The numbers of persons homeless on a city and town basis is very difficult accurately to quantify. The Housing Agency’s Housing Needs Assessment 2011 report breaks down the categories of housing need, including in respect of homelessness, for all 88 housing authorities nationwide and is available on my Department’s website at www.environ.ie.

However as the Housing Needs Assessment only counts homeless persons where an application has been made to a housing authority in September 2011 it was decided that details on the extent of homelessness in the Dublin region, where numbers are most pronounced, would be reviewed and updated using the now fully operational Pathway Accommodation and Support System (PASS) and crosschecked against each of the Dublin local authorities housing

management data systems to give an accurate figure of the known homeless population in Dublin.

Following extensive cross checking and quality control to remove duplications and ensure accuracy of all data entries the confirmed extent of homelessness in the Dublin region as at September 2011 was 1,891 persons. PASS, which commenced operation in the Dublin region in 2011 is being extended nationally on a phased basis with work currently underway in the regions comprising the County and City authorities of Cork, Kerry, Louth, Monaghan and Cavan. It is intended that the PASS system will be operational across the entire country by end 2012. The PASS system will in future provide good quality, timely, data on homelessness nationally as an evidence base for all homelessness services.

My Department does not routinely collect data on the number of housing authorities that have a full-time homelessness officer, the number that had such a position in 2007, or the number of such positions that are currently vacant. Homelessness functions within authorities around the country are carried out variously by general housing staff, social workers or specific homelessness officers. In many local authorities there will be more than one such person employed in this area and across various disciplines. I am, however, satisfied that there are adequate resources and supports available to all local authorities to enable them effectively deal with homelessness.

Within my Department policy development and oversight responsibilities are part of the social inclusion function located principally in the Planning and Housing Division. The number of officers assigned to this function currently stands at 9 and this is kept under ongoing review having regard to operational requirements and necessary restrictions on public service numbers.

The Homeless Unit promotes and oversees the development and implementation of policy, programmes and action to address homelessness and related accommodation needs, including recoument of funding to local authorities for accommodation and related services. The unit also supports the parliamentary process and the operation of Government business in respect of the Homeless Strategy and related matters. Key projects being worked on at present include the ongoing review of the homeless strategy and the devolution of funding to the nine regional Joint Homeless Consultative Fora.

Local Authority Charges

421. **Deputy Michelle Mulherin** asked the Minister for the Environment, Community and Local Government if a business premises which is partly residential in circumstances where commercial rates are being paid on the entire premises is also liable for payment of the household charge. [16704/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Local Government (Household Charge) Act 2011 and the Local Government (Household Charge) Regulations 2012 provide the legislative basis for the household charge. The household charge is on a self assessment basis and interpretation of the legislation is a matter for legal advice in individual cases and ultimately a matter for the Courts.

Under the legislation, an owner of a residential property on the liability date of 1 January 2012 is liable to pay the household charge by 31 March 2012, unless otherwise exempted or entitled to claim a waiver.

Section 2 of the Act sets out the meaning of “residential property” for the purposes of the Act. In particular, section 2(2)(d) of the Act provides that a building that is wholly used as a dwelling (other than a dwelling that forms part of a mixed hereditament within the meaning

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of the Local Government (Financial Provisions) Act 1978), and in respect of which local authority rates are payable, is not a residential property for the purposes of the household charge.

Planning Issues

422. **Deputy Mary Lou McDonald** asked the Minister for the Environment, Community and Local Government when his investigation into allegations of planning irregularities in Carlow County Council will be completed and its findings made public. [16714/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): The planning review announced by the former Minister for the Environment, Heritage and Local Government was intended to assess the application of planning legislation, policy and guidance within the development plan and development management systems at local level and to inform further policy development in these areas. A number of planning authorities, representing a broad geographical spread of both urban and rural areas as well as both large and small authorities, had been selected to assist in the review of policies and practices by reference to a number of cases raised with my Department. The Programme for Government includes, *inter alia*, specific commitments better to co-ordinate national, regional and local planning laws in order to achieve better and more co-ordinated development that supports local communities, to develop a coherent plan to deal with the issue of unfinished estates and to ensure that there is adequate access and participation by citizens and public representatives in decision making and policy formation. The resources of my Department will be directed primarily towards supporting the implementation of the Government’s commitments in these areas.

My Department is finalising the review of a number of specific complaints, following the initiating of the process by the former Minister. When this review is completed, I will issue a public statement outlining the complaints at issue, my response and any appropriate actions to be pursued, including in regard to further policy development and guidance, in line with commitments in the Programme for Government.

Local Authority Charges

423. **Deputy Patrick O’Donovan** asked the Minister for the Environment, Community and Local Government if he will provide a schedule on a matter (details supplied). [16719/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): 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.

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. 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 significantly as my Department continues to work with local authorities and other stakeholders to resolve outstanding issues, including through the Public Safety Initiative. I will provide a copy of the list of estates received from Limerick County Council, and related correspondence, to the Deputy.

Local Authority Housing

424. **Deputy Dessie Ellis** asked the Minister for the Environment, Community and Local Government the current social housing stock in use in Galway city east [16762/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): Data on local authority housing stock, broken down by county, city, borough and town council, are available on my Department’s website www.environ.ie and the most recent data published in this regard relate to 2010.

Local Authorities provide information on the proportion of stock that is vacant at the end of each year and this information is collated and published as part of the annual Service Indicators in Local Authorities Report. The Report also contains data on the average time take to re-let dwellings. Copies of the 2010 report are available from the Local Government Management Services Board and may be downloaded from their website www.lgmsb.ie.

425. **Deputy Dessie Ellis** asked the Minister for the Environment, Community and Local Government the number of social housing applicants for Galway city east. [16763/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): My Department does not hold information on the number of households on local authorities’ waiting lists, or on the number of households that may, at some point in the future, apply for social housing. The number of households on waiting lists 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 or on the Housing Agency’s website at www.housing.ie.

426. **Deputy Dessie Ellis** asked the Minister for the Environment, Community and Local Government the predicted number of social housing units to become available in Galway city east in 2012. [16764/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): In 2012 new social housing supply will be delivered through a range of measures under my Department’s Social Housing Investment Programme, including the construction and acquisition of social housing units directly by local authorities and by

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approved housing bodies, the Social Housing Leasing Initiative, the Capital Advance Leasing Facility and the Rental Accommodation Scheme. Investment under the retrofitting programme is also expected to make a number of vacant properties available for re-letting.

It will be a matter for Galway City Council to implement each of these measures and to fund them from within the available resources. It is not possible at this stage to estimate the number of housing units that will become available in the City over the course of 2012.

Local Authority Charges

427. **Deputy Joe Higgins** asked the Minister for the Environment, Community and Local Government the amount of the 1.8 million households liable to register for the household tax that have done so. [16769/12]

428. **Deputy Joe Higgins** asked the Minister for the Environment, Community and Local Government the number of persons who have registered for the household tax that were liable to pay the tax; and the number that were exempt. [16770/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 427 and 428 together.

The Local Government (Household Charge) Act 2011 provides the legislative basis for the household charge. Under the Act, an owner of a residential property on the liability date of 1 January 2012 is liable to pay the household charge, unless otherwise exempted or entitled to claim a waiver. The household charge is on a self-assessment basis and it is a matter for an owner of a residential property on the liability date to determine if he/she has a liability and, if so, to declare that liability and pay the household charge.

The Local Government Management Agency (LGMA) is administering the household charge system on a shared service/agency basis for all county and city councils. I understand, from data provided by the LGMA, that as of 26 March, 2012, a total of 363,478 properties had been registered for payment of the household charge. This equates to income of some €36.4m.

The Local Government (Household Charge) Act 2011 provides for a number of exemptions and waivers from payment of the household charge.

The exemptions from payment of the household charge are residential properties that are part of the trading stock of a business and have not been sold or been the source of any income since construction; residential property owned by a Minister of the Government, a housing authority or the Health Service Executive; voluntary and co-operative housing; residential property subject to commercial rates and wholly used as a dwelling; residential property owned by certain charities or discretionary trusts, and residential property which an owner has vacated due to long-term mental or physical infirmity (e.g. elderly person that has moved into a nursing home).

The waivers which apply concern owners of residential property entitled to mortgage interest supplement, and owners of houses in certain unfinished housing estates.

Fire Services

429. **Deputy Seán Kyne** asked the Minister for the Environment, Community and Local Government when it is anticipated that the National Directorate for Fire and Emergency Management will be in a position to issue the Keeping Communities Safe, which some local authorities require to complete reviews into emergency service including fire service provision. [16771/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The National Directorate for Fire and Emergency Management in my Department has developed a draft national policy for an integrated approach to efficient fire safety in Ireland. This is titled “*Keeping Communities Safe*” and it is the subject of consultation with a range of stakeholders. The primary objective of the draft policy is maintaining and improving public safety, through achieving an appropriate balance between prevention of fires, having appropriate fire protection facilities in place in buildings and through fire brigade response measures.

Following this stakeholder consultation, it is intended that the finalised policy document will be completed by the end of June 2012, and “*Keeping Communities Safe*” will then be circulated to all fire authorities for implementation. I expect that each fire authority will review its approach to fire safety in light of the guidance and recommendations in the document, and plan for any adjustments in current arrangements.

Question No. 430 answered with Question No. 411.

Leader Programmes

431. **Deputy Michelle Mulherin** asked the Minister for the Environment, Community and Local Government the amount of money owed to project promoters by Meitheal Forbatha na Gaeltacht, broken down by Gaeltacht area; the number of promoters in each Gaeltacht area that are owed money; and if he will make a statement on the matter. [16802/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Meitheal Forbatha na Gaeltachta (MFG), the group contracted by my Department to deliver Axes 3 and 4 (LEADER) of the Rural Development Programme (RDP) in Gaeltacht Areas, went into liquidation on 7 September 2011. Progress, in the context of the legal “winding up” process, is ongoing and all relevant RDP (LEADER) project files have been released by the liquidator and are now in the possession of my Department.

The process of identifying those promoters whose projects are at an advanced stage of development and are most likely to be ready to make a claim for payment is underway and an interim system, in cooperation with Local Development Companies contiguous to Gaeltacht areas, is in place to facilitate payment of these projects in the short term.

It will not be possible to provide the information sought regarding the number of promoter owed money and the amounts owed until such time as the status of each project and claims has been established. When the information is available my Department will revert to the Deputy in writing.

Local Authority Charges

432. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government if he will confirm or deny the recent media reports which state that the household charge will be taken directly from people’s pay packets or welfare payments; if so, when is he proposing to amend the Fines Act of 2010; and if he will make a statement on the matter. [16825/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I have no proposals to collect the household charge from homeowners by deduction from earnings. The Question may be referring to the proposals that my colleague the Minister for Justice and Equality is developing, in line with a commitment in the Programme for Government, to allow for collection of unpaid court fines by attachment of earnings or deduction from social welfare benefits. These proposals are intended to improve the collection of unpaid fines and

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to reduce the number of people committed to prison for non-payment of fines, and they are being progressed by the Minister for Justice and Equality.

Water Services

433. **Deputy Finian McGrath** asked the Minister for the Environment, Community and Local Government his views on a matter (details supplied) regarding the Water Services Bill. [16835/12]

436. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government his views on a matter (details supplied) regarding building regulations; and if he will make a statement on the matter. [16940/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 433 and 436 together.

The Building Regulations in general provide for the safety, health and well-being of persons in and around buildings. The regulations are reviewed on an ongoing basis and any proposed amendments are subject to a full regulatory impact analysis and detailed public consultation prior to their being signed into law.

A number of the concerns expressed in the correspondence supplied extend beyond the scope of the Building Regulations and into matters such as the regulation of trade, consumer protection and environmental protection, which are addressed elsewhere under either national and/or EU law.

Having specific regard to the issues raised in relation to the recent Water Services Act, the European Court of Justice issued a ruling against Ireland in October 2009 regarding domestic waste water from septic tanks and Ireland's obligations under the EU Waste Directive. The Water Services (Amendment) Act 2012 is the key measure to achieve compliance with the Court ruling and to avoid the imposition of financial penalties by the Court. The Court is due to consider an application for the imposition of fines and penalties on this matter later this year. It should be noted that the 2012 Act augments the existing duty of care responsibility for householders that was established under section 70 of the Water Services Act 2007.

In the context of proposals to reform the building control system, in July 2011, I announced 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.

In broad terms the measures will involve: the introduction of mandatory certificates of compliance by builders and the designers of buildings confirming that the statutory requirements of the Building Regulations have been met; the lodgement of drawings at both commencement and completion of construction, demonstrating how buildings have been designed and built to comply with all parts of the Building Regulations; more efficient pooling of building control staff and resources across the local authority sector to ensure more effective and meaningful oversight of building activity; standardised approaches and common protocols to ensure nationwide consistency in the administration of building control functions; and better support and further development of the building control function nationwide.

It is my view that the introduction of the measures proposed will have the capacity to improve the quality of buildings and will lead to a further strengthening of the building control system. The proposed Building Control (Amendment) Regulations providing for mandatory certification and the submission of drawings will be the subject of a public consultation to be announced in mid-April 2012.

Dog Licences

434. **Deputy Regina Doherty** asked the Minister for the Environment, Community and Local Government the average number of dog licences issued each year; and the value of income received from this source. [16837/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): This information is available on my Department's website at:

www.environ.ie/en/LocalGovernment/DogControl.

The statistics for 2011 are currently being compiled and will be published shortly.

Harbours and Piers

435. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government if he will issue a directive to all local authorities in the country asking them to ensure that no new proposed harbour by-laws would take away from the traditional use of our piers and harbours, that is such as swimming, fishing activities, switching berths and so on; and if he will make a statement on the matter. [16843/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Harbours Act 1996 provides for the making of harbour bye-laws, and section 89(3)(a) provides that local authorities may make bye-laws in respect of harbours under their control or management to the same extent as any other body under the Harbours Act. The Minister for Transport, Tourism and Sport is the appropriate Minister for the purpose of this legislation.

I have no function in the matter.

Question No. 436 answered with Question No. 433.

Social and Affordable Housing

437. **Deputy Sandra McLellan** asked the Minister for the Environment, Community and Local Government if it is current policy to refuse a social housing assessment to a young couple who are currently residing with a parent and other family members even though there is overcrowding as they were not deemed by the local authority to be a family unit as they were not married or had children together; and if he will make a statement on the matter. [16989/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): Decisions on the eligibility of specific persons for social housing support and the allocation of that support are a matter solely for the housing authority concerned. The household concerned may be determined to be in need of social housing support where, in accordance with the 2011 social housing assessment regulations, a housing authority considers that the household's current accommodation is unsuitable for its adequate housing, having regard to particular household circumstances or on exceptional medical or compassionate grounds. The household must also meet the other need and eligibility criteria prescribed in the 2011 regulations in order to qualify for social housing support.

National Lottery Funding

438. **Deputy John McGuinness** asked the Minister for the Environment, Community and Local Government if he will confirm the amount of National Lottery funds allocated to his Department; if the funds are spent on specific projects; if so, the name of the project; if the National Lottery fund is allocated to the general spend by his Department; and if he will make a statement on the matter. [17013/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Responsibility for the allocation of National Lottery funding to Departmental expenditure programmes generally is a matter for the Department of Public Expenditure and Reform.

Appendix 1 to the Revised Estimates for Public Services 2012, published by that Department in February 2012, gives information on expenditure programmes which are part funded by the National Lottery, the provisional outturn for 2011 and the estimate for 2012. As far as my Department is concerned, the relevant programmes identified are:

- A.4 — Communal Facilities in Housing Projects;
- A.7 — Private Housing Grants;
- E.3 — Supports for Community and Voluntary Sector;
- E.4 — Local and Community Development Programmes.

The annual Appropriation Account for the Vote and the Department's website (<http://www.environ.ie/en/Publications/LocalGovernment/Administration/>) contain further detail on the expenditure concerned and on specific schemes and projects which have been identified as benefiting from National Lottery funding. The relevant data for 2011 will be available on the website shortly following finalisation of the Appropriation Account for that year.

Departmental Equipment

439. **Deputy Regina Doherty** asked the Minister for the Environment, Community and Local Government the number of laptops in use in his Department; the number of tablets in use in his Department; the number of the laptops in use that are due to be upgraded this year; and if he will make a statement on the matter. [17573/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): My Department currently has 309 laptops and plans to upgrade 75 laptops this year. This number includes the laptops provided under a shared services agreement to the Heritage Division of the Department of Arts, Heritage and the Gaeltacht. Tablets have not been deployed in my Department.

Departmental Bodies

440. **Deputy Mary Lou McDonald** asked the Minister for Justice and Equality if he will provide in tabular form, a breakdown of the position, salary, allowance and expenses paid to each of the employment of the Human Rights Commission and the National Disability Authority in 2011. [16403/12]

Minister for Justice and Equality (Deputy Alan Shatter): The Table sets out the information sought. I would refer the Deputy to my reply to her Question No. 15798/12 of 21 March. The salary details provided are the salary range applicable to the post.

TABLE

Body	Grade	No. in Grade	Salary ScaleMin — Max	Allowances paid in 2011	Expenses paid in 2011
Irish Human Rights Commission	CEO	1(position vacant from January 2011)	€134,523 — €153,885	Nil	€7,169.27

Body	Grade	No. in Grade	Salary Scale Min — Max	Allowances paid in 2011	Expenses paid in 2011
National Disability Authority	Director	2	€84,132 — €103,472(*)	Nil	€1,690.56 and €1,187.67
	Senior Enquiry and Legal Services Officer	1	€71,359 — €88,598(*)	Nil	€12.00
	Senior Research and Policy Officer	1 (on career break from June 2011)	€65,185 — €80,678(*)	Nil	Nil
	Senior Human Rights Awareness Officer	1	€65,185 — €80,678(*)	Nil	€73.90
	Enquiry and Legal Services Officer	1	€46,081 — €58,294(*)	Nil	Nil
	Administration, Finance and HR Officer	1	€30,516 — €47,975(*)	Nil	Nil
	Desk Officer	3	€23,177 — €37,341(*)	Nil	Nil
	Principal Officer (higher scale)	1	€85,597 — €105,429	0	€690.20
	Principal Officer (standard)	3	€84,132 — €103,472	0	€4,818.19
	Assistant Principal Officer (higher scale)	1	€71,359 — €88,598	0	Nil
	Assistant Principal Officer (standard)	9 Full time and 3 Part time	€65,185 — €80,678	€799.61	€7,059.64
	Higher Executive Officer	3	€46,081 — €58,294	0	€296.56
	FAS Grade 8	1 Part time	€34,049 — €55,315	0	Nil
	Admin and Clerical Grade VI	2	€44,849 — €55,032	0	Nil
	Admin and Clerical Grade V	1	€40,209 — €48,496	0	Nil
	Admin and Clerical Grade IV	8 Full time and 2 Part time	€28,330 — €42,891	0	€5.50
	Admin and Clerical Grade III	2	€23,187 — €37,341	0	Nil
	Porter	1	€27,504 — €30,525	0	Nil
	Service Attendant	1	€21,732 — €27,808	€1,860.29	Nil
	Security	2 Part time	€21,732 — €27,808	0	Nil

(*) After 6 years satisfactory service at the maximum.

441. **Deputy Mary Lou McDonald** asked the Minister for Justice and Equality if he will provide in tabular form, a breakdown of the number of the Human Rights Commission and the National Disability Authority board members and their respective annual remuneration for 2011. [16404/12]

Minister for Justice and Equality (Deputy Alan Shatter): As indicated in my reply to PQ 15799/12 of 21 March 2012, the information requested by the Deputy is as follows:

Body	Commissioner/Boardmember	Remuneration for 2011 (fees and expenses)
Irish Human Rights Commission (see Note 1 below)	Maurice Manning (President)	salary (see Note 1 below) and expenses of €2,185.29
	Michael Farrell	€15,245.57
	Olive Braiden	€14,963.00

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Body	Commissioner/Boardmember	Remuneration for 2011 (fees and expenses)
National Disability Authority (see Note 2)	Robert Daly	€16,200.77
	Roger Sweetman	€14,963.00
	Rosemary Byrne	€14,963.00
	Suzanne Egan	€14,963.00
	Tom O Higgins	€14,963.00
	William Binchy	€14,963.00
	Katherine Zappone	€14,963.00
	Lia O Hegarty	€14,963.00
	Alice Leahy	€14,963.00
	Conleth Bradley	Nil
	Gerard Quinn	€15,094.00
	Helen O Neill	€14,963.00
	Peter McKeivitt — Chair	€9,580.40
	Shane Hogan	Nil
	Linda Grealy	Nil
	James O Grady	€7,918.82
	David Joyce	€5,985.00
	Frank Cunneen	€5,985.00
	Des Kenny	€5,985.00
	Joanne McCarthy	€5,985.00
Fiona Duignan	€5,985.00	
Tony Bates	€5,985.00	
Mary Lavelle	€5,985.00	
Tara Cunningham	€7,474.79	
Caroline Burrell	€6,297.28	

Note 1: The President's salary is set at High Court Judge level (€243,080 per annum) and was voluntarily reduced to €199,000 in 2011. The fees for members of the Human Rights Commission in 2011 were €14,963 per annum, paid quarterly in arrears. Fees paid in 2011 included payment in January 2011 for the 4th quarter, 2010. Fees in respect of the period 20 December 2011 to 31 December 2011 for the Commissioners reappointed in December 2011 (Helen O Neill, Conleth Bradley and Roger Sweetman) will be paid in the first quarter, 2012 and the annual rate is now €7,695.

Note 2: Board fees and expenses for the National Disability Authority in respect of 2011 were paid in two instalments, in June 2011 and in January 2012.

Road Traffic Offences

442. **Deputy Mary Mitchell O'Connor** asked the Minister for Justice and Equality if he will provide in tabular form the number of speed check operations carried out each year since 2000 in speed limit zones under 50km, under 60km, under 80km, under 100km and under 120km; the number of alleged speed limit offences that were detected and processed for each of these zones; and if he will make a statement on the matter. [16658/12]

443. **Deputy Mary Mitchell O'Connor** asked the Minister for Justice and Equality if he will provide in tabular form the number of speed check operations carried out each year since 2000 in suburban areas, motorways, dual carriageways, single carriageways and secondary roads; and if he will make a statement on the matter. [16659/12]

Minister for Justice and Equality (Deputy Alan Shatter): I propose to take Questions Nos. 442 and 443 together.

I am informed by the Garda authorities that it is not possible to provide the specific information requested by the Deputy in relation to the number of speed check operations carried out in the zones/road classifications specified as it would require a disproportionate amount of Garda time and resources to collate.

With regard to the number of speeding offences detected, the following table indicates the number of fixed charge notices issued per road classification for the years 2005 to 2011 inclusive.

	2011	2010	2009	2008	2007	2006	2005
Built Up Area	68,632	63,911	73,005	45,342	51,235	45,911	23,602
Motorway	8,454	10,488	10,713	5,738	4,047	3,816	1,168
National Roads	33,876	12,625	24,547	38,569	37,546	32,192	3,640
Regional and Local	31,658	8,229	9,110	9,901	9,602	9,812	2,605
Road Works and Special Speed Limits	120,122	62,801	62,790	78,235	96,436	89,178	46,138
Other (Road Type Unspecified)	36	69	164	325	348	540	2,981
Total	262,778	158,123	180,329	178,110	199,214	181,449	80,134

I am advised by the Garda authorities that, as speed limits were changed from miles per hour to kilometres per hour in 2005, the information requested by the Deputy in relation to the number of speed offences detected in the specified zones by kilometres is only available from 2005.

Proposed Legislation

444. **Deputy Thomas P. Broughan** asked the Minister for Justice and Equality if he is preparing legislation or, if necessary, a constitutional amendment to end upward only rent reviews; and if he will make a statement on the matter. [16785/12]

Minister for Justice and Equality (Deputy Alan Shatter): The Deputy will recall that the Government announced in December last that it had decided not to proceed with legislation in this area.

Illegal Money Lenders

445. **Deputy Michael Healy-Rae** asked the Minister for Justice and Equality his plans to tackle illegal money lending (details supplied); and if he will make a statement on the matter. [16844/12]

Minister for Justice and Equality (Deputy Alan Shatter): Offences relating to illegal money-lending are currently provided for in Part VIII of the Consumer Credit Act 1995.

Persons who engage in moneylending and who do not hold the necessary licence granted by the Central Bank are committing an offence under section 98 of the Act, which provides for a prohibition on engaging in the business of moneylending without a licence.

A person who is guilty of an offence under the Act is liable, on summary conviction, to a fine not exceeding €3,000 or imprisonment for a term not exceeding 12 months or both, or on conviction on indictment, to a fine not exceeding €100,000 or imprisonment for a term not exceeding 5 years or both.

[Deputy Alan Shatter.]

The powers of An Garda Síochána in tackling illegal moneylending are principally contained in sections 105 to 109 of the Act, which make provision for a number of matters including Garda powers of entry and arrest.

I am informed by the Garda authorities that where offences under section 98 are disclosed, and are reported to An Garda Síochána, the matters will be the subject of investigation under the direction of the local District Officer, with relevant expert assistance available from the Garda Bureau of Fraud Investigation.

I would therefore encourage those who may have information concerning the operation of unlicensed moneylenders in particular circumstances to make that information available to An Garda Síochána who will take all measures open to them to enforce the law in this area.

Courts Service

446. **Deputy Maureen O'Sullivan** asked the Minister for Justice and Equality the timeframe he envisages for the promulgation by him of a Statutory Instrument to raise the monetary caps on the jurisdiction of the District Court £5,000/€6,350 and the Circuit Court £30,000/€38,100, which were prescribed in 1991; and if he will make a statement on the matter. [16053/12]

447. **Deputy Maureen O'Sullivan** asked the Minister for Justice and Equality his views that the effect of inflation in the economy since 1991, when set against the monetary caps on the jurisdiction of the District Court £5,000/€6,350 and the Circuit Court £30,000/€38,100, which have remained the same since then, has the effect of excluding persons from effective access to justice, particularly when persons live in areas that are distant from Circuit Court premises; and if he will make a statement on the matter. [16054/12]

448. **Deputy Maureen O'Sullivan** asked the Minister for Justice and Equality if he will publish all representations made to him personally, or to officials of his Department, by participants in the insurance industry, or by lobbyists acting for participants in the insurance industry, including documents received and notes of meetings, regarding the monetary caps on the jurisdiction of the District Court and the Circuit Courts; and if he will make a statement on the matter. [16055/12]

Minister for Justice and Equality (Deputy Alan Shatter): I propose to take Questions Nos. 446 to 448, inclusive, together.

As the Deputy has noted, the current monetary jurisdictional limits were set in 1991 at (euro equivalents of) €38,092 and €6,384 for the Circuit and District Courts respectively. Although provision was made, under sections 13 and 14 of the Courts and Court Officers Act 2002, to increase the jurisdiction of the Circuit Court to €100,000 and the District Court to €20,000, these were never commenced by previous Governments. I am informed that concerns were expressed that an increase in monetary jurisdiction could have the effect of increasing the level of court awards in personal injury cases. Moreover, the Personal Injuries Assessment Board was then in the process of being established and has, since its establishment in 2004, provided a speedy and cost effective system of dealing with compensation for victims of workplace, motor and public liability accidents. However, two reports on legal costs highlighted the need to review the jurisdiction although that was because of the increased costs associated with taking cases in the High Court rather than the distance involved for litigants which the Deputy mentions.

I can assure the Deputy that since my appointment neither I nor my officials have received any representations or attended any meetings on this subject. I agree with the Deputy that the

current limits appear to be out of line with current monetary values and the matter is being examined by my Department. It is my intention to progress the matter as soon as possible.

Prison Education Service

449. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality further to Parliamentary Question Nos. 469 and 471 of 13 March 2012, if he will indicate the format or structures used to determine eligibility for rehabilitative or educational programmes or schemes at each prison or correction centre throughout the country; the extent to which the selection process conforms to a particular criterion; if suitable candidates are selected on the basis of random selection, obvious suitability or other need for such education or training; whether any particular pattern has been identified indicating particular and specific benefit to individual categories of prisoners; and if he will make a statement on the matter. [16084/12]

Minister for Justice and Equality (Deputy Alan Shatter): As set out in my response to Parliamentary Questions Nos. 469 and 471, the Irish Prison Service provides a wide range of rehabilitative programmes that include education, vocational training, healthcare, psychiatric, psychological, counselling, welfare and spiritual services. These programmes are available in all prisons and all prisoners are eligible to use the services.

On committal, all prisoners are interviewed by the Governor and are informed of the services available in the prison. At this point prisoners may be referred to services or they can self-refer at a later date. Where Governors consider, on the information available, that a prisoner needs a particular intervention they will initiate a referral.

The Irish Prison Service has introduced an Integrated Sentence Management (ISM) system. ISM involves a new orientation in the delivery of services to prisoners and an emphasis on prisoners taking greater personal responsibility for their own development through active engagement with both specialist and non-specialist services in the prisons. The end result is a prisoner-centred multidisciplinary approach to working with prisoners with provision for initial assessment, goal setting and periodic review to measure progress.

Newly committed prisoners with a sentence of greater than one year are eligible to take part in ISM. If they agree to participate, a First Contact Assessment interview takes place. This First Contact Assessment identifies the needs of the prisoner in several areas such as accommodation, education and offending behaviour. Referrals are made on foot of this assessment to services within the prison such as Education or Work and Training and outside agencies providing an in-reach service. These services and agencies carry out their own assessment of the prisoner and feed their recommended actions back to the ISM Co-ordinator.

The various actions recommended are compiled into a Personal Integration Plan (PIP) for the prisoner to complete during his/her time in prison. The PIP will be reviewed regularly depending on the length of the sentence. Approximately 9 months prior to the release of the prisoner, a Community Integration Plan (CIP) will be developed. This sets out a plan for the prisoners to prepare for his/her release. Important issues such as accommodation, employment or education are addressed to help the prisoner resettle into the community on release and reduce the risk of re-offending.

As previously advised, the Irish Prison Service is in the process of drafting a new Strategic Plan 2012-2014 which will be presented to me, by the Director General, in the first week of April. The development of prisoner programmes will form a central part of this Strategy.

Prisoner Releases

450. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if he will indicate

[Deputy Bernard J. Durkan.]

the basis used to determine entitlement to early release on whatever grounds, occasional release with or without supervision for specific events, transfer to alternative or open prisons throughout the prison service; if decisions come as a result of application by a particular prisoner, recommendation at whatever level within the service or otherwise; if successful applications are determined by a particular process which is transparent and cognisant of all issues such as welfare, health, potential threat to society and or any other criteria; and if he will make a statement on the matter. [16114/12]

474. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if he will indicate the basis used to determine entitlement to early release on whatever grounds, occasional release with or without supervision for specific events, transfer to alternative or open prisons throughout the prison service, whether decisions came as a result of application by a particular prisoner, recommendations at whatever level within the service or otherwise; if successful applicants are determined by a particular process which is transparent and cognisant of all issues such as welfare, health, potential threat to society and or any other criteria; and if he will make a statement on the matter. [16821/12]

Minister for Justice and Equality (Deputy Alan Shatter): I propose to take Questions Nos. 450 and 474 together.

I refer the Deputy to my response to Parliamentary Question No. 472 on Tuesday 13th March, 2012 setting out the criteria which applies including the circumstances when temporary release may be provided and what matters must be taken into account.

Candidates for temporary release are identified by a number of different means but primarily on the recommendation of the Prison Governor or the therapeutic services in the prisons. The prisoner, their family, or their legal representative can also apply for consideration of such a concession. Recommendations are also made to me in relation to long term sentence prisoners by the Parole Board though it does not necessarily follow that a prisoner will receive temporary release even if the recommendation is to that effect.

The identification of suitable candidates for transfer to alternative prisons or open centres follows a similar process as that in place for identifying those suitable for temporary release.

Reply to Parliamentary Question No. 472 on Tuesday 13th March, 2012

The Criminal Justice Act 1960, as amended by the Criminal Justice (Temporary Release of Prisoners) Act 2003 provides that sentenced prisoners may be approved temporary release. The Act sets out the criteria which applies including the circumstances when temporary release may be provided and what matters must be taken into account.

Candidates for temporary release are identified by a number of different means but primarily on the recommendation of the Prison Governor or the therapeutic services in the prisons. The prisoner, their family, or their legal representative can also apply for consideration of such a concession. Recommendations are also made to me in relation to long term sentence prisoners by the Parole Board though it does not necessarily follow that a prisoner will receive temporary release even if the recommendation is to that effect.

Temporary release assists in gradually preparing suitable offenders for release and in administering short sentences, and is an incentive to prisoners. It is an important vehicle for re-integrating an offender into the community in a planned way. The generally accepted view is that the risk to the community is reduced by planned re-integration of offenders compared with their return to the community on the completion of their full sentence.

All applications for temporary release for whatever reason including those referred to in the Question are examined on their own merits and the safety of the public is paramount when decisions are made. The criteria to be considered prior to the grant or refusal of temporary release include the nature and gravity of the offence to which the sentence of imprisonment being served by the person relates, the sentence of imprisonment concerned and any recommendations of the court that imposed that sentence in relation thereto, the potential threat to the safety and security of members of the public (including the victim of the offence to which the sentence of imprisonment being served by the person relates) should the person be released from prison, the length of sentence served, previous convictions, conduct in custody and reports received from a variety of informed sources.

In addition, all releases are subject to conditions which in the vast majority of cases include a requirement to report on a daily basis to the offender's Garda Station. Of course, any offender who breaches his or her conditions may be arrested and returned to prison immediately by the Gardaí.

A number of key recommendations contained in the Thornton Hall Review Group Report are also receiving priority attention in my Department and many are in the process of being implemented, most notably the introduction of an incentivised scheme for earned temporary release under which offenders who pose no threat to the community are offered early temporary release in return for supervised community service. In this regard, a six month pilot project commenced in October 2011 in which it is envisaged that a total of 130 prisoners will participate. As of Friday 9th March, 119 prisoners have been released under the scheme with a further 13 scheduled for release by the end of the month.

Road Traffic Fatalities

451. **Deputy Thomas P. Broughan** asked the Minister for Justice and Equality if, in the context of a Parliamentary Question reply from May 2011 which asked for him to outline the legal basis for withholding the garda abstract report, copies of statements of witnesses, sketches and maps of the scene from families who have lost a loved one in a fatal road collision until after the Coroner's inquest has been heard and his subsequent reply that should it become apparent to me that such documentation is not as a general rule being released to families I will give consideration to the enactment of legislation on the matter, he has carried out an examination of the availability of these documents to bereaved families and is preparing legislation to facilitate same; and if he will make a statement on the matter. [16116/12]

Minister for Justice and Equality (Deputy Alan Shatter): The Deputy will be aware that Coroners are independent in their functions with responsibility, under the Coroners Act 1962, for the medicolegal investigation of the circumstances of sudden, unexplained, violent and unnatural deaths. I am informed by the Garda authorities that it is the responsibility of An Garda Síochána to provide the Coroner with all statements and evidence in relation to such deaths.

I am advised that, in the absence of expressed legal provisions, in the case of fatal road traffic collisions it is Garda policy that abstract reports are not provided until the inquest concerning the death has been completed by the Coroner. I am further informed that this policy is in place as disclosure of information by the Garda authorities in advance of the Coroner's inquest may have an adverse impact on the ability of the Coroner to perform his/her statutory functions effectively. In circumstances where criminal proceedings are contemplated or have been initiated the Garda authorities will seek to adjourn the Coroners inquest until the criminal proceedings are completed.

[Deputy Alan Shatter.]

I assume that the Deputy's question arises in the context of a particular case which he raised previously. I understand that the Coroner, having regard to the circumstances involved in a particular case and the requirement for fair procedures, has discretion with regard to disclosure of particular documentation to families prior to inquest.

In relation to the wider question of the availability of such documentation generally, I am, in line with my previous answer to the Deputy, keeping this matter under review.

Garda Stations

452. **Deputy Eoghan Murphy** asked the Minister for Justice and Equality if he will provide any information he may have in relation to the changes of opening and closing times of Garda stations in Dublin south east and any proposed changes to the community garda position. [16121/12]

Minister for Justice and Equality (Deputy Alan Shatter): As the Deputy is aware, it is proposed to reduce the public opening hours of the following stations in the Dublin South, South Central and East Divisions — Cabinteely, Stepside, Kill O' the Grange, Sundrive, Terenure and Donnybrook. These stations are currently open to the public on a 24-hour basis and will, in future, be closed to the public between 10pm and 8am. It is important to remember that while the Garda stations in question will have reduced opening hours to the public, they will remain as functioning Garda stations on a 24 hour basis.

The allocation of resources, including personnel to Community Policing etc, is a matter for the Garda Commissioner. The priority will remain that an effective and professional policing service is provided to every part of the community, both rural and urban.

EU Directives

453. **Deputy Jonathan O'Brien** asked the Minister for Justice and Equality the reason the State will not opt into Directive 2003/86/EC on family reunification; and if he will make a statement on the matter. [16195/12]

Minister for Justice and Equality (Deputy Alan Shatter): The original rationale for non-participation in the Directive in question involved serious concerns about the Common Travel Area implications of the Directive, in the event that Ireland participated while the UK remained outside. I do not think that position has changed significantly since then. However the matter will be kept under review.

Departmental Staff

454. **Deputy Sean Fleming** asked the Minister for Justice and Equality if he will provide a list of staff in his Department that serve as directors of companies arising from their employment; the names of the companies involved; the annual remuneration received, if any; if they are indemnified by his Department in respect of their role as directors; and if he will make a statement on the matter. [16421/12]

Minister for Justice and Equality (Deputy Alan Shatter): I can inform the Deputy that only one member of staff in my Department serves as a director of a company arising from his employment. The details are set out below:

Officer	Company	Remuneration	Indemnity	Comment
Ruairí Gogan, Youth Justice	youngballymun	Nil	None	youngballymun is a not-for-profit company involved in social regeneration

Ministerial Expenses

455. **Deputy Niall Collins** asked the Minister for Justice and Equality the amount of expenses claimed on a monthly basis since March 2011 by all Ministers attached to his Department; and if he will make a statement on the matter. [16455/12]

Minister for Justice and Equality (Deputy Alan Shatter): I wish to inform the Deputy that there have not been any expenses claimed by Ministers attached to this Department since March 2011.

Firearms Licensing

456. **Deputy Michael Creed** asked the Minister for Justice and Equality his views on evidence furnished at a recent High Court case (details supplied); the actions he proposes to take regarding the operation of the current firearms licensing system as a result; and if he will make a statement on the matter. [16496/12]

473. **Deputy Eoghan Murphy** asked the Minister for Justice and Equality if he has considered a matter (details supplied) regarding firearms licensing. [16816/12]

Minister for Justice and Equality (Deputy Alan Shatter): I propose to take Questions Nos. 456 and 473 together.

I take it the Deputies are referring to a recent High Court case involving Judicial Reviews of decisions by Chief Superintendents in firearms cases. What was at issue were decisions by Chief Superintendents to refuse applications for licences for high calibre handguns. That case was settled with no admission of wrongdoing on the part of the State but with an undertaking to consider applications afresh and give reasons to applicants where applications are turned down.

In an interim report which I received from the Garda Commissioner he indicated that he was reviewing certain aspects of the operation of the firearms licensing system and I await a further report from him.

Tragically, the House will have been reminded in recent weeks of the dangers which licensed firearms can pose for members of An Garda Síochána and others and of the dangers of firearms generally. For my part, I am determined to ensure that in the operation of the firearms licensing system, the question of public safety is paramount.

Adoption Services

457. **Deputy Paschal Donohoe** asked the Minister for Justice and Equality if he will outline the process upon which step-parent adoption will be regularised as part of his guidelines regarding surrogacy arrangements; and if he will make a statement on the matter. [16500/12]

Minister for Justice and Equality (Deputy Alan Shatter): Adoption policy is a matter for the Minister for Children and Youth Affairs.

[Deputy Alan Shatter.]

The scope of the Surrogacy Guidance Document I published recently relates to citizenship, parentage, guardianship and travel document issues in relation to children born as a result of surrogacy arrangements entered into outside the State. The Guidance Document provides information to people who intend to enter surrogacy arrangements outside the State on the practical and legal considerations arising under Irish law where the commissioning parents intend to bring the child to live with them in the State.

Residency Permits

458. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the position regarding an application for residency in the name of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [16501/12]

Minister for Justice and Equality (Deputy Alan Shatter): The person concerned has been granted Leave to Remain in the State for a two year period to 29 March 2012. This decision was conveyed in writing to the person concerned by letter dated 29 March 2010. They were also informed that they are required to apply in writing one month before the end of the expiry period for the renewal of this permission.

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.

Garda Deployment

459. **Deputy Catherine Murphy** asked the Minister for Justice and Equality if he will provide up to date figures detailing the total deployment of Gardaí by region, division, district and sub-district across the country; and if he will make a statement on the matter. [16506/12]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda authorities that the personnel strength of An Garda Síochána as of 29 February 2012, the latest date for which figure are readily available, was 13,635. In addition, as of the same date, there was 935 Garda Reserves.

The attached spreadsheets show the distribution of 11,712 Gardaí and 935 Garda Reserve members, by Division, District and Garda Station. There are a further 1,923 Gardaí attached to the various national units such as the National Bureau of Criminal Investigation, the Garda Bureau of Fraud Investigation, Liaison and Protection and other such units.

Judicial Allowances

460. **Deputy Clare Daly** asked the Minister for Justice and Equality if judges are entitled to a daily unvouched lunch allowance; and if so, the monetary value of same and if this arrangement applies to all judges. [16518/12]

462. **Deputy Mary Lou McDonald** asked the Minister for Justice and Equality if he will provide in tabular form details of all premium payments, allowances and expenses paid to the Judiciary. [16655/12]

463. **Deputy Mary Lou McDonald** asked the Minister for Justice and Equality if he will provide in tabular form details of all premium payments, allowances and expenses paid to each of the Judiciary in 2011. [16656/12]

Minister for Justice and Equality (Deputy Alan Shatter): I propose to take Questions Nos. 460, 462 and 463 together.

Expenses are payable to judges for travel and subsistence necessarily incurred for attendance away from home. Subsistence expenses are provided to cover the cost of meals in some cases. No premium payments, by which I take it the Deputy is referring to overtime, are paid. The cost of expenses is determined by the number and location of court sittings and the travelling expenses payable to judges cover the use of their own private car. It should be noted that a review of judicial expenses and allowances is currently underway in my Department and is due to be completed by July of this year. The different rates applying to judicial expenses are complex and detailed, having developed over decades. However, the following rates are generally currently applicable:

Table 1 — Mileage rates for Circuit and District Court

Travel per year	Engine up to 1200cc	1201cc to 1500cc	1501cc to 1887cc	1888cc and over
Up to 6437 kms	39.12 cent	46.25 cent	59.07 cent	70.89 cent
over 6438 kms	21.22 cent	23.62 cent	28.46 cent	34.15 cent

- Unassigned District Judges may claim mileage from their home to Court venue and back while on official business.
- District Judges assigned to Districts outside of Dublin may claim mileage for journeys made from home to Court venue and back to home, while on official business, subject to a maximum of 40 km (25 miles) to cover that part of the journey between their home and the border of their District.
- District Judges assigned to the Dublin District are paid an allowance of €3,100 per annum to cover all travel to and from work including out of hours courts.
- Circuit Court Judges may claim mileage from their home to Court venue and back while on official business.

Table 2 — Subsistence Rates for Circuit and District Court

Allowance type	Amount€
Night allowance	
— normal	121.43
— reduced	113.12
Day allowance	
— 10 hours or more	37.04
— 5 hours or more	14.12
Sitting room allowance (vouched) Circuit Court only	36.69
Garage Allowance	4.37
Day/Overnight Allowance for Special Criminal Court	114.80

[Deputy Alan Shatter.]

Table 3 — Court Attire Expenses (vouched)

Item	Max recoupable cost€	Minimum replacement period
Wig	2,195	lifetime
Frock coat	745	2 years
Frock coat without tails	575	2 years
Gown	389.50	3 years
Waistcoat	165	2 years
Bands/Tabs	12	6 months

The allowances and expenses paid to members of the judiciary from the Courts Service Vote in 2011 are set out in the following tables:

Table 4 — Supreme Court Judges Expenses, 2011

Judge No.	Travel	Subsistence	Judicial Attire and Incidental Expenses	Total
	€	€	€	€
1	404.60	3,065.07	50.00	3,519.67
2	157.77	2,262.64	289.50	2,709.91
3	142.81	905.56		1,048.37
4	98.28	783.00		881.28
5	304.11	166.86	147.84	618.81
6	14.18	583.13		597.31
7	60.00	330.97		390.97
8	0	0	0	0
Total	€1,181.75	€8,097.23	€487.34	€9,766.32

Table 5 — High Court Judges Expenses, 2011

Judge No.	Travel	Subsistence	Judicial Attire and Incidental Expenses	Total
	€	€	€	€
1	2,203.99	7,271.18	2,634.00	12,109.17
2	508.00	9,101.00		9,609.00
3	284.87	6,621.31	85.23	6,991.41
4	128.28	6,270.70	200.00	6,598.98
5		6,037.00		6,037.00
6		6,025.00		6,025.00
7	1,016.00	4,793.00	67.00	5,876.00
8	390.41	3,737.84	1,346.00	5,474.25
9	331.43	3,573.65	1,477.00	5,382.08
10		4,009.00		4,009.00
11		3,742.00		3,742.00
12		3,595.00		3,595.00
13	657.90	1,360.99	1,467.00	3,485.89
14		3,427.09		3,427.09

Judge No.	Travel	Subsistence	Judicial Attire and Incidental Expenses	Total
	€	€	€	€
15			3,145.51	3,145.51
16		2,454.00	593.00	3,047.00
17	147.98	2,616.33	134.00	2,898.31
18		1,400.00	1,423.47	2,823.47
19	320.45	2,082.63	5.90	2,408.98
20	588.18	1,130.92	520.00	2,239.10
21		2,152.00		2,152.00
22		2,152.00		2,152.00
23	48.21	2,008.00	12.00	2,068.21
24	388.63	1,652.00		2,040.63
25		1,874.00		1,874.00
26		1,523.00		1,523.00
27		1,466.00		1,466.00
28		1,421.00		1,421.00
29		1,339.00		1,339.00
30			1,279.00	1,279.00
31			900.00	900.00
32	51.38	224.63	294.60	570.61
33			520.00	520.00
34		1,253.00	67.00	1,320.00
Total	€7,065.71	€96,313.27	€16,170.71	€119,549.69

*The number of Judges above includes Judges who retired during 2011 and Judges who were appointed during 2011.

Table 6 — Circuit Court Judges Expenses, 2011

Judge No.	Travel	Subsistence	Judicial Attire and Incidental Expenses	Total
	€	€	€	€
1	36,653.74			36,653.74
2	10,029.20	19,538.66	970.00	30,537.86
3	9,374.96	19,389.40		28,764.36
4	8,700.85	18,796.04	791.22	28,288.11
6	5,576.11	22,126.15		27,702.26
7	8,619.80	17,750.63	380.20	26,750.63
8	8,358.52	17,762.97	299.80	26,421.29
9	8,848.67	15,452.56	910.00	25,211.23
10	8,979.82	15,987.01	178.20	25,145.03
11	7,602.65	17,388.20	84.92	25,075.77
12	6,447.95	17,784.92	625.96	24,858.83
13	9,980.08	13,005.16		22,985.24
14	6,810.04	13,224.48	2,195.00	22,229.52
15	10,589.77	9,344.85		19,934.62
16	6,082.35	13,838.00		19,920.35
17	9,434.70	8,989.60		18,424.30
19	5,855.52	11,097.83	18.80	16,972.15

[Deputy Alan Shatter.]

Judge No.	Travel	Subsistence	Judicial Attire and Incidental Expenses	Total
	€	€	€	€
18	9,161.18	6,539.40	102.60	15,803.18
20	4,862.77	7,582.72	1,143.45	13,588.94
21	9,356.86	4,111.19		13,468.05
22	5,617.74	5,095.01		10,712.75
23	5,577.79	3,978.91		9,556.70
24	5,059.39	3,828.20	60.00	8,947.59
25	6,254.12	1,988.48		8,242.60
26	4,524.65	3,438.75	98.00	8,061.40
27	2,047.04	4,136.43	1,843.00	8,026.47
28	6,756.53			6,756.53
29	6,219.53			6,219.53
30	3,779.16	1,615.31		5,394.47
31	1,587.90	2,386.28		3,974.18
32	1,672.32	1,227.84	105.60	3,005.76
33	42.02	2,045.06		2,087.08
34	1,170.17			1,170.17
35	264.45	184.17		448.62
36	280.28	88.20	16.20	384.68
Total	€242,178.63	€299,722.41	€9,822.95	€551,723.99

*The number of Judges above includes Judges who retired during 2011 and Judges who were appointed during 2011.

Table 7 — District Court Judges Expenses, 2011

Judge No.	Travel	Subsistence	Judicial Attire and Incidental Expenses	Total
	€	€	€	€
1	16,497.95	33,575.76		50,073.71
2	11,402.86	29,419.66	18.50	40,841.02
3	8,439.76	29,675.07		38,114.83
4	12,624.61	23,603.56		36,228.17
5	10,985.56	24,280.56		35,266.12
6	24,843.49	9,488.91	442.06	34,774.46
7	8,882.54	22,936.54	249.90	32,068.98
8	6,602.27	23,981.40		30,583.67
9	7,524.42	21,621.15	1,418.75	30,564.32
10	7,282.10	22,510.97	281.40	30,074.47
11	8,852.12	21,029.18		29,881.30
12	7,655.12	20,123.58		27,778.70
13	12,165.66	15,148.68	154.30	27,468.64
14	4,859.69	20,931.80		25,791.49
15	4,894.69	19,915.48		24,810.17
16	6,366.74	18,407.19		24,773.93
17	15,327.05	7,848.35		23,175.40
18	7,426.70	15,270.19	23.50	22,720.39
19	13,808.15	6,788.76	1,172.40	21,769.31

Judge No.	Travel	Subsistence	Judicial Attire and Incidental Expenses	Total
	€	€	€	€
20	7,507.93	12,437.67		19,945.60
21	3,451.17	14,718.60		18,169.77
22	9,171.38	8,242.46		17,413.84
23	9,556.87	7,577.89	150.00	17,284.76
24	11,587.70	4,364.30	1,052.50	17,004.50
25	6,695.88	10,226.20		16,922.08
26	4,303.73	9,472.12	1,646.00	15,421.85
27	5,953.03	7,729.45	144.00	13,826.48
28	10,300.15	3,480.48		13,780.63
29	10,836.20	2,880.48		13,716.68
30	6,082.98	7,377.18		13,460.16
31	9,223.84	3,348.52	840.30	13,412.66
32	9,374.17	3,831.69	162.00	13,367.86
34	9,063.56	2,036.10	147.00	11,246.66
35	8,237.34	2,505.54	186.77	10,929.65
36	6,805.67	3,598.04		10,403.71
37	2,817.17	7,349.02		10,166.19
38	6,169.71	3,680.62		9,850.33
39	6,224.60	2,730.39	79.00	9,033.99
40	5,782.19	2,135.60		7,917.79
41	5,745.45	1,674.34	37.40	7,457.19
42	4,908.72	2,027.96		6,936.68
43	4,278.20	691.88	1,320.00	6,290.08
44	4,200.12	830.84	533.60	5,564.56
45	3,949.13	381.24	926.00	5,256.37
46	3,666.45	1,414.09		5,080.54
47	1,646.25	2,815.46	381.00	4,842.71
48	3,785.43		520.00	4,305.43
49	3,581.29	172.19		3,753.48
50	3,499.12		254.10	3,753.22
51	3,348.00		381.00	3,729.00
52	2,684.19	906.30		3,590.49
53	3,484.36	22.90		3,507.26
54	3,411.92			3,411.92
55	3,407.66			3,407.66
56	3,348.68			3,348.68
57	3,100.00		165.00	3,265.00
58	3,100.00			3,100.00
59	3,100.00			3,100.00
60	3,100.00			3,100.00
61	3,100.00			3,100.00
62	535.93	853.31	1,126.00	2,515.24
63	2,325.00			2,325.00
64			1,114.00	1,114.00
Total	€422,892.65	€518,069.65	€14,926.48	€955,888.78

*The number of Judges above includes Judges who retired during 2011 and Judges who were appointed during 2011.

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In addition to the above expenses, under the provisions of section 164 of the Finance Act 1994, an annual expense allowance is paid to members of the judiciary. This is not paid by the Courts Service but is paid monthly from Central Funds as part of salary. The levels are currently as follows:

Table 8 — Current Annual Allowance

Grade	Annual Allowance Rate
Chief Justice	€9,057.96 (€754.83 monthly)
President of the High Court	
Judge of the Supreme Court	
Judge of the High Court	
President of the Circuit Court	
President of the District Court	€2,730.02 (€227.50 monthly)
Judge of the Circuit Court	
Judge of the District Court	

Residential Institutions

461. **Deputy Maureen O’Sullivan** asked the Minister for Justice and Equality if in the event of the former residents of the Magdalen Laundries making a complaint to An Garda Síochána, if he will clarify the matter of the statute of limitations and if the State will cover the costs for those ladies many of whom are existing on limited means. [16530/12]

Minister for Justice and Equality (Deputy Alan Shatter): In meetings with the women concerned and associated groups, it has been stressed that there is no statute of limitations in this jurisdiction for serious criminal offences and that if they have been the victim of an offence, they should report the matter to the Gardaí for criminal investigation. There are no monetary costs to a victim as such associated with a Garda criminal investigation and prosecution.

Questions Nos. 462 and 463 answered with Question No. 460.

Criminal Prosecutions

464. **Deputy Michael Healy-Rae** asked the Minister for Justice and Equality the number of persons that were charged and subsequently prosecuted for illegal money lending between February 2010 and February 2011.; and if he will make a statement on the matter. [16766/12]

465. **Deputy Michael Healy-Rae** asked the Minister for Justice and Equality the number of persons charged and subsequently prosecuted for illegal money lending between February 2011 and February 2012.; and if he will make a statement on the matter. [16767/12]

466. **Deputy Michael Healy-Rae** asked the Minister for Justice and Equality the number of persons charged and subsequently prosecuted for illegal money lending between February 2009 and February 2010.; and if he will make a statement on the matter. [16768/12]

Minister for Justice and Equality (Deputy Alan Shatter): I propose to take Questions Nos. 464 to 466, inclusive, together.

The Garda Síochána Act 2005 makes provision for the compilation and publication of crime statistics by the Central Statistics Office, as the national statistical agency, and the CSO has

established a dedicated unit for this purpose. I have therefore requested the CSO to provide the data, where available, as requested directly to the Deputy.

Asylum Applications

467. **Deputy Pearse Doherty** asked the Minister for Justice and Equality if he will confirm if he has received correspondence from a group (details supplied) in County Donegal; if he acknowledges the concerns raised by the group; if he has the legal authority to intervene in this matter; if he intends to do so; and if he will make a statement on the matter. [16786/12]

Minister for Justice and Equality (Deputy Alan Shatter): The person concerned arrived in the State on 4 September 2006 and applied for asylum on 14 September 2006. The Refugee Applications Commissioner refused him a declaration of refugee status. This decision was subsequently upheld by the Refugee Appeals Tribunal. A Deportation Order was made in respect of him on 2 March 2011.

The person concerned instituted Judicial Review proceedings on 29 July 2011 challenging the Deportation Order made in respect of him and accordingly, as the matter is sub judice, I do not propose to comment further.

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.

Repatriation Flights

468. **Deputy Dara Calleary** asked the Minister for Justice and Equality if he has sought a report into an incident involving an injury to a member of An Garda Síochána on a repatriation flight on 8 March; if he will publish that report; and if he will make a statement on the matter. [16795/12]

Minister for Justice and Equality (Deputy Alan Shatter): On 8 March 2012, a member of An Garda Síochána attached to the Garda National Immigration Bureau (GNIB) suffered injuries while on duty during the course of a deportation flight to Nigeria.

This flight, which was Austrian-led and organised through FRONTEX (the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union), had departed Vienna on the evening of 9 March, stopping in Madrid to take on board returnees and their escorts from Spain, France and Ireland *en route* to Nigeria. The returnees from Ireland had earlier been escorted without incident on a charter flight from Dublin to Madrid.

The incident in question occurred during the Madrid to Lagos leg of the flight. The injuries sustained by the member were treated by medical personnel on board. The flight proceeded to Nigeria and on its return to Madrid, the member was taken to a hospital there. He was discharged from hospital and returned to Ireland on 9 March, the same day as the other GNIB members involved in the flight.

I am advised by the Garda authorities that a senior officer has been appointed to conduct a criminal investigation into this serious incident and in advance of the outcome of that investigation, it would be inappropriate for me to make any further comment.

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I would like to take this opportunity to wish the member in question a speedy recovery. Finally, yet again, this incident serves to underline the often difficult and dangerous nature of the duties undertaken by members of the force on behalf of the State.

469. **Deputy Dara Calleary** asked the Minister for Justice and Equality the number of repatriation flights that left Ireland in 2011 and to date in 2012; the total number of persons repatriated; the number of security personnel on board each in tabular form; and if he will make a statement on the matter. [16796/12]

Minister for Justice and Equality (Deputy Alan Shatter): I am advised by the Irish Naturalisation and Immigration Service (INIS) that there were a total of seven flights in 2011 and one flight to date this year with a total of 111 and 21 failed asylum seekers and other illegal immigrants repatriated respectively. These figures refer to charter flights engaged by INIS (utilising EU funding from the European Return Fund) or by participation in FRONTEX (European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union) organised flights. The majority of failed asylum seekers and illegal immigrants including persons refused entry into the State, persons who were transferred under the Dublin Regulation to the EU member state in which they first applied for asylum and EU nationals who were returned to their countries of origin on foot of an EU Removal Order are removed using scheduled commercial flights as appropriate.

The number of escorting Gardaí on each flight is a Garda operational matter and varies depending on a prior risk assessment of each removal operation carried out by the Garda National Immigration Bureau. As this is a Garda operational matter I do not propose to comment further on the number of security personnel deployed.

Deportations take place within the provisions of the Immigration Act, 1999, as amended, and after each applicant's case has been fully considered by me with regard to the eleven considerations contained in Section 3(6) of that Act and Section 5 (Prohibition of Refoulement) of the Refugee Act 1996. Deportations are always carried out in accordance with the law and with due regard for the dignity of the deportee.

Deportation Orders

470. **Deputy Dara Calleary** asked the Minister for Justice and Equality the facilities in place at Lagos Airport, Nigeria, to treat those arriving on repatriation flights who may have taken ill or been injured during the flight; and if he will make a statement on the matter. [16797/12]

Minister for Justice and Equality (Deputy Alan Shatter): All chartered flights operated by Ireland and other EU countries through Frontex (European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union) have medical personnel on board. These medical personnel will treat any passenger or crew member who has taken ill or been injured during the flight. Any medical issues arising after the passengers have disembarked from the plane are a matter for the Nigerian authorities in the case of Nigerian nationals.

Garda Stations

471. **Deputy Charlie McConalogue** asked the Minister for Justice and Equality if he will give an assurance that current levels of service provided by Garda Public Offices at Garda stations in County Donegal will at a minimum be maintained at current levels; and if he will make a statement on the matter. [16803/12]

472. **Deputy Charlie McConalogue** asked the Minister for Justice and Equality if he will give an assurance that there are no plans in place to close any Garda public offices in the Buncrana or Letterkenny garda districts of the Donegal division; and if he will make a statement on the matter. [16804/12]

Minister for Justice and Equality (Deputy Alan Shatter): I propose to take Questions Nos. 471 and 472 together.

As the Deputy is aware, the Commissioner's Policing Plan for 2012, which I laid before both Houses of the Oireachtas on 5 December 2011, sets out the future opening hours of 10 Garda Stations in the Dublin Metropolitan Region and the closure of 39 Garda Stations throughout the country. The only stations in the Donegal Garda Division which are due to close are Culdaff and Dunkineely Garda Stations.

In preparing the Policing Plan, the Garda Commissioner reviewed all aspects of the Garda Síochána's policing model, including the deployment of personnel, the utilisation of modern technologies and the operation of Garda stations, both in terms of opening hours and possible closures. In addition, all Divisional Officers were asked to assess the level of activity in each Garda Station in their area. It must be stressed that the key objective of the station closures is to promote the more efficient and effective deployment of resources rather than secure modest cash savings. In this context the Commissioner has concluded that Garda resources could be better deployed and more effectively used on the frontline if a particular station no longer had to be staffed and maintained. The allocation of resources including personnel and the day to day operations of the force, including opening hours of Garda stations are a matter for the Commissioner.

The Policing Plan for 2013 has not yet been prepared and therefore it is not possible to say at this stage what it may contain. Specifically in relation to the Donegal Garda Division, on 29 February 2012, the latest date for which figures are readily available, there were 436 Gardaí assigned to the Division of which 75 were assigned to the Buncrana District and 165 to Letterkenny District. There were also 25 Garda Reserve members and 29 civilian staff assigned to different stations across the Division. These resources are augmented, when appropriate, by Gardaí from national units such as the Garda National Drug Unit and the National Bureau of Criminal Investigation.

Question No. 473 answered with Question No. 456.

Question No. 474 answered with Question No. 450.

475. **Deputy Brendan Smith** asked the Minister for Justice and Equality if he will confirm that there is no threat to the future of a Garda Station (details supplied) in County Cavan; and if he will make a statement on the matter. [16824/12]

Minister for Justice and Equality (Deputy Alan Shatter): As the Deputy is aware, the Commissioner's Policing Plan for 2012, which I laid before both Houses of the Oireachtas on 5 December 2011, sets out the future opening hours of 10 Garda Stations and the closure of 39 Garda Stations. The only station in the Cavan Garda Division which is due to close is Tullyvin Garda Station.

In preparing the Policing Plan, the Garda Commissioner reviewed all aspects of the Garda Síochána's policing model, including the deployment of personnel, the utilisation of modern technologies and the operation of Garda stations, both in terms of opening hours and possible closures. In addition, all Divisional Officers were asked to assess the level of activity in each Garda Station in their area. It must be stressed that the key objective of the station closures is

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to promote the more efficient and effective deployment of resources rather than secure modest cash savings. In this context the Commissioner has concluded that Garda resources could be better deployed and more effectively used on the frontline if a particular station no longer had to be staffed and maintained.

The Policing Plan for 2013 has not yet been prepared and therefore it is not possible to say at this stage what it may contain. Specifically in relation to the Cavan Garda Division, on 29 February 2012, the latest date for which figures are readily available, there were 348 Gardaí assigned to the Cavan/Monaghan Division of which 70 were assigned to the Cavan District. There were also 19 Garda Reserve members and 37 civilian staff assigned to different stations across the Division. These resources are augmented, when appropriate, by Gardaí from national units such as the Garda National Drug Unit and the National Bureau of Criminal Investigation.

Time Zone Arrangements

476. **Deputy David Stanton** asked the Minister for Justice and Equality further to topical issues debate on 26 October 2011, his views on the collapse of the Daylight Savings Bill in the UK earlier this year; the contact, if any, officials from his Department have had with the Bill's sponsor, Rebecca Harris MP over the past six months; and if he will make a statement on the matter. [16951/12]

Minister for Justice and Equality (Deputy Alan Shatter): During the course of the topical issue debate of 26 October, 2011 concerning daylight saving I stated that I had no plans at that time to change our current time zone arrangements or to conduct an analysis of extending summer time. I further stated that in considering any potential changes to our current time arrangements we must consider what is happening in the UK, not least because we have the same time arrangements, they are our biggest trading partner and we share a border with Northern Ireland.

I have noted that the UK's Daylight Saving Bill has fallen and wish to advise the Deputy that my position in relation to this issue remains unchanged i.e. I have no plans at this time to change our current time zone arrangements or to conduct an analysis of extending summer time. Although the Daylight Saving Bill may have fallen officials of my Department and the Department of Foreign Affairs are continuing to keep a close watch on the debate in the UK concerning any potential changes to their time arrangements. Finally, I can inform the Deputy that officials from my Department met with the Daylight Saving Bill's sponsor, Rebecca Harris, MP in February 2011 but have not done so since then.

477. **Deputy David Stanton** asked the Minister for Justice and Equality further to topical issues debate on 26 October 2011, if he or his Department officials have had any discussions with European colleagues in the past six months regarding a possible extension to our summer-time, daylight saving, arrangements; and if he will make a statement on the matter. [16952/12]

Minister for Justice and Equality (Deputy Alan Shatter): I wish to inform the Deputy that neither I nor my Department officials have had any discussions with European colleagues in the past six months regarding possible changes to our current time arrangements.

National Lottery Funding

478. **Deputy John McGuinness** asked the Minister for Justice and Equality if he will confirm the amount of National Lottery funds allocated to his Department; if the funds are spent on

specific projects; if so, the name of the project; if the National Lottery fund is allocated to the general spend by his Department; and if he will make a statement on the matter. [17018/12]

Minister for Justice and Equality (Deputy Alan Shatter): The level of funding currently allocated for 2012 within my Department's Vote from the National Lottery Fund is €6 million. This funding is allocated for the purposes of the Charitable Lottery Fund. The Charitable Lotteries Fund provides funding to private charitable lotteries whose lottery products are in direct competition with comparable National Lottery products. The funding provided under this scheme must be applied to the charitable activities of the organisation.

The following Charities received funding, amounting to €6m, under the Charitable Lotteries Fund in 2011: REHAB Lotteries, Gael Linn, Asthma Society of Ireland, Irish Cancer Society, Polio Fellowship, The Hanly Centre, FASI, Irish Lung Foundation Limited, ISPCC, West of Ireland Alzheimer Foundation, Drogheda Community Services Trust, Irish M.E. Trust, St. Kierans Community Centre, Longford Cathedral Circle, Associated Charities Trust, Lyreacrompane Community Development Ltd, Mulranny Day Centre Housing Co. Ltd., Slieve-Ardagh Rural Development, Cappoquin Community Development Co. Ltd.

Appointments to State Boards

479. **Deputy Jonathan O'Brien** asked the Minister for Justice and Equality if he will provide a full breakdown by gender of all appointments to State boards since February 2011; the current status of State boards in relation to the percentage of participation of women and men in each one; and if he will make a statement on the matter. [17564/12]

Minister for Justice and Equality (Deputy Alan Shatter): I will forward the requested material to the Deputy at the earliest opportunity. The Deputy will be aware of the Government's commitment in the Programme for the Government of National Recovery to increase the representation of women in decision-making roles, including on State Boards.

Departmental Equipment

480. **Deputy Regina Doherty** asked the Minister for Justice and Equality the number of laptops in use in his Department; the number of tablets in use in his Department; the number of the laptops in use that are due to be upgraded this year; and if he will make a statement on the matter. [17578/12]

Minister for Justice and Equality (Deputy Alan Shatter): The Department of Justice and Equality provides centralised IT services to approximately 1,800 users in the Department and 26 offices/agencies on the IT Shared Service. Official records indicate that 179 laptops and 3 tablet devices are classified as "in use". Upgrading takes place as required and subject to a stated business need. It is therefore not possible to indicate the number of laptops that are due to be upgraded in 2012.

Ministerial Air Transport Service

481. **Deputy Michael Healy-Rae** asked the Minister for Defence his views on a matter (details supplied) regarding the Government jets; and if he will make a statement on the matter. [16841/12]

Minister for Defence (Deputy Alan Shatter): The Ministerial Air Transport Service (MATS) is primarily provided by the Gulfstream IV and Learjet 45 aircraft which, whilst acquired specifically for that purpose, are also assigned a range of other taskings from time to time including Air Ambulance missions, humanitarian operations and support for Search and Res-

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cue, Mountain Rescue and Pollution Control operations. The flexibility that these aircraft provide will also be particularly valuable during Ireland's upcoming Presidency of the European Union. There are no plans at present to dispose of either aircraft, and ultimately any decision in this regard will be a matter for Government.

Departmental Staff

482. **Deputy Sean Fleming** asked the Minister for Defence if he will provide a list of staff in his Department that serve as directors of companies arising from their employment; the names of the companies involved; the annual remuneration received, if any; if they are indemnified by his Department in respect of their role as directors; and if he will make a statement on the matter. [16414/12]

Minister for Defence (Deputy Alan Shatter): There are no staff in my Department that serve as directors of companies arising from their employment.

Ministerial Expenses

483. **Deputy Niall Collins** asked the Minister for Defence the amount of expenses claimed on a monthly basis since March 2011 by all Ministers attached to his Department; and if he will make a statement on the matter. [16448/12]

Minister for Defence (Deputy Alan Shatter): The amount of expenses claimed since March 2011 by all Ministers attached to this Department is set out as follows:

Former, Minister for Defence, Mr. Tony Killeen, T.D.

Name	Amount	Date Paid	Reason
Minister Tony Killeen	€318.28	March 2011	Subsistence from May 2010 to November 2010

Minister for Defence, Mr. Alan Shatter, T.D.

Name	Amount	Date Paid	Reason
Minister Alan Shatter	€100.00	October 2011	Vaccinations for Foreign Travel
Minister Alan Shatter	€707.77	February 2012	Hotel Accommodation during trip to Lebanon in October 2011

Minister of State for Defence, Mr. Paul Kehoe, T.D.

Name	Amount	Date Paid	Reason
Minister Paul Kehoe	€69.00	July 2011	Hotel Accommodation during trip to Rome in July 2011
Minister Paul Kehoe	€172.50	February 2012	Vaccinations for Foreign Travel

I would like to reassure the Deputy that I am satisfied that the above expenditure is appropriate and in accordance with Department of Public Expenditure and Reform guidelines.

Army Barracks

484. **Deputy Clare Daly** asked the Minister for Defence the plans he has in place to deal with emergencies in south Tipperary, Clonmel and west Waterford, such as major floods and severe ice, in view of the planned closure of Kickham Barracks and the redeployment of the troops; and if he will report on the tests that have been carried out regarding same. [16520/12]

Minister for Defence (Deputy Alan Shatter): Whilst the Defence Forces are not a Principal Response Agency, as defined in the Framework for Major Emergency Management, they will continue to provide the fullest possible assistance to the appropriate lead Agency in the event of a severe weather emergency in an Aid to the Civil Authority (ATCA) role. In planning for the closure of Kickham Barracks, Clonmel, the existing boundaries between the 12th Infantry Battalion (headquartered in Limerick) and the 3rd Infantry Battalion (headquartered in Kilkenny) were realigned. As a result, the 3rd Infantry Battalion is now responsible for providing ATCA support in South Tipperary and West Waterford.

To formalise plans for the realignment, the Defence Forces recently met with the Health Service Executive (HSE), An Garda Síochána and the relevant local authorities. Detailed briefings have now taken place and key contacts established. Responses to previous severe weather events were also discussed as were contingency plans for possible future emergencies.

In terms of testing responses to potential emergencies, an air reconnaissance was recently conducted by the 3rd Infantry Battalion in their new area of responsibility in order to augment planning that has been carried out on the ground. I am satisfied that the adjustments made and the level of planning carried out as a result of the closure of Kickham Barracks will ensure that the Defence Forces will provide the fullest possible assistance if and when required to do so.

485. **Deputy Maureen O'Sullivan** asked the Minister for Defence his plans for the accommodation area of the Curragh Camp; if he will consider its renovation in view of the shortage of housing in many areas in the country; and if he will make a statement on the matter. [16531/12]

Minister for Defence (Deputy Alan Shatter): I am not aware which area of the Curragh Camp the Deputy is referring to or what specific proposals she may have in mind. My Department does not have a role in the provision of housing accommodation for the general public.

National Lottery Funding

486. **Deputy John McGuinness** asked the Minister for Defence if he will confirm the amount of National Lottery funds allocated to his Department; if the funds are spent on specific projects; if so, the name of the project; if the National Lottery fund is allocated to the general spend by his Department; and if he will make a statement on the matter. [17011/12]

Minister for Defence (Deputy Alan Shatter): My Department is not in receipt of funding from the National Lottery.

Appointments to State Boards

487. **Deputy Jonathan O'Brien** asked the Minister for Defence if he will provide a full breakdown by gender of all appointments to State boards since February 2011; the current status of State boards in relation to the percentage of participation of women and men in each one; and if he will make a statement on the matter. [17559/12]

Minister for Defence (Deputy Alan Shatter): The Boards under the aegis of my Department are the Civil Defence Board, the Board of Coiste an Asgard and the Army Pensions Board. There have been no appointments to the Board of Coiste an Asgard since 2009. In the context of settling the Estimates for the Department of Defence for 2010, the Government decided that the national sail training scheme operated by Coiste an Asgard would be discontinued as recommended in the Report of the Special Group on Public Service Numbers and Expenditure. There are 9 members remaining on the Board, which will be dissolved shortly.

Legislation is currently being drafted to dissolve the Civil Defence Board and transfer the functions of the Board back into the Department of Defence. I appointed the current Board as an interim measure from 11 July 2011. The breakdown by gender of appointments since February 2011 is 8 male and 6 female Board members.

The Army Pensions Board comprises 3 members: a chairman, a civilian medical doctor and an officer of the Army Medical Corps. There has been one appointment to the Army Pensions Board since February 2011. A male officer was appointed to the position of Army Medical Corps member of the Board in December 2011. The current status of these Boards in relation to the percentage of participation of women and men in each one is set out below:

Name of Board	Percentage Participation of Men	Percentage Participation of Women
Civil Defence Board	57%	43%
Army Pensions Board	100%	0%
Board of Coiste an Asgard	78%	22%

Departmental Equipment

488. **Deputy Regina Doherty** asked the Minister for Defence the number of laptops in use in his Department; the number of tablets in use in his Department; the number of the laptops in use that are due to be upgraded this year; and if he will make a statement on the matter. [17571/12]

Minister for Defence (Deputy Alan Shatter): The total number of laptops in use in my Department is 63. There are no tablets in use in my Department. At present, there are no plans to upgrade any of the laptops that are currently in use in my Department.

Hazardous Waste Sites

489. **Deputy Thomas P. Broughan** asked the Minister for Agriculture, Food and the Marine if he will confirm that the estimated cost of the remediation of the former Irish Steel and Irish Ispat site at Haulbowline, County Cork, is €40 million; and if he will make a statement on the matter. [16153/12]

490. **Deputy Thomas P. Broughan** asked the Minister for Agriculture, Food and the Marine the criteria that were laid down by his Department in terms of the tender for the remediation of the former Irish Steel and Irish Ispat site at Haulbowline, County Cork, in particular in terms of the potentially harmful and dangerous residual materials at the site; and if he will make a statement on the matter. [16154/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I propose to take Questions Nos. 489 and 490 together.

I have been authorised by the Government Decisions to take responsibility for submitting an application to the Environmental Protection Agency (EPA) to regularise the licensing status of the East Tip of the Ispat site in relation to the hazardous waste deposited there. It is envisaged that expenditure of €40m will be incurred to undertake the necessary capital works associated with the clean-up of the East Tip. The money is to be channelled from my Department to Cork County Council, and drawn down by the Council as the work is carried out.

Cork County Council has developed a project plan involving seven phases to submit the licence application. It envisages that the preparation of a waste licence application and all associated works to take 12-16 months and based on this timetable it is envisaged that the application will be made to the EPA in autumn of this year. The consideration of the licence by the EPA could take a minimum of nine months which indicates that the licence could be awarded in the summer of 2013.

Ombudsman Reports

491. **Deputy Gerry Adams** asked the Minister for Agriculture, Food and the Marine the steps he has taken since he came to office to implement the Ombudsman report into a family (details supplied) and their exclusion from the lost at sea scheme; and if he will make a statement on the matter. [16401/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): As the Deputy will be aware, this matter centres on the refusal of the Department of Agriculture, Food and the Marine to carry out the recommendation of the Ombudsman in 2009 to award compensation of €245,570 to a family who made an unsuccessful application for replacement capacity under the Lost at Sea Scheme. I am reviewing the case at the moment, and I will make a decision in the light of a careful examination of all aspects of the matter, including legal and other advice available to me.

Grant Payments

492. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine when a payment will issue to a person (details supplied) in County Kerry; and if he will make a statement on the matter. [16067/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named was approved for participation in the agri Options Scheme with effect from the 1st November 2010 and full payment totalling €476.63 issued in respect of 2010.

Under the EU Regulations governing the Scheme and other area-based payment schemes, a comprehensive administrative check, including cross-checks with the Land Parcel Identification System, must be completed before any payment can issue. During these checks a query arose in relation to the claimed Natura area on one of the parcels. This problem is presently being addressed with the intention of an early resolution and payment in respect of 2011.

Beef Exports

493. **Deputy Tom Fleming** asked the Minister for Agriculture, Food and the Marine the progress being made in relation to the reopening of the US market to Irish beef; and if he will make a statement on the matter. [16069/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I recently welcomed the publication by the US Department of Agriculture (USDA) of their draft BSE Rule, which essentially proposes to align US BSE rules with those of the World Organisation for

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Animal Health (OIE), the internationally-recognised forum for developing and setting guidelines and standards relating to animal health and trade in animal products. This would mean that the US would base its beef import policy for a particular country on that country's BSE risk classification as determined by the OIE's risk evaluation. At present, Ireland, like most other EU member states has the same 'controlled risk' status for BSE as the USA and Canada. This is an important first step in a process which should allow for the resumption in Irish and EU beef exports to the US.

The publication of the draft BSE rule on 16 March marks the start of a public consultation period that is scheduled to end on 15 May, but may be extended depending on the volume of submissions received. The outcome of the consultation process remains to be seen but I understand that the European Commission is examining the US proposal with a view to making a submission to the American authorities following consultations with interested parties. I will seek to ensure that the content of any submission takes proper account of Irish interests. Regaining access to the US would I believe open up an important niche market for high-quality, grass-fed Irish beef. I will continue to closely monitor developments in relation to this issue and am hopeful that, as a result of the latest and welcome shift in the US position, we are gradually moving closer to bringing the matter to a satisfactory conclusion. I will be visiting the US in May and I look forward to raising this important issue with my counterpart there during that visit.

Departmental Staff

494. **Deputy Thomas Pringle** asked the Minister for Agriculture, Food and the Marine the staffing levels in his Departments Raphoe, County Donegal local office broken down by grade; his plans to further reduce staff numbers; if a staff/work ratio review has been carried out; if he believes that the office can continue to provide a service to the farming community; and if he will make a statement on the matter. [16093/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The staffing level in my Department's Raphoe office, broken down by grade and expressed as full time equivalents, is as follows:

Grade	Number
Clerical Officer	13.8
Technical Agricultural Officer	9
Supervisory Agricultural Officer	4
Veterinary Inspector	4
District Superintendent	3
Staff Officer	3
Executive Officer	2
Part-Time Cleaner	1
Higher Executive Officer	1
Services Officer	1
Superintending Veterinary Inspector	1
Total staff	42.8

As the Deputy will be aware, since 2009 my Department has been engaged in a local office reorganisation process, the purpose of which has been to ensure the continuity of a top quality

service to its clients while at the same time recognising the harsh economic reality in which the public service has to operate.

The Raphoe Office is one of 16 enhanced regional offices delivering schemes and services across the country. These offices provide an integrated service across the veterinary, AES, Single Payment Scheme and Forestry business units.

A management review of local offices in 2009 reported that with improved business processes, the Raphoe office could satisfactorily provide these services with less than the current complement of administrative staff.

Up until now, there were no options available to my Department to redeploy surplus staff in or around Raphoe and, as a temporary measure, other work unrelated to the normal work of a Regional Office was sent to Raphoe to ensure all staff were fully occupied. The possibility has now arisen to redeploy a number of the surplus staff to other locations and my Department is pursuing that possibility in accordance with the terms set out in the Croke Park Agreement.

Departmental Investigations

495. **Deputy John McGuinness** asked the Minister for Agriculture, Food and the Marine if he has confirmed in writing to a company (details supplied) in County Kilkenny the reasons the special investigation unit is carrying out an investigation at the company; if the company has been informed as to the reason the customers of this business have been contacted directly by the SIU; if he will confirm if any breach of regulation or law was notified to the company prior to inspection; if he will accept responsibility for the damage caused to a vehicle owned by the company; if every effort will be made by him to complete the investigation efficiently and in cooperation with the company in order to protect the five jobs involved; and if he will make a statement on the matter. [16103/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I am constrained from commenting in any detail about this matter because an investigation by my Department is ongoing and also because the company concerned has initiated its own legal proceedings against my Department.

I can say that any investigations carried out by my Department are subject to the investigating powers set out in the relevant legislation. In addition, the Special Investigation Unit is subject to a formal Code of Conduct which includes a procedure for making complaints. It is also the case that any person or entity being investigated enjoys the normal Constitutional and legal protections.

In terms of communication with the company concerned, I understand that they would, in accordance with normal practice, have been advised directly of the reasons for the investigation in the course of inspection visits. In view of the legal proceedings I have already referred to, and in accordance with established practice, a response to correspondence from the company's legal representatives will issue from the Office of the Chief State Solicitor as soon as possible.

In the meantime I have appointed a senior official of my Department to make contact with the company and I am informed that a meeting took place yesterday which I hope may lead to resolving the issues in dispute.

Grant Payments

496. **Deputy Pat Breen** asked the Minister for Agriculture, Food and the Marine the position regarding a single farm payment application in respect of a person (details supplied) in County Clare; and if he will make a statement on the matter. [16140/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the Single Payment Scheme/Disadvantaged Areas Scheme was received from the person named on the 16th May 2011.

This application was selected for a Cross Compliance Inspection. During the course of the inspection irregularities were recorded in relation to the Identification and Registration of Cattle concerning the failure to adequately maintain a herd register, missing and unavailable passports and the failure to notify the movement of cattle to the Animal Identification and Movement System (formerly CMMS).

As similar irregularities had been recorded at a previous Cross Compliance inspection in 2010 the breaches at this inspection were deemed to be repeated and a 15% penalty was recorded against the direct payments to the person named in 2011. The person named was formally notified of this decision by letter on the 12th of January 2012 and of his right to seek a review. He was also informed of his right to appeal the outcome of any review to the independent Agriculture Appeals Office. A request for such a review was received on the 20th of February 2012 and is currently being considered. The person named will be informed of the outcome as soon as it is available.

Sugar Processing

497. **Deputy David Stanton** asked the Minister for Agriculture, Food and the Marine the discussions, if any, he has had with his European counterparts regarding the future of the European Sugar Reform Fund; the amount currently available in the Fund; if there is any impediment to using this Fund to reinstate the sugar growing industry here; and if he will make a statement on the matter. [16148/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): In 2006, a temporary restructuring scheme was introduced by the EU Commission with the aim of reducing EU sugar production in order to comply with WTO and other international obligations. The scheme provided an incentive for Community sugar processors to renounce sugar quota and dismantle the associated sugar processing plants and it provided compensation for affected stakeholders. Greencore plc, the sole Irish sugar processor and holder of the Irish sugar quota, decided to avail of this scheme and accordingly the company renounced the full Irish sugar quota and dismantled the last remaining sugar factory at Mallow, in compliance with the conditions of the scheme. This was a commercial decision taken by the Company.

The total compensation package negotiated in November 2005, in the context of the reform of the EU sugar regime, as modified in 2007, was worth €353m to Ireland, made up of €220m to beet growers, €6 million to machinery contractors and €127 million to Greencore plc. The beet growers' share was made up of restructuring aid of €53 million, diversification aid of €44 million and €123 million via the Single Farm Payment. All elements of the Restructuring Scheme have now been implemented, not just within Ireland but across the EU and all funding from that scheme has also been fully committed.

Post reform, sugar production is now concentrated in 18 Member States. The present regime runs from 1 September 2006 to the 30 September 2015. There is no mechanism under the present EU Regulations which would allow for the re-instatement of the sugar quota for the growing of sugar beet in Ireland for the production of sugar.

The Deputy will be aware that I strongly support the EU Commission's recent proposals (which form part of their latest package of CAP Reform measures) to fully abolish the current EU sugar quota regime with effect from September 2015 and I have made my position in this regard clear at several meetings of the EU Council of Agriculture Ministers. I also raised this

issue with the EU Commissioner for Agriculture, Mr. Dacian Ciolos during his recent visit to Ireland in January 2012.

In 2011 I met with two separate groups here who have conducted feasibility studies, into the possibility of establishing a new sugar/bioethanol facility in Ireland. At both meetings, I stated that any venture to develop a combined sugar/bioethanol production plant would have to be a commercial proposition, financed in total by investors and interested parties and make sound economic sense in order to be viable.

Grant Payments

498. **Deputy Michael Creed** asked the Minister for Agriculture, Food and the Marine if a person (details supplied) in County Cork has received payment in respect of their single payment scheme and disadvantaged area scheme; if so, the date that this payment was issued; and if he will make a statement on the matter. [16160/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the Single Payment Scheme/Disadvantaged Areas Scheme was received from the person named on the 27th April 2011.

This application was selected for a ground eligibility inspection. During the course of this inspection discrepancies were found that resulted in a claimed area of 49.29ha being reduced to a found area of 49.04ha. As the difference between the area declared and the area found was less than 3% and 2ha, under EU Regulations, no penalty would apply and the found area would be put forward for payment.

The person named was informed of this decision by formal notice on the 5th of December 2011 and of his right to seek a review. He was also informed of his right to appeal the outcome of any such review to the Independent Agriculture Appeals Office. To date there is no record of any such a request being made.

Payment under the Single Payment Scheme was made on the 1st of December 2011 and payment under the Disadvantaged Area Scheme was made on the 7th of December 2011.

499. **Deputy Dan Neville** asked the Minister for Agriculture, Food and the Marine the position regarding single farm payments in respect of a person (details supplied) in County Limerick; and if he will make a statement on the matter. [16166/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the 2011 Single Payment Scheme was received from the person named on 12 May 2011, processing of which was finalised with payment issuing on 15 December 2011. Therefore, there is no further payment amount due to the applicant under the 2011 Scheme, as he was fully paid in December.

State Bodies

500. **Deputy Clare Daly** asked the Minister for Agriculture, Food and the Marine his views on whether he deems it acceptable that Teagasc in Kinsealy, County Dublin, undertook a number of works such as the part construction of an internal access road to serve proposed forestry, green houses and poly-tunnels, the widening of an existing access road to facilitate car-parking spaces, a new water storage tank and a 2.4 meter high boundary fence, without planning permission. [16303/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): This is an operational matter for Teagasc. The question of planning permission is a matter for the relevant local authority.

Departmental Schemes

501. **Deputy Tom Fleming** asked the Minister for Agriculture, Food and the Marine if he will expedite the processing of Targeted Agricultural Modernisation Scheme applications for the dairy equipment scheme so that dairy farmers can proceed with works on the installing of milking machines and bulk tanks; and if he will make a statement on the matter. [16340/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The first tranche under the Dairy Equipment Scheme which was reopened for applications last December closed on 31 January 2012.

This tranche was heavily oversubscribed. The applications are currently being processed with a view to issuing approvals and this work will be completed as soon as possible.

Grant Payments

502. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine when REP scheme payment will issue to a person (details supplied) in County Kerry in view of the time delay associated with this file and the hardship that this is causing for the person involved; and if he will make a statement on the matter. [16344/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named commenced REPS 4 in May 2009 and received payments for the first two years of his contract.

REPS 4 is a measure under the current 2007-13 Rural Developments Programme and is subject to EU Regulations which require detailed administrative checks on all applications to be completed before any payments can issue. Following a cross-compliance inspection an area discrepancy was discovered between the Single Payment Scheme application and the REPS Agri-Environmental Plan which has resulted in the necessity for further clarification. This issue is currently being investigated with the intention of an early resolution and payment in respect of 2011.

Departmental Schemes

503. **Deputy Sean Fleming** asked the Minister for Agriculture, Food and the Marine if he will forward the full copy of the application and all supporting documentation in relation to an application to his Department to the applicant (details supplied) in County Offaly; and if he will make a statement on the matter. [16350/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person concerned has submitted an application for grant-aid under the Dairy Equipment Scheme and was issued with an approval to commence the relevant investment works on 14 October 2011.

A copy of the grant application and supporting documentation will be forwarded to the applicant as soon as possible.

504. **Deputy Tom Fleming** asked the Minister for Agriculture, Food and the Marine if he will expedite the processing of Targeted Agricultural Modernisation Scheme applications for the mobile handling and sheep fencing scheme as farmers are anxious to proceed with works; and if he will make a statement on the matter. [16353/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The first tranche under the Sheep Fencing/Handling Scheme which was reopened for applications last December closed on 29 February 2012. 268 applications for grant-aid were received during the course of this tranche and these applications are currently being processed within my Department. Approvals will issue as soon as possible to those applicants who have submitted valid applications for grant-aid under the Scheme.

Animal Welfare

505. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine if he will ensure that codes be introduced here covering the transportation of animals by cable car that is the transportation of animals on an aerial ropeway; and if he will make a statement on the matter. [16359/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Responsibility for the Dursey cable car is a matter for Cork County Council. My Department has no plans to introduce codes governing the transportation of animals by cable car.

Departmental Funding

506. **Deputy Dara Calleary** asked the Minister for Agriculture, Food and the Marine the level of State funding being made available in 2012 to Horse Racing Ireland, the Irish National Stud Company Ltd and Bord na gCon. [16363/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Horse Racing Ireland (HRI) and Bord na gCon (BNG) receive State funding from the Horse and Greyhound Racing Fund (the Fund) which was established under Section 12 of the Horse and Greyhound Racing Act 2001. The Fund was set up for the purpose of giving support to horse and greyhound racing. Provision has been made in my Department's Vote to allocate €45.03m to Horse Racing Ireland and €11.26m to Bord na gCon from the Horse and Greyhound Racing Fund in 2012.

The State funding provided to HRI and BNG is crucial to underpin the development of the horse racing and greyhound industries which sustain an estimated 27,000 jobs and generate approximately €1.4bn in economic output.

The Irish National Stud Company Ltd. receives no funding from my Department.

Horse Racing Ireland

507. **Deputy Dara Calleary** asked the Minister for Agriculture, Food and the Marine the number of racecourses under the ownership of Horse Racing Ireland; if each racecourse is making a profit and in the case of the ongoing losses at any race course if he will outline the extent of those losses. [16364/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Horse Racing Ireland (HRI) is a commercial state body established under the Horse and Greyhound Racing Act 2001 and as such the operation of its racecourses is an operational matter for HRI.

HRI owns and operates racecourses at Leopardstown, Fairyhouse, Navan and Tipperary. It also owns the Cork racecourse lands and is a party in the joint venture company which operates the racecourse. The financial statements of the racecourses are included in the annual accounts published by HRI which are also laid before both Houses of the Oireachtas. HRI will provide further detail to the Deputy as required.

Grant Payments

508. **Deputy Noel Harrington** asked the Minister for Agriculture, Food and the Marine the position regarding an agri environmental option scheme in respect of a person (details supplied) in County Cork; and if he will make a statement on the matter. [16382/12]

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 November 2010.

Under the EU Regulations governing the Scheme and other area-based payment schemes, a comprehensive administrative check, including cross-checks with the Land Parcel Identification System, must be completed before any payment can issue. The application was selected for a ground inspection which resulted in a penalty being imposed. This penalty is currently being processed and payment in respect of 2010 will issue to the person named at the earliest opportunity.

509. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine his views on a matter (details supplied) regarding the agri environmental option scheme; and if he will make a statement on the matter. [16383/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Despite the financial pressures facing my Department I have made provision in 2012 for €243 million under agri-environment schemes. I am also considering the possibility of re-opening AEOS on an amended basis or limited scale in 2012. This decision will be taken in the context of my Department's expenditure ceiling for 2013 as agreed by the Government, and in particular, on how a new scheme might be funded within the reduced funding and resulting pressures on the Vote. I will make an announcement on this matter in due course.

Departmental Staff

510. **Deputy Sean Fleming** asked the Minister for Agriculture, Food and the Marine if he will provide a list of staff in his Department that serve as directors of companies arising from their employment; the names of the companies involved; the annual remuneration received, if any; if they are indemnified by his Department in respect of their role as directors; and if he will make a statement on the matter. [16410/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): No civil servant from my Department is a director of any company relating to their work. However, two civil servants are board members on two of the Non-commercial State Bodies that fall under my Department's remit. These two State Bodies are not classified as companies as they are statutory corporations deriving their authorities and powers directly from statutes and not incorporated as companies under the Companies Acts. These civil servants do not receive any remuneration for these positions.

I understand from the Department of Public Expenditure and Reform that the Office of the Attorney General has advised that people working for the State are entitled to be indemnified for such work. The indemnification would cover any reasonable legal fees and/or damages incurred where people are sued for undertaking their duties on behalf of the State provided they acted in good faith and in a *bona fide* manner. The State carries its own insurance in this regard. This indemnity would apply to those civil servants appointed to State boards as part of their official duties.

Grant Payments

511. **Deputy John O'Mahony** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Mayo will receive their single farm payment for 2010 and 2011; and if he will make a statement on the matter. [16443/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Applications under the 2010 Single Payment Scheme and 2011 Single Payment Scheme were received from the person named on 14 May 2010 and 10 May 2011, respectively. All outstanding issues relating to inheritance have now been resolved and payments due will issue to the applicant shortly.

Ministerial Expenses

512. **Deputy Niall Collins** asked the Minister for Agriculture, Food and the Marine the amount of expenses claimed on a monthly basis since March 2011 by all Ministers attached to his Department; and if he will make a statement on the matter. [16444/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): In terms of my own travel and subsistence expenses a total of €15,366.95 has been incurred thus far for the period in question. I have not as yet submitted expense claims in respect of 2012. This represents an aggregate total in respect of expenses attributable to travel and subsistence. It includes mileage expenses, subsistence costs and the costs of hotels when on official business. The commensurate total for Minister of State McEntee is €20,968.18, which does include expenses incurred during the first 3 months of 2012.

Grant Payments

513. **Deputy John O'Mahony** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Mayo will receive their agri environment options scheme payment for 2010; and if he will make a statement on the matter. [16497/12]

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 November 2010.

Under the EU Regulations governing the Scheme and other area-based payment schemes, a comprehensive administrative check, including cross-checks with the Land Parcel Identification System, have to be completed before any payment can issue. During these checks a query arose in respect of land parcels declared which require digitisation of the areas concerned. This is being dealt with by my Department at present and once the digitisation process is completed, the application will be processed with a view to making payment at the earliest opportunity.

Genetically Modified Organisms

514. **Deputy Clare Daly** asked the Minister for Agriculture, Food and the Marine if he will instruct Teagasc to cease their plans to trial genetically modified potatoes.. [16516/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Teagasc operates as a separate non-commercial semi state body under the aegis of the Department of Agriculture, Food and the Marine with their own management structure and governing Authority. The Act establishing Teagasc confers on it principal functions in relation to the provision of education, advisory and research services to the agriculture sector. It is a matter for Teagasc to prioritise activities in the delivery of these services and to allocate its resources in accordance

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with these priorities. Ministerial responsibility is confined to matters of policy in accordance with the Act and I have no function with regard to the day-to-day operations of Teagasc.

Grant Payments

515. **Deputy Michelle Mulherin** asked the Minister for Agriculture, Food and the Marine the position regarding a REP scheme payment in respect of a person (details supplied) in County Mayo; if same can be expedited as quickly as possible; and if he will make a statement on the matter. [16569/12]

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 1 November 2010 and full payment totalling €368.96 issued in respect of 2010.

Under the EU Regulations governing the Scheme and other area-based payment schemes, a comprehensive administrative check, including cross-checks with the Land Parcel Identification System, have to be completed before any payment can issue. Payment in respect of the 2011 Scheme year is subject to a similar administrative checking process which includes verification of capital investment through checks on receipts. These checks are being finalised and I expect payment for 2011 to issue shortly.

516. **Deputy Dara Calleary** asked the Minister for Agriculture, Food and the Marine the reason agri environment option scheme applications have been delayed in respect of persons (details supplied) in County Mayo; if he will expedite these claims; and if he will make a statement on the matter. [16572/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The first person named was approved for participation in the Agri-Environment Options Scheme with effect from 1 November 2010 and full payment totalling €806.77 issued in respect of 2010.

Under the EU Regulations governing the Scheme and other area-based payment schemes, a comprehensive administrative check, including cross-checks with the Land Parcel Identification System, have to be completed before any payment can issue. During these checks a query arose in relation to the some parcels listed as being rented on the 2011 SPS application of the person named. As actions on rented parcels are not eligible for AEOS my Department has been in contact with the applicant's planner in relation to this matter. Payment will issue at the earliest opportunity once this issue is satisfactorily resolved and all validations successfully completed.

The second person named was approved for participation in the Agri-Environment Options Scheme with effect from 1 November 2010.

Under the EU Regulations governing the Scheme and other area-based payment schemes, a comprehensive administrative check, including cross-checks with the Land Parcel Identification System, have to be completed before any payment can issue. These checks have been successfully completed and I expect payment to issue shortly.

Fish Farming

517. **Deputy Michael McCarthy** asked the Minister for Agriculture, Food and the Marine if a report into salmon farming here was carried out by, or on behalf of his Department in 1994 (details supplied); if the document has been published; and if he will make a statement on the matter. [16578/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The precise nature of the report referred to by the Deputy is not clear. My Department is aware of a report entitled ‘Protecting Wild Atlantic Salmon from Impacts of Salmon Aquaculture: A Country-by-country Progress Report’ which was published jointly by the World Wildlife Fund and Atlantic Salmon Federation in May 2003.

Grant Payments

518. **Deputy Michael Creed** asked the Minister for Agriculture, Food and the Marine the reason a person (details supplied) in County Cork has not yet received their REP scheme payment; and if he will make a statement on the matter. [16631/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named commenced REPS 4 in June 2008 and received payments for the first three years of their contract.

In addition, 75% of the year 4 payment issued on 16 March 2012 for the amount of €6,113.34 and the remaining 25% year 4 balancing payment of €2,037.78 will issue shortly.

519. **Deputy Michael Creed** asked the Minister for Agriculture, Food and the Marine the reason for the delay in a person (details supplied) in County Cork receiving their REP scheme 4 payment for 2010 and 2011; and if he will make a statement on the matter. [16756/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named commenced REPS 4 in August 2009 and received payments for the first year 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. Following a REPS inspection in June 2011 an area discrepancy was discovered in relation to an over-claim on basic lands which will result in a clawback. This issue has now been resolved and the 75% year 2 payment issued on 26 March 2012 for the amount of €5487.89. The balancing payment due will issue shortly subject to a deduction for the clawback.

Milk Quota

520. **Deputy Paul J. Connaughton** asked the Minister for Agriculture, Food and the Marine when a decision will issue on an application concerning the allocation of milk quota in respect of a person (details supplied) in County Galway; and if he will make a statement on the matter. [16812/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The named person submitted an application for additional milk quota to the first stage of the 2012/2013 Milk Quota Trading Scheme. This scheme was completed on March 22 last, and the results of all exchanges have issued to the relevant Co-operatives/Dairies.

I have been informed that the relevant Co-operative will be in contact with the named person in the coming days.

Grant Payments

521. **Deputy John Browne** asked the Minister for Agriculture, Food and the Marine when a payment of agri environment option scheme due to a person (details supplied) will issue; and if he will make a statement on the matter. [16932/12]

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 1 September 2010.

Under the EU Regulations governing the Scheme and other area-based payment schemes, a comprehensive administrative check, including cross-checks with the Land Parcel Identification System, must be completed before any payment can issue. On the AEOS application the person named selected one mandatory and one complimentary action, which are the minimum entry requirements to the AEOS Scheme. The person named was selected for a ground inspection which took place on 16 May 2011. During this inspection it was discovered that the applicant had not carried out the Complimentary Action which made the application ineligible under the scheme. A letter issued to the person named on 6 December 2011 informing him of his rejection from the scheme and giving him the option to appeal the decision.

An appeal was received from the person named in December, 2011. Following this review a letter issued to the applicant on 13 March upholding the original decision to reject the application. This letter gave the person named the option to appeal the decision to the Agricultural Appeals Office. To date, there is no record of an appeal having been received in the Agricultural Appeals Office.

Departmental Schemes

522. **Deputy Patrick O'Donovan** asked the Minister for Agriculture, Food and the Marine if he has received an application from a person (details supplied) in County Limerick for the young farmers installation scheme in 2008.. [16954/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The Young Farmers' Installation Scheme was closed for new applications on 14 October 2008 as part of the decisions taken in the context of the 2009 Budget. As the application concerned was received after that date, it was not processed by my Department.

Dairy Industry

523. **Deputy Billy Kelleher** asked the Minister for Agriculture, Food and the Marine the progress being made, if any, regarding his announcement of a new statutory dairy marketing levy; and if he will make a statement on the matter. [16994/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The Irish dairy industry is poised to increase production dramatically following the abolition of milk quotas in 2015.

Against the background of a Food Harvest 2020 target of a 50% increase in milk production in the period to 2020, I have been engaged in consultations with the dairy sector to determine how Irish dairy products might best be positioned to exploit the market opportunities arising, for the benefit of Irish dairy farmers, the dairy processing sector and the economy generally.

I have had an extremely positive engagement with the sector to date, and I will make an announcement as soon the consultations already referred to have concluded.

National Lottery Funding

524. **Deputy John McGuinness** asked the Minister for Agriculture, Food and the Marine if he will confirm the amount of National Lottery funds allocated to his Department; if the funds are spent on specific projects; if so, the name of the project; if the National Lottery fund is

allocated to the general spend by his Department; and if he will make a statement on the matter. [17007/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): My Department does not receive any funding from the National Lottery.

Appointments to State Boards

525. **Deputy Jonathan O'Brien** asked the Minister for Agriculture, Food and the Marine if he will provide a full breakdown by gender of all appointments to State boards since February 2011; the current status of State boards in relation to the percentage of participation of women and men in each one; and if he will make a statement on the matter. [17556/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): There are currently 12 State Bodies that fall under the aegis of my Department. Of these, I have made appointments to those Boards listed in the following table since I became Minister for Agriculture, Food and the Marine:

Body/Agency	No. of Board Members	Names of Board Members 2011	Breakdown of gender (%)	No of Board appointments	Name
Aquaculture Licensing Appeals Board	7	Mr Mark O'Connell (Chair) Mr Brendan Brice Ms Camilla Keane Mr Mario J Minehane Mr Sean Murphy An tUasal Lorcan O'Conneide Mr Michael Sweeney	Male: 86% Female: 14%	2	Mr Brendan Brice Ms Camilla Keane
An Bord Bia	15	Mr Michael Carey (Chair) Mr John Bryan Mr Gary Brown Dr Noel Cawley Mr John Comer Mr Michael Cronin Ms Anne Maria Dennison Mr Kieran Dunne Mr Frank Hayes Ms Rhona Holland Mr John Kingston Prof Fergal O'Gara Mr Brody Sweeney +2 vacancies	Male: 85% Female: 15%	8 (including the Chair)	Mr Michael Carey (Chair) Mr John Bryan Mr Gary Brown Mr John Comer Mr Michael Cronin Ms Rhona Holland Mr John Kingston Mr Brody Sweeney
Bord Iascaigh Mhara (BIM)	6	Ms Rose McHugh (Chair) Mr Enda Bonner Mr Thomas Kavanagh Mr Sean O'Donoghue Mr Páidí Ó'Se +1 vacancy	Male: 80% Female: 20%	1	Mr Sean O'Donoghue
Bord na gCon	7	Mr Philip Meaney (Chair) Mr Timothy Gilbert Mr Tony McNamee Mr Brendan Moore Mr Matt Murphy Mr William O'Dwyer Ms Teresa Wall	Male: 86% Female: 14%	5 (incl re-appointed)	Mr Philip Meaney (Chair) Mr Tim Gilbert Mr Tony McNamee Mr Brendan Moore Mr Matt Murphy

[Deputy Simon Coveney.]

Body/Agency	No. of Board Members	Names of Board Members 2011	Breakdown of gender (%)	No of Board appointments	Name
Coillte	9	Mr Brendan McKenna (Chair) Mr Breffini Byrne Mr Denis J Byrne Ms Alma Kelly Mr Oliver McCabe Mr Seamus Murray Dr Yvonne Scanlan Mr Frank Toal +1 vacancy	Male: 75% Female: 25%	1	Mr Oliver McCabe
Horse Racing Ireland	14	Mr Denis Brosnan (Chair) Mr Bernard Caldwell Mr Noel Cloake Mr William Flood Mr Joe Heron Mr Michael Hickey Mr Francis Hyland Mr Noel Meade Mr John Moloney Mr Jim Nicholson Mr Neville O'Byrne Ms Mary O'Connor Mr John Power Mr Roddy Ryan	Male: 93% Female: 7%	3	Mr Neville O'Byrne Ms Mary O'Connor Mr Noel Meade
Irish National Stud	7	Lady O'Reilly (Chair) Mr Jim Beecher Dr Sean Brady Mr P.J. Fitzpatrick Ms Jessica Harrington Mr Paul Shelly Mr Dermot Weld	Male: 71% Female: 29%	0	—
Marine Institute	9	Mr Jim Fennell (Chair) Mr Francis Coyle Prof Bernie Hannigan Mr Richard Flynn Mr Lorcan O' Cinneide Dr Eleanor O'Higgins Ms Emer Rogan Mr Michael Walsh +1 vacancy	Male: 62% Female: 38%		—
National Milk Agency	14	Mr Denis Murphy (Chair) Mr Eamonn Bray Mr Jerome Crowley Mr Richard Donohue Mr John Foster Mr George Kearns Mr Donal Kelleher Mr Michael Kilcoyne Mr Walter Maloney Mr Eamonn McEntegart Mr Pdraig Mulligan Mr John O'Callaghan Mr Tony O'Driscoll Mr Frank Tobin	Male: 100% Female: 0%	0	—
Sea Fisheries Protection Authority (SFPA)	3	Mr Peter Whelan (Chair) Mr Andrew Kinneen Mr Micheal O'Mahony	Male: 100% Female: 0%	0	

Body/Agency	No. of Board Members	Names of Board Members 2011	Breakdown of gender (%)	No of Board appointments	Name
Teagasc	11	Dr Noel Cawley (Chair) Mr James J Brett Ms Marie Christie Mr Tom Collins Mr Eddie Downey Mr Joe Fitzgerald Prof Patrick Fottrell Mr Pdraig Gibbons Mr Martin Heraghty Mr Frank O'Mahony Ms Margaret Sweeney	Male: 82% Female: 18%	1	Thomas Cooke — nominated by ICMSA
Veterinary Council	19	Mr Séan O'Laoide (Chair) Ms Barbara Bent Mr William Cashman Mr Joseph P Cassidy Mr Joseph A Collins Mr Daniel J Connolly Mr Thomas Hanley Ms Dairine MacFadden Ms Grace Mulcahy Mr Finbar Mulligan Ms Melanie O'Donoghue Mr John O'Rourke Ms Margaret O'Sullivan Ms Meta Osborne Mr Seamus Quinn Mr Patrick J Rogan Mr Fergus Smith Mr Patrick J Talty Ms Lindy Vaughan	Male: 63% Female: 37%	5	Mr Michael Joseph Sheahan Mr Peadar Ó'Scanaill Mr Michael Patrick Mary Sadlier Ms Deirdre Patricia Campion Mr Martin Blake

Departmental Equipment

526. **Deputy Regina Doherty** asked the Minister for Agriculture, Food and the Marine the number of laptops in use in his Department; the number of tablets in use in his Department; the number of the laptops in use that are due to be upgraded this year; and if he will make a statement on the matter. [17567/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The number of laptop and tablet computers in use in my Department is as follows—

Type of Computer	Number
Laptop	543
Tablet	6

It is estimated that between thirty (30) to fifty (50) laptop computers may be updated during 2012.

Health Service Staff

527. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Children and Youth Affairs further to Parliamentary Question No. 477 of 8 November 2011, if she can specify the number

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of posts, on a full and part-time basis, the individual whole time equivalents equate to; if she will provide a breakdown of same by the Health Service Executive and local health office area. [16095/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): As this is a service matter, I have asked the Health Service Executive to respond directly to the Deputy with the most up-to-date information.

Health Services

528. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Children and Youth Affairs further to Parliamentary Question No. 472 of 27 September 2011, if she can detail the amount of money budgeted for child and family services each year since 2001; the amount of money spent on child and family services in the same period; if funds are ring-fenced for child and family services and based on all social worker posts being filled; and if she will make a statement on the matter. [16096/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): As this is a service matter, I have asked the Health Service Executive to respond directly to the Deputy with the most up-to-date information.

Foster Care

529. **Deputy Simon Harris** asked the Minister for Children and Youth Affairs the structures the Health Service Executive has in place for social worker supports for foster parents; her views that these supports are adequate in view of the significant burden assumed by foster parents; if she intends to reform this area; and if she will make a statement on the matter. [16360/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): Under the Child Care Act, 1991(as amended) the Health Service Executive (HSE) has a statutory duty to promote the welfare of children who are not receiving adequate care and protection. If a child is in need of care and protection and is unlikely to receive it at home, the HSE has a duty to ensure they receive appropriate care. The majority (90%) of children in care are in foster care. There are a number of different types of foster care:

- *Relative foster care* is when another family member, e.g. a grandparent, aunt, uncle, adult sister/brother, or family friend becomes the foster parent of the child. In this situation, the relative foster carer is assessed by the HSE.
- *Day foster care* is an alternative form of care, which provides a support system in the community. The child is spared the upset of separation from their family, can go home each evening, yet benefit from the additional care offered in the foster home. There is minimal disruption to family life, while the parents can obtain practical help, advice and support from the foster parents.
- *Short term foster care* provides temporary care for a child separated from their birth family. Being short term the child will, after a period, move back to their family or move on to a long term family or an adoptive family.
- *Long term foster care* is needed for children who are unlikely to be able to live with their birth family. Many children in long term care become so much part of their foster family that they continue to live with them in aftercare.

- *Respite foster care* is provided by some foster carers to provide a break for a child's family or another foster family.
- *Emergency foster care* is provided for children who need care in a crisis situation with no advance notice. The children may be coming into care from their own home or from another placement.

Prospective foster carers or applicants undergo an assessment and training process to establish their suitability and competence as future foster carers to prepare them for the role and what to expect. When a child is being placed in foster care, the suitability of a placement with relatives is explored in the first instance. Each child in foster care has a social worker who visits the child in the foster carers' home and maintains a link with the child's birth family. Every foster carer also has a social worker, known as a link worker, to support and supervise them. The link workers responsibilities include ensuring that foster carers receive all relevant information and advice about the children including background history, health and education. The link worker organises training, provides regular supervision and support for foster carers and their children and ensures that foster carers understand, accept and operate within relevant standards, policies and guidance of the HSE. The link worker also provides foster carers with specific written information on and explanations of HSE procedures should a complaint or allegation be made against them and the supports available in such an event. Respite care for the foster child can be arranged if necessary and appropriate.

Training is compulsory for all new foster carers and access to regular support/training group meetings where topics of interest are discussed. Support is also available from Public Health Nurses, psychologists and child care workers as appropriate with other professionals being accessed if necessary, for example, speech therapists, counselling services etc. The HSE also provides funding to the Irish Foster Care Association (IFCA) which provides information, support and training to foster carers. It operates an advice service for foster carers, publishes a regular newsletter and arranges conferences for foster carers, their children and foster children.

530. **Deputy Simon Harris** asked the Minister for Children and Youth Affairs the costs incurred by the State in respect of a child in its care being placed for care by a foster parent; the way these costs compare with the Health Service Executive placement of children in non-foster family situations; and if she will make a statement on the matter. [16361/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): As this is a service matter, I have asked the Health Service Executive to respond directly to the Deputy with the most up-to-date information.

Homeless Persons

531. **Deputy Simon Harris** asked the Minister for Children and Youth Affairs the information that is available to her Department on the number of children, persons under the age of 18 years, that are currently homeless; the policy in place to tackle this issue; and if she will make a statement on the matter. [16684/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The HSE compiles monthly performance reports which provide an overall analysis of key performance data from finance, HR, hospital and primary and community services. In recognition of the need for improved information regarding youth homelessness/children under 18 years of age, the HSE has commenced reporting on a number of new performance indicators in 2011. The following information as at the end of December 2011 is currently being collated by the HSE and will

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be available shortly; number of children placed in youth homeless centres for more than 4 consecutive nights or more than ten separate nights over a year; number of children in care placed in a specified youth homeless centre; number of referrals made to the Emergency Out of Hours Place of Safety Service, and; number of children placed with the Emergency Out of Hours Place of Safety Service.

The Dublin Region Homeless Executive informed the HSE that they did not find any child under 18 sleeping rough in Dublin during the “Sleeping Rough” head count in November 2011. I believe that the improved qualitative nature of the information now being provided will greatly assist development of policy in this area and I will arrange for the data in relation to 2011 to be forwarded to the deputy as soon as it is available.

The definition of youth homelessness includes children that fall into three groups; (i) children who mainly reside with their families but due to an emergency, need care and accommodation immediately, (ii) children and young people who are defined as at risk of homelessness i.e. who may be staying with different friends and acquaintances, who do not have a stable base and (iii) children and young people who are found to be “sleeping rough”.

Since the National Youth Homelessness Strategy was developed in 2001, a number of different schemes have been put in place to address the different needs of these groups. (i) A standardised system is in place whereby Gardaí can access an appropriate place of safety for children found to be at risk out of hours under Section 12 of the Child Care Act 1991. The service is designed to ensure that children presenting as “at risk” outside of normal working hours are provided with an appropriate emergency place of safety, a foster care placement, thereby reducing or eliminating social admissions of children in an acute hospital setting. I am informed by the HSE that 532 nights accommodation were supplied by the Emergency Out of Hours Placement Service up to the end of December 2011. (ii) The HSE provides and funds services to identify young people and prevent them progressing into homelessness. (iii) Hostels are provided for short term support for young people at risk of sleeping rough. In addition, a pilot out-of-hours social work service is being tested in two locations as provided for in the Implementation Plan published following the Report of the Commission to Inquire into Child Abuse.

My Department met with service providers engaged in addressing the problem of youth homelessness last summer. The purpose of this workshop was to assess and review the current demand for services, the progress made to date under the Youth Homelessness Strategy 2001 and the need to address any outstanding service deficits. This workshop was very beneficial in getting the views of stakeholders. Arising out of the priorities identified on the day, my Department has engaged the Centre for Effective Services (CES) to undertake a high level review of the implementation of the 2001 strategy. The purpose of the review is to establish the extent that the strategy has been successful, to identify blockages and challenges to its implementation in respect of any outstanding actions and to make recommendations for future action. Consultations will be held with the relevant service providers, non-Government agencies and young people as part of this process. It is envisaged that this review will be completed over the coming months. This review will inform the development of a framework to address youth homelessness over the next 5 years.

Health Services

532. **Deputy Tom Fleming** asked the Minister for Children and Youth Affairs the way she intends maintaining the same level of vital services and employment for family resource centres in view of the cuts in their budgets for this year; and her plans for future years. [16072/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The Family Support Agency, under my Department, operates the Family Resource Centre Programme. The aim of the Family Resource Centre Programme is to combat disadvantage and improve the functioning of the family unit. There are 107 family resource centres throughout the country funded under the programme.

The centres provide a range of services for families and groups at local level. These include information, education and training opportunities, childcare, breakfast, homework and after school clubs and services for young people at risk of substance abuse, for which funding is provided under programmes administered by several government departments and agencies. Family Resource Centres have an important role to play, in harnessing local community efforts, in support of improved outcomes for children and young people which is a key objective of the Department of Children and Youth Affairs. On 5th December 2011, the Government announced the funding levels being made available to my Department in 2012. As part of the national effort to address Ireland's fiscal deficit, the Family Support Agency, like all other State bodies, has been asked to make significant savings across all the programmes which it administers. The Agency is required to achieve savings of 5% per annum over 2012-2014 on the costs of the Family Resource Centre Programme.

The Family Support Agency has written to the family resources centres advising them of the reduction in funding and the need to plan for change. The Agency is acutely aware of the challenges that the reduction in funding raises for the family resource centres throughout the country. The Agency has not stipulated how centres should apply the reduction in funding. The family resource centres are asked to focus, in particular, on addressing the scope for greater efficiency and for reduction in operational and overhead costs associated with the day-to-day running of the centres, in order to support front line service provision as much as possible.

The Family Support Agency has advised that family resource centres should work with the two regional support agencies that provide support and training to them and are available to provide guidance to assist centres to manage within the resources available.

In 2012 an allocation of €26.465m has been made available to the Family Support Agency to fund its services for families. This includes funding of over €15m for the Family Resource Centre Programme. It has been decided that the Family Support Agency together with the programmes that it administers will be merged with the new Child and Family Support Agency on its establishment. Plans for the transition to the new body are under way in consultation with the Family Support Agency.

Departmental Staff

533. **Deputy Sean Fleming** asked the Minister for Children and Youth Affairs if she will provide a list of staff in her Department that serve as directors of companies arising from their employment; the names of the companies involved; the annual remuneration received, if any; if they are indemnified by her Department in respect of their role as directors; and if she will make a statement on the matter. [16412/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): I can confirm to the Deputy that no staff from my Department are serving as directors of companies arising from their employment.

Ministerial Expenses

534. **Deputy Niall Collins** asked the Minister for Children and Youth Affairs the amount of

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expenses claimed on a monthly basis since March 2011 by all Ministers attached to her Department; and if she will make a statement on the matter. [16446/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The information requested by the Deputy is set out in tabular form and primarily relate to mileage and telephone expenses:

Month	Expenses Claimed
March 2012	Nil
February 2012	Nil
January 2012	€874.46
December 2011	€767.22
November 2011	€1,274.82
October 2011	€1,904.04
September 2011	€1,686.12
August 2011	€1,309.10
July 2011	€1,173.60
June 2011	€2,533.79
May 2011	€2,247.96
April 2011	Nil
March 2011	Nil

Children First Guidelines

535. **Deputy Charlie McConalogue** asked the Minister for Children and Youth Affairs the work which had been done to put the Children First guidelines on a statutory footing in advance of her taking office; and if she will make a statement on the matter. [16536/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The Implementation Plan of the Report of the Commission to Inquire into Child Abuse 2009 (Ryan Report Implementation Plan) recommended the following action:

“Legislation will be drafted (by December 2010) to provide that all staff employed by the State and staff employed in agencies in receipt of funding from the Exchequer will have:

- *a duty to comply with the Children First national guidelines;*
- *a duty to share relevant information in the best interests of the child (as per Recommendation 14, Action 57); a duty to cooperate with other relevant services in the best interests of the child.”*

This deadline was not met.

The work which had been done to put the Children First guidelines on a statutory footing in advance of my taking office was limited to the early stages of scoping of the legislation, by way of discussions with other Government departments. There had been no detailed policy framework prepared, nor had any work commenced on the preparation of heads of the Bill.

Since taking office I have overseen both the preparation of a detailed policy framework and the heads of the Bill which are currently being finalised by my Department in consultation with the Office of the Attorney General. It is my intention to refer the heads of the Bill to the Oireachtas Committee on Health and Children very shortly.

With respect to the guidelines themselves, prior to my taking Office, the then Department of Health and Children had been working intensively on drafting revised Children First Guidelines and had engaged with other Government Departments on the development of an implementation framework. The Department, in conjunction with the HSE had set about the recruitment and appointment of a National Director (Mr. Gordon Jeyes) to lead on the uniform and consistent implementation of Children First, and services for children in care, across all areas. The Department had also directed the HIQA to prioritise the inspection of child protection services by the development of Standards for Child Welfare and Protection, the recruitment of additional inspection staff and the preparation of inspection methodology.

Inter-Country Adoptions

536. **Deputy Dara Calleary** asked the Minister for Children and Youth Affairs if she will explain the recent developments on the adoption of children from Bulgaria; the reason only one agency has been appointed to deal with Irish parents; the selection process for that agency; if her attention has been drawn to the fact that this selected agency has considerably increased its prices even for those parents who have already signed agreements with other agencies; and if she will make a statement on the matter. [16623/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): Under the Adoption Act, 2010, the accreditation of agencies providing adoption services is a matter for the Adoption Authority of Ireland (AAI). Accordingly, I have asked the Chief Executive of the AAI to consider the issue raised and respond directly to the Deputy on the matter.

Issues relating to the level of fees charged by an accredited body are also a matter for the AAI and are covered in detail by the Adoption Act 2010 (Accredited Bodies) Regulations 2010. These regulations set out the standards which must be met by accredited bodies in order to satisfy the requirements of the Authority under the Adoption Act, 2010 (No. 21 of 2010) for entry in the register of accredited bodies. The regulations set out, inter alia, the requirement for any body applying for accreditation to include in its Memorandum and Articles of Association that it is to be solely concerned with assisting in the adoption process on a not for profit basis. The regulations also set out a range of provisions in relation to financial reporting, fees and charges, including a provision that an accredited body shall submit to the Authority for prior approval its schedule of fees and any subsequent increases in fees or additions to the schedule.

Child Care Services

537. **Deputy John McGuinness** asked the Minister for Children and Youth Affairs further to Parliamentary Question No. 623, if a section 39 grant for 2011 will be paid to a play school (details supplied) in County Kilkenny in view of the fact that the grant had been paid in the past four years; and if she will expedite payments. [16995/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): As this is a service matter, it was referred to the HSE for investigation and direct reply to the Deputy. My Department has contacted the HSE again and I understand that a reply will issue shortly.

National Lottery Funding

538. **Deputy John McGuinness** asked the Minister for Children and Youth Affairs if she will confirm the amount of national lottery funds allocated to her Department; if the funds are

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spent on specific projects; if so, the name of the project; if the national lottery fund is allocated to the general spend by her Department; and if she will make a statement on the matter.

[17009/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): My Department provides for the delivery of a range of youth work schemes, programmes and supports to the youth sector. Funding is made available to national youth organisations under the Youth Service Grant Scheme and to projects/organisations under the Special Projects for Youth Scheme, the Young Peoples Facilities and Services Fund (Rounds 1 and 2) Local Youth Clubs Grant Scheme, Youth Information Centres, collaborative programmes on Youth Health and Youth Arts, Gaisce- The President's award and Léargas, the body established to administer international exchange programmes.

Funding of some €56.806m has been allocated for current expenditure through resources made available under Subhead B5 of Vote 40 for my Department which is part-funded by the National Lottery. Details of funding to youth organisations and projects part-funded by the National lottery are outlined hereunder. *Youth Service Grant Scheme* — funding is made available on an annual basis to 31 national and major regional voluntary organisations. The continued funding of voluntary youth organisations through the Scheme is intended to ensure the emergence, promotion, growth and development of youth organisations with distinctive philosophies and programmes aimed at the social education of young people. The funding provision under this Scheme in 2012 amounts to €10.929 million and is allocated as follows:

Youth Service Grant Scheme (YSGS)	2012 Grant
An Oige	€198,559
Belong To — LGBT	€98,437
Catholic Guides of Ireland	€284,888
Catholic Youth Care	€1,010,735
Church of Ireland Youth Department	€197,868
Confederation of Peace Corps	€141,692
ECO — UNESCO Clubs	€134,643
Experiment In International Living	€31,710
Feachtas	€98,069
Foróige	€2,353,117
Girls Brigade	€50,043
Irish Girl Guides	€420,598
Junior Chamber Ireland	€18,638
Macra na Feirme	€487,175
National Association for Youth Drama	€112,038
National Federation of Arch Clubs	€57,501
National Youth Council of Ireland	€637,172
No Name Club Ltd	€214,683
Ogra Chorcai	€592,611
Ogras	€205,000
Order of Malta Cadets	€53,261
Scouting Ireland Ltd	€939,971
The Boys Brigade	€63,212
Voluntary Services International	€88,754

Youth Service Grant Scheme (YSGS)	2012 Grant
Young Christian Workers	€105,046
Young Irish Film Makers	€64,312
Young Mens Christian Association	€166,466
Youth Work Ireland	€2,102,707
Totals	€10,928,908

Special Projects for Youth — Under this Scheme, funding of €17.042 million is made available to organisations and groups for specific projects which seek to address the needs of young people who are disadvantaged due to a combination of factors, e.g., social isolation, substance misuse, homelessness, early school leaving and unemployment. Projects facilitate the personal and social development of participants thus enabling them to realise their potential. This aim underpins all programmes and activities of the Scheme. In addition, they present opportunities for young people to undertake actions corresponding to their own aspirations and to assume responsibilities within their local communities. Services are delivered by a combination of local youth organisations and local community groups. In general, these youth work initiatives entail consultation with the local community, the involvement of members of the local community in the management structure of the project, and liaison with other voluntary and statutory agencies operating in the youth service sphere. The allocation of the funds in 2012 is as follows:

Special Projects for Youth Scheme (SPY)	2012 Grant
Dun Laoghaire VEC	
Long-standing Projects	€183,935
Loughlinstown/Ballybrack Project	€93,106
Dun Laoghaire Town/Mountwood-Fitzgerald Pk.	€85,022
Co-Ordination and Support	€44,286
Total	€406,349
City of Dublin VEC (CDYSB)	
Focus Ireland	€700,714
Ballymun Youth Action Project	€184,648
Ballymun Women's Resource Centre	€44,544
Ballymun Regional Youth Resource (BRYR)	€44,544
Ballymun Columban Youth Project	€87,859
Ballymun Travellers Project	€69,031
Rialto Youth Project	€155,293
Inchicore (St. Michael's Parish) Project	€106,621
Crumlin/Dublin 12 Youth Service/The Brú	€95,600
Ballyfermot Youth Federation Project	€97,033
Bonnybrook Youth Project	€87,672
Donnycarney (Consolata) Youth Project	€95,435
Lourdes Youth Project	€100,229
Darndale Youth Project	€93,835
The Cavan Centre (Kilnacrott)	€87,852
Candle Community Trust Project (Ballyfermot)	€54,342
Adventure Sports Project	€101,827
Stoneybatter Youth Service Project	€100,563
Donore Avenue Youth Project	€141,016

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Special Projects for Youth Scheme (SPY)	2012 Grant
Finglas Youth Development Programme	€143,247
Trinity Youth Project	€44,544
Priorswood Youth Project	€87,859
Cherry Orchard Integrated Youth Service	€184,249
YMCA STEP Project	€87,859
St. Andrew's Resource Centre	€88,981
Administration, Survey and Evaluation	€110,754
Travellers Youth Service	€173,716
Pavee Point	€72,052
Project Manager	€40,728
Transition Support Project/Separated Children's Project	€80,929
Belvedere Youth Project	€44,544
Total	€3,608,123
City of Cork VEC	
Glen Youth Development Project (Foróige)	€99,529
Mahon Youth Development Project (Foróige)	€108,006
Cork Youth Encounter Project Youth Work Prog.	€43,219
STEP Project (YMCA)	€49,792
Churchfield-Gurranabraher Yth Dev Project (NYF)	€93,106
Togher Youth Dev. Centre (Ogra Chorcai)	€94,171
Farranree Youth Dev. Centre and Outreach (Ogra Chorcai)	€88,325
Knocknaheeny-Hollyhill Outreach (Ogra Chorcai)	€49,792
YMCA Youth Development Centre	€49,792
Knocknaheeny-Hollyhill 11-15 (Ogra Chorcai)	€99,583
Summer Recreation Project (Ogra Chorcai)	€17,486
Ballyphehane and Cork NW	€94,093
Bishopstown Special Project (Ogra Chorcai)	€99,583
Strawberry Hill Youth Dev. Centre (Ogra Chorcai)	€94,171
Monitoring and Administration of Projects	€26,227
Total	€1,106,874
County Cork VEC	
Riverstown Youth Project	€93,106
SKY Project (Mitchelstown/Charleville)	€94,171
Summer Recreation 2000	€14,761
Beara Peninsula Youth Development Project	€97,708
Cobh Youth Services Project	€86,177
Total	€385,923
City of Galway VEC	
Long-standing Projects	€23,644
Galway Youth Federation, Westside (Youth Action)	€82,028
Ballinfoyle Youth Project	€95,891
Ballybane Youth Development Project (Foroige)	€63,655
Tagaste House Project	€123,518
Galway Youth Theatre Project	€49,792
Bohermore Community Activities Project	€49,792

Special Projects for Youth Scheme (SPY)	2012 Grant
Mol an Oige Youth Centre and Fairgreen Crafts	€76,914
Le Chéile Westside	€39,374
Rahoon Family Centre	€41,551
Projects Development	€54,342
Hillside Project for Young Travellers	€13,309
Traveller Youth Project — Ballybane	€94,171
Knocknacarra Youth Development Project	€93,106
Total	€901,085
Co. Galway VEC	
Youth In Action Project, Connemara	€31,432
Total	€31,432
Co. Leitrim VEC	
Mohill Community Youth Project	€31,663
Total	€31,663
City of Limerick VEC	
Limerick Youth Service Long-standing Project	€73,121
Miscellaneous Long-standing Projects	€37,593
Limerick Youth Encounter Project	€23,173
Limerick Youth Theatre	€60,721
Our Lady of Lourdes Community Youth Project	€16,461
St Munchin's Family Resource Centre	€93,106
The Blue Box Creative Learning Centre	€86,177
Total	€390,353
Co. Limerick VEC	
Youth in Action Project, Croom	€56,096
Loobagh Youth Project	€93,106
Castleconnell Youth Project	€93,106
Rathkeale	€86,177
Total	€328,485
City of Waterford VEC	
Manor of St John Youth Project	€134,492
Grants for Local Youth Organisations/Annual Youth Services Grants	€75,107
Children's Group Link Project	€107,151
Transport Service	€36,970
S.H.Y. Project	€94,171
Little Red Kettle Theatre Company Project	€72,542
Waterford Youth Arts Ltd (Waterford Youth Drama Project)	€93,106
Ballybeg Special Youth Project	€93,106
Ferrybank Special Project (Foróige)	€99,583
Traveller Youth Project	€63,925
Administration	€103,161
Total	€973,314

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Special Projects for Youth Scheme (SPY)	2012 Grant
County Dublin VEC	
Tallaght Youth Service (Foroige)	€675,466
Blanchardstown Youth Service (Foroige)	€388,074
Ronanstown Youth Service (CYC)	€206,507
Clondalkin Youth Service (CYC)	€84,972
Swords Youth Service (incorporating Baldoyle Youth Service) (CYC)	€147,273
Disadvantaged Adventure Sports Programme formerly Outward Bound (CYC)	€63,656
Lucan Youth Service (CYC)	€99,312
CRYPTIC (Balbriggan)	€93,106
Co-ordination and Administration (CYC)	€65,980
West Dublin Parents and Kids Together (PAKT)	€93,106
Youth Outreach 2000 Project, Baldoyle Forum Ltd.	€84,142
Services to Young Travellers, Tallaght	€86,177
Intel Computer Clubhouse, Blanchardstown Youth Service	€71,368
Remember Us Youth Project	€49,792
Total	€2,208,932
Co Wicklow VEC	
Longstanding (Bray Youth Service)(CYC)	€49,792
East Wicklow Youth Service	€94,171
Little Bray Special Project (CYC)	€49,792
Total	€193,754
Co Kerry VEC	
Tralee Youth Work Development Projects	€200,167
Total	€200,167
Co. Tipperary VEC	
Roscrea 2000 Ltd	€93,106
Nenagh Community Youth Project	€93,106
Total	€186,213
Catholic Youth Care	
Finglas Youth Encounter Project	€30,758
Total	€30,758
Co. Wicklow VEC — formerly CYC	
Ballywaltrim Youth Project	€49,792
Total	€49,792
National Association of Travellers Centres	
Provision of Youth Services (Local)	€308,149
Provision of Youth Services (NATC)	€122,772
Voice Magazine	€18,700
Development Worker Post	€93,106
Administration and Co-ordination	€111,029
Total	€653,756

Special Projects for Youth Scheme (SPY)	2012 Grant
Youth Work Ireland	
Athy Youth Project	€74,267
Ballycane-Sarto Youth Project (Naas)	€99,583
Clare Youth Service, Disadvantaged Outreach	€69,955
Clonmel Youth Resource Centre Project	€54,379
Coxes Demesne Youth Project, Dundalk	€93,106
Co-ordination of Projects — NYF	€63,751
Donegal Youth Service Youth Outreach Project	€93,106
Dungarvan Youth Resource Centre Project	€54,861
Ennis Literacy Project, Clare Youth Service	€94,171
Fermoy/Middleton/Mallow Projects	€193,623
The Gateway Project	€93,106
Callan and Castlecomer Project	€99,583
Killarney Youth Work Project	€63,703
Leitrim Youth Project	€93,106
Leixlip Youth project	€99,583
Limerick Youth Service Resource Centre	€308,688
Limerick Youth Service — Outreach Project	€93,106
Limerick YS Special Social Initiative (2nd Chance Pr)	€181,872
Listowel/North Kerry Project	€94,171
Midlands Project, Athlone	€95,359
Craobh Rua Youth Project, Dundalk	€93,106
Mullingar Youth Response Project	€93,106
New Oak, Carlow	€99,583
North Galway (Tuam area) Project	€49,792
North Mayo Youth Project	€99,583
Ossory Youth, Rural Outreach	€99,583
Galway Youth Federation East Galway (Youth Resource Centre)	€49,792
Research and Training Project — NYF	€49,792
Templemore/Thurles Youth Project	€85,921
Tipperary Rural Outreach Project	€75,514
Tipperary Town Youth Project	€53,083
Tullamore Youth Development Project	€93,106
Wexford Town Young Women's Project	€121,312
Wexford and Enniscorthy Community Youth Projects	€145,679
Woodstown Activity Centre Project, Co. Waterford	€22,034
Southside Community Youth Project, Drogheda	€99,583
Newbridge Youth Project	€99,731
Castleblayney Early School Leavers	€88,571
Youth Development Project Loughrea	€44,286
Gorey Community Youth Project	€83,048
Ballygar Youth Project, East Galway/Roscommon	€92,096
Laois Youth Services	€93,106
Ballaghaderreen Youth Project, Co. Roscommon	€99,583
Meath Youth Together Project	€99,583
Kildare Youth Project	€86,177
Shannon Youth Project	€86,177
Sliabh Luachra/Castleisland Youth Project, Co. Kerry	€86,177

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Special Projects for Youth Scheme (SPY)	2012 Grant
Graiguecullen Youth Project, Co. Carlow	€86,177
Curragh Youth Project	€49,792
Total	€4,538,156
Offaly County Council	
Tullamore Travellers' Movement Project	€48,771
Total	€48,771
Tionscadal Oibre don Ogra	
Tionscadal Mhuintearas na nOilean	€61,826
Total	€61,826
Health Service Executive	
Sligo/Leitrim HomeYouth Liaison Service Project	€49,792
Total	€49,792
Co. Donegal VEC	
Daybreak Programme, Donegal Youth Service	€86,177
Total	€86,177
Co. Longford VEC	
Co. Longford Youth Services Project	€86,177
Total	€86,177
Co. Wexford VEC	
Youth New Ross Project	€93,106
Total	€93,106
Miscellaneous Projects Disadvantaged Youth	
Sheelin Project, Co. Cavan VEC	€11,029
Foroige Development Officer, Co. Donegal VEC	€93,106
Ronanstown Pilot Project	€12,786
Foroige Development Officer North Co. Dublin	€93,106
Donegal Town Youth Project (Part of former YIC)	€65,450
City of Dublin Youth Service Board -Annual Grant	€115,276
TOTAL	€390,753
Grand Total	€17,041,730

Youth Information Centres — Youth Information Centres, since the first opened in the 1980s, have provided a free and confidential service to young people and those who work with them, including parents, teachers, youth workers and social workers, on a wide range of topics. This includes information on rights and entitlements, employment opportunities and training, welfare benefits, health, accommodation and other matters. The service also helps those looking for advice and help concerning emigration and mobility within Europe. The centres operate as a first point of contact where information and public internet access is available under one roof. There are currently 32 Youth Information Centres throughout the country. The funding provision in 2012 amounts to €1.425 million and is allocated as follows:

Youth information Centres (YICs)	2012
Catholic Youth Care	
Bray YIC	€54,445
YMCA	
West Cork YIC	€53,303
City of Cork VEC	
Cork City VEC	€83,108
City of Galway VEC	
Galway City YIC	€63,430
City of Waterford VEC	
Waterford City VEC	€54,445
Clondalkin YIC	€54,445
Dún Laoghaire VEC	
Dún Laoghaire YIC	€82,962
Athlone YIC	€54,445
Letterkenny/Donegal YIC	€148,003
National Youth Federation	
Ennis YIC	€56,398
Kerry (Killarney/Traleel) YIC	€124,077
Kilkenny YIC	€54,445
Limerick YIC	€55,813
Naas YIC	€54,445
Sligo YIC	€71,780
Tipperary (Thurles, Tipperary)	€54,445
WRYS Clonmel, Dungarvan	€18,458
Wexford YIC	€54,445
Roscommon YIC	€54,445
Ballinasloe YIC	€54,445
Monaghan YIC (Castleblayney)	€122,807
Total	€1,424,592

The Deputy might also note that Subhead C.6 of Vote 40 for my Department contains a provision of €500,000 in 2012 to support groups and organisations with an involvement in the provision of supports and services for children and young people under the application based National Lottery Funding Scheme. No grants have been awarded to date in 2012 under this funding stream.

Appointments to State Boards

539. **Deputy Jonathan O'Brien** asked the Minister for Children and Youth Affairs if he will provide a full breakdown by gender of all appointments to State boards since February 2011; the current status of State boards in relation to the percentage of participation of women and men in each one; and if she will make a statement on the matter. [17558/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): I would like to inform the Deputy that the position in respect of public bodies under the auspices of my Department is that there are four agencies funded by the Exchequer through my Department's Vote. These are the Adoption Authority of Ireland, the Family Support Agency, the National Educational

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Welfare Board and the Ombudsman for Children. With effect from 1 January 2012, I have taken responsibility for the children detention schools as provided in Part 10 of the Children Act 2001. They are funded through my Department's Vote and I am responsible for the appointment of their board of management.

In relation to the NEWB, I have made four appointments to the Board since my appointment as Minister for Children and Youth Affairs. Mr. Brendan Broderick was appointed based on a nomination of the trade unions and staff associations representing teachers and Mr. Eamonn Flynn was appointed to the NEWB based on a nomination of the Educational Welfare Officers as I am obliged to consult with specified bodies in the process of these appointments. I recently appointed Ruairí Gogan, nominated by the Minister for Justice and Equality and Bob Dowling, nominated by the Minister for Health.

In relation to the FSA, there have been ten members appointed to the Board since my appointment as Minister, namely Sharon Foley, Dick Hickey, Catherine Hazlett, Marie Fenlon, Yvette O'Malley (resigned 10 November, 2011), Liz Chaloner, Nuala Ryan, Imelda Martin, Caroline Murphy and Nollaig Byrne. I have recently appointed Sharon Foley as Chairperson following her meeting with the Joint Oireachtas Committee for Health and Children on 8 March, 2012.

I have made one appointment to the Board of the AAI since my appointment. Imelda Ryan was appointed on 7th February, 2012. In relation to the Board of Management for the Children Detention Schools I have made 11 appointments, effective from 26 March, 2012, namely Joe Horan, Dan Kelleher, Gerard McKiernan, Ursula Kilkelly, Diego Gallagher, Sylva Langford, Colin Fetherston, Pat Rooney, Elizabeth Howard, Barry Rooney and Deirdre Keyes. I appointed Joe Horan as Chairperson after he also met with the Joint Oireachtas Committee on 8 March 2012. There is no Board for the Ombudsman for Children's Office.

In making my decisions on appointments to Boards, subject to the governing legislation, I consider the most suitable persons for the positions available with due regard to the body or agency in question and its particular responsibilities and I seek to ensure that the appropriate mix of skills and experience is in place to achieve the best result. I have set out in tabular format below the current status of State boards under my remit and the percentage of participation of women and men in each one.

Name of Board	Current State Board Membership	Men % of total	Women % of total
National Educational Welfare Board	10	7 (70%)	3 (30%)
Family Support Agency	9	1 (11%)	8 (89%)
Adoption Authority of Ireland	6	1 (17%)	5 (83%)
Children Detention Schools	11	7 (64%)	4 (36%)

Departmental Equipment

540. **Deputy Regina Doherty** asked the Minister for Children and Youth Affairs the number of laptops in use in her Department; the number of tablets in use in her Department; the number of the laptops in use that are due to be upgraded this year; and if she will make a statement on the matter. [17569/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): My Department has ten laptops (including one netbook) and there currently are no plans to upgrade these this year. Tablets are not in use in my Department.

Departmental Funding

541. **Deputy Finian McGrath** asked the Minister for Health the grant or support available to a group (details supplied) in Dublin 5. [16349/12]

Minister for Health (Deputy James Reilly): My Department administers a National Lottery Discretionary Fund from which once-off grants are paid to community and voluntary organisations, providing a range of health related services. If an organisation wishes to make an application for National Lottery Funding they should send in a formal application. Detailed procedures, along with the application form are set out on the Department's website — www.doh.ie.

Question No. 542 answered with Question No. 14.

Ambulance Service

543. **Deputy Stephen S. Donnelly** asked the Minister for Health the progress made towards the meeting of emergency response time targets by the country's ambulance services; his plans to ensure that these targets are met across all counties; and if he will make a statement on the matter. [16866/12]

Minister for Health (Deputy James Reilly): In response to the publication of the HIQA Key Performance Indicators, the HSE National Ambulance Service (NAS) has developed a Performance Improvement Action Plan. In line with the national KPI's published by HIQA, the NAS is working towards achieving a first response to 75% of emergency ECHO (life threatening cardiac emergency) and DELTA (life threatening non-cardiac emergency) calls within 8 minutes or less. Its performance in 2011 was 53.1% of ECHO calls and 28.45% of DELTA calls responded within the target time-frame. The response times for 2011 for patient carrying vehicles, against a target of 80% arriving on scene within 18 minutes 59 seconds, were 69.3% for ECHO calls and 66.8% for DELTA calls.

However, key to further significant progress on improving response times is the issue of using emergency ambulances for planned inter-hospital transfers. The continued use of emergency ambulances in this role clearly affects the capacity of the NAS to meet KPI targets and to respond to emergency situations.

Among the options which I am considering to free up emergency capacity is the use of an intermediate care service. Vehicles with a greater patient-carrying capacity are employed as a dedicated resource for inter-hospital transfer of patients. The reduction in control centres will allow for more of our highly trained paramedic staff to be deployed back to direct emergency response roles, allowing the service to concentrate on responding to emergency incidents. There are budgetary constraints in all areas of health provision and all services must live within those restrictions. I know that the NAS is working to deliver an optimal performance with the resources available. In this context, my department, the NAS and HIQA will review the targets set for these KPI's in 2012, including consideration of targets used in other jurisdictions which more accurately reflect patient outcomes from pre-hospital emergency care.

Mental Health Services

544. **Deputy Maureen O'Sullivan** asked the Minister for Health in view of the Mental Health Commission report regarding the transfer of five residents from an open to a locked ward in St. Brendan's Hospital, Dublin in December 2011, resulting in the closed unit being at full capacity, if he will ensure that this does not happen again in the future as the report recommends; the measures he will take to ensure that such incidents are not repeated; the person

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who will be responsible for enforcing such measures; and if he will make a statement on the matter. [16060/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): While it was clear to me at the time that the HSE had no option but to put in place contingency arrangements to ensure both patient safety and continuity of services, I once again express my regret that such measures were necessary. I am confident however, that all measures will be taken to ensure insofar as possible that this will not happen again. I also note that construction on a new 54 bedded replacement long stay facility, as part of the Grangegorman Redevelopment Project, will be completed this year which will ensure a more comfortable and appropriate living environment for long stay patients.

Hospital Waiting Lists

545. **Deputy Arthur Spring** asked the Minister for Health if his attention has been drawn to the waiting time to see a consultant at the prosthetic, orthotic, and limb absence rehabilitation unit at the Mercy University Hospital, Cork; and when a person (details supplied) in County Kerry will be given a confirmed date. [16066/12]

Minister for Health (Deputy James Reilly): I am determined to address the issues which cause unacceptable delays in patients receiving treatment in our hospitals. In this regard I have established the Special Delivery Unit (SDU), which will work to unblock access to acute services by dramatically improving the flow of patients through the system, and by streamlining waiting lists, including referrals from GPs. The SDU is working closely with its partner agencies — mainly the HSE and the NTPF.

As a priority, public hospitals were instructed to ensure that, by the end of 2011, they had no patients waiting more than 12 months for treatment. I can confirm that the vast majority of hospitals achieved this objective. During 2012 the SDU will support hospitals in the delivery of a 9 month maximum wait time for inpatient or daycase surgery.

As this is a service matter, it has been referred to the HSE for direct reply. Should the patient’s general practitioner consider that the patient’s condition warrants an earlier appointment, he/she would be in the best position to take the matter up with the consultant and facility involved.

Health Services

546. **Deputy Michael McGrath** asked the Minister for Health the position regarding the development of a primary care centre (details supplied) in County Cork; and if he will outline the next steps in the process. [16068/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Question No. 547 answered with Question No. 14.

Hospital Services

548. **Deputy Tom Fleming** asked the Minister for Health when a person (details supplied) in County Kerry will be called for cataract surgery; and if he will make a statement on the matter. [16079/12]

Minister for Health (Deputy James Reilly): I am determined to address the issues which cause unacceptable delays in patients receiving treatment in our hospitals. In this regard I have established the Special Delivery Unit (SDU), which will work to unblock access to acute services by dramatically improving the flow of patients through the system, and by streamlining waiting lists, including referrals from GPs. The SDU is working closely with its partner agencies — mainly the HSE and the NTPF.

As a priority, public hospitals were instructed to ensure that, by the end of 2011, they had no patients waiting more than 12 months for treatment. I can confirm that the vast majority of hospitals achieved this objective. During 2012 the SDU will support hospitals in the delivery of a 9 month maximum wait time for inpatient or day-case surgery.

As this is a service matter, it has been referred to the HSE for direct reply. Should the patient's general practitioner consider that the patient's condition warrants an earlier appointment, he/she would be in the best position to take the matter up with the consultant and facility involved.

Health Services

549. **Deputy Sandra McLellan** asked the Minister for Health the reason South Doc refused to make a house call to a person (details supplied) in County Cork; and if he will make a statement on the matter. [16080/12]

Minister for Health (Deputy James Reilly): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy as a matter of urgency.

Hospital Services

550. **Deputy Tom Fleming** asked the Minister for Health when an appointment will be arranged in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [16081/12]

Minister for Health (Deputy James Reilly): I am determined to address the issues which cause unacceptable delays in patients receiving treatment in our hospitals. In this regard I have established the Special Delivery Unit (SDU), which will work to unblock access to acute services by dramatically improving the flow of patients through the system, and by streamlining waiting lists, including referrals from GPs. The SDU is working closely with its partner agencies — mainly the HSE and the NTPF.

As a priority, public hospitals were instructed to ensure that, by the end of 2011, they had no patients waiting more than 12 months for treatment. I can confirm that the vast majority of hospitals achieved this objective. During 2012 the SDU will support hospitals in the delivery of a 9 month maximum wait time for inpatient or day-case surgery.

As this is a service matter, it has been referred to the HSE for direct reply. Should the patient's general practitioner consider that the patient's condition warrants an earlier appointment, he/she would be in the best position to take the matter up with the consultant and facility involved.

551. **Deputy Tom Fleming** asked the Minister for Health when a person (details supplied) in County Kerry will be called for cataract surgery; and if he will make a statement on the matter. [16082/12]

Minister for Health (Deputy James Reilly): I am determined to address the issues which cause unacceptable delays in patients receiving treatment in our hospitals. In this regard I have

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established the Special Delivery Unit (SDU), which will work to unblock access to acute services by dramatically improving the flow of patients through the system, and by streamlining waiting lists, including referrals from GPs. The SDU is working closely with its partner agencies — mainly the HSE and the NTPF.

As a priority, public hospitals were instructed to ensure that, by the end of 2011, they had no patients waiting more than 12 months for treatment. I can confirm that the vast majority of hospitals achieved this objective. During 2012 the SDU will support hospitals in the delivery of a 9 month maximum wait time for inpatient or day-case surgery.

As this is a service matter, it has been referred to the HSE for direct reply. Should the patient's general practitioner consider that the patient's condition warrants an earlier appointment, he/she would be in the best position to take the matter up with the consultant and facility involved.

Drugs Payment Scheme

552. **Deputy Thomas P. Broughan** asked the Minister for Health if he will report on the availability of the important medicine (details supplied) given its high cost especially for citizens who do not have a medical card; and if he will make a statement on the matter. [16088/12]

553. **Deputy Thomas P. Broughan** asked the Minister for Health if the important medicine (details supplied) is available through the drugs refund scheme given its high cost in particular for citizens who do not have a medical card; and if he will make a statement on the matter. [16089/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): I propose to take Questions Nos. 552 and 553 together.

Pradaxa is available under the GMS Scheme, the Drug Payment Scheme and other community drugs schemes for the prevention of blood clots in adult patients who have undergone elective hip replacement surgery or elective knee replacement surgery.

The HSE is assessing the availability of resources to provide for the long term treatment with Pradaxa for the prevention of stroke in patients with atrial fibrillation. This is a complicated process with long term implications.

There is a range of alternative medications which can be prescribed for stroke prevention under the community drugs schemes.

Health Services

554. **Deputy Niall Collins** asked the Minister for Health the position regarding a specific application in respect of a person (details supplied) in County Cork. [16132/12]

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.

555. **Deputy Brendan Griffin** asked the Minister for Health his views on a matter (details supplied); and if he will make a statement on the matter. [16145/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): The *Programme for Government* committed to reforming the current public health system by introducing Universal Health Insurance with equal access to care for all. As part of this reform programme the

Government is committed to introducing Universal GP Care within the first term of office of this Government.

Initially it is intended to extend GP cover without fees to persons with defined long-term illnesses who are in receipt of drugs and medicines under the Long Term Illness Scheme. Primary legislation is required to give effect to this commitment. Once primary legislation has been approved by the Oireachtas, the details of the new arrangements will be announced.

Medical Cards

556. **Deputy John McGuinness** asked the Minister for Health if a medical card will be issued immediately to persons (details supplied) in County Kilkenny; and of he will expedite the matter. [16158/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Hospital Staff

557. **Deputy Billy Kelleher** asked the Minister for Health the number of paediatric neurologists in each hospital here; the change since last year; and if he will make a statement on the matter. [16162/12]

558. **Deputy Billy Kelleher** asked the Minister for Health the number of paediatric neurologists who availed of the early retirement scheme; if he intends to replace any of them; and if he will make a statement on the matter. [16163/12]

559. **Deputy Billy Kelleher** asked the Minister for Health if his attention has been drawn to the effects the Mid Western Regional Hospital's decision not to renew the contract of its paediatric neurologists; if he will review the decision; and if he will make a statement on the matter. [16164/12]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 557 to 559, inclusive, together.

As these are service matters, they have been referred to the Health Service Executive for direct reply.

Hospital Services

560. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health when a person (details supplied) in County Kilkenny will receive an appointment for surgery at St. Luke's Hospital, Kilkenny; and if he will make a statement on the matter. [16183/12]

Minister for Health (Deputy James Reilly): I am determined to address the issues which cause unacceptable delays in patients receiving treatment in our hospitals. In this regard I have established the Special Delivery Unit (SDU), which will work to unblock access to acute services by dramatically improving the flow of patients through the system, and by streamlining waiting lists, including referrals from GPs. The SDU is working closely with its partner agencies — mainly the HSE and the NTPF.

As a priority, public hospitals were instructed to ensure that, by the end of 2011, they had no patients waiting more than 12 months for treatment. I can confirm that the vast majority of hospitals achieved this objective. During 2012 the SDU will support hospitals in the delivery of a 9 month maximum wait time for inpatient or day-case surgery.

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As this is a service matter, it has been referred to the HSE for direct reply. Should the patient's general practitioner consider that the patient's condition warrants an earlier appointment, he/she would be in the best position to take the matter up with the consultant and facility involved.

Questions Nos. 561 to 563, inclusive, answered with Question No. 32.

Health Services

564. **Deputy Dan Neville** asked the Minister for Health the position regarding funding (details supplied); and if he will make a statement on the matter. [16192/12]

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 Service Staff

565. **Deputy Simon Harris** asked the Minister for Health when the new Health Service Executive Director of Mental Health will be appointed; and if he will make a statement on the matter. [16194/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): My colleague Minister Reilly intends to bring legislative proposals to Government to abolish the HSE Board structure under the Health Act 2004 and to provide for replacement governance structures and enhanced accountability arrangements. In tandem with the proposed new legal structures, new administrative structures will be put in place within the HSE which will reflect the need for a greater operational management focus on the delivery of key services and greater transparency about funding, service delivery and accountability. Consideration is currently being given to how best to give effect to the new administrative structures, including the selection and appointment of new directors at national level.

Medical Cards

566. **Deputy Billy Timmins** asked the Minister for Health the position regarding a medical card in respect of a person (details supplied) in County Wicklow; and if he will make a statement on the matter. [16296/12]

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

567. **Deputy Finian McGrath** asked the Minister for Health if he will review a case in respect of a person (details supplied) in Dublin 9 [16341/12]

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.

Services for People with Disabilities

568. **Deputy Dara Calleary** asked the Minister for Health if he will reverse his Departments Health Service Executive 2012 disability cuts of 3.7%; if he will reverse his decision to cut the personal assistant hours in view of the detrimental effect it is having on persons with disabilities;

and if he will advise as to the number of persons in County Donegal who will be affected by the PA cuts [16362/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The Health Service Executive (HSE) National Service Plan for 2012 provides for a reduction of 3.7% in funding to specialist disability services. However, the Service Plan states that at least 2% of this should not impact on services and needs to be generated from other savings and increased efficiencies. As part of the ongoing work of the HSE's National Consultative Forum on disability services, the HSE in conjunction with representative organisations, service providers and service users, has begun a process to identify and agree a framework for identifying and implementing cost efficiencies. The goal is to minimise the impact on services.

The HSE provides a range of assisted living services, including Personal Assistant services, to support individuals to maximise their capacity to live full and independent lives. In 2011, a total of 1.68 million personal assistant / home support hours were provided to 11,571 persons with a physical and/or a sensory disability. Although the funding allocated to disability services has decreased by 3.7%, the HSE aims to minimise the impact this will have on services users and their families as much as possible. The HSE is in the process of negotiating with agencies providing personal assistant services around the unit cost of providing this service.

The Department of Health has asked the Health Service Executive to reply directly to you in relation to personal assistant services in County Donegal.

Hospital Services

569. **Deputy Dara Calleary** asked the Minister for Health the conditions attached to the Special Delivery Unit funding available for funding of step down facilities private community nursing homes for patients at University College Hospital Galway; if he will confirm if only nursing homes in Galway are eligible for inclusion in the scheme; if so, the reason for same; and if he will make a statement on the matter. [16384/12]

Minister for Health (Deputy James Reilly): The health sector is facing significant funding challenges this year because of the economic crisis and the need to put public finances on a sustainable basis. However as Minister for Health I am determined that the impact on services must be minimised by relentless performance management, by best practice and by reform in how services are delivered. This will apply in all settings and services and for those delivering those services.

Towards the end of 2011 Galway was identified as one of eight hospitals that required very high support by the Special Delivery Unit (SDU) in relation to trolley waits. Based on proposals received from the hospital I agreed that additional funding would be provided, on a strictly once off basis, to help reduce ED waiting times over November and December 2011. The funding was to provide for initiatives which would help address issues, such as delayed discharges, which have a significant impact on the numbers of patients waiting on trolleys. This was done on the basis that the hospital/HSE would continue any measures necessary to alleviate trolley waits in January. There was no indication to SDU as to the location of nursing homes under consideration by University College Hospital Galway for the purpose of convalescence / interim care. Some €349,000 was approved in respect of Galway to address trolley waits at the hospital and to implement three initiatives that had been identified by the hospital as being key to alleviating the conditions in the emergency department at the hospital over the period.

Over €4.8m was made available to 16 hospitals throughout the country for specific planned outcomes. Funding released was specific to the immediate mobilisation of these initiatives and could be withdrawn or reclaimed if the hospital did not comply with:

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- 7 day ward / discharge rounds
- achievement of Acute Medicine Programme milestones
- targets in respect of trolley waiting times and numbers of patients on trolleys
- effective streaming of elderly patients

In addition, the SDU established a process of collecting numbers waiting on trolleys in each Hospital ED on a daily basis at three specific times and rating each hospital as Green, Amber or Red. To date, the initiative has worked well nationally with trolley numbers significantly down on the same period last year. The systems remains in a state of high alert to ensure that overall capacity, both surgical and medical, is carefully managed.

Nursing Homes Support Scheme

570. **Deputy Dara Calleary** asked the Minister for Health if he will confirm the average waiting times per Health Service Executive region for dealing with applications under the fair deal scheme; the procedures that are in place to address delays in assessing the medical assessment form; and if he will make a statement on the matter. [16385/12]

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.

571. **Deputy Dara Calleary** asked the Minister for Health the entitlements qualifying patients in private nursing homes have to medical supplies and treatments in private nursing homes; if these entitlements differ to those patients who are in public nursing homes; and if he will make a statement on the matter. [16386/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): Patients in private nursing homes can avail of the range of services and prescribed items supplied under the General Medical Services Scheme, the Drug Payment Scheme and the Long Term Illness Scheme in the same manner as other patients and in accordance with their eligibility status.

There is no statutory obligation on the HSE to provide physiotherapy, chiropody, occupational therapy, speech and language therapy, or dietician services to patients.

572. **Deputy Dara Calleary** asked the Minister for Health if funding for respite care is only available to patients using public nursing homes; and if he will make a statement on the matter. [16387/12]

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.

573. **Deputy Dara Calleary** asked the Minister for Health the savings made to date by changing the funding criteria under the fair deal scheme to one of date of approval versus the date of admission measurement; and if he will make a statement on the matter. [16388/12]

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.

Substance Misuse Strategy

574. **Deputy Ciarán Lynch** asked the Minister for Health if an action plan has been developed as a result of the report by the Steering Group on a National Substance Misuse Strategy; the time frame that is envisioned for its implementation; and if he will make a statement on the matter. [16394/12]

Minister for Health (Deputy James Reilly): The report of the National Substance Misuse Strategy Steering Group in relation to alcohol was only recently launched and is encouraging public debate. I envisage an Action Plan being developed in advance of proposals being drafted for Government later in the year. This shall take into account — among other things — that the strategy should be taken in conjunction with the National Drugs Strategy 2009 — 2016 as the overall National Substance Misuse Strategy until the end of 2016.

Departmental Staff

575. **Deputy Sean Fleming** asked the Minister for Health if he will provide a list of staff in his Department that serve as directors of companies arising from their employment; the names of the companies involved; the annual remuneration received, if any; if they are indemnified by his Department in respect of their role as directors; and if he will make a statement on the matter. [16419/12]

Minister for Health (Deputy James Reilly): The information requested is set out in the following table. Neither post attracts remuneration.

Ms Frances Spillane	Board Member	Institute of Public Administration
Dr John Devlin	Director	Institute of Public Health

The Office of the Attorney General has advised that people working for the State are indemnified for any reasonable legal fees and/or damages if they are sued for undertaking their duties on behalf of the State and they acted in good faith and in a bona fide manner. The State carries its own insurance in this regard. This indemnity would apply to those civil servants appointed to State boards as part of their official duties.

Health Services

576. **Deputy Emmet Stagg** asked the Minister for Health the reason for the delay in awarding speech and language therapy and occupational therapy to a person (details supplied) in County Kildare [16430/12]

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.

577. **Deputy Mick Wallace** asked the Minister for Health his views on the effects of budget cuts on persons with disabilities trying to achieve independent living which has resulted in a reduction in services with serious consequences; his further views on the value for money of the services provided by the Centre for Independent Living; and if he will make a statement on the matter. [13965/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The Health Service Executive (HSE) National Service Plan for 2012 provides for a reduction of 3.7% in funding

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to specialist disability services. However, the Service Plan states that at least 2% of this should not impact on services and needs to be generated from other savings and increased efficiencies.

As part of the ongoing work of the HSE's National Consultative Forum on disability services, the HSE in conjunction with representative organisations, service providers and service users, has begun a process to identify and agree a framework for identifying and implementing cost efficiencies. The goal is to minimise the impact on services.

The HSE provides a range of assisted living services, including Personal Assistant services, to support individuals to maximise their capacity to live full and independent lives. In 2011, a total of 1.68 million personal assistant / home support hours were provided to 11,571 persons with a physical and/or a sensory disability. Although the funding allocated to disability services has decreased by 3.7%, the HSE aims to minimise the impact this will have on services users and their families as much as possible. The HSE is in the process of negotiating with agencies providing personal assistant services around the unit cost of providing this service.

I am concerned to ensure that the State receives value for all monies invested in public services on behalf of the taxpayer. In the context of the current Value for Money Review of Disability Services we are seeking to work with all providers to further improve processes of accountability in the sector, with a view to achieving the most cost efficient and effective delivery of services for people with a disability.

Food Labelling

578. **Deputy Bernard J. Durkan** asked the Minister for Health if he is entirely satisfied that food labelling and traceability regulations are fully enforced and enforceable throughout each EU member State; if adequate efforts are being made to prevent re-labelling resulting in falsification of origin or failure to comply with EU and national standards; the extent, if any, to which breaches of such traceability or labelling have been discovered and with whatever consequences; and if he will make a statement on the matter. [14577/12]

Minister for Health (Deputy James Reilly): In Ireland the Food Safety Authority of Ireland (FSAI) has service contracts in place with official agencies to carry out inspections in food businesses. These official agencies include the Health Service Executive (HSE), the Department of Agriculture, Food and the Marine (DAFM), Local Authorities, Sea Fisheries Protection Authority (SFPA) and National Standards Authority of Ireland. There is an extensive programme of inspections by the official agencies of food business operators to check compliance with food legislation such as labelling, origin, EU and national food legislation.

In 2010 the HSE carried out 70,630 inspections (which include specified risk materials and traceability) in the food businesses under their supervision; of these, 9,919 inspections found non-compliances with labelling legislation. These non-compliances were for a range of food labelling infringements and the HSE follow-up on all of these non-compliances to ensure they are addressed.

In the other official agencies, food labelling and origin are checked at production level as part of routine food controls. The number of inspections specifically on food labels is not separately recorded.

DAFM Egg and Poultry Inspectors verify compliance with labelling and the marketing standards for eggs and poultry from primary production through to retail. In 2010 DAFM undertook 1,359 inspections in these establishments and identified seven non-compliances. FSAI has also carried out, in co-ordination with the official agencies, labelling surveys on specific aspects

of the nutrition and health claims legislation, allergen labelling, fish and fish products and gas-flushed chicken fillets. Reports of these surveys are available on the FSAI website.

Following on from the inspections the official agencies undertake appropriate enforcement action with the food businesses. They also verify that compliance is achieved. In most cases breaches of labelling legislation do not pose a serious risk to public health and future compliance to the legislation is ensured through the provision of advice to the food business and appropriate changes to the food label.

Where serious breaches of labelling are found, however, severe action is taken. For example, in May 2009 a prosecution was taken by the FSAI against a food business in Galway for breaches including the Labelling of Fishery and Aquaculture Products Regulations 2003. One 2009 HSE prosecution cited offences under the Health (Country of Origin of Beef) Regulations 2006 and another prosecution cited the Beef Labelling Regulations 2000. In 2010 four HSE prosecutions cited offences under labelling legislation including the general labelling, country of origin of beef, fish labelling and beef labelling regulations. In 2011 there was one prosecution by the HSE which included non-compliances with, among other legislation, the Health (Country of Origin of Beef) Regulations 2006. There has been one prosecution to date in 2012 by the HSE that included non-compliances with, among other legislation, the requirements of the EC (General Food Law) Regulations 2007 and EC (Labelling of Beef and Beef Products) Regulations 2000 for traceability of meat.

Ministerial Expenses

579. **Deputy Niall Collins** asked the Minister for Health the amount of expenses claimed on a monthly basis since March 2011 by all Ministers attached to his Department; and if he will make a statement on the matter. [16453/12]

Minister for Health (Deputy James Reilly): The amount of expenses claimed by and paid to the Ministers of my Department on a monthly basis since March 2011 are set out in the following table:

Month	Minister	Expense Paid
March 2011	—	€0
April 2011	James Reilly, TD Roisin Shortall, TD	€388.93 €149.65
May 2011	Roisin Shortall, TD	€349.60
June 2011	Roisin Shortall, TD Kathleen Lynch, TD	€48.05 €3,793.45
July 2011	James Reilly, TD Kathleen Lynch, TD	€5,238.89 €302.22
August 2011	—	€0
September 2011	James Reilly, TD Kathleen Lynch, TD	€1,617.82 €3,211.03
October 2011	Kathleen Lynch, TD	€1,900.93
November 2011	—	€0
December 2011	James Reilly, TD Kathleen Lynch, TD	€8,444.32 €3,173.25
January 2012	—	€0
February 2012	Kathleen Lynch, TD	€3,818.91
March 2012	Kathleen Lynch, TD	€1,415.10

Hospital Services

580. **Deputy Finian McGrath** asked the Minister for Health the position regarding a hospital appointment in respect of a person (details supplied) in Dublin 5 [16511/12]

Minister for Health (Deputy James Reilly): I am determined to address the issues which cause unacceptable delays in patients receiving treatment in our hospitals. In this regard I have established the Special Delivery Unit (SDU), which will work to unblock access to acute services by dramatically improving the flow of patients through the system, and by streamlining waiting lists, including referrals from GPs. The SDU is working closely with its partner agencies — mainly the HSE and the NTPF.

By the end of 2011, very significant progress had been made on SDU initiatives in relation to unscheduled care and inpatient/day case targets. Work has now begun on access to Out-patient services, with the formal launch of the OPD Performance Improvement Programme.

As this is a service matter, it has been referred to the HSE for direct reply. Should the patient's general practitioner consider that the patient's condition warrants an earlier appointment, he/she would be in the best position to take the matter up with the consultant and facility involved.

Medical Cards

581. **Deputy Finian McGrath** asked the Minister for Health the position regarding a medical card in respect of a person (details supplied) in Dublin 9 [16512/12]

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

582. **Deputy Finian McGrath** asked the Minister for Health the position regarding a long term care plan in respect of a person (details supplied) in Dublin 9 [16513/12]

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.

Question No. 583 answered with Question No. 52.

Law Reform Commission Review

584. **Deputy Derek Keating** asked the Minister for Health following the Law Reform Commission report on legal aspects of professional home care, his plans to make regulations in respect of the provision of professional home care services; and if he will make a statement on the matter. [16206/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The Law Reform Commission's recent report, entitled *Legal Aspects of Professional Home Care*, is a follow up to its 2009 consultation paper entitled *Legal Aspects of Carers*.

Primary legislation and resources will be required for the introduction of a statutory regulation system for home care services. The question of possible changes to legislation, including regulation and inspection, for Home Care services for older people is under consideration. The Department is, at present, examining this matter in the overall context of the licensing of Health Care providers. Legislation is currently being prepared in this regard, taking into account the

recommendations of the Commission on Patient Safety, and the Law Reform Commission. Various options are being considered at present, including the complex legal issues involved, and the need to prioritise legislation across the Social Care area overall.

It is important to emphasise that statutory regulation or licensing is only one way of improving the safety and quality of services and that other measures have or are being taken to improve the standards of community service for older people delivered by, or on behalf of, the Health Service Executive (HSE). These are reflected in the agreed HSE Service Plan 2012 and includes a recently finalised public *Procurement Framework* for Home Care services (with quality and screening requirements); new *National Quality Guidelines for Home Care Support Services*, and new *National Home Help Guidelines*.

These various measures, taken together, have been designed to improve relevant aspects of HSE Home Care provision nationally, including taking into account the issues raised by the Deputy, for care recipients under the auspices of the Executive.

Services for People with Disabilities

585. **Deputy Seán Crowe** asked the Minister for Health if he is satisfied that the physical developmental needs of children with cerebral palsy are being met within the State education system; and if he will make a statement on the matter. [10024/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): I presume the Deputy is referring to the physical developmental needs and not the educational needs of children with cerebral palsy. Where children with special needs require physical and other therapies, this support is provided by the Health Service Executive. Accordingly, the Department has asked the HSE to reply to the Deputy directly outlining the physical and other therapy supports provided to children with cerebral palsy.

Hospitals Building Programme

586. **Deputy Micheál Martin** asked the Minister for Health if he will make a statement on the need for a National Paediatric Hospital. [12273/12]

Minister for Health (Deputy James Reilly): I am committed to ensuring the delivery of a world class hospital for the children of Ireland providing the highest quality treatment they deserve. The challenges presented by the current infrastructure in Crumlin and Temple Street hospitals can only be fully addressed through the construction of the new National Children's Hospital. This project is one of the main priorities for the Government and is a commitment under the *Programme for Government*.

The decision to refuse planning for the new children's hospital was disappointing. Immediately following the decision I announced my intention to establish a Review Group to consider the decision of An Bord Pleanála to refuse planning permission for the National Paediatric Hospital. The Government has agreed the Terms of Reference for the Review Group. The Terms of Reference are as follows:—

“To inform itself about the planning considerations and processes affecting this project.

To consider the different options which now exist for progressing the construction of a national children's hospital having regard to—

- Government policy on the delivery of health services, including accessibility and paediatric services in particular and best clinical practice considerations,

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- the cost and value for money considerations of the different options,
- the likely timelines associated with the different options,
- the implementation risks associated with the different options.

To advise the him, in the light of these considerations, on the appropriate next steps to take with a view to ensuring that a national paediatric hospital can be constructed with minimal delay.

To report to the Minister within 56 days of the first meeting of the group.”

The aim of this Review is to consider all the possible options for the earliest possible delivery of a new children’s hospital. The Review Group will present their findings on each of the possible options for my consideration. The Group will not be undertaking a site selection process.

I have appointed Dr. Frank Dolphin to Chair the Review Group. There is a wealth of expertise on the group. The membership is composed of senior planners, an architect, the CEO of a major UK Paediatric hospital and senior clinicians in the field of paediatrics. Dr Dolphin is currently in contact with the other Group members and expects to hold the first meeting of the Group within days. I will await the completion of the work of the Review Group and do not wish to make any further comment on the matter at this time.

Question No. 587 answered with Question No. 63.

Health Services

588. **Deputy Clare Daly** asked the Minister for Health the position regarding the proposed closure and or cuts to nursing homes around the country that have been actively opposed by local communities; and if he will make a statement on the matter. [16211/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Medical Cards

589. **Deputy John Lyons** asked the Minister for Health the position regarding a medical card application in respect of a person (details supplied) in Dublin 11; if further documentation is still required for the application to be processed; and if a dependent child will have their application processed once a decision is reached [16527/12]

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.

Vaccination Programme

590. **Deputy Maureen O’Sullivan** asked the Minister for Health the number of Hepatitis A and Hepatitis B vaccinations that were administered to patients attending drug treatment, by treatment centre, by general practitioner or other, for example prisons, in Dublin central, in each of the past five years and in the greater Dublin area in each of the past five years. [16528/12]

591. **Deputy Maureen O’Sullivan** asked the Minister for Health the number of positive tests for either of Hepatitis B, Hepatitis C and dual positives among patients attending drug treatment, by treatment centre, by general practitioner or other, for example prisons, in Dublin central in each of the past five years and in the greater Dublin area in each of the past five years [16529/12]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 590 and 591 together.

The information requested has been sought from the HSE. I will arrange to have it forwarded to the Deputy shortly.

Ambulance Service

592. **Deputy Pearse Doherty** asked the Minister for Health if he thinks it is appropriate that an ambulance driver seeking a transfer within the service from one region to another is currently having to resign their post and reapply for their position in the absence of implementation of the national transfer policy; and if he will make a statement on the matter. [16533/12]

Minister for Health (Deputy James Reilly): As this is a service matter, it has been referred to the Health Service Executive for direct reply.

593. **Deputy Pearse Doherty** asked the Minister for Health if he will provide details of the number of ambulance drivers seeking transfers who are currently on the national panel; the numbers, length of time waiting and their class category [16534/12]

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

594. **Deputy Bernard J. Durkan** asked the Minister for Health the reason a medical card has not yet been issued to a person (details supplied) in County Kildare; and if he will make a statement on the matter. [16538/12]

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.

Mental Health Services

595. **Deputy Thomas P. Broughan** asked the Minister for Health his views on the creation of youth mental health teams including psychiatrists, psychologists and nurses to address and enhance mental health services for young persons; if he is initiating any measures to address mental health services for 16 and 17 year olds across the country including north Dublin where adolescents who need to access mental health services cannot be seen by child psychiatric services and in view of the ban on the admission of adolescents into adult wards; and if he will make a statement on the matter. [7854/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The development of comprehensive Child and Adolescent Mental Health Services (CAMHS) for young people up to 18 years is recommended in the policy document *A Vision for Change*; traditionally CAMHS had been organised for young people up to the age of 16. *A Vision for Change* therefore requires the HSE to remodel the psychiatric service and to reconfigure resources. Currently transitional arrangements apply in relation to services for children in the 16/17 year

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old age group, as resources need to be redirected from the adult service to the child and adolescent service, to enable that service take over full responsibility for 16/17 year olds.

Community Child and Adolescent Mental Health Teams are the first line of specialist mental health services. For CAMHS teams to work effectively, a range of disciplines, skills and perspectives are required so that children and adolescents are offered a care and treatment package appropriate to their individual needs; 56 such teams are currently in place. Special funding allocated to the HSE in 2012 will, in part, be used to complete the multidisciplinary profile of the existing CAMHS teams by ensuring, at a minimum, that at least one of each mental health profession (medical, nursing, clinical psychology, social work, occupational therapist, speech and language therapist, child care worker) is represented on every team.

In terms of in-patient facilities, at present, psychiatric bed capacity for children and adolescents is 44. During 2012, a further 8 beds will be commissioned in Cork, the second phase of development at St. Vincent's Hospital, Fairview will be completed with the opening of the new 12 bed adolescent unit, and an interim 8 bed older adolescent unit will open at St. Loman's Hospital, Palmerstown. In addition a new child and adolescent day hospital will open in Cherry Orchard Dublin shortly.

Hospitals Building Programme

596. **Deputy Charlie McConalogue** asked the Minister for Health if he anticipates delays to the completion of the Children's Hospital following An Bord Pleanála's decision; and if he will make a statement on the matter. [15958/12]

Minister for Health (Deputy James Reilly): I am committed to ensuring the delivery of a world class hospital for the children of Ireland providing the highest quality treatment they deserve. This project is one of the main priorities for the Government. The Government is committed to building this hospital in the shortest possible time frame.

The decision to refuse planning for the new children's hospital was disappointing. Immediately following the decision I announced my intention to establish a Review Group to consider the decision of An Bord Pleanála to refuse planning permission for the National Paediatric Hospital. The Government has agreed the Terms of Reference for the Review Group. The Terms of Reference are as follows:—

“To inform itself about the planning considerations and processes affecting this project.

To consider the different options which now exist for progressing the construction of a national children's hospital having regard to—

- Government policy on the delivery of health services, including accessibility and paediatric services in particular and best clinical practice considerations,
- the cost and value for money considerations of the different options,
- the likely timelines associated with the different options,
- the implementation risks associated with the different options.

To advise the him, in the light of these considerations, on the appropriate next steps to take with a view to ensuring that a national paediatric hospital can be constructed with minimal delay.

To report to the Minister within 56 days of the first meeting of the group.”

The aim of this Review is to consider all the possible options for the earliest possible delivery of a new children's hospital. The Review Group will present their findings on each of the possible options for my consideration. The Group will not be undertaking a site selection process.

I have appointed Dr Frank Dolphin to Chair the Review Group. There is a wealth of expertise on the group. The membership is composed of senior planners, an architect, the CEO of a major UK Paediatric hospital and senior clinicians in the field of paediatrics. Dr Dolphin is currently in contact with the other Group members and expects to hold the first meeting of the Group within days. I will await the completion of the work of the Review Group and do not wish to make any further comment on the matter at this time.

Substance Abuse

597. **Deputy Charlie McConalogue** asked the Minister for Health his views on the recommendations of the National Substance Misuse Strategy steering group with regard to the problem of excessive youth alcohol consumption; which of the recommendations will be implemented; and if he will make a statement on the matter. [15827/12]

Minister for Health (Deputy James Reilly): The report of the National Substance Misuse Strategy Steering Group made a range of recommendations that impact directly and indirectly on the problem of excessive youth alcohol consumption. At this juncture, the recommendations of the Steering Group are encouraging public debate and I envisage an Action Plan being developed in advance of proposals being drafted for Government that will take account of — among other things — the recommendations of the Steering Group that relate to this problem.

Hospital Services

598. **Deputy Denis Naughten** asked the Minister for Health the impact of budget cuts on local acute service and his plans for the development of services at the Galway Roscommon hospital group [16203/12]

Minister for Health (Deputy James Reilly): As this is a service matter, it has been referred to the HSE for direct reply.

Hospital Staff

599. **Deputy Denis Naughten** asked the Minister for Health the steps which he is taking to deal with the shortage of Non-Consultant Hospital Doctors; and if he will make a statement on the matter. [16209/12]

Minister for Health (Deputy James Reilly): As of 23rd March, the majority of NCHD posts (both training posts and service posts) have been filled normally. Currently, where staffing issues exist, there are sufficient agency staff filling posts to meet service needs.

Approximately 80% of NCHD posts are recruited for and filled by the postgraduate training bodies as part of their training schemes. These posts may be either in HSE hospitals or in voluntary hospitals. The remaining posts are service posts rather than training posts, with about 15% in HSE hospitals and 5% in voluntary hospitals. NCHDs rotate between posts in January and July each year.

To address the filling of vacant service posts in July, the HSE National Recruitment Service launched a national centralised application process on 14 February 2012. This is intended to provide a continual stream of prospective candidates to meet demand, particularly in specialties such as Emergency Medicine and Psychiatry. The campaign includes external and internal press

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advertising as well as advertising on medical journal websites worldwide. In addition, the HSE is liaising with the College of Physicians and Surgeons of Pakistan to identify candidates for vacant posts as they emerge and is also working to source Emergency Medicine Registrars in South Africa to commence work in Ireland in July 2012.

My Department will be closely monitoring the position over the coming months.

Question No. 600 answered with Question No. 46.

Mental Health Services

601. **Deputy Billy Kelleher** asked the Minister for Health if recruitment of the 414 staff for mental health services, as announced in the Health Service Executive service plan 2012, has begun; the number of posts that have been filled; the number of mental health services staff that retired as part of the early retirement scheme; and if he will make a statement on the matter. [16588/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): A special allocation of €35m for mental health was provided in Budget 2012 in line with commitments in the Programme for Government. This funding will be used to enhance Community Mental Health Teams, improve access to psychological therapies in primary care and implement suicide prevention strategies. It is planned that 414 staff will be recruited to the mental health service to deliver on these objectives. The staffing requirement relating to each region has been identified and the information necessary to commence recruitment is in the process of being collated by the four Regional Directors of Operations. It is proposed that the new professionals will be drawn from existing National Recruitment Service panels where available and new competitions will be established for the remaining posts.

The HSE has advised that 645 staff have retired from the mental health service under the retirement scheme referred to by the Deputy.

Hospitals Building Programme

602. **Deputy Robert Troy** asked the Minister for Health the exploratory work he has carried out with a view to relocating the National Children's Hospital in Mullingar, County Westmeath; if the review group which he set up has visited the town; and if they have held any talks with the local authority in order to advance this project [16591/12]

656. **Deputy Bernard J. Durkan** asked the Minister for Health if he expects the expert group now examining the issue of the location, scale, quality of the proposed children's hospital is likely to recommend a single or particular locations from which he can then choose; and if he will make a statement on the matter. [16979/12]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 602 and 656 together.

I am committed to ensuring the delivery of a world class hospital for the children of Ireland providing the highest quality treatment they deserve. This project is one of the main priorities for the Government and is a commitment under the *Programme for Government*.

The decision to refuse planning for the new children's hospital was disappointing. Immediately following the decision I announced my intention to establish a Review Group to consider the decision of An Bord Pleanála to refuse planning permission for the National Paediatric

Hospital. The Government has agreed the terms of reference for the Review Group. The terms of reference are as follows:—

“To inform itself about the planning considerations and processes affecting this project.

To consider the different options which now exist for progressing the construction of a national children’s hospital having regard to—

- Government policy on the delivery of health services, including accessibility and paediatric services in particular and best clinical practice considerations,
- the cost and value for money considerations of the different options,
- the likely timelines associated with the different options,
- the implementation risks associated with the different options.

To advise the him, in the light of these considerations, on the appropriate next steps to take with a view to ensuring that a national paediatric hospital can be constructed with minimal delay.

To report to the Minister within 56 days of the first meeting of the group.”

The aim of this Review is to consider all the possible options for the earliest possible delivery of a new children’s hospital. The Review Group will present their findings on each of the possible options for my consideration. The Group will not be undertaking a site selection process.

I have appointed Dr Frank Dolphin to Chair the Review Group. There is a wealth of expertise on the group. The membership is composed of senior planners, an architect, the CEO of a major UK Paediatric hospital and senior clinicians in the field of paediatrics. Dr Dolphin is currently in contact with the other Group members and expects to hold the first meeting of the Group within days. I will await the completion of the work of the Review Group and do not wish to make any further comment on the matter at this time.

Hospital Staff

603. **Deputy Gerry Adams** asked the Minister for Health further to Parliamentary Question No. 599 of 13 March 2012, the other medical equipment currently unused in Our Lady of Lourdes Hospital, Drogheda, County Louth, as a result of the lack of available staff to operate equipment due to the recruitment embargo; the cost of this equipment; and the number of patients that are affected in each case [16602/12]

619. **Deputy Gerry Adams** asked the Minister for Health further to Parliamentary Question No. 599 of 13 March 2012, if he will take steps to lift the embargo on the dieticians posts that were advertised, offered and accepted but are now frozen due to the recruitment embargo to ensure that the six children directly affected are given access to the medical treatment they require [16738/12]

620. **Deputy Gerry Adams** asked the Minister for Health further to Parliamentary Question No. 599 of 13 March 2012, the treatment currently being received by the six children who could avail of insulin pumps were it not for the recruitment embargo [16739/12]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 603, 619 and 620 together.

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As these are service issues, they have been referred to the HSE for direct reply.

Hospital Waiting Lists

604. **Deputy Finian McGrath** asked the Minister for Health if he will review a case in respect of a person (details supplied) in Dublin 9 [16613/12]

Minister for Health (Deputy James Reilly): I am determined to address the issues which cause unacceptable delays in patients receiving treatment in our hospitals. In this regard I have established the Special Delivery Unit (SDU), which will work to unblock access to acute services by dramatically improving the flow of patients through the system, and by streamlining waiting lists, including referrals from GPs. The SDU is working closely with its partner agencies — mainly the HSE and the NTPF.

By the end of 2011, very significant progress had been made on SDU initiatives in relation to unscheduled care and inpatient/day case targets. Work has now begun on access to Out-patient services, with the formal launch of the OPD Performance Improvement Programme.

As this is a service matter, it has been referred to the HSE for direct reply. Should the patient's general practitioner consider that the patient's condition warrants an earlier appointment, he/she would be in the best position to take the matter up with the consultant and facility involved.

Health Services

605. **Deputy Anne Ferris** asked the Minister for Health the psychotherapy services that are available nationally to children within the child protection area; the long-term service available; the number of children receiving these services; the ages of these children; and if he will make a statement on the matter. [16628/12]

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.

606. **Deputy Martin Ferris** asked the Minister for Health the reason a person (details supplied) in County Kerry cannot be referred to a hospital [16649/12]

Minister for Health (Deputy James Reilly): The Health Service Executive (HSE) operates a Treatment Abroad Scheme (TAS), for persons entitled to treatment in another EU/EEA member state or Switzerland under EU Regulations and in accordance with Department of Health Guidelines.

The HSE has stated that it has not received an application under the scheme on behalf of the patient referred to by the Deputy. An application form has now been sent to his parents.

Medical Cards

607. **Deputy Martin Ferris** asked the Minister for Health the reason a person (details supplied) in County Limerick has not received a medical card after applying for it five months ago; the reason no effort was made by the client registration unit after this Deputy wrote to them on 23 January to inform the applicant as to whether their application was lost or being dealt with; and the reason no one has contacted the applicant to advise on the steps that must be taken to rectify the situation. [16650/12]

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.

608. **Deputy Martin Ferris** asked the Minister for Health the reason a person (details supplied) in County Limerick has not received a medical card which was put on hold on 2 December 2011 when the Health Service Executive requested further documentation which was furnished; the reason no action was taken to inform the applicant as to whether their application was lost or being dealt with and the reason no one has contacted the applicant who has had five operations since 2008 to advise them on when their medical card will be issued. [16651/12]

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.

Cosmetic Products Regulation

609. **Deputy Mary Mitchell O'Connor** asked the Minister for Health if his attention has been drawn to a report in a newspaper (details supplied) on 21 November 2011 in relation to an suspected incident of a severe allergic reaction resulting in death, to the chemical substance, paraphenylenediamine, which is used in hair dye products; if his further attention has been drawn to the fact that the use of PPD is banned in France, Germany and Sweden; if he is considering a similar ban on the use of PPD here; and if he will make a statement on the matter. [16657/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): The Irish Medicines Board (IMB) is the competent authority for the regulation of cosmetic products in Ireland. In relation to the tragic death of a 17 year old girl in the UK, referred to in the newspaper report, I am informed by the IMB that a link between hair dye ingredients and the girl's cause of death was not established in the pathologist's report. The UK authorities are however pursuing information on other cases reported in the press.

PPD (para-phenylenediamine) is a chemical ingredient which is used in hair colorant products. If applied directly to the skin, it may cause reactions. Allergic reactions are rare but can be severe. Consequently, the use of PPD in cosmetics is regulated at EU level under EU Cosmetics Directives. In the EU the use of PPD in cosmetics is restricted to low strength products for hair dyeing at a concentration of 2 % after mixing. PPD is banned in all Member States in black henna tattoos.

The safety of hair dye substances is currently being assessed by the European Scientific Committee on Consumer Safety. The scientific committee's final opinion will serve as a basis to take further decisions on the appropriate regulation of and safety restrictions on hair dyes containing PPD. It is expected that an opinion on PPD will be adopted in June of this year by the committee.

I am informed by the IMB that it has not been made aware of any reactions to PPD on the Irish market to date.

Food Safety Authority

610. **Deputy Mary Mitchell O'Connor** asked the Minister for Health if his attention has been drawn to research conducted on the possible carcinogenic properties of the sugar substitute aspartame; if he has done any research on aspartame; and if he will make a statement on the matter. [16667/12]

Minister for Health (Deputy James Reilly): The Food Safety Authority of Ireland (FSAI) have advised that the safety of aspartame, including the consideration of potential carcinogenicity, has been comprehensively evaluated by international scientific experts including the European Food Safety Authority (EFSA), the EU Scientific Committee on Food (SCF), the Joint FAO/WHO Expert Committee on Food Additives and the United States Food and Drug Administration (FDA). These expert committees consider that aspartame is safe for use and have established an acceptable daily intake (ADI) for aspartame of 40-50 milligrams per kilogram of body weight per day. Furthermore, the FSAI review all information on approved food additives such as aspartame on an ongoing basis. Based on current information available the FSAI consider that aspartame is safe for use.

Following some recent concerns regarding the safety of aspartame raised by several members of the European Parliament and the publication of several new studies on aspartame, EFSA will bring forward a full re-evaluation of aspartame by the end of 2012 to further determine its safety.

Hospital Waiting Lists

611. **Deputy Colm Keaveney** asked the Minister for Health when a person details supplied) in County Galway will receive an appointment. [16669/12]

Minister for Health (Deputy James Reilly): I am determined to address the issues which cause unacceptable delays in patients receiving treatment in our hospitals. In this regard I have established the Special Delivery Unit (SDU), which will work to unblock access to acute services by dramatically improving the flow of patients through the system, and by streamlining waiting lists, including referrals from GPs. The SDU is working closely with its partner agencies — mainly the HSE and the NTPF.

By the end of 2011, very significant progress had been made on SDU initiatives in relation to unscheduled care and inpatient/day case targets. Work has now begun on access to Out-patient services, with the formal launch of the OPD Performance Improvement Programme.

As this is a service matter, it has been referred to the HSE for direct reply. Should the patient's general practitioner consider that the patient's condition warrants an earlier appointment, he/she would be in the best position to take the matter up with the consultant and facility involved.

Health Services

612. **Deputy Timmy Dooley** asked the Minister for Health if his attention has been drawn to any consolidation in the delivery of services by the Brothers of Charity in the Mid West region; and if he will make a statement on the matter. [16674/12]

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

613. **Deputy Tom Fleming** asked the Minister for Health when a decision will issue on a medical card application in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [16689/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Proposed Legislation

614. **Deputy Charlie McConalogue** asked the Minister for Health when he plans to publish the Health Service Executive Governance Bill; and if he will be publishing heads of the Bill in advance [16705/12]

Minister for Health (Deputy James Reilly): I intend to bring legislative proposals to Government in the coming weeks to abolish the HSE Board structure under the Health Act 2004 and to provide for replacement governance structures and enhanced accountability arrangements. Following Government approval, the intention is to have the necessary legislation drafted as a priority so that the Bill can be published as soon as possible. I have no plans at present to publish the heads of the Bill.

Medical Cards

615. **Deputy John McGuinness** asked the Minister for Health if a review of a medical card application will be expedited and approved in respect of a person (details supplied) in County Kilkenny [16724/12]

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.

616. **Deputy John McGuinness** asked the Minister for Health if an appeal for a medical card will be expedited in respect of persons (details supplied) in County Kilkenny [16727/12]

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.

617. **Deputy John McGuinness** asked the Minister for Health if he will arrange an immediate review of an application for a medical card in respect of a person (details supplied) in County Kilkenny [16728/12]

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.

618. **Deputy John McGuinness** asked the Minister for Health if a medical card will be approved in respect of a person (details supplied) in County Kilkenny [16735/12]

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.

Questions Nos. 619 and 620 answered with Question No. 603.

621. **Deputy Michelle Mulherin** asked the Minister for Health the position regarding a medical card application in respect of a person (details supplied) in County Mayo; if he will expedite the matter; and if he will make a statement on the matter. [16745/12]

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.

622. **Deputy Jack Wall** asked the Minister for Health the position regarding an appeal against the decision to refuse an application for a full medical card in respect of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [16773/12]

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

623. **Deputy Billy Kelleher** asked the Minister for Health the details of the funding model for the development of primary care centres around the country; and if he will make a statement on the matter. [16777/12]

624. **Deputy Billy Kelleher** asked the Minister for Health his policy position on the use of private funding for the development of primary care centres; and if he will make a statement on the matter. [16778/12]

625. **Deputy Billy Kelleher** asked the Minister for Health if he has any concerns that the pillar banks are frustrating Ireland's primary care strategy; if he has been made aware of any instances where this is happening; and if he will make a statement on the matter. [16779/12]

627. **Deputy Billy Kelleher** asked the Minister for Health if he has had any discussions with the Department of Finance in relation to the pillar banks refusing funding for the development of primary care centres; and if he will make a statement on the matter. [16781/12]

628. **Deputy Billy Kelleher** asked the Minister for Health if he has discussed or has any plans to discuss with the Department of Finance the fact that Bank of Ireland recently removed funding for the development of the Wicklow Primary Care Centre in Greystones only weeks before it was due to go to construction; and if he will make a statement on the matter. [16782/12]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 623 to 625, inclusive, and 627 and 628 together.

The development of primary care is central to this Government's objective to deliver a high quality, integrated and cost effective health system. The Programme for Government states that primary care will be an immediate priority area. The development of primary care centres, through a combination of public and private investment, will facilitate the delivery of multi-disciplinary primary care and represents a tangible re-focussing of the health service to deliver care in the most appropriate and lowest cost setting.

There are always more construction projects than can be funded from the Exchequer's capital health care allocation. This primary care centre model offers a good fit for private sector finance. In line with the Primary Care Strategy the HSE developed a generic model primary care centre design brief for a facility which would accommodate one, two and three Primary Care Teams and associated GPs. The HSE advertised nationally in December 2007 and again in July 2008, seeking expressions of interest from parties who would provide primary care centres.

It was the HSE's intention that the majority of primary care centres would be provided by the private sector through the leasing mechanism. Primary care centres in deprived urban areas, small rural towns and isolated areas would continue to be funded from the Exchequer. The Health Service Executive's draft Capital Plan 2012-2016 is currently under consideration by my Department. It includes some provision for Exchequer funded primary care, but further work is required to ensure that the provisions in the plan for a mix of private and Exchequer funded PCCs are in line with the Programme for Government commitments.

I am aware that there are reports of financing difficulties being experienced by developers of primary care centres. Although the Executive enters into agreements for lease with developers, it is not involved in the developers' finance negotiations.

While there are many reasons why financial institutions decide to refuse finance, neither my Department nor the Executive is party to these private negotiations. Banks operate in an arms' length capacity in relation to operational issues. It is a matter for the respective individual boards and management to determine and implement operational policy in their organisations. This includes policy on credit applications. If a borrower believes that a bank has unfairly refused a credit application, the borrower has the right to appeal through the bank's internal loan appeals process.

I have not had discussions with the Department of Finance in relation to these matters.

The primary care centre in question referred to by the Deputy is located in Wicklow town where the Health Service Executive proposes to deliver a primary care centre through a leasing arrangement with the private sector. I acknowledge the work that all parties, including GPs, have contributed to the progress on this centre to date. The Executive has signed an agreement with a developer to lease part of this development once it is completed. It has agreed to allow the developer a three month extension to the agreement to lease, which was due to expire shortly. Extensions of this nature are granted only where progress and commitment have been demonstrated. I would urge the parties to continue with their negotiations.

Primary Care Centres

626. **Deputy Billy Kelleher** asked the Minister for Health in relation to the development of primary care centres, if he will indicate the number of agreements entered into by the Health Service Executive which have been delayed because of a lack of finance from the banks; and if he will make a statement on the matter. [16780/12]

Minister for Health (Deputy James Reilly): The management and delivery of the health capital programme is a service matter. Therefore your question has been referred to the Health Service Executive for direct reply.

Questions Nos. 627 and 628 answered with Question No. 623.

Health Service Staff

629. **Deputy Gerald Nash** asked the Minister for Health if he will provide in tabular form the number of non-core staff, their grades and overall salary costs per grade whole time equivalents, part-time and contract staff in the Health Service Executive Dublin North East region for the years 2007, 2008, 2009, 2010, 2011 and 2012; and if he will make a statement on the matter. [16791/12]

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.

630. **Deputy Gerald Nash** asked the Minister for Health the total number of employees in administration and management roles in the Health Service Executive Dublin North East region who have availed of the retirement package in 2012 broken down by job and grade; if he will provide the estimated savings for the Executive; and if he will make a statement on the matter. [16792/12]

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.

631. **Deputy Gerald Nash** asked the Minister for Health if he will provide in tabular form the non medical salary costs for each office and facility in the Health Service Executive Dublin/North East region including full time, part time and contract staff for the years 2007, 2008, 2009, 2010, 2011 and 2012 broken down by level or rank of staff; and if he will make a statement on the matter. [16793/12]

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.

632. **Deputy Gerald Nash** asked the Minister for Health the total number of staff for each office and facility in the Health Service Executive Dublin/NorthEast region who have availed of the severance package in 2012 broken down by level or rank of staff; the estimated savings for each office and facility arising from same; and if he will make a statement on the matter. [16794/12]

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.

Question No. 633 answered with Question No. 14.

Medical Aids and Appliances

634. **Deputy Billy Kelleher** asked the Minister for Health if in view of the PIP scandal it is his intention to introduce a regulatory body to govern medical devices; and if he will make a statement on the matter. [16799/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): The Irish Medicines Board (IMB) is the competent authority for medical devices in Ireland, however the IMB has no direct role in the authorisation of any medical device before it is placed on the market. Its role is to regulate the post-market surveillance of medical devices by working as part of a European network in order to identify emerging trends and safety issues and ensure that all safety information is communicated to patients, users and healthcare professionals. In relation to PIPs implants, the IMB has been closely monitoring the situation in liaison with European organisations and continues to provide up to date advice and information on its website. The regulatory framework for medical devices is currently being reviewed by the EU Commission. The purpose of this review is to strengthen legislation regulating medical devices, including the proposal of an appropriate regulatory structure or body for medical devices at EU level. The EU Commission expects to publish its proposals for new medical devices legislation later this year. The regulatory framework, including the respective roles of the IMB and Irish notified body, will be required to comply with this legislation. Both my Department and the IMB are fully committed to the initiatives proposed by the EU Commission and the IMB will continue to play a key role as the competent authority for medical devices in Ireland.

Question No. 635 answered with Question No. 14.

Medical Cards

636. **Deputy John McGuinness** asked the Minister for Health if an appeal for a medical card will be expedited in respect of a person (details supplied) in County Kilkenny [16801/12]

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 Waiting Lists

637. **Deputy John O'Mahony** asked the Minister for Health when a person (details supplied) in County Mayo will be called for an operation; the reason for the delay in a date being given; and if he will make a statement on the matter. [16807/12]

Minister for Health (Deputy James Reilly): I am determined to address the issues which cause unacceptable delays in patients receiving treatment in our hospitals. In this regard I have established the Special Delivery Unit (SDU), which will work to unblock access to acute services by dramatically improving the flow of patients through the system, and by streamlining waiting lists, including referrals from GPs. The SDU is working closely with its partner agencies — mainly the HSE and the NTPF.

As a priority, public hospitals were instructed to ensure that, by the end of 2011, they had no patients waiting more than 12 months for treatment. I can confirm that the vast majority of hospitals achieved this objective. During 2012 the SDU will support hospitals in the delivery of a 9 month maximum wait time for inpatient or daycase surgery.

As this is a service matter, it has been referred to the HSE for direct reply. Should the patient's general practitioner consider that the patient's condition warrants an earlier appointment, he/she would be in the best position to take the matter up with the consultant and facility involved.

Medical Cards

638. **Deputy Jack Wall** asked the Minister for Health the position regarding an appeal against the decision to refuse an application for a full medical card in respect of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [16819/12]

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

639. **Deputy Tony McLoughlin** asked the Minister for Health the position regarding the waiting time to access child adolescent service in respect of a person (details supplied) in County Leitrim; and if he will make a statement on the matter. [16828/12]

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

640. **Deputy Michael Healy-Rae** asked the Minister for Health the position regarding a medical card in respect of a person (details supplied); and if he will make a statement on the matter. [16836/12]

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 Funding

641. **Deputy Michael Healy-Rae** asked the Minister for Health his views on a matter (details supplied) regarding funding; and if he will make a statement on the matter. [16842/12]

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 Service Staff

642. **Deputy Gerald Nash** asked the Minister for Health the number of Health Service Executive staff who availed of the 2012 retirement arrangement who have been re-engaged by the Executive on a contract or agency basis or otherwise; if he will provide details as to the grade and job of each person rehired; if he will provide the information on a HSE region basis; and if he will make a statement on the matter. [16930/12]

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.

Medical Cards

643. **Deputy Emmet Stagg** asked the Minister for Health further to Parliamentary Question No. 529 of 6 March 2012, the reason that the issue raised has not been rectified. [16941/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred again to the Health Service Executive for direct reply to the Deputy as a matter of urgency.

Ambulance Service

644. **Deputy Stephen S. Donnelly** asked the Minister for Health if he will set out the success rate, that is, the percentage of ambulance arriving at the scene of an emergency within the target time by county or by the lowest organisation division for which the figures are available [16942/12]

Minister for Health (Deputy James Reilly): As this is a service matter, it has been referred to the Health Service Executive for direct reply.

Vaccination Programme

645. **Deputy Seán Kyne** asked the Minister for Health if his attention has been drawn to the differences which exist across the regions in the administration of the BCG vaccine, with children in the West, in particular, not receiving the vaccine until a considerable number of years after birth; and if the issue is one of funding, that additional funding be granted particularly in view of the increasing prevalence of anti-biotic resistant bacterial strains as confirmed recently by the Society for General Microbiology [16945/12]

Minister for Health (Deputy James Reilly): The National Immunisation Advisory Committee (NIAC) recommends that there is an universal BCG vaccination policy in place. Historically this happened in all parts of the country bar:

- In the West, the BCG was given at age 10-11 years and not at birth, this has continued with the agreement of NIAC
- In the South, BCG was not given at birth in Cork, this was recently replaced by a neonatal programme

The issue regarding antibiotic resistant bacterial strains as confirmed recently by the Society for General Microbiology is not relevant to whether BCG is available for newborns. The rates

of multi drug resistant TB are very low (1-2 cases per year) and the rates of TB are lower in the West than in other parts of the country.

Medical Cards

646. **Deputy Seán Ó Fearghaíl** asked the Minister for Health if he will expedite an application for a medical card in respect of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [16950/12]

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 Service Staff

647. **Deputy Sean Fleming** asked the Minister for Health if he will list the number of nurses who retired on or before 29 February 2012, who have been hired back through agencies by the Health Service Executive or other hospitals funded by the State and whether or not these positions should be filled by young qualified nurses who are unemployed; and if he will make a statement on the matter. [16957/12]

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.

The Government's priority is to reform how health services are delivered, in order to ensure a more productive and cost-effective health system. The primary aim of the 29 February 'grace period' retirements was to assist in the reduction of the number of public servants and the cost of the public service payroll in line with Government policy. While a limited number of staff who have retired may need to be rehired on a temporary basis to ensure the continued provision of essential services, these arrangements can only apply in exceptional circumstances and for a limited period.

Services for People with Disabilities

648. **Deputy Sandra McLellan** asked the Minister for Health the reason Fibromyalgia does not present in any of the disability categories of the National Physical and Sensory Disability Database published at the end of 2010; his plans to have it included in the disability category; and if he will make a statement on the matter. [16961/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The objective of the National Physical and Sensory Disability Database (NPSDD) is to provide an overview of the specialised health and personal social service needs of people with a physical, sensory and/or speech and language disability. The NPSDD Annual Report is based on monitoring current service provision and future service requirements over a five-year period using the demographic profiles of the individuals registered on the database.

The NPSDD contains information on the primary and secondary diagnostic categories giving rise to the physical or sensory disability. The individual diagnostic categories reported are based on the headings of the World Health Organisation's International Classification of Diseases (ICD-10). On the NPSDD Fibromyalgia does not have a separate diagnostic category but is currently captured in the musculo-skeletal system grouping with conditions such as rheumatoid arthritis and back problems — it is recorded under the Unspecified/Other musculo-skeletal diagnostic category. In the 2010 annual report there are 208 people (0.8% of those registered) recorded in this category.

649. **Deputy Dominic Hannigan** asked the Minister for Health the courses available for persons with disabilities to participate in to help them make the transition to independent living; the way persons can apply for these courses; and if he will make a statement on the matter. [16964/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): Rehabilitative Training programmes are designed to equip participants with the basic personal, social and work related skills that will enable them to progress to greater levels of independence and integration in the community. There are 2,800 rehabilitative training places with approximately 3,000 people attending the courses each year. Trainees access places through the HSE Occupational Guidance Service.

In addition to this, voluntary service providers may provide other training to service users to help them transition to independent living. I have asked the HSE to provide details of other such courses to you.

Departmental Correspondence

650. **Deputy Brendan Griffin** asked the Minister for Health his views on a matter (details supplied); and if he will make a statement on the matter. [16969/12]

Minister for Health (Deputy James Reilly): I have noted the correspondence that the Deputy has brought to my attention. At this juncture, the recommendations of the Steering Group are encouraging public debate and I envisage an Action Plan being developed in advance of proposals being drafted for Government that will take account of — among other things — the particular recommendation raised in the correspondence concerned.

Vaccination Programme

651. **Deputy Michael Healy-Rae** asked the Minister for Health the position regarding the safety of the flu vaccine Pandemrix; if it is actually in the public interest; his views on whether it should be banned; and if he will make a statement on the matter. [16973/12]

Minister for Health (Deputy James Reilly): Pandemrix is licensed for use across the EU by the European Medicines Agency for prevention of influenza caused by the H1N1 influenza virus.

The indications for Pandemrix changed following an EU review of concerns about a link between vaccination with Pandemrix and narcolepsy in children and adolescents. This resulted in a recommendation that Pandemrix should only be used in people under 20 years of age unless the annual seasonal trivalent influenza vaccine is not available, and if immunisation against H1N1 is still required, for instance in people at risk of the complications of infection.

The HSE has not recommended use of Pandemrix in Ireland since early 2011, when GPs were advised to return any remaining stocks to the HSE for disposal.

Nursing Home Services

652. **Deputy Bernard J. Durkan** asked the Minister for Health the basis on which the cost of beds in public nursing homes are calculated; if he will indicate in tabular form the total all in cost of a place; the basis on which this is made up; the scale and quality of the service provided; if all in costs are calculated on the basis only of cost in the particular home or whether a cost in respect of higher levels Health Service Executive management is included; and if he will make a statement on the matter. [16975/12]

653. **Deputy Bernard J. Durkan** asked the Minister for Health the basis on which the cost of beds in private nursing homes is calculated; if a figure is included to cater for profit or higher level administrative cost is included; if any such nursing homes are subject to upward only rent reviews; and if he will make a statement on the matter. [16976/12]

654. **Deputy Bernard J. Durkan** asked the Minister for Health the extent to which he has compared the standard, quality and scale of service in private and public nursing homes and the dependability of the patients in each in the determination of a comparison on the cost of a bed in both sectors; and if he will make a statement on the matter. [16977/12]

661. **Deputy Bernard J. Durkan** asked the Minister for Health the extent to which the psychological or medical assessment services are updated in line with demographic change in respect of the needs of older persons; and if he will make a statement on the matter. [16984/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): I propose to take Questions Nos. 652 to 654, inclusive, and 661 together.

The legislation underpinning the Nursing Homes Support Scheme (NHSS) requires all private nursing homes and voluntary nursing homes to negotiate and agree a price for the cost of care with the National Treatment Purchase Fund (NTPF) should they wish to participate in the scheme. This is a necessary feature of the scheme due to the commitment by the State to meet the full balance of the cost of care over and above a person's contribution.

The NTPF is independent in the performance of this function and, in carrying it out, it must ensure value for money for both the individual and the State. It negotiates with each nursing home individually and may examine the records and accounts of nursing homes as part of the process. This method of negotiation is necessary in order to ensure that the State obtains the best value for each individual in a nursing home and to comply with competition law.

The services which fall within the scope of long-term residential care and which are covered by the cost of care are:

- nursing and personal care appropriate to the level of care needs of the person,
- basic aids and appliances necessary to assist a person with the activities of daily living,
- bed and board, and
- laundry service.

The NHSS Act 2009 requires the Minister to lay details of the goods and services which constitute long-term residential care services in public nursing homes before the Houses of the Oireachtas. The full list of goods and services which was laid before the Houses is available on the Department's website at: <http://www.dohc.ie/issues/fair—deal/cost—components.pdf>.

The list of goods and services set out in the Deed of Agreement between the NTPF and each private nursing home that is approved for the purposes of the Nursing Homes Support Scheme is consistent with the list of goods and services which was laid before the Houses. The cost of care in both public and private nursing homes is published on the HSE's website at: <http://www.hse.ie/eng/services/Find—a—Service/Older—People—Services/nhss/costs.html>.

I would like to advise the Deputy that the cost of care in public nursing homes is currently being reviewed. In order to establish their need for long term residential care services — as outlined in Section 7 of the NHSS Act, 2009. This assessment is carried out by health care

[Deputy Kathleen Lynch.]

professionals and considers whether a person can be supported to continue to live at home or whether long-term nursing home care is more appropriate.

The HSE is currently piloting a Single Assessment Tool. The introduction of a single assessment tool will assist the HSE to further key strategic objectives i.e. meet needs in the most appropriate setting; enhance quality and efficiency; promote value for money; facilitate access to long-term residential care or a home care package; and enable older people to remain at home for as long as possible.

The NHSS will be three years in operation in October 2012 and will be reviewed at that time. The reason for allowing this period to elapse is to ensure that trends and statistics will be available in order to inform the work. The review will look at, amongst other issues:

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

The views of relevant stake-holders will be considered as part of the review.

The Government is improving the planning, policy, and service delivery for older people. In particular, we will ensure that the Department of Health, the Health Service Executive, and all other relevant agencies, whether in the statutory or non-statutory sectors, implement the policies and services set out in the current *Programme for Government, Government for National Recovery, 2011-2016*.

The various initiatives planned or underway will also have to take account of reform of our health and personal social services overall, including addressing the challenges and opportunities presented by changing demographics and care needs of older people in future years. This includes, for example, a projected significant increase in the population, in the coming decades, of those aged 65 and over.

The Health Information and Quality Authority (HIQA) is the statutory body responsible for the registration and inspection of all designated centres for older people, including public, voluntary and private nursing homes. HIQA has been given until 30 June 2012 to fully register all existing nursing homes. Details of all currently registered nursing homes, including the maximum number of residents who can be accommodated and their levels of dependency; as well as inspection reports can be found on the HIQA website, www.hiqa.ie.

Since 1 July 2009 all nursing homes, public and private, must comply with Health Act 2007 (Care and Welfare of Residents in Designated Centres for Older People) Regulations 2009, as amended, and must meet the *National Quality Standards for Residential Care Settings for Older People in Ireland*.

655. **Deputy Bernard J. Durkan** asked the Minister for Health the total number of patients in both private and public nursing homes on average over the past five years; the degree to which such numbers have fluctuated in the period in question; and if he will make a statement on the matter. [16978/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Question No. 656 answered with Question No. 602.

Research and Development

657. **Deputy Bernard J. Durkan** asked the Minister for Health the extent to which State sponsored and private research cooperate or interacts in respect of research on major health issues; and if he will make a statement on the matter. [16980/12]

Minister for Health (Deputy James Reilly): Health research covers a diverse range of activities and applications. It is also funded from a number of State Departments and Agencies including the Department of Health (through the Health Research Board), Science Foundation Ireland, the Department of Agriculture, Food, and Marine, etc.

The Health Research Board (HRB) is a statutory body under the aegis of the Department of Health. It is the lead agency in Ireland supporting and funding health research. In 2011 the HRB received €38.01m from the Department of Health.

Most of the HRB awards are not specifically oriented towards industry collaboration; the focus of its research is in the area of patient-oriented research (clinical and clinical/biomedical research and better understanding of disease mechanisms etc.), population health sciences, and health services research. While HRB awards do not make industry cooperation or funding mandatory, the HRB's End of Grant reports indicate that collaboration does take place (usually in the form of non-financial support). Many projects subsequently go on to seek funding from Enterprise Ireland or industry to further develop ideas etc.

In some areas of research collaboration may not be possible given the sometimes different stances of commercial enterprise and the health system; in others cooperation is desirable and supported. For example, the HRB-supported ICORG network is an example of coordinated clinical research across the private and public sectors. Over the last six years, 20-30% of ICORG studies were sponsored by industry, and an increasing share of the total number of ICORG studies was sourced by industry. €1.2million was invested by industry in ICORG over the last three years. Indirect / in-kind support has also been provided by industry.

Grants awarded by the HRB including Clinician Scientist Awards, Translational Research Awards, Research Project Grants, and Clinical Research Facilities are often used to leverage additional funding from other sources.

The Action Plan for Health Research 2009-2013 aims to deliver a high performing health research system including an enhanced infrastructure for health research including fully functional and networked clinical research facilities. Facilities exist in the Mater, St. Vincent's, Beaumont, and St. James Hospitals (in collaboration with the Wellcome Trust), with a new CRF recently opened in Cork University Hospital. A further CRF is planned for University Hospital Galway. These facilities will support collaborations between the health system and industry.

Lastly I would like to refer the Deputy to this Government's intention to progress a number of actions that will address some of the challenges faced by the health/life sciences sector:—

- The Health Information Bill, which is expected to be ready for publication later this year, will help to support a conducive environment for health research in Ireland by facilitating the streamlining of the ethics approval process for health research not governed by statutory regulation and EU law. The Bill will also provide a legal framework for the introduction of a national system of individual health identifiers that will assist clinical research and population health studies and support coverage for important health registers which can be an invaluable source of statistical and related data for health research.

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- My Department, together with the Department of Enterprise, Jobs, and Innovation, will work together to deliver a Health Innovation Hub to drive collaboration between the health system and commercial enterprise for the mutual benefit of both sectors.

I believe in the value of health research leading to informed action be that for the individual patient or the health service more generally. Knowledge derived from research is paramount in providing the evidence-base for better health policies and systems; systems that underpin effective and efficient health service provision. It is possible to achieve benefits for the health system and also address the needs of industry and ultimately deliver jobs for the Irish economy.

Medical Cards

658. **Deputy Bernard J. Durkan** asked the Minister for Health if he has in mind any proposals to reduce the waiting period for medical cards; and if he will make a statement on the matter. [16981/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): As Deputies are aware a number of difficulties arose with the processing of medical cards in the final quarter of last year. These difficulties gave rise to a very large backlog and long delays for both new applicants and medical card renewals. A separate significant backlog also arose in respect of medical card appeals.

Reviews of the problems have identified a number of factors as to how these problems arose, including:

- the decision by the HSE to fully centralise the processing of medical cards before the centralised service was fully resourced,
- a significant backlog that already existed prior to centralisation,
- poor communication with medical card applicants and the public, limited support from local health offices and poor communication between local offices and the centralised service,
- and poor administrative and customer service practices and procedures in the handling, filing and processing of medical card documentation.

These issues are a matter of serious concern to me and I have had a number of meetings with the HSE over the last number of months to raise my concerns. The HSE has introduced a number of changes in recent months to the administration of the medical card application system.

These include:

- increased staffing levels in the centralised processing service and in respect of medical card appeals,
- improvements to how medical card renewals are assessed and the frequency by which they are assessed,
- increased flexibility for GPs to add certain categories of patients to their GMS list,
- the fast-tracking of backlogged cases, and cases where documentation has been misfiled.

A number of additional changes will be implemented by the HSE in the coming months. I am particularly keen to see changes to how medical card renewals in respect of people with permanent disability are assessed. I am in discussions with the HSE on this and other matters and would expect changes to be implemented soon.

While a number of customer service and communication issues remain to be addressed, the HSE has nevertheless been making good progress in eliminating the backlog and preventing further backlogs occurring. The HSE has reported to me that 96% of completed applications received in late-February/early-March have been processed within 15 days, compared to a turn-around target of 90% in its 2012 National Service Plan. The HSE has also reported to me that the backlog in processing 2011 applications has been reduced by 77% since January. As of yesterday evening, the backlog in respect of medical card applications and renewals had been further reduced to 10,770 (down from 57,962 in January) and in the vast majority of these cases, additional information is awaited from the applicant. The backlog in respect of medical card appeals has been reduced to 569 or less than half of what it was in January. The HSE is on course to clear both of these backlogs by the end of the month.

Finally, a review of medical card processing has been undertaken by PricewaterhouseCoopers (PwC) on behalf of the HSE which contains a number of recommendations that the HSE is considering.

Autism Spectrum Disorders

659. **Deputy Bernard J. Durkan** asked the Minister for Health the extent to which research is coordinated on an EU basis into such issues as Autism and Aspergers or similar health matters affecting children; the degree to which levels here compared with other EU Member States; and if he will make a statement on the matter. [16982/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The Department of Health does not collect information on children identified with Autism and Aspergers on a national or international basis. Information pertaining to diagnosis is specifically excluded from the National Intellectual Disability Database as the database is not designed as a medical epidemiological tool. Accordingly the database does not record the incidence of Autism or any other disability.

The 2011 National Council for Special Education (NCSE) study on prevalence of special educational needs in Ireland (A Study on the Prevalence of Special Educational Needs, Joanne Banks and Selina McCoy, Economic and Social Research Institute) includes autism and estimates that prevalence for autism spectrum disorder (ASD) is 1 in 100.

The Health Research Board currently funds one research project, valued at €257,229 in the area of ASD entitled “Resequencing for highly penetrant rare and de novo mutations in the neurodevelopmental disorders autism and schizophrenia”

In 2004, the Department of Health provided funding for research into autism through the HRB as part of the Autism Genome Project — a collaboration of autism researchers internationally aimed at understanding susceptibility to ASD, to pave the way towards the development of better diagnostics and treatments. The research groups for this work were based in Trinity College Dublin and University College Dublin. The second phase of the program (2007-2011) was recently completed. This research investigated the genetic risk factors in ASD by pooling DNA obtained from a large international sample of individuals and their families, including many Irish families. Genetic screening was then employed to identify (i) genetic variants that might increase the risk of autism and (ii) structural changes in the DNA of people

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with autism. In parallel, complete clinical information was gathered on participants and the clinical and genetic information was combined in the analysis.

The main outcome showed that although ASDs have a substantial genetic basis, most of the known genetic risk has been traced to rare structural gene variants. These gene variants were both de novo (arising for the first time in individuals) or inherited, implicating many novel ASD genes and genes involved in neurodevelopment. The results of this research revealed many new genetic and functional targets in ASD that has increased the understanding of the causes of ASD and will inform future therapeutic approaches. The key research findings were published in the prestigious international science journal Nature.

Mental Health Services

660. **Deputy Bernard J. Durkan** asked the Minister for Health the extent to which psychiatric services are coordinated on a Europe wide basis; if children's services are compared on any such basis; and if he will make a statement on the matter. [16983/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The organisation and delivery of health care services at national level is a matter for individual Member States.

However, the European Pact for Mental Health was established on 13 June 2009. The Pact is a voluntary partnership for exchange and action on five key priorities in mental health and well-being. These five priorities are: Prevention of Depression and Suicide; Mental Health in Youth and Education; Mental Health in Workplace Settings; Mental Health of Older People and Combating stigma and social exclusion. The Pact builds on the EU's potential to inform, promote best practice and encourage actions by Member States and stakeholders and help address common challenges and tackle health inequalities.

Question No. 661 answered with Question 652.

National Lottery Funding

662. **Deputy John McGuinness** asked the Minister for Health if he will confirm the amount of National Lottery funds allocated to his Department; if the funds are spent on specific projects; if so, the name of the project; if the National Lottery fund is allocated to the general spend by his Department; and if he will make a statement on the matter. [17016/12]

Minister for Health (Deputy James Reilly): Department administers a National Lottery Discretionary Fund from which grants are paid to community and voluntary organisations providing a range of health related services. The funding available for 2012 is €3,286,000 and is published in the Revised Estimates Volume (REV) having its own Subhead (B.2.). Funding from this Subhead is not allocated to the general spend of my Department but is ring-fenced specifically for the purpose of administering the National Lottery Fund. Prior to 2009, details of all recipients of lottery grants were set out in the Appropriation Account of my Department. Following a decision by the Comptroller and Auditor General, the Appropriation Accounts no longer provide this level of detail, but requires each Department to publish this information. As stated in the Appropriation Accounts for Vote 38, details on the recipients of lottery grants are available on my Department's website at www.doh.ie.

The HSE also operates its own National Lottery scheme. The funding available for 2012, and published in the Revised Estimates Volume (REV), is €9,986,000. Details of all the organisations funded by the HSE are set out in its Annual Financial Statements which are available at www.hse.ie.

Appointments to State Boards

663. **Deputy Jonathan O'Brien** asked the Minister for Health if he will provide a full breakdown by gender of all appointments to State boards since February 2011; the current status of State boards in relation to the percentage of participation of women and men in each one; and if he will make a statement on the matter. [17562/12]

Minister for Health (Deputy James Reilly): The Government decision S21590E of March, 1995 regarding the appointment of women to State Bodies states that there is a requirement for a minimum of 40% of both men and women appointed as Ministerial representatives to all State Bodies. Although the overall membership of State boards under the aegis of my Department is well balanced, with 56% of the membership being male and 44% female, some individual boards do not have a balance of 40% of each gender. In so far as possible, when making appointments to such boards I will endeavour to ensure an appropriate balance between men and women. The appointments made by me since March 2011, and current status of State boards in relation to the percentage of women and men in each one are outlined below:

Board	Member	Position	Appointed
Health Service Executive	Brian Gilroy	Ordinary Member	20/05/2011
Health Service Executive	Philip Crowley	Ordinary Member	20/05/2011
Health Service Executive	Barry White	Ordinary Member	20/05/2011
Health Service Executive	Paul Barron	Ordinary Member	20/05/2011
Health Service Executive	Tony Holohan	Ordinary Member	20/05/2011
Health Service Executive	Michael Scanlan	Ordinary Member	20/05/2011
Health Service Executive	Martin Connor	Ordinary Member	06/06/2011
Health Service Executive	Tony O'Brien	Ordinary Member	09/03/2012
Health Service Executive	Jim Breslin	Ordinary Member	09/03/2012
Pharmaceutical Society of Ireland Council	Michael Barry	Ordinary Member	15/06/2011
Pharmaceutical Society of Ireland Council	Ciaran O'Boyle	Ordinary Member	15/06/2011
Pharmaceutical Society of Ireland Council	Fionan O'Cuinneagain	Ordinary Member	15/06/2011
Pharmaceutical Society of Ireland Council	Kenneth McDonald	Ordinary Member	15/06/2011
Pharmaceutical Society of Ireland Council	Keith O'Hourihane	Ordinary Member	15/06/2011
Pharmaceutical Society of Ireland Council	John David Corr	Ordinary Member	15/06/2011
Pharmaceutical Society of Ireland Council	Ignatius Noel Stenson	Ordinary Member	15/06/2011
National Haemophilia Council	Barry Harrington	Chairperson	19/07/2011
National Cancer Registry Board	Donal Hollywood	Ordinary Member	06/08/2011
National Cancer Registry Board	John McCormack	Ordinary Member	06/08/2011
National Cancer Registry Board	Paul Redmond	Ordinary Member	06/08/2011
National Cancer Registry Board	Tony O'Brien	Chairperson	06/08/2011
Pharmaceutical Society of Ireland Council	Fachtna Murphy	Ordinary Member	26/09/2011
Medical Council	Michael Ryan	Ordinary Member	04/10/2011
Health and Social Care Professionals Council	Muiris Fitzgerald	Ordinary Member	24/11/2011
Health and Social Care Professionals Council	Martin Higgins	Ordinary Member	24/11/2011
Health and Social Care Professionals Council	Pat Quinlan	Ordinary Member	24/11/2011
Tallaght Hospital Board	Keith Pearson	Chairperson	14/12/2011
Tallaght Hospital Board	Peter Byrne	Ordinary Member	21/12/2011
Tallaght Hospital Board	Tom O'Higgins	Ordinary Member	21/12/2011
Tallaght Hospital Board	David Pierpoint	Ordinary Member	21/12/2011
Tallaght Hospital Board	Peter Prendergast	Ordinary Member	21/12/2011
Health Service Executive	Michael Scanlan	Chairperson	01/01/2012
Tallaght Hospital Board	Richard Reilly	Ordinary Member	18/01/2012
St James's Hospital Board	Colm Bergin	Ordinary Member	07/02/2012

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Board	Member	Position	Appointed
St James's Hospital Board	Sean Farrell	Ordinary Member	07/02/2012
VHI	Martin Sisk	Ordinary Member	15/03/2012
VHI	John Melvin	Ordinary Member	15/03/2012
VHI	Ambrose McLoughlin	Ordinary Member	15/03/2012
Pre-Hospital Emergency Care Council	Maureen Cronin	Ordinary Member	20/04/2011
Health Service Executive	Laverne McGuinness	Ordinary Member	20/05/2011
Health Service Executive	Bairbre Nic Aongusa	Ordinary Member	20/05/2011
Health Service Executive	Frances Spillane	Ordinary Member	09/03/2012
National Haemophilia Council	Ann Grogan	Ordinary Member	23/05/2011
National Haemophilia Council	Deborah Greene	Ordinary Member	23/05/2011
Pharmaceutical Society of Ireland Council	Catriona O'Driscoll	Ordinary Member	15/06/2011
Pharmaceutical Society of Ireland Council	Leonie Clarke	Ordinary Member	15/06/2011
Pharmaceutical Society of Ireland Council	Jean Holohan	Ordinary Member	15/06/2011
National Haemophilia Council	Mary Jackson	Ordinary Member	22/07/2011
Hepatitis C and HIV Compensation Tribunal	Kathryn Hutton	Ordinary Member	01/08/2011
National Cancer Registry Board	Anna Gavin	Ordinary Member	06/08/2011
National Cancer Registry Board	Deirdre Murray	Ordinary Member	06/08/2011
National Cancer Registry Board	Mary Jackson	Ordinary Member	06/08/2011
Medical Council	Marie Kehoe	Ordinary Member	04/10/2011
Irish Blood Transfusion Service	Lelia Thornton	Ordinary Member	18/10/2011
Irish Medicines Board	Mary Horgan	Ordinary Member	19/10/2011
Health and Social Care Professionals Council	Jenny Bulbulia	Ordinary Member	24/11/2011
Health and Social Care Professionals Council	Kristin Quinn	Ordinary Member	24/11/2011
Dublin Dental Hospital Board	Pat O'Boyle	Ordinary Member	02/02/2012
Dental Council	Marie Henson	Ordinary Member	15/02/2012
National Haemophilia Council	Beatrice Nolan	Ordinary Member	24/02/2012
Hepatitis C and HIV Compensation Tribunal	Karen O'Driscoll	Ordinary Member	10/03/2012
Hepatitis C and HIV Compensation Tribunal	Karen Fergus	Chairperson	10/03/2012

Board	No. of Members	% Men	% Women
Advisory Committee for Human Medicines (IMB)	11	72	18
Advisory Committee for Veterinary Medicines (IMB)	12	75	25
Advisory Committee on Medical Devices (IMB)	12	75	25
An Bord Altranais	26	35	65
Beaumont Hospital Board	10	50	50
Poisons Council	18	61	39
Consultative Council on Hepatitis C	14	43	57
Dental Council	22	45	55
Drug Treatment Centre Board	9	67	33
Dublin Dental Hospital Board	13	54	46
Food Safety Authority of Ireland	7	57	43
Health and Social Care Professionals Council	12	42	58
Health Information and Quality Authority	12	58	42
Health Insurance Authority	4	75	25
Health Research Board	10	70	30
Interim Board of the Health Service Executive	12	75	25
Hepatitis C and HIV Compensation Tribunal	14	21	79
Tallaght Hospital Board	9	89	11

Board	No. of Members	% Men	% Women
Irish Blood Transfusion Service	12	42	58
Irish Medicines Board	8	62	38
Leopardstown Park Hospital Board	7	43	57
Medical Council	25	64	36
Mental Health Commission	13	61	39
National Cancer Registry Board	7	57	43
National Haemophilia Council	9	33	67
National Paediatric Hospital Development Board	9	67	33
National Treatment Purchase Fund	8	50	50
Pre-Hospital Emergency Care Council	17	71	29
Radiographers Registration Board	12	25	75
Scientific Committee of the FSAI	15	60	40
Social Workers Registration Board	13	54	46
St James Hospital Board	8	62	38
VHI	10	80	20

Departmental Equipment

664. **Deputy Regina Doherty** asked the Minister for Health the number of laptops in use in his Department; the number of tablets in use in his Department; the number of the laptops in use that are due to be upgraded this year; and if he will make a statement on the matter. [17576/12]

Minister for Health (Deputy James Reilly): There are 80 operational laptops and 2 tablet devices in use in my Department. The current infrastructure provides functionality and support for both device types. It is expected that 20% of the laptop stock will be upgraded this year.

Museum Projects

665. **Deputy Jack Wall** asked the Minister for Transport, Tourism and Sport if he will endorse the Kerry Cultural and Sporting Experience Museum project which will be developed on the grounds of Fitzgerald Stadium, Killarney, County Kerry, by calling on Fáilte Ireland to provide financial assistance for what will be a major sporting, cultural and tourist attraction for the county; and if he will make a statement on the matter. [16113/12]

668. **Deputy Tom Fleming** asked the Minister for Transport, Tourism and Sport if he will endorse the Kerry cultural and sporting experience museum project which will be developed on the grounds of Fitzgerald Stadium, Killarney, County Kerry by calling on Fáilte Ireland to provide financial assistance for what will be a major sporting, cultural and tourist attraction for the county; and if he will make a statement on the matter. [16108/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): I propose to take Questions Nos. 665 and 668 together.

The approval of grant aid under the Tourism Capital Investment Programme is a matter for Fáilte Ireland. The current position regarding an individual application is an operational matter for the Agency. I have referred the Deputy's Questions to Fáilte Ireland for direct reply. Please advise my private office if you do not receive a reply within ten working days.

Driver Licences

666. **Deputy Robert Troy** asked the Minister for Transport, Tourism and Sport if he has

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actively engaged with An Post and the IPU with regards the possibility of the Post Office offering services previously provided by the local authority such as driver licence renewals.

[16592/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): Under EU law, Ireland is required to introduce a plastic card format of driving licence in January 2013. I strongly support this. My Department decided that the transition to a plastic card licence provided an opportunity to review the way in which the driver licensing function was carried out. Consultants, engaged by the Road Safety Authority (RSA) to examine the options, recommended a transition from the present system, under which licences are issued by the Motor Taxation Offices of the Local Authorities, to a centralised system. I am satisfied that this will deliver greater efficiency and cost-effectiveness.

In May 2011, the Government decided to proceed with the centralisation of the driver licensing system, with the RSA as the body to be responsible for the new system. At the same time, the RSA was asked to expedite the transition to the new plastic card licence. This work involves three main aspects: card production, front office (engagement with the customer) and back office (processing of applications). All three functions will be operated under contract, and the RSA has begun the tendering process for each.

Anybody with an interest in providing one or all of these services is entitled to submit a tender for consideration, including An Post.

Sporting Bodies

667. **Deputy Maureen O'Sullivan** asked the Minister for Transport, Tourism and Sport if he will confirm that both Swim Ireland and the Olympic Council of Ireland are in the process of recovering the High Court costs associated with a failed High Court case brought by a former member of Swim Ireland. [16061/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): Swim Ireland and the Olympic Council of Ireland are not governmental bodies. They are autonomous sports organisations and I have no role or responsibility in this matter. However, given the sensitivities of the case, I have expressed my concerns in person to the CEOs of both these bodies.

The Deputy may be interested to know that the Olympic Council of Ireland issued a statement on this matter on 2 March 2012. The statement is available on their website www.olympicsport.ie.

Question No. 668 answered with Question No. 665.

Road Network

669. **Deputy Charlie McConalogue** asked the Minister for Transport, Tourism and Sport if surplus funding will be redirected from a project to other projects in a county (details supplied); and if he will make a statement on the matter. [16196/12]

670. **Deputy Charlie McConalogue** asked the Minister for Transport, Tourism and Sport if he will permit a local authority the discretion to redistribute funding to projects (details supplied); and if he will make a statement on the matter. [16286/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): I propose to take Questions Nos. 669 and 670 together.

In July last year, local authorities were invited by the National Roads Authority (NRA) to submit applications for consideration for funding in 2012 under the Specific Improvement Grants Scheme. According to the NRA's online application system, Donegal County Council submitted an application for €350,000 in 2012 for Mulantiboyle Bridge, Co. Donegal. The Council were allocated €350,000 towards this project in 2012.

Should Donegal County Council anticipate that the allocation under any grant category will not be spent in full this year, they should inform the NRA of this at the earliest opportunity and the Council may seek permission from the NRA to transfer part of the allocation to an alternative specific grant project. Any such transfer of monies will be considered on its merits.

Departmental Staff

671. **Deputy Sean Fleming** asked the Minister for Transport, Tourism and Sport if he will provide a list of staff in his Department that serve as directors of companies arising from their employment; the names of the companies involved; the annual remuneration received, if any; if they are indemnified by his Department in respect of their role as directors; and if he will make a statement on the matter. [16425/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): There are currently three staff in my Department serving as directors on Boards of agencies arising from their employment within the Department. Mr Declan Hayes, who works in the Department's Road Safety Division, serves on the board of the Medical Bureau of Road Safety while Mr Jurgen Whyte, the Chief Aeronautical Officer, and Mr Brian Hogan, the Chief Surveyor, both serve on the Marine Casualty Investigation Board. They do not receive any remuneration for serving on the Boards.

I understand from the Department of Public Expenditure and Reform that the Office of the Attorney General has advised that people working for the State are entitled to be indemnified for such work. The indemnification would cover any reasonable legal fees and/or damages incurred where people are sued for undertaking their duties on behalf of the State provided they acted in good faith and in a bona fide manner. The State carries its own insurance in this regard. This indemnity would apply to those civil servants appointed to State boards as part of their official duties.

Sports Capital Programme

672. **Deputy Finian McGrath** asked the Minister for Transport, Tourism and Sport if there is any sports grants or funding available for a group (details supplied) in Dublin 5. [16426/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): I will be announcing a new round of the Sports Capital Programme in the very near future. It will be open to any organisation, such as the organisation referred to by the Deputy, with a suitable project to apply for funding under this Programme under the terms and conditions that will apply.

Ministerial Expenses

673. **Deputy Niall Collins** asked the Minister for Transport, Tourism and Sport the amount of expenses claimed on a monthly basis since March 2011 by all Ministers attached to his Department; and if he will make a statement on the matter. [16459/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The amount of travel expenses claimed on a monthly basis since March, 2011 by the Ministers of State at my Department and myself are in the public domain and available on my Department's website.

Driving Licence Applications

674. **Deputy Jim Daly** asked the Minister for Transport, Tourism and Sport the reason renewal driving licences are being returned to applicants with less driving categories licensed than they qualified for in the previous licence that was surrendered; the steps they should take to correct this situation; and if he will make a statement on the matter. [16619/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): Driving licence applications, including applications for renewals, are processed by the Motor Taxation Offices (MTOs) of the local authorities. When an individual is renewing a driving licence they normally receive a new licence for the same categories as those covered by their previous licence. If they do not, it may be because, when filling out the form for renewal of a licence, they have omitted to tick all of the categories they previously had. Alternatively, it is possible that an error may have been made in processing the form. In either case, I would advise the individual to contact their MTO and find out why in their case they did not get all of the categories they previously held.

Road Network

675. **Deputy Patrick O'Donovan** asked the Minister for Transport, Tourism and Sport the amount that has been allocated by him through the National Roads Authority to Limerick County Council for works at the Ballysimon interchange N7/N24 since the road was opened; the number of different projects that have been initiated at this junction; and if he will make a statement on the matter. [16670/12]

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. Within is capital budget, the assessment and prioritisation of individual projects is a matter in the first instance for the NRA in accordance with Section 19 of the Roads Act. Noting the above position, I have referred the Deputy's question to the NRA for direct reply. Please advise my private office if you don't receive a reply within 10 working days.

676. **Deputy Patrick O'Donovan** asked the Minister for Transport, Tourism and Sport if he and the National Roads Authority have considered a matter (details supplied); and if he will make a statement on the matter. [16671/12]

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. Noting the above position, I have referred the Deputy's question to the NRA for direct reply. Please advise my private office if you don't receive a reply within 10 working days.

677. **Deputy Gerry Adams** asked the Minister for Transport, Tourism and Sport if the National Roads Association have awarded a road maintenance contract from Dundalk to the border to a private contractor (details supplied); if this was the result of a competitive tendering process; and if he will make a statement on the matter. [16686/12]

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 element of Transport 21. The construction, improvement and maintenance of individual national roads, is a matter for the National Roads Authority (NRA) under the Roads Acts 1993 to 2007 in conjunction with the local authorities concerned. Noting this I have referred the Deputy's question to the NRA for direct reply. Please advise my private office if you don't receive a reply within 10 working days.

Tourism Promotion

678. **Deputy Marcella Corcoran Kennedy** asked the Minister for Transport, Tourism and Sport the value of the extension of the visa waiver scheme to the tourism industry which has been further extended by the Minister for Justice; if he will provide details of the tourist agencies which intend to take advantage of the visa waiver extension; and if he will make a statement on the matter. [16715/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): Initiatives such as the visa waiver scheme are invaluable in looking to the long-term opportunities presented by developing markets such as the BRIC countries, particularly China, India and the Middle East, visitors from most of which countries require visas. The benefits of the visa waiver scheme are already apparent since it was launched last year and this was reflected in the recent decision by my colleague the Minister for Justice and Equality to extend the scheme. Since the visa waiver scheme was introduced here by the Government last year, there has been a noted increase in demand from tour operators for visits to Ireland. Further growth is anticipated for 2013 and this will be supported and sustained by the extension of the scheme until 2016.

Tourism Ireland has been working hard to maximise the benefits of the scheme, promoting it to travel trade contacts, industry partners and to consumers through an extensive programme of marketing activity and media relations in relevant markets. As these are operational matters for Tourism Ireland, I have forwarded the question to the agency for further direct reply. Please contact my private office if you do not receive a response within ten working days.

Furthermore, earlier this year Tourism Ireland announced a new strategy to attract more high-spending visitors from the emerging tourism markets of Brazil, who do not require visas, and Russia (covered by the visa waiver scheme) building on the existing focus on China, India and the Gulf States. The organisation targets potential holidaymakers in these markets by working closely with airlines and tour operators to increase exposure and demand for holidays to Ireland.

EU Directives

679. **Deputy Marcella Corcoran Kennedy** asked the Minister for Transport, Tourism and Sport his view on the impact cabotage enforcement is having on Irish hauliers operating in the United Kingdom; and if he will make a statement on the matter. [16716/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): Provisions in relation to road haulage cabotage are set out in EU Regulations 1072 of 2009, which came into effect on 14 May 2010. Cabotage relates to the carriage for hire or reward within a host Member State carried out on a temporary basis by a non-resident operator. The EU Regulations define the specific limitations of cabotage. These are in effect that once goods carried on the course of an incoming international carriage have been delivered, the haulier may with the same vehicle carry out up to 3 cabotage operations within 7 days.

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The enforcement of the cabotage provisions is a matter for the authorities in each Member State. Naturally, hauliers in each Member State and those operating across Community borders must comply with all relevant regulations, and such regulations set a common business framework for all EU hauliers. I have discussed cabotage with my UK counterpart Minister Penning recently, as an issue of common interest.

I can appreciate that the EU Regulations, by introducing a change to previous cabotage provisions which were less prescriptive, have changed the opportunities for cabotage. I note however, in its White Paper on Road Transport 2011 to 2020, that the European Commission intends to review current provisions on cabotage, potentially in the latter half of 2013. I support the idea of an open market for haulage operations and would hope that cabotage can be further liberalised. However, I should say that not all Member States are currently of the same view.

Road Safety

680. **Deputy Sean Fleming** asked the Minister for Transport, Tourism and Sport if funding will be made available under the road safety remedial measure schemes for local authorities in 2012; the total amount available; the date by which local authorities have to submit applications under this scheme; the expected date when the funding will be allocated to local authorities; and if he will make a statement on the matter. [16752/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): I announced the 2012 regional and local road grant allocations to local authorities on 30th January 2012. This included an allocation of €6 million under the Low Cost Safety Improvement Grants Scheme. Details of the individual allocations to each local authority is available in the Dáil Library under “2012 Grant Allocations to Local Authorities for Regional and Local Roads”.

Sport and Recreational Development

681. **Deputy Maureen O’Sullivan** asked the Minister for Transport, Tourism and Sport the amounts of Exchequer funding provided to Swim Ireland and Olympic Council of Ireland in 2010, 2011 and to date in 2012; if there are conditions attached to this funding; and if he will make a statement on the matter. [16789/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The Irish Sports Council (ISC), which is funded by my Department, is the statutory body for the promotion, development and coordination of sport which includes responsibility for dealing with the recognised sporting organisations and allocation of funding to same. The ISC was established on a statutory basis on 1st July 1999, and the functions of the Council are outlined in Section 6 of the Irish Sports Council Act 1999.

I am informed by the Irish Sports Council that the allocation of funding to National Governing Bodies of Sport is based on a detailed application form and is for core funding and programmes such as Women in Sport and the High Performance Programme. Funding must be used only for the purposes outlined and agreed. Details of funding provided to Swim Ireland and the Olympic Council of Ireland in 2010, 2011 and to date in 2012 are outlined below.

Swim Ireland

2010 Total €1,321,900 (Core funding €886,900, Women in Sport €100,000, High Performance €335,000).

2011 Total €1,533,829 (Core funding €886,900, Women in Sport €100,000, High Performance €546,929).

2012 (to date) High Performance €416,250. Core funding and Women in Sport funding not yet allocated.

Olympic Council of Ireland — High Performance Funding

2010, €350,000;

2011, €417,947;

2012, €330,381.

Road Safety

682. **Deputy Thomas P. Broughan** asked the Minister for Transport, Tourism and Sport if he is considering new regulations to make a rear window wiper a mandatory safety feature on all cars; and if he will make a statement on the matter. [16830/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The introduction of national regulations to make rear window wipers mandatory is not currently under consideration.

All cars entering the Irish fleet must conform to the European Communities Whole Vehicle Type Approval (ECWVTA) standard which includes the requirement to have wipers on the front of the vehicle under Directive 78/318/EEC (as amended). Rear wipers are not mandatory but are voluntarily fitted on most hatchbacks as this car body shape is more prone to a build up of water and dirt on the rear window due to its incline. Saloon cars generally have a more sloped rear window which is less prone to an accumulation of water and dirt and is essentially self cleaning. If Ireland was to mandate rear wipers (even though they are not required under ECWVTA), this could be viewed by the European Commission as a barrier to trade, thus infringing EU market legislation and leaving Ireland open to the possibility of penalties from the Commission.

683. **Deputy Thomas P. Broughan** asked the Minister for Transport, Tourism and Sport if he is considering making backward-facing child car seats mandatory in view of the international research that indicates that such seats are 80% safer for children; and if he will make a statement on the matter. [16831/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The Government transposed the EU Directive governing the use of Child Restraint Systems (CRS) into Irish law in September 2006 which requires infants from birth up to 13kgs (29lbs) in weight (Approximate Age Range from birth to 12-15 months) to be restrained in a rearward facing child restraint that conforms to EU product standards (ECR44). This affords significantly greater protection for a baby's head, neck and spine in the event of a collision. I am informed that the Road Safety Authority is focused on educating parents and guardians, though it's 'Check it Fits' roadshow, on the need to ensure that children are travelling in the appropriate CRS and that infants are not moved to a forward facing seat too soon.

Tourism Promotion

684. **Deputy Seán Kyne** asked the Minister for Transport, Tourism and Sport the value of St Patrick's day internationally as a means for the promotion of tourism in Ireland; the measures

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taken overseas to take advantage of this; and if he will make a statement on the matter.
[16912/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The Government recognises the key role that tourism can play in Ireland’s economic recovery. I am glad to report that we saw growth in visitor numbers last year for the first time since 2007 with over 6.5 million overseas visits, representing an increase of 7.8% over 2010. Our aim is to continue to grow this number this year and into the future. St Patrick’s Day has traditionally marked the start of the tourist season and provides a unique opportunity to put Ireland in the shop window around the world, for Irish tourism and for trade and investment. All Ministers travelling overseas during the period used every available opportunity to highlight the attractions of Ireland as a tourism destination. This year’s St Patrick’s Day festivities were also used as a platform to launch ‘The Gathering Ireland 2013’ in all of our main overseas markets. The profile that St Patrick’s Day provides for Ireland to put itself forward in global markets, whether for tourism, trade or investment, is invaluable. While it is possible to value some aspects, such as the equivalent in advertising value of press coverage, the overall value of St Patrick’s Day is ultimately impossible to calculate.

The Deputy will be aware of some of the high profile initiatives undertaken during the St. Patrick’s day period to highlight Ireland as a tourist destination such as the “greening” of famous landmarks worldwide. As these promotional initiatives are operational matters for Tourism Ireland Limited in the first instance, I have referred the Deputy’s Question to Tourism Ireland for additional reply. Please advise my private office if you do not receive a reply within ten working days.

Taxi Licences

685. **Deputy Robert Dowds** asked the Minister for Transport, Tourism and Sport if he will supply in tabular form the figures for the number of active taxi licences in Dublin City and County for each of the past ten years. [16966/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): Statistics relating to small public service vehicle (SPSV) licences, are a matter for the National Transport Authority (NTA), who regulate the SPSV sector. I have referred the Deputy’s request for information to the NTA for direct reply. Please advise my Office if you do not receive a reply within ten working days.

Rail Network

686. **Deputy Dessie Ellis** asked the Minister for Transport, Tourism and Sport his plans to develop rail links as part of Western Arc from Cork to Belfast; and if he will make a statement on the matter. [16971/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): I have no plans at this time to develop a so-called “Western Arc” from Cork to Belfast as this would require both the re-opening of the remaining phases of the Western Rail Corridor and also the development of new rail lines to connect with the rail network in Northern Ireland. The programme for the funding of capital projects to 2016 is set out in the Medium Term Exchequer Framework 2012-16. It should be noted that the Northern Ireland Executive has no proposals to provide new railways envisaged in such an Arc.

Due to the overall reduction in funding for transport infrastructure the priority to 2016 is to protect investment made to date and to maintain safety standards. I would draw the Deputy's attention to the Programme for Government and in particular the commitment that: "We will insist that major capital projects are subjected to proper cost-benefit analysis and evaluation, improving future productivity and growth prospects, and that the value-for-money obtained is significantly enhanced compared to the most recent period."

In this regard, I would note that the economic and financial evaluations of Phase 1 of the Western Railway Corridor were negative. Furthermore, the AECOM/Goodbody 2030 Rail Network Strategy Review carried out for Iarnród Éireann examined the potential for new and re-opened lines, including those along the "Western Arc". The Review did not recommend further consideration of any such lines, apart from Phase 2 of the Western Rail Corridor.

National Lottery Funding

687. **Deputy John McGuinness** asked the Minister for Transport, Tourism and Sport if he will confirm the amount of National Lottery funds allocated to his Department; if the funds are spent on specific projects; if so, the name of the project; if the National Lottery fund is allocated to the general spend by his Department; and if he will make a statement on the matter. [17022/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): I understand that the surplus generated by the National Lottery is transferred annually to the Exchequer and is applied to part-fund the Exchequer allocations to a specified range of expenditure subheads across various Votes.

Details of the total Exchequer allocations to the relevant Lottery supported subheads are published in Appendix 1 of the 2012 *Revised Estimates for Public Services* which gives a breakdown of allocations by programme (page 245). Two subheads on my Department's Vote are part-funded by the proceeds of the National Lottery. These are D3 (Grants for Sporting Bodies and the provision of Sports and Recreational Facilities) and D5 (Irish Sports Council Grant-in-Aid). D3 funding is used to pay out Sports Capital Grants. D5 funding is the grant given annually to the Irish Sports Council to fund a wide range of programmes aimed at increasing participation and raising standards in Irish sport and to fund National Governing Bodies of sport (NGBs) to enable them to develop their sport in a strategic manner.

It is important to note that these programmes are only part-funded by the Lottery and that the remaining expenditure comes from general Exchequer funding. In addition, the Revised Estimates do not specify the precise amount of National Lottery funding in each individual subhead. However, the Revised Estimates do indicate that in 2012, total expenditure under all subheads that are part-funded by the National Lottery is estimated at €339 million, and that this expenditure will be part-funded by €220 million from the National Lottery with the balance coming from the Exchequer. In addition to the figures in Appendix 1 of the REV, there is also a carryover of an additional €3.6m into D3 in 2012 from 2011.

Penalty Points System

688. **Deputy Dara Calleary** asked the Minister for Transport, Tourism and Sport the way he intends to stop persons possessing foreign driving licences from evading justice when given penalty points when they break the rules of the road; and if he will make a statement on the matter. [13901/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): Under the Road Traffic Act 2002, penalty points are required to be endorsed on the Irish driving licence record held

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on the National Vehicle and Driver File (NVDF) and a current driving licence is required to serve penalty points. For the majority of cases this endorsement takes place without difficulty against the relevant NVDF driver record. However, 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 legally 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.

The 2010 Road Traffic Act moved to correct this anomaly and Part 5 of that Act will allow the NVDF:

- to create an official 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.

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, a record of these penalty points could be held indefinitely but without the legal provision to add them 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 Gardai in order to commence the relevant sections of the 2010 Act as soon as possible. When these provisions are implemented, penalty points will be applied to holders of foreign driving licences, and they will be disqualified from driving in this State if they exceed 12 penalty points within a 3 year period.

Departmental Equipment

689. **Deputy Regina Doherty** asked the Minister for Transport, Tourism and Sport the number of laptops in use in his Department; the number of tablets in use in his Department; the number of the laptops in use that are due to be upgraded this year; and if he will make a statement on the matter. [17581/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The information sought is set out in the following Table:

	Number
Number of laptops in use in Department	88
Number of tablets in use in Department	2
Number of the laptops in use that are due to be upgraded in 2012	45

A number of Field Officers in this Department rely heavily on the use of laptops while working out of the office. It is this Departments policy to replace laptops at end of life. The laptops to be upgraded this year are no longer fit for the purpose for which they were originally obtained.