

DÁIL ÉIREANN

Déardaoin, 3 Bealtaine 2012.
Thursday, 3 May 2012.

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

Paidir.

Prayer.

Leaders' Questions

Deputy Willie O'Dea: I am sure the Tánaiste will agree that the documentary aired by the BBC last Tuesday night about how the Catholic Church had dealt with child abuse in 1975 was another shocking chapter in a sad litany of which we are only too well aware from reading reports such as the Ryan, Murphy and Cloyne reports. He will also agree that the church's inaction on that occasion led to many more vulnerable, defenceless people being abused. I suggest everybody in the House will agree that every citizen has now and always had at least a moral obligation to report any abuse to the civil authorities. The Taoiseach said in a speech to the House, presumably with the agreement of the Government, last July in the wake of the Cloyne report, "Today the Catholic Church needs to be a penitent church. A church truly and deeply penitent for the horrors it perpetrated, hid and denied." In the light of that comment and the revelations made in the BBC documentary, what is the Government's position or does it have one on the standing and future of Cardinal Brady, head of the Catholic Church in Ireland?

The Tánaiste: I agree with the Deputy that what we saw and what was reported in the documentary was another horrific episode in the failure of senior figures in the Catholic Church to protect children and report the abuse and rape of children. The rape or abuse of a child is a crime, and it was a crime then. The place for crimes to be investigated, prosecuted and dealt with is in the courts, and by gardaí. I do not believe there is a parallel system of law which deals with these matters. Anybody who has or had knowledge about the rape or abuse of a child has or had a duty to report it to the authorities. Whatever may be said about it occurring in 1975, whatever number of years ago and in whatever context, there have been plenty of opportunities since for the information on the abuse and rape of those children to be brought to the attention of the Garda and the matters which were known to be reported, not least when the case of Fr. Brendan Smyth who was at the centre of it came to public attention. The Deputy will recall, as far as the political response to the issue at the time was concerned, that that particular episode caused the collapse of a Government and the establishment of a new one.

As far as the Government is concerned, we are putting in place much stronger rules and regulations in respect of responsibility to children. The draft children first Bill, published by the Minister for Children and Youth Affairs last week, will place a statutory obligation on organisations and named individuals to report information on abuse or significant neglect to the HSE, whether it occurs in the organisation or elsewhere. The purpose of the Bill is to

[The Tánaiste.]

protect the child about whom there is a concern and protect other children in the community from an abuser who may be abusing multiple children. The legislation will require a priest, as a pastoral member of a religious organisation, to report concerns about abuse directly to the HSE. In addition, the Minister for Justice and Equality has published legislation which provides for the withholding of information on sexual abuse to be deemed a criminal offence.

As far as the Deputy's questions about Cardinal Brady are concerned, I have always believed in the separation of church and State. It is the job of the Government and the State to enact our laws and ensure they apply to everybody, whether they belong to a church or not, but it is my own personal view that anybody who did not deal with the scale of the abuse we have seen in this case should not hold a position of authority.

Deputy Willie O'Dea: I thank the Tánaiste for his comprehensive reply. I am aware of the legislation to which he referred. I welcome it and look forward to it being brought forward as quickly as possible.

The Tánaiste's forthright reply contrasts starkly with the reaction of the Taoiseach when he was asked about this issue yesterday evening. He made a speech in the House last July which was widely lauded from one end of the country to the other. Epithets such as "brave", "courageous", "forward thinking", etc., filled the airwaves, yet when presented with a concrete example — it is easy to look brave in the abstract — and asked what his position was, he refused to take the same position the Tánaiste has clearly taken this morning. I take it that the position the Tánaiste stated is his personal position and, presumably, that of his party, that it is not a Government position.

The Tánaiste: Let me deal with this issue very directly. Let there be no doubt in anybody's mind about where the Taoiseach stands on this issue.

Deputy Willie O'Dea: It is just a straight question.

Deputy Derek Keating: The Deputy is twisting this.

The Tánaiste: Deputy Willie O'Dea should not attempt to turn what is a very serious issue into some kind of political whack at the Taoiseach. People up and down the country are rightly horrified about what happened and the failure to report.

Deputy Willie O'Dea: People are worried about the contrast in the Government's position between last July and now.

The Tánaiste: He was the first Taoiseach to come into the House to address in the most forthright and direct way where responsibility lay and where the responsibility of church authorities lay. Everybody who has heard him knows exactly where he stands on the issue.

Deputy Willie O'Dea: Therefore, the Taoiseach's position is the same as the Tánaiste's.

The Tánaiste: The criticism may be made that one can come into the House and make a speech and so on. The proof of the pudding is what we have done as a Government and the follow-up we have given to the Cloyne report. After 14 years when, to be honest, not a great deal was happening in this area, we have produced the first legislation——

Deputy Alan Shatter: The Government appointed the first Minister for Children and Youth Affairs in the history of the State.

The Tánaiste: We have produced the legislation which will underpin the Children First guidelines.

Deputy Willie O'Dea: He was very brave last July.

The Tánaiste: That legislation is hugely robust and is before a committee of the Houses at present. In addition, because there has been this ambiguity about what happens where things are not reported, whether they can be reported, or whether there is some kind of a parallel system of justice that operates somewhere under some other system of law, whether it is called canon law or whatever, and that somehow that can be dealt with separately, we have made it very clear in the legislation which the Minister for Justice and Equality has brought forward that the withholding of information about sex abuse or about the abuse of children will not be acceptable and will itself be an offence. Let there be absolutely no doubt about where the Government stands, where the Taoiseach stands and where every member of the Government stands in regard to this horrific abuse.

An Ceann Comhairle: I call Deputy McDonald.

Deputy Alan Shatter: Deputy O'Dea is playing politics with the tragedy of children. It is pathetic.

An Ceann Comhairle: Order, please. I call Deputy McDonald.

Deputy Mary Lou McDonald: If I might welcome——

Deputy Alan Shatter: It is pathetic from someone who was in government and did absolutely nothing on these issues for 14 years.

Deputy Timmy Dooley: Deputy Shatter should take a look in the mirror.

Deputy Alan Shatter: Children were abused in this State and he showed no interest in that issue when he was in government.

Deputy Mattie McGrath: The Minister for injustice.

(Interruptions).

An Ceann Comhairle: Do you mind, Minister? The rules apply to you as to any other Member. I will be asking you to leave the House if you are not careful. The rules apply to everybody equally in this House.

Deputy Paul Kehoe: Including you, Mattie.

Deputy Mary Lou McDonald: On behalf of Sinn Féin, I welcome most sincerely the clarity and the forthrightness of the response of the Tánaiste. This is a matter I would like to return to today under promised legislation but I warmly welcome and acknowledge his response and, most particularly, the efforts of the Minister, Deputy Frances Fitzgerald, in the area of child protection.

Yesterday the Tánaiste's party colleague, Senator Gilroy, highlighted the fact Senators earn €27,000 less than TDs. I am not sure whether he was calling for a reduction in the salary of TDs or an increase in Senators' pay — the Tánaiste might explain. What is the Labour Party's position on pay for politicians and special advisers? I believe, given the real suffering of people, this issue needs to be addressed.

[Deputy Mary Lou McDonald.]

Yesterday's live register figures show 436,000 people were without a job, and I have no doubt this figure is kept low because of the huge level of emigration. People are actively looking for work to pay their bills and look after their families, yet they still see their politicians, the political class, enjoying lavish salaries and perks of office. At a time when the Government is planning to impose water charges and other charges on hard-pressed households, for the benefit in particular of our Labour colleagues, I point out that Mr. Conor Murphy MP, the former Sinn Féin Minister who stopped water charges in the North of Ireland, is in Leinster House and you might want to talk to him later.

An Ceann Comhairle: Will the Deputy please address her remarks through the Chair?

Deputy Emmet Stagg: The charge is £1,500 in the North.

Deputy Gerald Nash: It is €100 in Dundalk and £1,500 in Belfast.

(Interruptions).

Deputy Mary Lou McDonald: The Tánaiste earns a salary in excess of €184,000. That is six times the average industrial wage. Two of his own special advisers——

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

Deputy Mary Lou McDonald: ——earn €168,000 and €155,000 respectively.

Deputy Patrick O'Donovan: The Deputy's party is the only one to take the Queen's shilling.

(Interruptions).

Deputy Mary Lou McDonald: Will the Tánaiste set out for Members the position on high pay for politicians and tell the House what he proposes to do about these runaway, extravagant levels of pay?

Deputy Patrick O'Donovan: Her Majesty's Treasury.

The Tánaiste: I can do better than that. I can tell Sinn Féin what the Government has already done. The very first decision the Government took was to cut the pay of politicians. We cut the pay of the Taoiseach, of every Minister in the Government and of TDs. What TDs and Senators are paid in this Dáil is considerably less than what they had been paid in the previous Dáil. We also cut the payments which attach to ministerial transport, for example, which are down by 65%. We also cut, or at least attempted to cut, the level of expenses that were paid to TDs. Mind you, when I looked at the league table of the expenses claimed by Members of the House, I noticed that the expenses claimed by members of Sinn Féin are at the top end of the league table, so Deputy——

Deputy Mattie McGrath: Never.

Deputy Pádraig Mac Lochlainn: The Tánaiste might provide some documentation to back that up.

(Interruptions).

An Ceann Comhairle: Will Members stay quiet? Allow the Tánaiste to proceed.

Deputy Pádraig Mac Lochlainn: I see all the socialists are exercised. They were talking about workers' rights last night but it is all about their own rights now.

An Ceann Comhairle: Will you stay quiet, please?

The Tánaiste: Those claims, of course, do not include the rather extravagant claim of ink cartridges that was claimed by Sinn Féin.

Deputy Pádraig Mac Lochlainn: I did not see that one coming. What about the dodgy fivers?

A Deputy: Inkgate.

The Tánaiste: With regard to the Seanad, the Government is proposing the constitutional amendment——

Deputy Pat Rabbitte: To reduce the bill.

The Tánaiste: ——on which we intend to have a referendum under which it is proposed to abolish the Seanad. Deputy McDonald may indicate to the House in her reply where she stands on that question.

With regard to the issue of employment, the Government is very focused on getting investment and employment into this country. We have, over recent weeks, had a considerable amount of success in this area. The Deputy will, I am sure, be aware of the announcements of jobs: PayPal — 1,000 jobs in Louth; Apple — 500 jobs in Cork; Cisco — 115 jobs in Galway; Ely Lilly — 500 jobs in Cork South-West——

Deputy Mattie McGrath: Change the record.

The Tánaiste: ——Mylan — 500 jobs in north Dublin; Microsoft — a \$130 million investment in Dublin; Hewlett Packard — 280 jobs in Galway and Kildare; Abbott Pharmaceuticals — 175 jobs in Sligo; Amgen — 100 jobs in Dún Laoghaire; and there is another announcement of 250 jobs again today. Of course, we intend to continue with that work to get the level of unemployment down and to get people back into employment.

Deputy Mary Lou McDonald: The short of it, then, is that the Tánaiste is defending the current pay rates of politicians. He thinks that, at a time of crisis, it is appropriate the Taoiseach takes home €200,000. He defends his own pay of €184,000.

Deputy James Bannon: There is ink on your face.

Deputy Mary Lou McDonald: What message are we sending to the people who are out of work or the lone parents who were so brutally dealt with in the recent social welfare legislation? Are we saying to them, or is the Tánaiste saying to them: too bad, things are tough, suck up the austerity, but we are okay, Jack? It strikes me that is the Tánaiste's message. His own pay doubled in the last year when he moved from the Opposition benches into his Government position.

An Ceann Comhairle: A question, please.

Deputy Mary Lou McDonald: It defies all logic and rationality that they, the champions of austerity, the champions of cutbacks, defend these pay rates that cannot be justified and yet say to the public, to people who are struggling, that they have to take more and more hardship.

The Tánaiste: The Taoiseach does not take home €200,000. There is a difference——

Deputy Mary Lou McDonald: That is his salary.

The Tánaiste: There is a difference between gross pay and take home pay. Let us be clear about it. This Government has cut the take home pay of people at senior level in politics by approximately 44%. That is the total cut in take home pay. There is a limit to the amount of hypocrisy we can take from the Sinn Féin party on this question.

Deputy Mary Lou McDonald: There is no limit to the Tánaiste's hypocrisy.

The Tánaiste: That party sees nothing wrong with having its members take a salary from a parliament they do not attend at all.

Deputy Pádraig Mac Lochlainn: I understood there were only republicans in the Chamber these days.

The Tánaiste: They take considerable expenses from a parliament they do not attend. The Sinn Féin party is at the top end of the expenses claimed by Members. Anyone can examine the league tables because they have all been published. One finds consistently that Sinn Féin is at the top end of those claims. Interestingly, its representatives are at the top end in most constituencies when compared with constituency colleagues who, presumably, would have the same level of travel expenses and so on.

Deputy Mary Lou McDonald: That is outrageous.

(Interruptions).

Deputy Jonathan O'Brien: The Tánaiste has no idea how expenses work.

The Tánaiste: When Sinn Féin Members are in a position to address that level of hypocrisy, then they can come and make charges against us.

(Interruptions).

An Ceann Comhairle: I call Deputy Pringle. Can we have some silence for him?

Deputy Thomas Pringle: Machiavellian descriptive narrative and deceptive adjectives abound from the Government this week, with words such as "disaster" creating illusions of doomsday scenarios every time the fiscal compact treaty is mentioned. Doubt over future funding is the stick the Government is using with which to beat the people into submission by 31 May. Surely lessons should have been learned by this stage about the aftermath of signing treaties when ambiguities abound. What a tangled web we weave when first we practise to deceive.

Deputy Pat Rabbitte: Deputy Finian McGrath was never that poetic.

Deputy Thomas Pringle: The fear factor comes from suggesting there will be no money in the ATMs and no money for teachers, nurses or pensioners. In recent days we had the intervention of the well-known seanchaí, the Minister for Finance, Deputy Noonan, raising the spectre of the December budget and saying: "He will catch you."

(Interruptions).

Deputy Alan Shatter: Deputy Pringle should sack the scriptwriter.

An Ceann Comhairle: Please allow the Deputy to put his question.

Deputy Thomas Pringle: As this drama plays out like a Shakespearian tragedy, albeit one poorly scripted, the Government banshee keens on: "There will be no foreign direct investment." It is a case of Angela's Ashes part two: the treaty sequel. The scenarios of Armageddon being peddled are truly staggering. If the European Financial Stability Facility funding will not be made available to the country, why did the European Heads of State declare on 30 March that any member state in a programme will be funded up to the point where they can return to the markets?

Deputy Alan Shatter: Deputy Shane Ross knows the answer. He is sitting beside Deputy Pringle in the Chamber.

(Interruptions).

An Ceann Comhairle: Quiet, please.

Deputy Thomas Pringle: Under the current programme does the Government intend to make a new application or use the roll-over facility which it seems to choose to ignore but which is available to the country under the EFSF?

Deputy Pat Rabbitte: I can see Deputy Finian McGrath making a comeback.

Deputy Alan Shatter: Deputy Shane Ross is the Chamber.

Deputy Finian McGrath: Can we have some respect from the Ministers, a Cheann Comhairle?

An Ceann Comhairle: I called the Tánaiste to reply.

(Interruptions).

An Ceann Comhairle: Please allow the reply. Someone asked a question and they will get an answer. Will the Tánaiste please answer?

A Deputy: Tell the court jester to keep his cracks to himself.

Deputy Joe Higgins: It is the banshee for justice.

(Interruptions).

An Ceann Comhairle: This is the last time I will ask both sides of the House to stay quiet. The next time there will be action taken.

Deputy Kathleen Lynch: What about the working class hero?

Deputy Ciara Conway: The ghost of Leaders' Questions past.

The Tánaiste: There is no ambiguity and I am happy to answer the question directly. The position is that the programme Ireland is in, the EU-IMF-ECB programme, the programme with the troika, will remain in place. It will continue and will be honoured until it expires at the end of 2013. It is the Government's hope and intention that by that stage we will be back in the markets and we will be able to say goodbye to the troika and fund our State in the normal way by access to the markets.

Deputy Dessie Ellis: Then the Government will welcome in the European Stability Mechanism, ESM.

The Tánaiste: Payments from the European financial stability facility, EFSF, will continue to be honoured up to that point. The European Stability Mechanism, the permanent emergency fund for the euro, will come into effect once 90% of the capital has been provided for it. It is due to come into effect in July 2012. After the end of our programme, the only emergency funding available to the country will be from the ESM. The EFSF will not take new applications for funding. For us to have access to the ESM we are required to ratify the treaty because the ESM will only be available to states that ratify the treaty.

Deputy Pádraig Mac Lochlainn: What about the veto?

Deputy Alan Shatter: Deputy Mac Lochlainn has no idea what he is talking about.

The Tánaiste: The position is——

Deputy Jonathan O'Brien: He has no idea what he is talking about.

The Tánaiste: The only emergency funding available once the programme is over at the end of 2013 will be from the European Stability Mechanism. To ensure we have access to that if we need it, it is necessary to ratify the treaty.

An Ceann Comhairle: I call Deputy Pringle.

Deputy Dessie Ellis: Where will we get the €1.27 billion?

An Ceann Comhairle: Please, Deputy Ellis. Deputy Pringle is capable of speaking for himself.

(Interruptions).

Deputy Thomas Pringle: I do not take much comfort from the Government's forlorn hope that we will be able to return to the markets at the end of the current programme.

(Interruptions).

Deputy Thomas Pringle: All commentators and economists throughout the world seem adamant we will require the second bailout programme. Options are available to the Government. The EFSF is one option. I call on the Tánaiste to explain to the House why chapter 1.4 of the articles of association of the EFSF states that financing granted prior to such dates may have scheduled maturities falling after such dates and disbursements thereunder may occur. The option is open to the Government to make a decision in 2013 and to apply to the EFSF for roll-over funding or a new programme. This will ensure our funding in future. That option is open to the Government. Why does the Government not consider it?

The Tánaiste: No, that option is not open to us. Let us be absolutely clear about it: it is clear in the treaty that the EFSF is prepared to continue funding that is already committed to under the existing programme. That programme finishes at the end of 2013. The Government's intention is that we will be back in the markets at that stage. To get back in to the markets we must get our economy to recover, to grow and so on. This is why the inward investment I referred to earlier and the various jobs announcements and so on are important. We are confident we will be able to continue to attract such investment provided there is continued investor confidence in the country.

Deputy Joe Higgins: The Government is strangling the economy.

(Interruptions).

The Tánaiste: That investor confidence——

Deputy Ciarán Lynch: Deputy Joe Higgins blew it on Tuesday night.

(Interruptions).

An Ceann Comhairle: Please allow the Tánaiste to continue.

Deputy Finian McGrath: He did not even turn up. He bottled it.

An Ceann Comhairle: Please, Deputy McGrath.

(Interruptions).

An Ceann Comhairle: Stop shouting please.

Deputy Alan Shatter: His soapbox collapsed under him.

The Tánaiste: Deputy Pringle has asked be a straight and important question.

An Ceann Comhairle: Yes, exactly. We would like to hear the answer.

The Tánaiste: I want to give the answer without his colleagues constantly interrupting.

(Interruptions).

An Ceann Comhairle: Please stay quiet and hear the answer.

The Tánaiste: The position is that our intention is to be back in the markets, and to do that we must continue the investment.

That continued investment is dependent on there being a stable euro, which is the reason it is necessary for us to ratify this treaty. Deputy Pringle said he does not believe we will get back into the markets. If we do not get back into the markets and if it turns out that a second bailout will be necessary, where will we get the money?

(Interruptions).

The Tánaiste: The only source of funding that will be available is the ESM, and access to the ESM will be possible only if the treaty is ratified. If, as a country, we want to have the insurance, the safety net and the reliability that is associated with having emergency funding available to us, which is prudent, we should be clear that the only source of that is the ESM, and access to that means ratifying the treaty.

Deputy Pádraig Mac Lochlainn: What about the veto?

(Interruptions).

Order of Business

The Tánaiste: It is proposed to take No. 11a, motion re proposal that Dáil Éireann notes the report to the Committee on Members' Interests of Dáil Éireann in accordance with section 21 (4) of the Standards in Public Office Act 2001; No.2, Construction Contracts Bill 2010 [*Seanad*] — Second Stage, to adjourn at 2.30 p.m., if not previously concluded; and No. 19, Dormant Accounts (Amendment) Bill 2011 [*Seanad*] — Second Stage (resumed).

[The Tánaiste.]

It is proposed, notwithstanding anything in Standing Orders, that No. 11a shall be decided without debate.

An Ceann Comhairle: Is the proposal for dealing with No. 11a agreed to? Agreed.

Deputy Willie O'Dea: I want to ask the Tánaiste about legislation which is of great interest to people outside the rarefied atmosphere of this House, namely, the insolvency Bill. The Tánaiste was asked about that last week and he stated there was a good deal of complexity around it, which I accept. He stated further that he was pushing hard to get the Bill finalised, and I accept that. I ask, on behalf of my constituents and tens of thousands of other people outside this House, the stage we are at now. Have the complexities been overcome? Have the differences been resolved? When is the Bill due to be published? Is the Tánaiste also aware that considerable administrative machinery will need to be put in place to make this Bill operable? Between publication and putting in place the system to make the Bill operable, when will the Bill be operating? That is a question my constituents, more of whom are falling into mortgage arrears on a daily basis, ask me constantly and it is on their behalf and, I am sure, on behalf of many other Deputies that I ask the question.

The Tánaiste: The Government's intention is that the personal insolvency Bill will be published this session. As Deputy O'Dea acknowledged, it is complex legislation. We are dealing with a new approach to the issue of personal insolvency and radical changes in the period of time involved but also the introduction of various non-judicial settlement approaches for dealing with debt, and those are complex, new and radical approaches. I am sure Deputy O'Dea will appreciate that some time has to be taken to ensure we get it right but we are anxious to move it ahead as quickly as possible. It is on the A list and it is intended to be published this session.

Deputy Willie O'Dea: I do not want to labour the point but can the Tánaiste give us any idea when the Bill will be in operation? It is not just a question of publishing and passing the legislation here in the House. A system will have to be put in place to make the Bill operable in practice.

The Tánaiste: I acknowledge that, and the practical arrangements have to be addressed, but we must have some certainty about what will be in operation before we can start putting in place those practical arrangements. That will be examined once the issues relating to the content of the Bill have been resolved.

Deputy Mary Lou McDonald: In the past 48 hours we have collectively revisited the horror of the rape, abuse and molestation of children and its cover-up in a way that I am sure has proven incredibly difficult for victims of abuse, whether they suffered it at the hands of clerics or anyone else. In that light, I welcome that the heads of the Children First Bill have been published and are in committee and the legislation on the withholding of information. In terms of the third piece of the puzzle, the child and family support agency Bill, when can we expect to see that? As we are speaking here today, it is incredibly important that we move collectively in a constructive way on this matter. The Tánaiste correctly stated earlier that this issue, above all issues, cannot be a political football. As legislators, the best we can do for victims of child abuse and for all of our children is to make sure we move speedily on all of these legislative matters. Specifically, I ask about the child and family support agency Bill.

The Tánaiste: I agree with the Deputy that this is an issue, and everybody in the country would agree, which has to be given priority attention in the Dáil. That is what the Government

is doing. I note, however, the Deputy did not give it priority attention in selecting the topic she chose for Leaders' Questions but that is her call.

With regard to the items of legislation, Second Stage of the Criminal Justice (Withholding of Information on Offences Against Children and Vulnerable Persons) Bill will start in the Seanad next week. The Children First legislation is before an Oireachtas committee. With regard to the children support agency, it is intended that will be in place by next January and the legislation for that will be published later in the year.

Deputy Kevin Humphreys: On proposed legislation, in my area there is a huge demand for rented accommodation in apartments. The residential tenancy (amendment) Bill is on the A list. Will the Tánaiste indicate when that Bill will be published? Will he also indicate if there will be protection for deposits in that legislation for people renting apartments, mainly in urban areas? That was a huge problem previously with students but the people coming to work in what has been tagged "Silicon Dock" are discovering that when they try to move on they cannot get their deposits back. Will the Tánaiste indicate now when the Bill will be published?

An Ceann Comhairle: We cannot discuss what is in the Bill. We can discuss it only when it is taken in the House.

The Tánaiste: The heads of that Bill have been approved by Government. It is intended that it will be published this session. On the issue relating to deposits, the Private Residential Tenancies Board is currently researching the viability of a deposit retention scheme.

Deputy Bernard J. Durkan: On promised legislation, will the Tánaiste indicate the progress to date on publication of the promised microfinance lending fund Bill, when there is agreement on the need for such a fund at the earliest opportunity? Also, apropos his reply to a question earlier, will he indicate whether the heads of the Bill have been visited to implement the recommendations in the joint Oireachtas committee second interim report on the constitutional amendment on children and protection of vulnerable persons against sexual exploitation and abuse, and the Criminal Law (Sexual Offences) Bill?

The Tánaiste: On the two items of legislation, the microfinance Bill is being progressed by the Minister, Deputy Bruton, and the Criminal Law (Sexual Offences) Bill will be published later this year.

Deputy Charlie McConalogue: Where stands the publication date for the independent review into the deaths of children in the care of the State? The report has been with the Minister for Children and Youth Affairs for some months. I find it difficult to believe the necessary legal advice has not been received and clarified at this stage. The report has been sat on for too long. It is time a date was given for its publication.

The Tánaiste: The report is with the Minister who is taking legal advice on it. It is her intention to publish it shortly.

Deputy Mattie McGrath: Is legislation needed to implement the Ceann Comhairle's pioneering work on extending the broadcasting of the proceedings of the House? Lest people believe relations between me and the Ceann Comhairle will be always acrimonious, I compliment him on his tremendous work. Comhghairdeas leat.

Deputy Paul Kehoe: We want to see more of you, Mattie.

An Ceann Comhairle: Unfortunately, I am not in a position to answer questions in the House. However, I will answer the Deputy's question outside the Chamber. Would that be all right?

Deputy Brendan Griffin: What is the status of the explosives Bill? In light of recent serious incidents in the Border area, the House must prioritise this legislation.

The Tánaiste: The explosives Bill is expected late this year.

Deputy Niall Collins: When will legislation be published to give effect to a decision to amalgamate Limerick City Council and Limerick County Council and the two local authorities in County Tipperary? I understand the legislation is the local government (corporate services) Bill. What is the publication date for the Bill?

The Tánaiste: The relevant provision was approved by government in April and the legislation is being drafted. It is intended that it will be part of the local government Bill. While I do not have a precise date for publication, I expect the Bill later this year.

Report to the Committee on Members' Interests: Motion

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): I move:

That Dáil Éireann:

- takes note of the Report on the Investigation by the Standards in Public Office Commission into contraventions of section 21(1) of the Standards in Public Office Act 2001 by Deputy Arthur Spring which was laid before Dáil Éireann on 22nd March, 2012;
- considers that the requirements of the Standards in Public Office Act 2001 that members must provide evidence of compliance with their obligations in regard to taxation matters are intended to ensure confidence in the probity of persons elected to political office;
- is of the opinion that any contravention of the legislation is a serious matter;
- notes however that this is the first occasion such a contravention has been reported by the Commission and that Deputy Spring is now in compliance with section 21(1) of the Act and has apologised for failing to comply with the legislation as of the required date; and
- accordingly considers that no further action is required.

Question put and agreed to.

Construction Contracts Bill 2010 [Seanad]: Second Stage

Minister of State at the Department of Finance (Deputy Brian Hayes): I move: "That the Bill be now read a Second Time."

As the House is aware, the programme for Government contains a commitment to introduce legislation to protect small building subcontractors who have been denied payments from larger companies. In this regard, I have been working with Senator Feargal Quinn to develop the Construction Contracts Bill as robust legislation.

I regard this legislation as a Private Members' Bill which is unique for two reasons. First, all Stages were passed by the previous Seanad and it has now come before the Dáil. Second,

although significantly amended from the original Bill, the legislation is most definitely the product of a bipartisan approach. It would not be where it is were it not for the diligence and initiative of Senator Feargal Quinn. I very much hope the spirit of co-operation the Senator and I have shown on this Bill will be extended in this House.

Construction is a very important sector of the national economy. It is widely acknowledged that well managed and successfully delivered construction projects can improve the delivery of public and private services. However, the economic downturn in the construction sector has highlighted the lack of formal contractual arrangements and bad payment practices in the sector. While there is strong anecdotal evidence of the practice of delayed or non-payment having escalated in recent times, it should be noted that the problem is not new. It is reported that many firms, mainly subcontractors, are experiencing serious difficulty in obtaining payment for work done. It is, therefore, important that, where possible, payment transactions within the sector should be facilitated to ensure prompt payment of the correct amount.

Apart from a small number of formal standard forms of contracts and conditions of engagement, the current arrangements for construction contracts and conditions of engagement are much too imprecise and informal. As a result, they do not offer a cost effective, timely solution for consultants, contractors, subcontractors and suppliers in the supply chain. The Bill before the House seeks to address the issue of non-payment to construction sector contractors, subcontractors and subcontractors of subcontractors who have completed work to the required standard on construction projects. The Bill will address these issues by providing statutory arrangements for payments under construction contracts, including providing for interim payments, thus reducing a payee's exposure to non-payment, and by introducing a new mechanism for the swift resolution of payment disputes through a process of adjudication.

The Bill does not purport to provide a response to all of the causes or manifestations of non-payment in the construction sector. This is a complex area and a comprehensive response to all of the causes of non-payment in the sector will not be provided in a single Bill. In particular, it is important to realise that many of the non-payment difficulties are linked to business failures and this Bill will not cut across the normal rules for company liquidation and receivership or prompt payment regulations.

In setting out the main provisions of the Bill, I am mindful that the Bill that passed the remaining Stages in the Seanad was not as complete as it could have been. In this regard, I sought a regulatory impact assessment of the Bill to give me the opportunity to examine the issue from first principles as the Bill introduces new rights, obligations and systems which will affect contracts and impose new regulatory requirements between clients, contractors and subcontractors across a broad sweep of construction operations in the State. In this regard, I will shortly set out the main findings of the regulatory impact assessment and give an indication as to the areas of the legislation that will be subject to amendment on Committee Stage.

For the information of the House, I propose to set out the main provisions of the Bill. Section 1 deals with interpretations and is standard. Section 2 concerns the scope and application of the Bill. It excludes certain contracts from the definition of "construction contract" and ensures the Bill will not apply to contracts below certain value thresholds. It also ensures that, in the normal course, the Bill will not apply to an ordinary individual who enters a contract for the building, extension or renovation of his or her home. He or she will not be required to comply with the new rules set out in the Bill. However, the section also tries to ensure that contracts concerning so-called "trophy homes" come within the scope of the Bill.

Section 3 sets out the rules to govern payments under construction contracts. All construction contracts will have to provide clearly for the amount and timing of payments. If a contract fails to specify these matters, the terms set out in the Schedule will apply. This section also ensures

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that “pay when paid” clauses, as they are known, will no longer be acceptable in contracts. This means, for example, that subcontractors or subcontractors of subcontractors will no longer be dependent on a main contractor being paid before they are entitled to receive their payments. This is a significant change.

Section 4 details the arrangements for a party to claim payments under a construction contract. It sets out detailed procedures for making a payment claim. In the event that the amount involved is disputed between the parties, this section works to ensure each of the parties is clear about the amount in dispute and the basis on which the dispute arises. This provides an important clarification which is not readily available to contracting parties. It then forms the basis for seeking a resolution of a payment dispute, through moving on to the adjudication process provided under the Bill.

Section 5 confers a new statutory right for contracting parties. A party who has not been fully paid — in accordance with the contract and the terms of the Bill — will have the right to suspend work under the contract for a period of up to two weeks. The section sets out the rules under which the suspension of work can occur. This provision was developed to help to rebalance the power between contracting parties, without unduly hampering the completion of a project. The existence of the right should help to ensure payments are made on time. Where a payment claim is still unpaid following the period of suspension, the appropriate path is for the parties to move on to an adjudication and seek resolution of the matter through that process.

Sections 6 to 9, inclusive, are related. They provide for a new process for the adjudication of payment disputes and set out arrangements for this new process. This is a critical aspect of the Bill and creates an important mechanism by which unpaid parties to construction contracts can have a relatively quick and cost-effective resolution of their payment disputes. Therefore, these sections deal with the right to refer payment disputes to adjudication; the right to suspend work for failure to comply with an adjudicator’s decision; the selection of a panel of adjudicators; and the code of practice for adjudication.

Section 6 makes provision for a new system of adjudication. It gives contracting parties the right to refer a payment dispute to adjudication and sets out the arrangements to be followed. Importantly, it ensures a construction contract cannot be drafted so as to try to negate or reduce this right to adjudication.

Section 7 provides that if an adjudicator’s award is not paid in full within seven days of the adjudication decision, the unpaid party has a right to suspend work under the construction contract. It sets out the rules governing this arrangement.

Section 8 sets out arrangements for the creation of a panel from which an adjudicator can be appointed to deal with a payment dispute. Section 9 gives the Minister for Public Expenditure and Reform the power to prepare and publish a code of practice to govern the conduct of adjudications.

Section 10 provides that parties to the contract may agree on a method to deliver notices referred to in the Bill. In the event that they do not agree, the Bill allows for delivery by a postal service provider. This is a common feature of legislation that provides for the delivery of notices.

Section 11 provides for the Short Title and commencement arrangements for the Bill. It provides that it may be cited as the Construction Contracts Act 2012 and that it will come in effect on such day as the Minister may by order appoint.

The Schedule to the Bill works together with section 3. The Schedule sets out default arrangements for contract payment terms. These will be minimum standards for subcontracts. This is a major innovation which should especially help sub-contractors.

In order to address the concerns raised about the current draft of the Bill, Senator Feargal Quinn and I arranged to meet stakeholders in the construction sector on 28 June 2011 to discuss the Bill. I also recognise the very helpful contributions of the main Opposition spokespersons, Deputies Sean Fleming and Mary Lou McDonald, on the regulatory impact assessment that took place on that occasion. I was delighted that they were able to join that discussion with the industry and make observations accordingly. This consultation highlighted a number of matters relating to the Bill that required further consideration. These have been taken into account in the regulatory impact assessment of the Bill, which was completed late last year and is available on my Department's website. It was published once we received it. That is important because we gave a commitment in the programme for Government to publish regulatory impact statements. It was a small part of the programme for Government, but it has now happened and is an important change to how legislation is formed.

The regulatory impact statement examined issues relating to payment practices in the construction sector and assessed the need for legislative intervention. It found that there were problems with construction contracts. The two main issues are as follows. The majority of construction contracts are carried out on an informal basis, with no written contract in place. That is typical, as we all know from experience in our constituencies. There are no minimum standards for payments and their timing. The sector is small, which means that where there is a contract, the bulk of the power rests with the main contractor. In cases where work is carried out on an informal basis, the subcontractor has no way of securing payment where there is a dispute. In the minority of cases where formal contracts are in place, the route to resolving such disputes — arbitration or the courts — is costly and time consuming.

In addition, the regulatory impact assessment examined the main proposals to amend the Bill raised during the Seanad debate and subsequent consultation. It found that there were merits to considering amending the Bill in a number of respects. I would like to go through these ideas and suggest how we might deal with them. On the question of thresholds, private contracts below €200,000 and public contracts below €50,000 do not come within the scope of the Bill as passed by the Seanad. The regulatory impact assessment examined the UK experience of adjudication, where the system has been up and running for some years, which showed that the majority of disputes the parties to which used such processes concerned contracts valued between £10,000 and £50,000. Therefore, it was concluded that these thresholds were too high and should be reviewed or removed.

The Bill provides that an adjudication award is binding, except where either party refers the case to arbitration or the courts. A key consideration in developing proposals is the need to strike a balance between ensuring the efficient operation of the construction sector in Ireland, both in terms of cash flow and the resolution of payment disputes, and the safeguarding of public moneys. The State is one of the biggest purchasers of construction contracts. The regulatory impact assessment found that as the Bill was drafted, the balance would appear to favour the payer. To resolve this issue, officials from the Department of Public Expenditure and Reform are developing a number of options aimed at making adjudication binding for both public and private sector contracts, while at the same time protecting the taxpayer. We have to get the balance right.

The regulatory impact assessment found that the inclusion of all suppliers would significantly broaden the scope of the Bill, as supplies make up a significant proportion of a construction contract; thus the arrangements to include numerous suppliers could create an unduly onerous

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process, which could create a barrier to entry for smaller enterprises. It concluded that supplies made specifically for a contract — bespoke supplies — could be included in the legislation, but it recognised that it might be difficult to interpret what was or was not bespoke. To summarise, it concluded that the best option was to proceed with the Bill, but to amend it to bring lower value contracts and bespoke supplies within its scope and to make the adjudicator's award binding. In general, it concluded that any such amendments should be formulated in such a manner that would protect the taxpayer.

There was intense interest on both sides of the House to discuss this matter. In fairness to Deputies, there has been correct lobbying to make sure we get the Bill through. I am now asking Members to put it through Second Stage, but I will indicate the matters on which I will be tabling amendments on Committee Stage in the light of the conclusions of the regulatory impact assessment. Since publication of the regulatory impact assessment, I have had the opportunity to develop proposals aimed at resolving these and other issues. While I am not proposing amendments today, I signal to the House my intention to bring forward specific Committee Stage amendments to deal with the following issues. First, in order to ensure the legislation applies to a majority of construction contracts, it is my intention to bring forward amendments to broaden its scope by reducing or removing altogether the current monetary thresholds contained in the Bill. Second, having examined similar legislation in other jurisdictions, I can see the merit of broadening the scope of the legislation to include bespoke construction supply contracts. I stress that it will be difficult to define what is meant by bespoke supplies, but I will attempt to do so on Committee Stage. Third, making adjudication awards binding for both the public and private sectors is complex. We have to get the balance right between giving this legislation the necessary enforcement provisions and ensuring its application is equitable and the taxpayer is safeguarded. Fourth, the two week time limit preventing contractors from withdrawing services in the event of non-payment where work has been carried out to a satisfactory standard seems insufficient and, therefore, will need to be amended.

I am aware of a number of other technical issues raised in relation to the Bill. These are being examined and, where necessary, amendments will be brought forward on Committee Stage. Given Members' substantial interest in the Bill, I will keep an open mind regarding issues they may wish to flag at this stage for consideration on Committee Stage. This is not my Bill; it is Senator Feargal Quinn's and I am strongly of the opinion that we must take a bipartisan approach to it. It is essential that the solution to this issue is balanced so as to avoid imposing unnecessary regulatory or cost burdens on parties in dispute, the State or others. I am very grateful to Senator Feargal Quinn for his commitment to the legislation and look forward to working closely with him to ensure we develop robust legislation to tackle the issue. I will, of course, give consideration to constructive suggestions made on Second and subsequent Stages.

An Ceann Comhairle: I call Deputy Dara Calleary who is sharing time with Deputy Seán Fleming.

Deputy Dara Calleary: I welcome the arrival in the House of the Construction Contracts Bill 2011. I join the Minister of State in paying tribute to Senator Feargal Quinn for the huge amount of work he has done, with Mr. Seán Gallagher. As a Minister of State, I had the privilege of bringing the Bill through the Seanad. If I can express one concern, it is about the length of time it has taken to bring the Bill to this stage. In the meantime, many sub-suppliers have gone under because of the environment in which we are operating or the lack of protection available. However, I thank the Minister of State, Deputy Brian Hayes, for being open

with every Member of the House about the work being done on the Bill. Can we aspire to seeing it pass through the Houses before the summer recess?

Deputy Brian Hayes: I hope so.

Deputy Dara Calleary: There is not a Deputy in the House who has not spoken to a subcontractor in difficulty. The worst thing of all is when a subcontractor is let down on a State contract, whether with the HSE, a local authority or third level institution, that he or she thought was gold plated. If the Bill can be enacted before the summer recess, we will have done some service.

I cite examples of why the legislation is necessary and would like to move away from technical language what happens in to real life. Like all Deputies, I know of large household name contractors which have gone under in the course of carrying out a contract. We must stand back from the legislation and ask questions about procurement law and tendering processes that have encouraged the submission of the lowest price contracts and poor examination of what makes up a tender. In some cases, there was a poor assessment of a company's ability to deliver on a contract. The practice of using turnover thresholds, excluding companies under a certain level of turnover from applying for certain contracts, is also flawed. A contractor might have a large turnover from building large numbers of houses but be incapable of building a school or completing a large-scale engineering project. When the job has been done, the Minister of State might take a look at the issue of procurement which is, rightly, linked with a jobs strategy. We must ask ourselves if we are getting the best bang for our buck, in terms of what the Government is spending on job creation measures.

On my desk I have the case of a sub-contractor who started work on a health care facility. The main contractor went under and the subcontractor was left €150,000 short. He does not have that money. The promoters of the project went back to the HSE which retendered and the project is under way again. However, my constituent is still short his €150,000. He can hardly afford to buy the newspaper to see the project advertised, much less have the capacity to resubmit a tender. Another subcontractor is putting seating into a local authority theatre. The main contractor went under, having been paid by the local authority, but the carpenter was not paid. He was able to take that hit and started a second project. However, another main contractor went under, again on a local authority project, and the carpenter could take a second hit. Six workers were laid off and talented people whose skills we need have left the country. One assumes Government contracts are gold plated and have an insurance policy built in.

Sections 5 to 9, inclusive, of the Bill are crucial. The danger lies in informality in the sector and the “Dúirt bean liom go ndúirt bean léi” way of doing business. I hope the experiences of subcontractors in the last three or four years will get rid of that informality forever. It has led small contractors to depend on big names which never let them down but did not put anything in writing. If we implement the Bill, a health warning must be issued with it to the effect that these sections are being included because of people's experiences. Whatever the practices were, the language of the Bill must formalise the practices that may have served us previously.

Section 3 is particularly welcome. It strikes me as odd that subcontractors allowed amounts of money to build up. For example, €150,000 is a huge amount of money. In that case, the subcontractor probably thought “it would never happen to me”. It is a huge amount of money to which to be exposed on a relatively small contract. The practice of “pay when paid” must be got rid of and the change must be enforced. Who will enforce the measures included in the Bill? We can make legislation, but enforcement and breaking what has been a culture for decades in the construction industry will be a bigger job.

[Deputy Dara Calleary.]

The Minister of State's commitment to address amendments on Committee Stage is fair. I also acknowledge the contribution of his party colleague, Senator Paul Coghlan, who spoke strongly in the Seanad, particularly on the issue of thresholds. It is probably not possible to include every contract in the legislation, but the thresholds prescribed in the Bill are too high. Given the current cost of construction, contracts are now 40% or 50% lower than they were six or seven years ago, which is to be welcomed, but the thresholds envisaged in the legislation need to be changed to reflect this.

The question of supplies is complex. It is easy to go into a theatre and take out seats, but one cannot take out concrete. The Irish Concrete Federation has come up with an interesting definition and referred to suppliers of construction products and materials that are "irretrievable due to their incorporation in the structure of the building". That would cover much ground work, concrete and bricks that cannot be taken away as one can take away other things from projects.

Deputy Brian Hayes: It is like divorce law. It is irretrievable.

Deputy Dara Calleary: Yes, indeed. The Minister of State and his officials might give some consideration to that definition. It is narrow enough not to cause problems in the legislation the Minister of State envisages. I wonder whether the legislation is too late. I worry that the horse has bolted. The construction industry is, in effect, at a standstill. One hopes that when it comes back to some sort of normal level this protection will be in place. I do not suspect there is any possibility, given the lack of resources, of some sort of compensation fund for those companies that have been stung in recent years. Many genuine people have been stung. In the briefing notes to the legislation reference is made to bonds, insurance policies and suchlike, but unfortunately, they were not in place. Insurance is something one wishes one had on a rainy day, but one did not. Many good people have struggled to keep their businesses afloat. These are people who genuinely thought that because the HSE or local authority, for example, were responsible for a building they would pay the bills and that everything would be grand. The local authority or HSE discharges responsibility to the main contractor, but unfortunately the food chain down the line did not see any benefit.

I welcome the publication of the Bill. As the Minister of State, Deputy Brian Hayes, indicated, it is a tribute to Senator Feargal Quinn in particular that he has stuck with the Bill. He has done a lot of work on it. It would be beneficial if we could aspire not to go into another session with this work unfinished. I understand that many speakers will wish to contribute on Second Stage but there is no reason the Bill should not go through Committee Stage quickly. I suspect the Bill will have to go back to the Seanad. If we could complete it between now and the middle of July we will have done some sort of service to those who are very badly exposed in the construction sector at the moment.

Deputy Mary Lou McDonald: I wish to share my time with — or steal it from — Deputy Peadar Tóibín.

An Ceann Comhairle: Is that agreed? Agreed.

Deputy Mary Lou McDonald: This legislation is long awaited and desperately needed. I commend the Minister on the constructive engagement he has had with stakeholders and the Opposition in recent months. The Bill has the support of the entire construction sector, from house builders to general contractors, civil engineers, mechanical and electrical contractors, architects, building suppliers and the construction sector. It is now time for the Government and all of us to bring the Bill to a conclusion.

As the Minister of State, Deputy Hayes, outlined, Senator Feargal Quinn must be heartily commended on introducing this legislation in response to the desperate financial fall-out for subcontractors unable to secure payment for work completed. I do not wish to sound a dissonant note but I will do so anyway, it is to the previous Government's shame that big contractors and developers were glad-handed and small subcontractors have been failed so spectacularly during the previous Administration's time in office.

Part of the impetus around the campaigning work for the legislation is that it became apparent that big developers and contractors had more cushioning and protection at their disposal to protect themselves and their personal wealth, enabling them to continue in business or to pursue new ventures while small subcontractors were literally hung out to dry. The impact of that has proven devastating for many. Small businesses are left crippled by insurmountable debt arising in some instances solely from moneys owed to them by developers. I will follow Deputy Calleary's example and cite a real-life example of the challenges facing small subcontractors in the absence of the legislation we required to tackle non-payment.

The example to which I refer is not from my own neck of the woods. It relates to GG Roofing — a Mayo-based subcontractor — which successfully completed work for Westport Property and Construction on the Silverbridge shopping centre in Claremorris in July 2009 and invoiced the main contractor the balance of the moneys owed to the company of just over €29,000. Westport Property made a few small erratic payments from November 2009 to June 2010. After a protracted legal dispute the courts ruled in favour of GG Roofing in April 2011, yet one year later the company has still not been paid. The money owed to the subcontractor is clearly of little or no concern to Westport Property but for GG Roofing getting paid will keep the lights on — if not it could be left with no option but to shut up shop.

I wish to address some of the dilemmas and shortfalls in the Bill as currently presented. I will begin with thresholds to which the Minister of State referred. We must find a way to ensure the finished product in terms of the legislation is a robust mechanism that confronts the accepted practice of non-payment by big contractors in all its guises. The company to which I referred, GG Roofing, is the perfect example of why the minimum monetary thresholds that put private sector contracts under €200,000 and public sector contracts under €50,000 outside the scope of the legislation must be removed from the Bill. The thresholds are counter-productive and do not reflect the type of moneys involved for small subcontractors when it comes to issues of non-payment. The Royal Institute of the Architects of Ireland has warned that leaving the thresholds at such a high level would result in all kinds of anomalies. The Society of Chartered Surveyors is of the opinion that if the threshold is not removed entirely the legislation will be a complete waste of time. I am pleased the Minister identified thresholds as one of the areas for amendment.

On the issue of non-binding adjudication, it is broadly agreed that the legislation's failure to make adjudications binding in the event of arbitration is a real cause for concern. Adjudication is, as the Mechanical and Electrical Contractors Association correctly points out, a low-cost dispute resolution mechanism and is intended to deliver a result in a short timeframe. The legislation as it stands undermines that objective. Arbitration and litigation are time consuming and when it comes to the courts years can go by with little result for subcontractors. The regulatory impact analysis to which the Minister of State referred proposes a two-pillar approach to address this weakness with differing arrangements for public and private contracts. While it proposes that adjudication would be binding for both public and private contracts it suggests that such awards granted to public contracts should be covered by a bond in the event that the award is overturned at arbitration.

[Deputy Mary Lou McDonald.]

The Construction Industry Federation, CIF, has argued against this solution on the basis that it believes contractors will have difficulty obtaining such a bond thus leaving them unable to secure the award and, in turn, make payments to suppliers and subcontractors. Alternatively, the CIF proposes that the Bill would give the power to the courts to withhold enforcement of adjudicator's decisions where the court is satisfied that the payer presents the court with evidence that the payee is unlikely to repay the moneys in the event that the dispute is ultimately resolved in favour of the payer in litigation or arbitration proceedings. I accept there is no simple or immediate solution to the challenge. The purpose of making the adjudication binding is to provide an alternative to long, drawn-out proceedings as experienced by current arbitration and conciliation procedures which work against small subcontractors. Often, it suits large contractors with significant resources behind them to drag out challenges to non-payment through existing processes or through the courts.

Contractors are living with the reality that the value of the construction sector shrunk from €38 billion in 2006 to €9 billion in 2011. In equal measure, protective measures must be put in place. The capital expenditure budget has been cut by the Government, a decision that impacts on contractors, subcontractors and the wider economy. Small subcontractors simply want to be paid for their work.

The two pillar approach may not work. In other jurisdictions the adjudicator's decision is enforced and upheld by the courts in the interim. If we look to our nearest neighbour, in Britain only 300 out of an estimated 18,000 adjudications have been challenged in the courts.

The section in the Bill dealing with payment claim notices does not appear to include a provision dealing with an instance where a payer fails to respond to a payment claim. When this occurs, the amount to be paid should be the amount claimed. This would address the fundamental problem and also give the main contractor an incentive to respond to a payment claim.

I very much welcome the fact that the Minister of State referred to the issue of suspension limits. The regulatory impact analysis did not deal with the concerns raised about the suspension limit as set out and as such, I was pleased to hear the Minister of State articulate them. It is my party's view that the right to suspend work for non-payment cannot be time-restricted to two weeks. This will not act as a sufficient deterrent under the law. If the Government was to persist with the two week suspension limit, it would undermine the purpose of the provision. It would be unreasonable to ask subcontractors to go back to work after two weeks having still not been paid and to incur further costs. It is welcome that this is a matter on which the Minister of State will table an amendment and that we will address on Committee Stage.

On the inclusion of a trust clause, the Mechanical and Electrical Contractors Association has estimated that, in the case of the six largest construction companies which have gone out of business in the last two years, at least €500 million was left owing to subcontractors, which is astonishing. The reality for the tens of thousands of tradepersons employed by subcontractors is that €500 million worth of work went unpaid. It is on this basis that the association has proposed the inclusion of a trust clause in the legislation to ring-fence moneys paid to a main contractor to ensure payments due to subcontractors would be paid in full. The organisation argues that the moneys should be paid in trust to a main contractor for disbursement to subcontractors to safeguard payments to SME companies. There are trust provisions in some of the standard contract forms, but they are frequently struck out. On this basis, a statutory trust provision is required, as applies, for instance, under Canadian law. We must look at this issue of ring-fencing moneys paid by the payer to the payee for work completed by subcontractors.

In respect of goods and services, I support the assertion of the regulatory impact analysis that the scope of the Bill needs to be broadened to include goods and products specially manufactured for a project. The Minister of State mentioned bespoke supplies. I appreciate that there will be some work to be done to come up with a precise definition because, as has been said, the Irish Concrete Federation points out that products which are integrated into the fabric of buildings such as concrete blocks are irretrievable, a point on which we can agree. In its submission on the Bill Irish Asphalt notes that bituminous road materials are perishable which must be incorporated within hours of delivery. The suppliers of these goods and services need robust legislative protection against those who cannot or will not pay. Existing legislation does not fulfil this role.

These are my initial thoughts on the Bill. The manner in which we have gone through this process, certainly from the time I arrived in the Dáil, has been extremely productive. There is a significant degree of commonality in terms of the outstanding issues that we need to address. I look forward to seeing the Minister of State's amendments. It is welcome that he is so open to considering amendments and ideas others might bring forward.

Deputy Peadar Tóibín: Cuirim fáilte roimh an Bille seo agus roimh an obair iontach atá déanta ag an Seanadóir Quinn. Léirigh mo chomhleacaí, an Teachta Mary Lou McDonald, tuairimí mo pháirtí ar an Bhille. Gan amhras, lig an Rialtas deiridh agus rialtóirí an Aontais Eorpaigh do bhaincéirí agus forbróirí réadmhaoine dul amú. De bharr sin, tá ar oibríthe foirgníochta agus íocóirí cána an praghas is mó a íoc.

Over 160,000 jobs have been lost in the construction industry. The Central Statistics Office figures indicate that the construction sector accounts for 57% of all job losses since 2007. It is important to repeat that figure to take in the scale of the collapse. Almost 60% of the jobs lost in the economy have been lost in the construction sector. It is a staggering figure which represents a staggering loss of skills. It is a staggering tragedy for the families and communities concerned.

I am always angered when commentators and some Ministers refer to the scale of job losses as an adjustment, explaining away the figures as a natural modification. An adjustment is minor and quick. What the construction sector and those who work in it have experienced, in both economic and human terms, is catastrophic.

The boom in construction was promoted by a systemic failure to regulate bank lending and the loss of monetary powers by the State to the European Union. Continued over-contraction of the industry is the result of systemic failure and the pro-cyclical response by the Government. The focus has been on a fiscal strategy that removed €3.7 billion in the last budget and has driven demand downwards. This includes a cut in capital infrastructure spending of €750 million this year and a projected cut of €550 million next year. The Government's aspirational growth figures are not realisable in these circumstances. One cannot take €1.3 billion out of the economy over two years and expect this sector to grow. According to the Department's figures, it will result in 11,000 job losses.

At the same time as the Government has cut investment in the construction industry, the banks, despite being recapitalised from the public purse, have yet to deal with the problem of impaired loans to SMEs. The recent findings of the Central Bank are that 58%, the majority of loans to the construction industry, are not performing. The bank has also found that one third of all capital lent to SMEs last year went to construction, the vast bulk of which was in respect of the roll-over of existing loans. Private sector demand has fallen off a cliff owing to rising unemployment and the lack of capital. The sector remains hamstrung by debt and cannot gain access to credit.

[Deputy Peadar Tóibín.]

The response of the Government has been to cut the level of public sector investment in physical infrastructure at a time when it is most required. The failure of the Government to deal with the problem has led to the situation where payments within the sector have been frozen. As Members throughout the House have stated, one business failure has a knock-on effect on suppliers, contractors and subcontractors. For all the talk of a possible contagion within the banking sector, it is rife within the construction industry.

That is why we welcome this Bill as a proposal to free up the flow of money within the construction industry.

However, there is more to be done if the Government is serious about getting construction workers back to work and developing the sector to a sustainable level. It should begin by reversing cuts to infrastructure spending and investing in shovel-ready programmes that will create jobs immediately as well as enhance the long-term competitiveness of the industry. Other steps that must be taken include investing in the roll-out of broadband, retrofitting of public and private buildings and facilitating new builds in the education sector. In the North there is 90% medium to fast broadband availability, but the equivalent availability in the South is a mere 4.6%. Increasing broadband availability by 10% leads to an increase in GDP of 1%. The Government is failing to take these steps to invest in our long-term competitiveness. The response, of course, will be that we are broke, but the same Government paid out more than €21 billion to the banks last year.

There are other issues that must be addressed in the construction industry. Procurement is of particular importance and something I have discussed with the Minister. There is a danger that the centralisation of procurement makes it less accessible to small businesses. It does not have to be that way. There are actions the Government can take which would ensure, even under a centralised system, that contracts remain accessible to all. Unfortunately, that is not necessarily the direction in which the Government is headed. We must have procurement guidelines that allow small and medium-sized enterprises to compete for contracts and which ensure that those winning tenders will enhance local employment and skills and purchase local goods and services. Operators who secure public contracts must comply with all conditions of the contract, including paying the recognised rates of pay. There is much anecdotal evidence of contractors and subcontractors on public contracts not paying the going rate and otherwise not respecting the entitlements of workers. Not only is this severely detrimental to the workers concerned but it also leads to an uneven playing field. The Government must ensure that the conditions attaching to public contracts are fully complied with if its own policies are not to be fundamentally undermined.

Ireland is fortunate to have global leaders in the construction sector. We have the necessary skills and we also have massive excess capacity in the sector. Those skills are in demand across the globe. Companies like Kingspan have demonstrated that it is possible for this State to create world-beating products. The Government must take action to maximise competitiveness within the domestic sector. It needs to tackle cartelism where it exists in order to drive down costs, particularly energy costs. Despite the increase in competitiveness in other sectors, high energy costs have served to maintain and increase construction costs. We must also tackle the black economy, which reduces revenues and fundamentally undermines the ability of legitimate businesses to function.

There is a range of policy options available to the Government in order to build a sustainable construction sector. To date, however, it has failed to bring forward effective proposals. That task has been left, in this instance, to an Independent Senator. This Government is apparently content to see skilled tradespeople leave Ireland, never to return. Last year, for example, some

76,000 people left the State, which amounts to nine every hour. I welcome this Bill as a necessary step towards building a sustainable construction sector.

Deputy Stephen S. Donnelly: I propose to share time with Deputy Mick Wallace.

Acting Chairman (Deputy Olivia Mitchell): That is agreed.

Deputy Stephen S. Donnelly: I commend Senator Feargal Quinn for bringing this Bill forward, in the last parliamentary term, and the Government on its willingness not only to allow it to proceed through the Houses, but also to support it. I especially welcome the Minister of State, Deputy Brian Hayes's indication that a regulatory impact analysis was undertaken which deemed the Bill necessary and worthy and offered several useful amendments. What is notable in all of this is that it is so extraordinary for a Bill of this nature to proceed this far. The last Private Members' Bill initiated in the Seanad to make it into law was the Protection of Animals (Amendment) Act 1965. I urge the Government to continue on this path of taking a more open-minded approach to legislative proposals from across the floor of both Houses.

Regulatory impact analysis may sound like an obscure concept but it is essential for good policy-making. It helps to ensure that legislation coming before the Oireachtas is evidentially based and that we are all aware of the projected impact of its provisions on society, small businesses and so on. As the Minister of State observed, a commitment in regard to regulatory impact analysis is included in the programme of Government. However, at the end of last year, just over one third of Bills published by the Government were subjected to this type of analysis. Clearly, a greater degree of commitment is required in this regard. We had a stark example of this last week when the Minister for Social Protection indicated that no regulatory impact analysis had been done in respect of the Social Welfare and Pensions Bill 2012 and, moreover, that none was necessary. That is not how the Cabinet handbook reads to me. No poverty impact or gender impact assessment was done. I described this type of policy-making in an article this week as apparently based on a strategy of pressing different buttons to see what they do. I do not say that glibly, certainly not in a context where the guillotine was used at all Stages of the Social Welfare and Pensions Bill last week. In fact, research by the Technical Group shows that this Government has used it in the case of nearly 70% of legislation, despite its clear statement of intent to do otherwise in the programme for Government. Against that background, I welcome the Minister of State drawing attention to the importance of regulatory analyses. I hope the Government will make greater use of them in the coming years.

The Bill before us today is about protecting small businesses from the vagaries of the market and from some of the practices of large businesses. In preparing for this debate I was shocked to discover some of what goes on in the industry. I did not realise, for instance, that subcontractors and sub-subcontractors often rely on payment from the main contractor. That is an extraordinary environment for any business to operate in and I welcome its review. The Minister of State observed that in an informal industry like the constructions sector, legal protections for the smaller players can be undermined. There is an ongoing problem in that the payment and resolution process is carried out through the courts. We have seen in the case of the Internet copyright legislation, for example, that the courts are simply not accessible to most individuals and small businesses.

We are all aware of the pain that has been suffered by workers, individual contractors and small business owners in this industry. In introducing the Bill in the Seanad in 2010, Senator Quinn noted that more than 500 companies in the sector had failed in 2009, which is an extraordinary number. He pointed out that the State has an engagement process for the large developers by way of the National Asset Management Agency, with some of these people being paid very generous salaries to work through half finished properties in an effort to resolve their

[Deputy Stephen S. Donnelly.]

debts. However, there is no such engagement in respect of individual contractors and small businesses in difficulty. As I am sure is the case for many Deputies, over the past year I have met many people from the industry — carpenters, bricklayers, plumbers, electricians, architects, engineers and quantity surveyors — and they are in extraordinary levels of distress business-wise and personally. There are three issues many of them are dealing with at the one time. They have seen their incomes collapse, with little hope of them increasing again in Ireland in the near future. As we know, many people in the industry are having to emigrate. On top of this, they are self-employed and, as we know, the self-employed and small business owners, when they run out of work, do not have the same critical social protections as PAYE workers. Both issues are compounded by the fact many of those working in the sector bought houses during the bubble. They cannot now pay them off and they are in negative equity so they are faced with bankruptcy, repossession and little help from the State. That is not a criticism of this Government, it is a criticism of the system. We are guilty of hypocrisy in that we urge entrepreneurial activity and the taking of risks by small businessmen, but at the same time, it is implicit that for someone who fails, there will not be the same protection as there is for those who have not taken the same risks, the PAYE workers. We must address that urgently.

I have a sad example from my own constituency of a family-owned quarry in Blessington, which has been dealing with many of these issues. A further issue arose for the business with serious allegations of price fixing or cartel activity in the cement industry. In an article in the *Irish Examiner*, Michael Clifford said that if the allegations are true, the State has been defrauded out of hundreds of millions of euros, as the State is the largest buyer of concrete in the country. He said no State agency or court has ever properly investigated what goes into the market despite decades of complaints. He further pointed out that investigations in other jurisdictions revealed cartels and price fixing. I have no idea if there is cartel behaviour but the allegations are serious. Individuals have brought cases but the failure of the Competition Authority to conduct a meaningful investigation is surprising despite numerous complaints and the evidence of such activity in other jurisdictions over two decades. Successive Governments have not had the will to pursue this.

The Competition Authority is independent in the performance of its functions but in the Competition Act 2002, there is provision under section 30 for a Minister to order the authority to investigate a particular sector. It is my understanding the Competition Authority has very limited resources and has made the decision that it does not have resources to take this on based on the evidence that has been presented to it. I drove around this quarry in Blessington and the owners pointed out to me machinery that was idle and trucks that were being sold one by one to keep staff on. I spoke to them this morning and they told me that on Friday they had to lay off another four staff. Day by day and week by week, this is bleeding the country dry, so I urge the Minister to look at the executive authority he has under the Act.

There are two parts of the Bill that I particularly welcome. I welcome the breaking of the dependency on the main contractor being paid. That is very important in addressing a serious power imbalance in the sector. I also welcome the affordable process contractors and subcontractors can take so they do not have to risk money they do not have to go to the courts.

I urge the Government to keep focusing on this and to look at bringing in comparable social welfare protection for the entrepreneurs and small business people who really do take risks, putting their houses and savings on the line to create jobs. It must also ensure the Competition Authority has sufficient resources to investigate these serious allegations. The Minister is aware that the business rates being charged are killing small businesses. He should also take another look at upward-only rent reviews.

Deputy Mick Wallace: This is an interesting Bill and I am glad the Minister has an open mind on it. It is a good start. This is an absolute minefield and people do not appreciate how much trouble lies within it. There are a lot of problems in the industry. It is a crazy industry, and a huge one. It was not just big in the crazy times we have just been through. Construction will always be a huge industry in any country in normal times, although it got too big here. It will, however, always be a huge factor in any economy.

I have been involved in construction all my life. I was a subcontractor for years and I was a main contractor for 15 years. I know both sides. I have not studied the Bill as much as I should have but I will. It is interesting and there is much in it.

The relationship between the main contractor and the subcontractor has always been poor; the subcontractor was always in a weak position. My own business has collapsed and I owe subcontractors money. I also owe the Revenue Commissioners money. I do not, however, owe money to some of the suppliers that people would think need protection. Some suppliers need protection but those who supply products that get lost in a project, such as concrete, are not necessarily those who most need protection. I do not owe money to Roadstone, Kilsaran or any concrete supplier, and that is the case for most developers who have gone broke. They are not the companies that got caught. It was the smaller suppliers who got caught, such as small hardware providers. Deputy McDonald spoke about the amount owed to subcontractors following the bust, and the figures are frightening. There was a knock-on effect and many small suppliers did not get their money because the subcontractors were not paid. There is a domino effect.

As a subcontractor, I worked for one of the biggest builders in the country in my early days. I did £170,000 worth of work for him, labour only, and he gave me £150,000. I told him he still owed me £20,000 and he told me to go to hell, that he had given me enough. I thought this was not fair so I went through the legal process to get my money and discovered after six months that the same builder had a good legal team in place to deal with subcontractors and that I was just one of many subcontractors who had been treated in this fashion. After six months my solicitor told me it would take two years to get my money through the courts and that I would probably be doing well to get two thirds of the amount I was owed. That was a very unsatisfactory arrangement. I managed to obtain some of the money owed to me by taking a more unorthodox route, but I will not discuss the details of that matter here. It is a very good story which I will recount to the Minister of State on another occasion.

Deputy Brian Hayes: The Deputy should produce an amendment to that effect on Committee Stage.

Deputy Mick Wallace: There is an uneven relationship between subcontractors and main contractors which is most evident in cases relating to small subcontractors. The notion that contracts with a value of less than €200,000 will not be included in the legislation is a joke and will completely nullify the good the Bill might do. Most contracts are for amounts less than €200,000. Those subcontractors carrying out work on contracts valued at more than this amount have a far better chance of receiving payment than their smaller counterparts. Those who do general labour work, carpenters, blocklayers, bricklayers, concrete finishers and pavers are in an extremely vulnerable position and require the protection provided by the legislation. There would be no difficulty in extending its provisions to cover them.

There are so many problems in this matter that I do not know where to begin. In most cases where main contractors failed to pay subcontractors, rows or disputes did not erupt. All that happened was that the main contractor did not pay when the subcontractor wanted to be paid. I did a great deal of work for local authorities, most of it for Dublin City Council, with which

[Deputy Mick Wallace.]

I had an arrangement, whereby I would submit invoices at the end of the month for the work I had carried out. When I submitted an invoice, it had two weeks to deal with it. If issues arose in respect of it, it would communicate further with me. Once it had been agreed, however, it had a two further weeks in which to issue payment. This was a very fair arrangement. I was always treated well by the council in all the years I worked for it. It was a good, fair and honest employer. Sadly, private contractors leave much to be desired in this regard. There are some very wonderful and honest contractors. Unfortunately, however, there are many about whom one could not say this. For some reason, the industry has attracted a large number of rogues. There are many involved in it who do not behave in an honest fashion. More often than not, subcontractors and small suppliers are on the receiving end of their behaviour.

There is a need to put a new system in place. If a subcontractor or supplier submits an invoice, there must be a fixed period within which a main contractor must deal with it and issue payment. Such a system could mirror the arrangement I had with Dublin City Council. As previous speakers stated, the fact that many of the contracts used in this area up to now have been too informal in nature has given rise to problems. Therefore, formal contracts should apply for any jobs with a value in excess of €10,000. The threshold of €200,000 to which I referred is crazy. A contract with a value of over €10,000 should be protected under the Bill.

As stated, it is vital that formal contracts be put in place and that there be a set period in which payment must be made. It must be recognised, however, that huge problem remains in the context of how to organise adjudication if there are disputes. I had a meeting in a coffee shop this morning with a barrister and a solicitor at which we discussed this issue and making progress on it is not going to be easy. However, there is a need for a system to operate independently of the courts. The legal process is too long, onerous and expensive and, in many cases, the small contractors to whom I refer cannot afford to go to court. I am not sure how an adjudication process, particularly one which would give rise to speedy resolutions, might be structured, but there is no doubt that such a process should be incorporated in the Bill.

It is difficult to arrive at resolutions of disputes relating to construction contracts. For example, a contractor might state the relevant work was not done in the way it was supposed to be. I accept that this sometimes happens. On a number of occasions as a main contractor I gave subcontractors jobs and it turned out that they were complete chancers. They were bad calls on my part. If the work was done wrong in cases such as those to which I refer, I was obliged to pay someone else to do it again. There was no way I would have given the first individual a second chance, particularly as he was not able to do the work on the first occasion. There is a major problem in this regard. How does one prove one is more in the right than a subcontractor who has not done the job required? If an adjudication panel is going to be established, it must not only have a legal aspect to it but some of its members must also be able to understand the construction industry. Such individuals must have a knowledge, for example, of carpentry and how concrete and steel are used in construction. In other words, a broad cross section of individuals with engineering experience and with a background in the various trades must be involved.

The adjudication panel must be in a position to bring disputes to a speedy conclusion. However, its decisions must also be binding because it will otherwise be just wasting its time. If decisions are not binding, major contractors will go to the courts in order to delay matters for God knows how long. That was the position with regard to the individual to whom I referred who was determined not to pay the money he owed to me and dragged me through the courts for two years. Subcontractors who are owed large amounts of money and brought before the courts will simply not survive. They will go out of business long before the legal process reaches

its conclusion. There is no need for me to refer to all of the knock-on effects when someone goes out of business, except to say there is no end to them.

Am I correct in stating, in the context of the withdrawal of services provision, that if the main contractor does not agree to the adjudication and does not pay the money owed, there will be a right to cease work on the project or close it down?

Deputy Brian Hayes: It can be closed down for a period.

Deputy Mick Wallace: However, the Minister of State is not introducing——

Deputy Brian Hayes: It is a cooling-off period.

Deputy Mick Wallace: If there is a dispute and a subcontractor is not paid, is it the case that he will not be able to stop work on the site before the matter is adjudicated on?

Deputy Brian Hayes: No, he cannot do so.

Deputy Mick Wallace: Therefore, the matter must be referred to adjudication before work can be brought to a halt.

Deputy Brian Hayes: The objective is to encourage the parties to become involved in discussions to resolve the matter before adjudication is necessary.

Deputy Mick Wallace: If a contractor does not agree to adjudication, can the work be stopped?

Deputy Brian Hayes: Yes.

Deputy Mick Wallace: This is a dangerous area. I would be the first to admit that culpability often lies with the main contractor. This is sometimes not the case, however, because on occasion the main contractor could be getting a raw deal from the subcontractor. For example, such a subcontractor might not do the work right and could then state he was not going to do any further work until he was paid. If there is going to be a period during which the adjudication panel will try to ascertain where the truth lies and who owes what to whom, it would not be fair to bring work to a halt during that period. The contractor should not be allowed to get someone else to do the work until the matter was resolved. If, for example, the subcontractor involved was a carpenter taken on to put in doorframes and hang doors and if there was a dispute, the contractor should not be allowed to contract someone else to finish the work until the dispute had been resolved. We would be looking for trouble if we were to allow other subcontractors to come on site in such situations in order to finish off particular jobs.

Deputy Brian Hayes: Perhaps the Deputy might join us for the Committee Stage debate on the Bill. His observations would be extremely useful.

Deputy Mick Wallace: Okay. Deputy McDonald raised the issue of a bond. I agree it is too expensive and too difficult for the small subcontractors to get one. If every subcontractor were to need a bond, the price of them would go up. There were times when subcontractors could get a fair deal on bonds which were needed for doing State work. It was an uneven game, however, and requiring them for all work is a step too far.

Procurement is a different area but needs to be examined. In Dublin city five large public private partnership projects, such as the regeneration works in Inchicore and Dominick Street, fell through with one builder. It had reached the stage that this builder was the only one who could tick all the boxes in the procurement process for the last few years of the good days.

[Deputy Mick Wallace.]

This builder got all the jobs he wanted, and more than he could do. Those five large regeneration projects fell through when the property market fell and the figures changed, resulting in the builder walking away from them. The reason he had so much on his plate was that no other builder could compete with him in tendering for all these projects as he ticked all the required boxes. The procurement system is poor and needs to be examined. I accept this may be outside of the scope of the Bill but it was raised by Deputy Calleary.

People seem to think the entire subcontracting area ran into problems because of the recession. The problems existed long before the recession. I can go back 20 years and speak about problems in the relationship between the subcontractor and the main contractor. Under no circumstances is this a new issue.

There has to be protection for suppliers, in particular the small supplier. There is no point in legislating for the large concrete suppliers which have the most clout. The small supplier has suffered the most in the past four years. It is he or she who got paid the least from the contractors when the trouble arrived.

Deputy Donnelly raised the issue of whether a concrete cartel exists. If anyone is wondering if there ever was a concrete cartel in this country, he or she can take my word for it there was. I could not break it and I used to deal with many different concrete suppliers. Were they doing business together? They sure were. No one had the power to break them. Anyone in the industry is familiar with the concrete cartel, and it is a difficult issue to tackle.

The issue of contractors getting jobs from local authorities but not being able to finish work, resulting in subcontractors failing to get paid off for State projects was raised. It is a known fact that not all local authorities have behaved in an honest fashion. I have said previously that I found Dublin City Council to be honest and I was treated fairly by it. Around the country, however, it is not always so clean and upfront. Most of the time builders got work from local authorities through power, influence and contacts. The relationship between Fianna Fáil, which has ruled the country most of my life, and the building industry has left much to be desired. This has led to many problems in cases where contractors got work from local authorities when they should not have. A lot of underhanded stuff went on.

The need to address the wider issue of local government, which I hope the Government will do, will capture some of the problems in this area which is seriously entrenched in the way local government operates. For all practical purposes, as Members know, we have no local government in this country when compared to the European model, aside from the fact local government here gets only 20% of the average funding a local government in Europe gets, the people elected to local government are not put in positions of decision-making, leading to more problems, and it is run by an executive. Who gets the county manager's job and how he or she gets it determines many other matters further down the tracks. I hope the Government will address this wider issue.

I thank the Minister of State, Deputy Brian Hayes, for his patience. I look forward seeing how the Bill transpires; it is certainly a good development.

Acting Chairman (Deputy Olivia Mitchell): I call Deputy O'Mahony who is sharing time with Deputies Fitzpatrick and Jim Daly.

Deputy John O'Mahony: I welcome the Construction Contracts Bill 2010 which has taken a long time to get to this Stage. I compliment the Government on bringing it forward and Senator Feargal Quinn on initiating it. It is one of the most overdue Bills and is needed for many reasons. It is a pity it has not been in place since 2007 when the crash came in the construction industry. There is much talk on all sides of this House about the pain inflicted on the industry

with up to 160,000 jobs lost. There are many human stories behind these job losses. This Bill will prevent much of the pain that people have suffered in recent years from happening again.

The only difficulty is that subcontractors, and those who work for them, are still being destroyed by receiving no payments when a main contractor goes out of business. Only last week, Mayo County Council had to take control of two sites, the new library in Swinford and Park View estate in Charlestown, as only 95% and 99%, respectively, of them were completed. The main contractor had been paid up to date but went out of business leaving 40 subcontractors high and dry, losing large amounts of money. I spoke to several of them this morning to understand more about what happened. One informed me that because this large contractor in the west had gone out of business last year, the sub-contractor has lost €266,000. That is unsustainable for a subcontractor and cannot be justified. Although this Bill is too late for such subcontractors, I hope it will provide certainty for subcontractors in future. No big business could sustain losses like that, never mind a small subcontractor business.

We often discuss how people are unable to get jobs and although the subcontractor has plenty of offers to price jobs now but he cannot take the risk as his business has been destroyed by the losses he has been forced to take. For many subcontractors, if they are employing two or three workers and have seen business contract over the past few years, at least the workers would get social welfare if they are laid off. The subcontractors would be self-employed, meaning there is a double whammy as they have no social welfare entitlements at all and are facing utter ruin as a result. I want to concentrate on the positive aspects of this Bill but it is a live issue; I do not know how long it will take to enact the legislation but that time cannot come soon enough. It would have been beneficial to have had it in place three years ago. We should fast-track this through the legislative procedure.

I understand this will not cover where materials have been supplied to building sites and I hope that can be reconsidered. If a concrete company supplies thousands of blocks, it would be hard to retrieve them if they were put in a wall, and it would be difficult to recover the value. The Bill in the Seanad only considered contracts under €200,000, and I welcome that we are examining that again. Most of the cases I am aware of would be in the lower bracket of the amounts discussed, and if the €200,000 level remained, it would exclude certain cases, which would not be good.

I welcome the Bill overall. There is much work to be done by the Government and this Bill should be put into law as quickly as possible. Many subcontractors have made the point to me that although many main contractors are slow in making payments, they continue to get Government contracts. They may even get those contracts if they fail to pay subcontractors completely, and that should be considered by this Government. We should not hand out contracts to companies which treat subcontractors in such a way.

Deputy Peter Fitzpatrick: I welcome the opportunity to discuss this Bill, which was introduced following the demise of the property industry and with its resulting casualties. Quite often these casualties were not just the larger, well-known companies, but the smaller contractors which had neither the resources nor the capital to sustain the losses they were ultimately to endure.

This Bill will predominantly address the problem of non-payment in a balanced manner that would avoid imposing unnecessary regulatory or cost burdens on parties in dispute, the State or others. It will neither impose a cost or risk exposure on the Exchequer or taxpayer by requiring the State to support unpaid businesses or to underwrite their risk of non-payment nor reverse the considerable reforms achieved for the Exchequer in public sector construction procurement, particularly the reformed contracts and terms of engagement for public sector construction projects introduced just a few years ago. The Construction Contracts Bill 2010

[Deputy Peter Fitzpatrick.]

was introduced by Senator Feargal Quinn and passed Committee and Remaining Stages in the Seanad on 8 March 2011. The Bill now before that Dáil was developed after several months of work with the Attorney General while keeping in close contact with the Senator.

The purpose of the Bill is to help address the issue of non-payment to construction sector contractors and subcontractors which have completed work on construction projects. The Bill achieves this through providing statutory arrangements for payments under construction contracts, including providing for interim payments. That will reduce a payee's exposure to non-payment. The Bill will also introduce a new mechanism for the swift resolution of payment disputes through a process of adjudication.

The Bill provides for a new statutory right to interim, periodic or stage payments, making clear when the payments become due, their amount and a final date for payment. There would also be a new statutory right for a payee to suspend performance where a "sum due" is not paid by the final date for payment; the prohibition of arrangements that make entitlement to payment conditional on certain events, such as "pay when paid" clauses, which delay payments until the payer has, in turn been paid; and a statutory right for parties to a construction contract to refer payment disputes to adjudication. There would also be a new adjudication procedure to deal quickly with disputes about payments and to result in a binding decision, under which payment, if any, must be made to the party named in the decision. An adjudicator would be selected on an agreed basis, by the parties to a contract, or else to be appointed from a panel to be set up by the Minister. These aspects of the Bill are particularly important and far-reaching, offering a platform for dispute resolution and a mechanism to prevent the escalation of construction and building-related disputes.

During my work I have personally encountered numerous builders, contractors and subcontractors who have come upon great financial and not to be underestimated personal crises as a result of the construction decline. From Laytown to Drogheda, Ardee and my home town of Dundalk, I have spoken with and met copious amounts of small contractors in payment disputes. Perhaps I am in an elevated position to assess and uncover the problem having in a former role run a business that was indirectly related to the construction sector. Perhaps that is why I am continually meeting people who wish to share their difficulties with me. Perhaps my previous role allows me to fully understand the pain and anguish that people are suffering, as I have experienced it myself.

This Bill is not the complete solution and it may be too late for some in the construction sector. However, this Bill is proactive, far-reaching, and most of all, it is a step in the right direction and will provide a channel for the much maligned small contractor to seek recompense. The programme for Government commits to introduce new legislation to protect all small building subcontractors that have been denied payments from bigger companies; this Bill addresses that issue and I have no hesitation commending it to this House.

Deputy Jim Daly: I am thankful for the opportunity to speak on this important Bill before the House. I have previously mentioned in the House a trip I took to Brussels a couple of months ago, where it was stated that 23 million people are unemployed across the EU, with 23 million small to medium enterprises registered across the Union. It is vital that the Government focuses on small to medium enterprises and supports them in every possible way. This Bill has an important role to play in the support of many sole traders in all our constituencies, with implications for employment.

We all know the sad history associated with the construction boom from the so-called Celtic tiger era, when up to 25% of GNP was taken up by the construction sector. That was an inflated figure and has brought a significant cost on our economy. In 2010, it was estimated

that 9% of GNP, or close to €12 billion, was taken by this sector, which gives an idea of its importance to the overall economy. As legislators, we must ensure its survival and support it in every way possible. The image of many builders was tarnished and brought into disrepute by the actions of a few at the top while many down the ladder worked away at the same pace throughout the Celtic tiger years and are now struggling to support the industry through which they have built a livelihood. It is important not to tar everybody with the same brush.

While it is late in the day to introduce this legislation, this highlights the difficulty with legislation. Much of it must be reactive and this is an example of us having to react to circumstances as we are made aware of them in our constituencies. Many large builders can rely on NAMA but sole traders and subcontractors are often the silent victims. They do not generate headlines and many column inches in the newspapers but, nonetheless, they are important employers and contributors to our economy.

I welcome the Bill, which proposes State intervention by creating a regulatory framework to provide for minimum contract terms regardless of whether the contract is written or oral. It also provides for a speedy review and resolution of construction contract payment disputes as they arise. The Bill has by and large been welcomed by both Houses. Many small companies will be delighted when it is enacted. Many households would have been saved from severe hardship in recent years if these legislative provisions had been implemented at the time.

Many employers got into genuine difficulty and were let down by banks and so on midway through a contract. However, there was also rampant abuse of subcontractors by people and companies who withheld payments from them. Many of them were supplied with large volumes of material, which cost a multiple of the labour required for a job. We often think of labour but forget to consider the value of materials provided for a job. This has a domino effect as this not only affects the subcontractors but also the suppliers of the materials used by them. This can have huge consequences for businesses struggling in difficult times. The bill probably falls short in the protection it offers to material suppliers who may not have a formal contract with the contractor. For example, the trucks of concrete readymix suppliers deliver product to site in a short time and the value of the delivery is thousands of euro. The legislation could be strengthened to offer more protection to the material suppliers. Once a product such as concrete is laid, it is worthless as the supplier cannot retrieve. The contract has to have expired as soon as the concrete has been delivered because it is only use for a specific purpose on a site. The supplier of such a product cannot seek to reclaim his material as it is worthless to him.

I welcome the provision detailing the timeframe for dealing with disputes. Currently, such disputes take years and significant energy and money and effort on the part of those involved and that will be welcomed by all concerned.

Deputy Robert Troy: I wish to share time with Deputy Browne.

I am grateful to contribute to the debate on this important legislation. I have asked the Taoiseach on many occasions on the Order of Business when it would be introduced and I am pleased it has been introduced today. I compliment the Minister for State for bringing it before the House. He is one of the less partisan Ministers at times. He made it clear that he regards the legislation as a Private Members' Bill and he recognises that Opposition Members and Government backbenchers have valuable contributions to make.

Deputy Brian Hayes: That is based on having spent a long time on the Opposition benches.

Deputy Robert Troy: It is a signal of more to come and I hope the Minister of State will in future accept other Private Members' Bills, especially when they have the unanimous support of the House. For example, I refer to the family home protection Bill introduced by my col-

[Deputy Robert Troy.]

league, Deputy Michael McGrath, prior to Christmas. It is a worthwhile Bill and I hope the introduction of this legislation is a sign of things to come because we are all democratically elected and we can all play a constructive role in trying to rebuild our economy and putting the country on a better footing and trying to reach reasonable solutions to the many problems facing people. The construction industry has a negative name, undeservedly in certain regards. As in every other profession and walk of life, rogues worked in it but it is an important sector in our economy and it has provided great employment down through the years. Most people in the industry do an honest day's work for an honest day's pay.

The Bill will address the issue of payments between employers, contractors and subcontractors and it is welcome. Its main aim is to improve the payment practices within the construction industry by providing for a range of statutory rights for contractors and subcontractors supported by the ability to refer disputes to a fast track adjudication process. The legislation applies to contracts, whether oral or written, relating to construction operations, which are broadly defined and will include all construction and engineering works as well as professional construction services. However, it will not apply to construction contracts with a residential occupier or those that may be specifically excluded from its operation by the Minister for Finance.

It is right and proper to acknowledge the work of Senator Quinn and the former presidential candidate, Seán Gallagher, on this Bill. It is a pity that it took so long to come before the House but I would like to acknowledge the strident work of Mr. Gallagher. As a member of Westmeath County Council I received copious documentation from him regarding his endeavours in this regard. Given the current economic difficulties faced by the country, it is important to put supports in place in the construction industry. Sustainable businesses in the industry find it increasingly difficult to access credit, which is another issue the Government must pursue vigorously. Earlier this week, my party leader highlighted the lack of provision of mortgage credit by financial institutions. Many people with good credit histories are finding it difficult to secure mortgages, which is also having a knock on effect on the construction industry. In addition, these institutions are using the fact that housing estates have not been taken in charge by local authorities to refuse mortgages, despite fact that, in some cases, 95% of the houses are occupied. That is having a depressing effect on the domestic economy and this issue needs to be tackled as a priority.

Deliberate non-payment or delays in payment are common in this industry and it is difficult for compliant builders to match the prices of non-compliant builders who price jobs knowing they will never fulfil their obligations to subcontractors.

None the less, they are able to get the contract on day one, although someone will be burned at the end of the day. It is very difficult for the honest to God, compliant contractors who are trying to compete.

The Bill proposes State intervention by creating a regulatory framework to provide for minimum contract terms regardless of whether the contract is written or oral. It allows for a speedy review and resolution of construction contract payment disputes as they arise to ensure prompt cash flow and thereby improve efficiency. It is important, given the stagnant domestic economy at present, that we keep cash in circulation and ensure speed in paying our bills.

Before I finish, I wish to identify some possible improvements to the Bill, although I did not hear all of the Minister's remarks. It is very important the scope of the Bill is widened to include a provision that would guarantee payment on a construction contract, perhaps through the use of a financial instrument such as a bond or designated trust account. It is important to remove the minimum monetary thresholds that put private sector contracts under €200,000 and

public sector contracts under €50,000 outside the scope of the legislation. Will action be taken to bring them within its scope?

We also need to broaden the scope of the Bill to include goods and products specially manufactured for a product, namely, concrete, and to include the suppliers. I have heard many stories of incidences where construction companies, large and small, have left suppliers with large bills and walked off with a nest egg. These people are competing for contracts but are undercutting compliant contractors who fulfil their obligations to their subcontractors, to Revenue and to suppliers but who are unable to get jobs because the non-compliant contractors are not fulfilling their obligations. At this stage, the Minister should consider broadening the scope to include suppliers under the remit of the Bill.

Although it is not primarily connected to this legislation, the Government should examine the awarding of State contracts. Onerous requirements are being put in place in regard to the previous year's accounts and turnover. Many small, viable businesses which, due to the downturn in the economy, did not have the normal level of activity in the previous year are precluded from tendering for specific contracts in the current year. We must examine this situation. Many small family businesses and medium-sized enterprises have the necessary capability and tax clearance, have met their requirements to their subcontractors and are totally compliant but, because of the reduction in turnover from previous years, they are not even allowed to tender. While it is a little away from the issues dealt with in the Bill, the Minister should consider it in the not too distant future.

Deputy John Browne: I welcome the opportunity to speak on the Bill. It is an issue which I, like Deputy Troy, raised on many occasions with Ministers when we were in government but they were slow to recognise the need for such legislation. The Minister has moved quickly in this regard and I also compliment Senator Feargal Quinn, who pushed this legislation very strongly in the Seanad and got wide support for it among the parties. The Bill has gone through the Seanad and many amendments, changes and suggestions for change have been made. I welcome that the Minister of State, Deputy Brian Hayes, said in his opening speech that he was prepared to consider further amendments and prepared to listen to suggestions from Members on this side of the House and from the Government parties with regard to how the Bill could be improved.

All of us have evidence of how subcontractors were treated over the years by main contractors and by developers, particularly in recent years. During the building of the main county hall in my county, the main contractor gave untold hardship to subcontractors, practically on a daily basis. The main contractor might have been in financial difficulty itself but I am sure it was aware of its financial position before it ever applied for the contract on the Wexford county hall or for the contract for the new library in Wexford. Practically on a daily basis, I and other politicians had subcontractors contacting us to get us to talk to the county manager to find out why they were not being paid. The county manager and the council would tell us the main contractor was being paid on a regular basis, as per the agreed contract, but subcontractors were left high and dry.

Eventually, both the company building the county hall and the company building the new library in Wexford went into receivership or examinership and they disappeared. As a result, many subcontractors were left in a position where they were due hundreds of thousands of euro. Many had no choice but to go out of business, with a consequent loss of jobs and payments to their workers. This should not happen again. Overall, many of the country's largest developers and contractors felt the problems of the downturn in the building industry.

The purpose of the Bill is to improve payment practices within the construction industry by providing for a range of statutory rights for subcontractors, supported by the ability to refer

[Deputy John Browne.]

disputes to a fast-track adjudication process. The Bill should not, however, be viewed as an alternative to undertaking appropriate due diligence of the project in which contractors are to be involved, the contract terms under which they are to perform work or provide services and the financial stability of the key players involved.

The construction industry was always characterised by a degree of informality. We had very strong, solid construction companies for many years, 99% of which would have honoured their commitments to subcontractors. Then, in the Celtic tiger or boom era, many new developers and building contractors entered the arena, many of whom had no experience in the construction industry. In my area, there were solicitors, barristers, accountants and farmers moving into the construction industry who, in my opinion, were not equipped to deal with the situation. Many of them set up shelf or shell companies, or whatever kind of company it was, and, as a result, they did not deal directly with the subcontractors and contracted out the building of the housing schemes or commercial buildings to a building contractor, who, in turn, hired in huge numbers of subcontractors.

There was also a situation where many hundreds of people were employed in the construction industry through agencies and had no contract with the developer or the person building the houses. They were dealing with an agency, they were paid a wage and, in some cases, the workers did not get paid either because of the loose arrangements that existed. Let us consider the main building contractors in Wexford in recent years. Despite the downturn in the economy and the low level of building of houses or commercial developments they are still hanging in because they have been part and parcel of the construction industry, they have a good reputation and a good name. They are able to look after subcontractors and their workers.

Unfortunately, unlike other industries when a construction company goes into liquidation there is no legal entitlement for a subcontractor to remove the goods that have been paid for. In some cases concrete blocks, plastering, plumbing, painting and the goods of electrical and kitchen contractors form part of a building and, therefore, cannot be easily removed. As a result, when a company goes into liquidation or receivership, the subcontractor has no rights whatsoever. When a developer or main contractor goes into liquidation, the liquidator effectively confiscates the subcontractor's goods and sells them off as part of a house or apartment to pay off the developer's debts, which are largely to the banks. In the majority of such cases subcontractors do not get paid. In many cases subcontractors have borrowed money from the same bank to purchase the materials supplied. They continue to owe the bank for the goods that the banks have effectively sold off because the subcontractors have already paid their staff and suppliers. As a result they are forced out of business. We have seen this take place on many occasions. Many subcontractors who have gone out of existence in my county point out that the Revenue Commissioners have the first say, the banks have a say, the examiner or the person overseeing the receivership gets paid, the legal people called in to advise get paid, but, unfortunately, they are left high and dry.

This is the reason the Bill is before the House. As I stated at the outset, the Bill should have been enacted years ago. However, unfortunately during the boom years no Minister in my Government or any previous Government saw fit to do so. For this reason I compliment the Minister of State, Deputy Brian Hayes, for taking on the Bill and moving it through the Seanad first and now through this House. I welcome the assurance of the Minister of State that he will seriously consider amendments. There are other ways and means of improving the Bill.

There are four main, interconnected proposals. They would have a fundamental effect on the impact of the legislation. These proposals were raised in the Seanad debate and as part of a consultation process. The proposals are a provision that would guarantee payment of a construction contract through the use of a financial instrument such as a bond or a designated

trust account; the removal of a minimum monetary threshold for private sector contracts of less than €200,000 and public sector contracts less than €50,000 from outside the scope of legislation; to make the adjudicator's award binding on both parties, regardless of whether the dispute goes to arbitration; and to broaden the scope of the Bill to introduce goods and products, especially those manufactured for a given project, for example, concrete or some of the other products I referred to earlier.

There has been significant and justifiable criticism of the lack of accountability on the part of the regulators during the recent banking crisis. Similarly, firms specialising in liquidation and receivership are racking up hundreds of thousands of euro in professional fees per case. The poor subcontractor is left high and dry. We cannot reverse the plight of many who have suffered from the fallout of the collapse of the construction sector. This should not deter us from doing what we can to put in place appropriate legislation and enforcement procedures to ensure that such problems are prevented from recurring. The Government is certainly moving in the right direction on this issue. I am pleased that all sides of the House are supportive of the Minister of State. This legislation should be passed quickly. A strengthened and enhanced Construction Contracts Bill could have a lasting effect not only on people's lives, jobs, and businesses but on the wider economy. It will help the wider economy and help to underpin the foundations of a sustainable construction sector in the years ahead.

Unfortunately the construction industry fell out of kilter in recent years. It is important for the economy that we get back a reasonable construction industry. It is important to build houses for the people, especially those on council housing lists throughout the country. This is probably the quickest way to create jobs with a reasonable construction industry rather than the madcap building industry of the Celtic tiger era. We should get back to building a reasonable number of houses for our people. The Construction Contracts Bill will certainly enhance the construction industry in future.

Deputy Olivia Mitchell: I wish to share time with Deputy Tom Hayes. I am pleased that this Bill is back before the Houses. I understand it was the last tranche of legislation dealt with by the last Seanad. There is almost unanimous acknowledgement of the need and the urgency to introduce legislation to regulate payments and disputes in the construction industry. We have seen and heard evidence of contractors who have failed to pay their subcontractors. It is not only a matter of the headline cases we hear about in the media; smaller cases arise as well. There are small contractors who, for whatever reason, do not pay their subcontractors, these subcontractors do not pay their subcontractors in turn and so on. It cascades throughout the sector. This is still going on in the current recession. Some people have suggested it is too late for this legislation but this is not the case because it is still occurring. Inevitably in a time of recession people are slow to pay. As a consequence, the subcontractors are forced to continue to supply and carry out work in the hope that they will be paid. They extend more credit as well. Eventually, they are very exposed when the inevitable happens.

We should bear in mind that it is not simply a matter of builders, contractors and subcontractors who fail to pay. Often, the client fails to pay as well, especially nowadays, whether it is a hotelier or other client. The previous speaker referred to people who got into the business during the Celtic tiger years and who knew nothing of building and perhaps knew even less about business. Anyway, they imagined it was the right business to be in. The most reprehensible of cases, some of which have attracted media attention, are those in which the client pays the contractor but the contractor pockets the money or delays payment so that the subcontractors are forced out of business while the contractor declares insolvency or sails off into the sunset.

[Deputy Olivia Mitchell.]

Although the legislation has been introduced against this background, whether in good times or bad, late payments and constant disputes are characteristic of the building industry. The disputes are time-consuming, costly and often involve going through all the industrial relations procedures of conciliation and arbitration and, finally, the courts. Often, such cases have continued for years. The system that has been in place has not served anyone's interests, whether the client, the builder, the developer, the subcontractor or the taxpayer. Simply put, the risks of non-payment, late payments and possible litigation was built into the pricing of contracts. Consequently, the price of building in Ireland was extraordinarily high during the Celtic tiger years. This was not the only reason but it was at least part of the reason.

Nowadays, construction activity is only a fraction of what it was. The problem now is not high prices but, perversely, prices are too low. Such is the anxiety of builders and contractors to get work and so intense is the competition that firms are pricing projects at unsustainably low prices. Naturally, this increases the likelihood of their going out of business or the collapse of the business as a result as well as the likelihood that subcontractors will not be paid in turn.

A contract for State payments such as that provided by this legislation as well as a cheap and speedy dispute resolution mechanism will help to normalise prices. This will benefit everyone as well as protecting subcontractors. The temptation to increase tender prices is not as likely as risky and late payments are now less likely under the new legislation, and the temptation to offer ridiculously low prices in tenders is less likely also as the inability to pay will quickly become obvious due to the stage payments arrangement.

I congratulate Senator Quinn for bringing forward the original legislation. It has been delayed but the consultation period and the impact assessment will produce better and more effective legislation. The original legislation, which had a very high threshold of €200,000 for private contracts and €50,000 for public contracts, removed from the protection of the legislation the very firms that probably need it most, namely, the small businesses which would have only a small number of contracts on hand at any one time. I am glad to see the Minister will amend the Bill accordingly to lower the threshold.

It was also suggested in the original legislation that the adjudication decision will not be binding but it is clear that would be useless because if the parties could agree about a payment there would not be any need for adjudication. The real danger is that the new adjudication process would be used as another time waster before one got to conciliation and so on, postponing court appearances for as long as possible.

The Minister is more than aware of submissions from the interested parties in the course of the consultation and I mention two with which I have particular sympathy. The first refers to a situation where the public contracts go to adjudication and a decision in favour of an award is made. The suggestion is that to safeguard taxpayers in the case of public projects the payee, rather than accept the award, must purchase a bond to guarantee they will be able to repay the money if the court subsequently reverses the decision. That is not a bond such as the one somebody would get at the start of a building contract. In this case the full amount must be lodged. Effectively, that wipes out the value of the legislation for public contracts as the award is cancelled out by the necessity to lodge the bond. In fact, the situation will be worse for contractors doing public work than it is now because their subcontractors will be covered by the legislation, including stage payments, dispute resolution and so on, but they will not be covered.

The suggested alternative coming from the industry, and which is probably a good idea, recognises the need to protect taxpayers' money but that the payer would go to court when they wish to withhold enforcement of the adjudicator's decision. However, they must establish

that there is a genuine likelihood that the money would not be paid. That is an acceptable and reasonable solution. It does not penalise all public contractors and to do so would only increase the cost of contracts to the public purse and to the taxpayer because the cost of it would be built into tender prices.

The second submission, which many speakers mentioned it, is from the Irish Concrete Federation whose members fear they will not be covered by the term “bespoke supplies”, in respect of which the Minister intends to table an amendment. It is clear that manufactured concrete goods and poured concrete by their very nature are unable to be retrieved, resold or reused in the event of a non-payment and therefore that should be covered.

I welcome the legislation but the need for a review of this area must be built into it. Much of the legislation we are introducing is in the aftermath of a crisis and, inevitably, the type of measures we put in place are influenced by our own mindset in the aftermath of a crisis. It is important, therefore, that we review legislation such as the legislation before the House to ensure it is robust in good and bad times and testing the adequacy and efficacy of the measures is vital. We must include in the legislation some provision that there would be gathering of the type of data necessary to review and analyse the impact of the legislation.

Several speakers mentioned the need for other legislation and an examination of other aspects of this industry, including possible collusion in the concrete industry. I do not know about that but it is something the Competition Authority should be asked to examine to determine if there is evidence of that. Any builder or construction firm one speaks to raises the problems associated with the fixed price contracts introduced in the context of the Celtic tiger where projects ran over by huge amounts in many cases and the response was the fixed price contract which probably went too far in the other direction. That must be examined because from having been in a situation where builders could name any price at one stage they are now not paid for extras or any changes the client may make. There is a need to strike a balance and examine that legislation again. It was introduced in unusual times and we may need to examine it in a calmer time.

Deputy Tom Hayes: I am grateful for the opportunity to speak on this Bill. Like many Deputies in the House I have consulted with a number of subcontractors in my constituency on this matter. I appreciate it is a matter of great importance and something they have sought for a long time. It will give a great deal of assurance to many vulnerable people who were left unpaid in many different areas.

I thank the Minister of State, Deputy Brian Hayes, for all his work on this issue. As someone who was in contact with him on this matter on a regular basis I appreciate the openness he has shown in taking on board the many suggestions, responding to queries and being so open in accepting those queries.

I thank also my colleague, Deputy Olivia Mitchell, and commend Senator Feargal Quinn for his openness. He pursued this issue from the outset and his work has not gone unnoticed. People regularly refer to this legislation as the Feargal Quinn Bill, and he must be commended for all the effort he has put into this subject.

As many of my colleagues noted during the debate, there is not a Deputy in this House who has not been contacted by a subcontractor in recent years. The pressure they are under is incredible, and this Bill is badly needed to provide some support for them. In recent years a culture of people not paying appears to have developed, and that is a serious issue. The reason they cannot pay is understandable. They are in extreme difficulties. People can be short of finance and under pressure, and there is nothing as difficult than that. I understand the reason

[Deputy Tom Hayes.]

those people cannot pay but the culture of non-payment is something we must address because it should not be acceptable or allowed.

The purpose of the Construction Contracts Bill is to improve payment practices in the industry, and to allow swift resolution of payment disputes by way of adjudication. That will allow projects to be completed without wasting time and money in litigation.

The level of non-payment facing subcontractors and suppliers is shocking. The most important function of this Bill is to address that problem. The extensive time between payments on a project is simply too long and it often leaves companies vulnerable to serious loss of revenue.

There is a balance to be struck between protecting subcontractors and imposing unnecessary cost on the taxpayer. The challenge the Bill must overcome is finding a way to protect the payments of subcontractors without imposing a system that would require the State to support unpaid businesses or underwrite their risk of non-payment.

On the costs imposed on taxpayers, significant progress has been made through the introduction of a new contract regime for public works. This change allows for the appropriate risk transfer from public bodies to contractors and consultants by costing for risks as a fixed price lump sum. For years we constantly read stories about Government projects running way over budget. Many of these overruns resulted from a contract system under which a price variation clause was included in many public sector contracts. I welcome the elimination of such clauses and note that their abolition has resulted in a €300 million annual saving. This is a major step forward. The Minister of State should consider addressing similar cases involving local authorities which engage subcontractors. In recent weeks Deputy Mattie McGrath and I have dealt with a case in Carrick-on-Suir in our constituency where a project has stalled and contractors have been left high and dry. While this is outside the scope of the debate, the matter should be addressed in the not distant future.

On the contents of the Bill, I welcome, in particular, the efforts made to address the issue of non-payment. The legislation provides for the introduction of regular interim payments which will reduce a payee's exposure to non-payment. On a similar note, the introduction of a new mechanism for the swift resolution of payment disputes through a process of adjudication is welcome.

The Minister of State will be aware of a number of concerns expressed by experts in the industry and others I have identified from a reading of the legislation. For example, the thresholds included in the Bill are set much too high. The €200,000 threshold to apply to public sector contracts will exclude many subcontractors and, as a result, fail to protect those most in need. I commend the Minister of State for identifying the thresholds as an issue and have no doubt he will introduce amendments to reduce them on Committee Stage.

My second concern relates to the possibility of broadening the legislation to include bespoke supplies. Again, I note that the Minister of State has spoken on this issue and highlighted a number of problems that may be faced if he decides to address supplies and suppliers under the legislation. I also recognise that the regulatory impact assessment states the inclusion of bespoke supplies made specifically for a contract could be examined. I hope this matter will be addressed on Committee stage.

I hope the House does not miss the opportunity provided by this legislation to address the problems faced by suppliers in the construction industry. Perhaps we should consider better defining what supplies could be protected. I ask the Minister to consider protecting suppliers of products that cannot be retrieved from a construction site owing to their nature. For example, concrete blocks cannot be taken back by a supplier if he or she is not paid as they

form part of a structure. I expect and hope we can better define supplies in order that they can be included in the Bill.

I have no doubt the Minister of State will consider these and other suggestions when the Bill comes before the select committee. It is a strong and robust Bill and if we incorporate some of the changes I propose, it will be made even stronger. It will also result in a much more honourable way of doing business and afford much better protection to many small companies and subcontractors. Those affected by non-payment tend to be vulnerable and include the families of workers who experience non-payment. Subcontractors have been badly affected by the problem of non-payment, especially in recent years. I thank the Government for introducing legislation to change the position.

Deputy Dessie Ellis: At the height of the boom 269,000 people were working in the construction industry. This figure has since fallen to approximately 100,000, a major decline that has delivered a massive blow to the construction industry which is clearly on its knees and needs a major stimulus. The potential to provide more jobs is considerable, although I accept employment in the sector will never return to the levels encountered during the so-called boom. Jobs in construction have a large spin-off effect in terms of employment in industries that support the sector.

Local authority housing waiting lists are growing, as is demand for proper affordable housing. The Government's policy of not supporting social housing and its refusal to provide capital funding is contributing to the current housing crisis. It is making a mockery of plans to end homelessness through its unwillingness to provide sustainable, affordable social housing and appropriately supported follow-on housing. Instead, we have emergency accommodation bursting at the seams.

More than 100,000 families are on housing waiting lists and rental subsidy is costing more than €500 million per annum. This scandal speaks very clearly to the failure of a policy which no one in his or her right mind believes could solve a housing crisis. If the ghost estates that litter the country were brought into play, they would alleviate, albeit not solve, the current crisis.

Many contractors, subcontractors and subcontractors of subcontractors were left high and dry by unscrupulous firms which declared bankruptcy or were taken into the National Asset Management Agency. Some of their directors received a healthy salary as reward for their complicity in the downfall of the economy. In my constituency of Dublin North West I have encountered many small family firms which were owed thousands. Some of them went to the wall as they sought what was rightly theirs, while in other cases the owners sold their homes to pay staff rather than default on their responsibilities. Others still have emigrated rather than face the prolonged agony of fighting for their entitlements. It is important that employers and employees live up to their contractual obligations.

I welcome the provision in section 6 to introduce a right of adjudication and the stipulation that this right cannot be negated by any contract. I also welcome the right afforded to contractors to cease work if seven days pass without payment subsequent to a judgment being issued in the adjudication process. The appropriate Oireachtas committee, in conjunction with the Minister of State, should have a greater role to play in the appointment of the adjudication panel.

I am concerned that the value thresholds provided for will mean that those affected in many of the cases where the protection provided by this legislation may be required will not be eligible to the entitlements established in the Bill. While small contractors may not deal with large contracts, the sums they are due are just as important as the sums due to large contractors

[Deputy Dessie Ellis.]

as they seek to keep their businesses afloat and pay their workers and those they owe arising from the routine costs of business. The high thresholds are a major oversight which render the legislation much less valuable. Greater clarification is required to establish the rationale used in setting the thresholds. I acknowledge, however, that the Minister of State has indicated amendments are to be introduced in this regard and look forward to changes being made on Committee Stage.

In general, I welcome the Bill as it makes a start in dealing with the outstanding issues arising from the construction collapse. I thank Senator Feargal Quinn for the work he did in drawing it up and I am grateful to the Government for facilitating it in the House.

An Ceann Comhairle: I call Deputy Dowds, who is sharing time with Deputies Spring and Kyne.

Deputy Robert Dowds: I am glad to be able to speak on this Bill, and in particular I am glad that a Bill which was drafted by an Independent Senator has seen the light of day in this House. I commend Senator Feargal Quinn for his work on this Bill and I commend the Minister of State, Deputy Hayes, on taking the Bill forward. I look forward to the Government taking on board more constructive and reforming Bills from the backbenches, irrespective of which or any party they come from.

I have been raising this matter on the Order of Business for some time. I am concerned that this Bill may have come too late for too many small contractors, as Deputy Ellis has stated. The fault for that can only rest with the previous Government, as Senator Quinn's Bill was ready before it collapsed. Had measures such as this been in place before the property bubble burst, thousands of jobs would probably have been saved, which would have been most welcome.

I have been approached by several constituents who are owners of small businesses and who were victims of exactly the type of situation which this Bill seeks to prevent from occurring. The first time I was approached, I was absolutely staggered that a small contractor could be so ill treated by a major contractor. In the particular case of which I am thinking, the major contractor used any money he got to pay some of his own debts rather than pass on money that was due to the sub-contractor. Unfortunately, all I could say at that time was that the Government intended to bring forward this Bill. Sadly, it is too late for them, but it is very welcome that this Bill is before the Dáil.

I very much welcome the dispute resolution process in the Bill, which I believe has proved to be very effective in dealing with disputes in the UK. Any situation where courts can be kept out of the resolution of disputes is welcome. I hope people in the construction business would welcome a situation whereby they could avoid going to court. However, I agree with Deputy Wallace when he says the minimum level of a €200,000 contract to be covered under this Bill is too high. The Bill is designed to protect the small business person, who by definition has smaller contracts. I am sure the Government has some reason for having it so high, but I ask Minister to reconsider this issue.

Interestingly, section 2(1)(a) provides that if one of the contracting parties is a State entity, the minimum level will be €50,000. As Deputy Wallace said, however, there is a far greater danger to small contractors from other private contractors than from State entities. I certainly hope that is the case in any event. If a €50,000 minimum level is set for the State, then a €50,000 minimum level should be set for the entire industry. To do otherwise is just leaving the door open for smaller contractors to continue to be bullied by large private contractors and would defeat the whole purpose of the Bill. I welcome that the Minister of State acknowledged in his

speech that the regulatory impact assessment has recommended that this provision be either removed or reviewed. I hope this can be examined again at a later stage, and Deputy Tom Hayes made this point.

Another point I wish to raise is the issue of including suppliers under the Bill. As the Minister of State mentioned it in his opening speech, I know this issue also arose under the regulatory impact assessment. The reality is that given the nature of the business of construction, the majority of supplies are bespoke. How can we seriously facilitate a situation where a supplier is expected to get a court order to have its materials returned? This would mean going onto a construction site and tearing out the plumbing or the windows. The Minister of State argued in his speech against including all suppliers by claiming that arrangements to include numerous suppliers could create an unduly onerous process which could create a barrier to entry for smaller enterprises. I believe suppliers to the construction industry should be entitled to the cover of this Bill, irrespective of whether the process is onerous.

Deputy Arthur Spring: Previously I worked for banking institutions in Ireland and I noticed those who were drawing down funds for the purposes of paying subcontractors and suppliers did so in a fashion which in some cases was not as regular as it could have been. I will not make allegations against individuals, but there is a practice that has gone on heretofore that needs to be stopped. I think there is a solution to this, and it is called wrapping. I have spoken to Senator Quinn, to the Ministers, to the Construction Industry Federation and to a few others on this issue.

I will give an example of how this happens. A quantity surveyor would act on behalf of a bank while another quantity surveyor would act on behalf of the main contractor. The main contractor would seek to draw down the funds with great urgency, in many instances up to €1 million at a time. That money could be sent to another bank rather than drawn down in cheques to pay subcontractors and suppliers. If that fund is put into a deposit account in another bank and if the main contractor has many different contracts, that person could have a float of about €10 million at any given moment. There is a 30 day lag with credit, but we have often heard stories of people waiting for 60 days or more to be paid. If we leverage the €10 million at 90% LTV, the main contractor could ultimately be in a position to become a speculator, with €100 million at his disposal. That bank would not know where the €100 million was coming from, and the contractor would have the potential not only to be a builder, but also a developer and a speculator as well. Therein lay the great problem. I believe we need amending legislation to allow for the provision of funds that are granted by banks for the purposes of working capital only. If we do that, the money that has been deemed appropriate for the project by the surveyor should be ring-fenced at all times for the subcontractors and suppliers. This should be the case particularly for those contracts under €200,000, as Deputies Wallace and Dowds have pointed out.

I know of a big contractor who won a major State contract. He had 75 subcontractors working on the project, which is a phenomenon that has become known as “subbie bashing”. When there are small groups of people working under one contractor, their access to the legal profession and to the courts is not as enticing as it might seem. The idea of losing €30,000 through legal fees as opposed to taking the hit the first day and staying away from that main contractor thereafter was a real dilemma faced by many people throughout the country.

I know we have been approached by many lobby groups on this issue, and we should commend Senator Quinn on trying to solve this problem. I am delighted to have been elected to this House and to have a say on how the Bill goes forward. I appreciate the Minister of State’s advisers will take this on board. The people with contracts less than €200,000 need to be protected. Deputy Heather Humphreys and I organised a presentation to be given by MABS

[Deputy Arthur Spring.]

in which we were given an example of this. We heard of an architect who had sought advice from the MABS because his financial status was making it difficult for him to carry on his business. He is owed and owes money and it becomes a scramble thereafter. This is not an issue for upper level businesses. It relates to day-to-day life, the very survival of a business and the stress communicated throughout society.

The Bill is a step in the right direction, but more needs to be done. I would like to see a working group in the Dáil examine the issue of the protection of small businesses, particularly construction businesses. I do not know how one can legislate for contracts that were signed in the past, but I would like to see an end to the practice I have described, of funding being drawn down, leveraged and used for other purposes. I imagine NAMA has a great deal of property on its books for which loans should never have been granted because the equity provided initially was contributed for the sole purpose of giving a contract the capacity to be realised and to be passed on to subcontractors.

There is overwhelming support for this initiative. The current level of lending is 9% of what it was at the height of the boom, or the craziness. That will extend again. With the availability of credit, there must be better regulation and knowledge of what we are trying to achieve. Loan to deposit ratios in Ireland might be reflected in some areas, but that is not true of all. When people draw down funds and use them for a purpose for which they were not intended, there is a problem in society.

I also make a recommendation to builders. Builders are best at building, not at speculating and developing. The idea that a speculator can look at a town or county development plan and then seek to lean on politicians to achieve his or her own purpose will have to be written out of existence. Tribunals have flushed out much of the craziness in this regard.

The Bill is a step in the right direction, but more needs to be done. Therefore, I welcome suggestions from non-Government parties and Independent Deputies.

Those on the very smallest of contracts must be protected. The €200,000 limit must be looked at again. With regard to retrieving supplies, owners of small quarries must also be protected. We should also have shorter contract terms. Working capital facilities should have sole designations, in the supervision of which for the banks quantity surveyors might have a role. I would be happy to work with individuals in the Cabinet and throughout out the House to make this a better Bill.

Deputy Seán Kyne: I am delighted to have the opportunity to say a few words on the Bill. One of the most startling aspects of the economic crisis is the way some large construction or property development companies conducted their business. Emboldened by irresponsible members of the banking sector, some property developers did not repay substantial loans but merely rolled them over into new loans. There was, effectively, a house of cards which needed only one non-payment to cause the system to collapse, with serious negative consequences for the parties involved. Unfortunately, these included small community-sized contractors and sub-contractors.

Because of the financial pressures and not forgetting the gambling nature of some developers, payments for services provided by subcontractors are being withheld or delayed. Such a practice is abhorrent and shows a lack of regard and respect for other businesses and the people behind them. It is impossible to plan properly or meet one's own payment requirements if there is uncertainty over the delivery of payments owed to one's own company. In the light of these difficulties, Senator Feargal Quinn introduced the Construction Contracts Bill 2011 during the dying days of the last Seanad. The Bill, unfortunately, remained static because of the political climate until its swift reintroduction following the general election. It aims to ensure prompt

cash flow, thereby protecting jobs and facilitating the swift resolution of problems and issues in a non-judicial setting. It has many positive features and will, in so far as is possible, be cost neutral to the State, which is important at this time. Lack of resources does not mean positive constructive legislation cannot be enacted.

The Bill will inject a sense of fairness into a sector that has received considerable criticism and bad press. It will set out proper and clear payment procedures which, in all truth, should feature in every industry and business transaction.

Another positive aspect is the embracing of an alternative dispute resolution mechanism. The courts system is expensive for businesses and individuals, for reasons that are part of another debate. Companies under financial pressure can ill-afford the risk, at times, of entering the courts. Furthermore, the judicial process can heighten tensions and deepen problems, as opposed to mediation and non-judicial resolution mechanisms which can be calmer, less divisive and more constructive.

The Government demonstrated support for the positive aspects of the Bill and broadly tackling and reforming problematic areas by commissioning a detailed regulatory impact analysis of the Bill. The analysis outlines three possible courses of action, the first of which is to do nothing. That would place no extra financial burden on the State, but it is not an option. The market, as the analysis notes, is not working. This is leading to delays and disputes and is an inefficient use of our scarce resources. We all know the trouble doing nothing about regulation and oversight can cause.

The second course of action is to introduce the Bill, as it stands. I have outlined its very positive elements which will benefit all involved in the industry by safeguarding and formalising payments.

The third option is to introduce the Bill but with certain amendments. One amendment is necessary to strengthen the spirit of the Bill. As it stands, it will not apply to a contracts in respect of an individual dwelling which is appropriate, given that its thrust is to assist subcontractors and small contractors. However, as others have stated, the stipulation that it will not apply to contracts worth less than €200,000 poses a problem. It effectively excludes significant swathes of contracts that, correctly, would be viewed as the bread and butter contracts for most companies in the construction industry. The Bill is also out of step with the experience of the industry in the United Kingdom which places a high value on the setting of a lower threshold. It would be shameful, therefore, to allow the Bill to pass without amending the threshold level and extending its applicability. It would go against the stated objectives which are to help small and medium-sized business and contractors in the industry. I would also like to see a measure, as the regulatory impact analysis highlights, to protect the suppliers of goods and materials, particularly of supplies tailored for individual construction contracts.

One likes to believe fairness and fair play underpin business transactions and in the majority of cases they do. However, we have a duty, as legislators, to step in and provide support to uphold these principles when they are endangered. The Construction Contracts Bill 2012, subject to a number of amendments, particularly the lowering of the threshold figures, will achieve this objective.

Deputy Mattie McGrath: I am delighted to be able to speak to the Bill. I was never as excited about a Bill being brought before the House as I was about this one. I compliment the Minister of State, Deputy Brian Hayes, his staff and Senator Feargal Quinn on the work they have done on it. I particularly compliment the Minister of State on the bipartisan approach he has taken to it. He has been prodded and nudged by all of us because all Members can tell horror stories

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from their constituencies. The Minister for Finance is also aware of these cases and I am glad he is present in the House to hear the debate.

The Minister of State has accepted Senator Feargal Quinn's Bill, but it does not matter whose Bill it is, as it is long overdue and eagerly awaited. Unfortunately for thousands of small companies, it has been introduced years too late. I condemn the previous Government for not advancing it when Senator Feargal Quinn introduced it. We thought the construction industry was great, but inside that greatness there was a cancerous rot.

I compliment all speakers but especially Deputy Arthur Spring who brought his financial expertise gained in a former life in banking to bear on the issue. Many of the people who have lost their businesses, cannot educate their children or pay their bills and are in *Stubbs Gazette* and in hock to Revenue would not be in that position if the money provided for contracts had been ring-fenced. I welcome Deputy Arthur Spring's suggested amendment and proposal that a working group be set up in the Oireachtas to deal with the matter.

Funny money was being moved from A to B to Z and nobody knew where it was. Money that was provided for a construction contract could have been used to buy land, not the site of the contract in question, or to speculate on other matters. The banks did not know where the money was going. They could not follow it. The people who were responsible were able to do it. We now know that they should not have done it because it was to the cost of many of them but also to the cost of the country and the taxpayer.

I will never forget the morning I came to the House during the term of the previous Government when 550 contractors connected with Piers Construction were meeting in a hotel on the outskirts of Dublin. They all went out of business. If that was not a prod to the then Government to act, nothing was. That is only one of many companies that has since gone out of business with hundreds of small companies left high and dry. It is shameful. All of us who were Members of the Dáil at the time should hang our heads in shame because we should have dealt with the issue, yet we did not.

The Construction Industry Federation, CIF, must come in for a lot of blame as well because it sat around the table during negotiations with the social partners when everything was being divvied up in the good times. It was comfortable and happy with the situation. It was also happy to squeeze — I hate to use the word "screw" but that is the word I should use — the small business people. The small man was kept down. We thought when we achieved independence in this country and got rid of the British that we would have fair play but we got more greedy than they were. We were happy to keep the small man down. The CIF negotiated lucrative rates.

The minimum wage has been an issue. I did not support the cutting of it. I welcome that the issue has been raised. The minimum rates of payment that were negotiated for some sectors in the trade were ludicrous. Since I built my house in 1984, the cost of blocks has not even doubled in price but the cost of laying them has increased tenfold. We got carried away. Time was a factor as there was pressure involved given completion date clauses in contracts. The Construction Industry Federation has not stepped up to the plate and dealt with the matter. It is crying halt now but in the good times it got carried away. It was not interested in the small business man or the small one-man or two-man operations which are the backbone of this country.

I shouted across to the Tánaiste today that he should change the record. I welcome the job announcements. We need them, but small businesses are the backbone of the economy. We must be aware of what it costs to entice foreign direct investment companies to set up in this country. I welcome them all but we must bear in mind the costs involved. The small businesses to which I refer are based on initiatives that came from people who went to the local technical

school and then got their trade qualifications and extended them to become builders. I agree with Deputy Spring that most of them should not have become speculators. Most of them did not, but some of them did and we have a mess as a result. They must be supported and allowed to work. The Bill is of the utmost importance to them because they must get paid for their work.

The threshold of €200,000 and €50,000 is totally off the wall. I welcome the fact that the Minister said he would examine the issue. The threshold must be reduced to €2,000 or €3,000 or certainly it must be reduced to €5,000. If one has given one's time laying blocks, plastering, doing carpentry and possibly supplying materials, a few thousand euro is like a million euro to a big company. Such a small business man or woman needs the money to put bread and butter on the table to feed himself or herself and his or her family, insure a van and meet all the health and safety requirements. Sums between €2,000 and €5,000 are more important to such a person than a million euro to the big companies. That must be recognised. The small men are caught all the time. They are paying their way, paying VAT, PRSI and taxes, and are not a burden on the State. What is worse is that in spite of having paid all their taxes, VAT and PRSI, because they were stung by the reckless trading of big companies that did not want to pay them in the first place, now they are not entitled to social welfare payments having paid their own PRSI. The Minister for Social Protection, Deputy Joan Burton, is examining the matter, which I welcome. Those people are the lifeblood of the economy and we must protect them.

Deputy Tom Hayes referred to a regeneration project that is currently ongoing in Carrick-on-Suir in the Ballylynch housing estate. It was built 30 years ago and it is in a terrible state of decay. Previous Deputies, including Deputy Hayes, and Ministers worked for years, as I did, and it was finally announced that €4 million would be allocated for the project. As is happening with almost every contract now, local, well-renowned, quality builders in each county — in my area there are the Hally's, the O'Gorman's and the Morris's who have been operating for decades — that are responsible for the finest monuments and public works and cannot get a chance because companies are coming in and trading recklessly.

The company in Carrick-on-Suir was involved in four different projects, all paid for by the State. I accept there was a bond but no bond covers the contractors. Thank God the bond covers the local authority. The company in question has left the project high and dry. It has gone bust and left a trail of destruction after it, including unpaid bills. Ordinary, decent, hard-working people who gave services and supplies cannot get paid. Thankfully, the council has the bond which, according to the town manager to whom I spoke, ensures the bondholders can send in a company to certify the work carried out to date is structurally safe and appoint a new contractor to continue the work. However, that is of little good to the small contractors who have provided the machinery to dig out the foundations, supplied blocks and concrete, the craftsmen and tradesmen who have laid blocks, those who supplied and put in the windows and put on the roof, and the painters and plumbers.

What happened was disgraceful. Rip-off Ireland was never better. Some of those companies knew they would never pay the subcontractors. That is what happened. I am a subcontractor myself but, thankfully, I have not been caught for years. I did get caught on a big project in Clonmel. My wife manages the business and any time some of those companies rang looking for me to do work, she did not even tell me they called. She wanted to keep away from them because a lot of them were fly-by-nights. They had big names and everything else but, as Deputy Spring said, they were spending the money elsewhere and they had no notion of paying the contractors.

If a company goes into receivership, one will only get a couple of cent in the euro. The subcontractor is the last person to get anything. The banks and the Revenue will get money

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but the small suppliers and self-employed people who are the backbone of the economy will not get a cent. It is an outrage. When Piers Construction went into liquidation 550 small companies were affected. Since then, thousands of small businesses have been affected. Some of those involved have been driven to suicide, unfortunately, because they are honourable people who pay their way, paid their workers and everything else. They got left high and dry. In some cases it was downright blackguardism that they were caught out because the cowboys who were doing the big jobs never intended to pay them anything in the first place. The rot must be weeded out and sorted out because it is a disgrace. It is a shameful practice that should not be allowed.

I welcome the provision of an alternative resolution mechanism because we cannot go to the courts. It could cost €15,000 to get a case into the Circuit Court and then one only might get a judgment in one's favour. Even if one gets a judgment, one still has to get the money. It is a waste of time which is only making fat cats fatter in the High Court and Circuit Court. That is another racket.

The biggest racket I wish to expose is that of receivership. It is the newest industry in town. I appeal to the Minister in that regard. I could add NAMA to it. Between receivers and NAMA, they are the biggest show in town. It is the biggest con-job in town. The rates receivers charge are astronomical — hundreds of euro per hour. If a company goes to the wall for whatever reason leaving many suppliers waiting for money, they will not get a cent but the receivers in many cases are heartless, relentless gangsters and chancers. They are getting their money from the sweat and blood of ordinary people. It is outrageous and it has become an entire industry. One sees the firms involved on both sides. They act as advisers in many cases.

When NAMA was set up I described it as a wild animal in the forest and that we would not know where it would end up. My words are coming true because that is what it is. It is another big boys club. Rogue developers are involved in it and are getting healthily paid by NAMA after they banjaxed the country along with the bankers, the regulator and some politicians. One could ask whether we are ever going to learn.

This is going on and we must introduce a Bill with the utmost urgency to regulate the receivers because it is the biggest industry in town and it is cronyism. I do not have words to describe it because it is so bad. It is so hateful and merciless how they treat people and families. They have no interest whatsoever in the ordinary suppliers and workers. Rip-off Ireland is doing well with those industries and with this carry-on. It cannot and must not be allowed to continue given the times we are in.

I mentioned company turnover levels. I accept there is a bond for public buildings but there should be a second bond to cover subcontractors and suppliers. I understand that is the case in the United States, England and other places to ensure these fellows cannot come in and hire all the subcontractors, get them in first at rock-bottom prices, operate a break-neck, cut-throat business and then have no notion of paying them.

There should be a bond to cover subcontractors and suppliers. The situation in Carrick-on-Suir is disgraceful. People are waiting for their estate to be done up. They are out of their houses and living in rented accommodation. The place is a mess. Thankfully, the local authority had a bond, but some of the subcontractors will not receive a shilling. Is that fair in this day and age? The building work will recommence, probably with different subcontractors, but those who have done the work on this occasion will receive nothing.

I question the term bespoke goods. This is another minefield for the wigged gentlemen in the High Court who will define it. The Bill concerns all materials used. The foundations are the most important part of any development, that is, the concrete used which is a raw material.

It cannot be taken out. Neither can one take out the blocks and mortar and the plumbing used. We must, therefore, get away from the clause about which the Minister of State is concerned. The concrete suppliers' federation has lobbied hard on the issue. They must be entitled to get the money they are owed because it costs a great deal to generate a contract. Deputy Stephen Donnelly from Wicklow mentioned the quarry company in that county. There are similar companies all over the place which cannot get the money they are owed. I worked for a number of companies 30 years ago, some of which are still operating, but many of them are not. The best of companies are on their knees.

I salute road builders such as Sisk and Co. They have fine expertise and paid everybody. Some projects were carried out perfectly, managed properly and completed on time and within budget, but in other instances the cowboys took over. There are cases where things were done right and we can see the fruits of people's labour. I use those roads every day. As a result I will be able to travel home this evening in two and quarter hours, whereas it would have taken four hours ten or 20 years ago. There are good cases, but there are also many cowboys in the industry who give everybody else a bad name.

What are bespoke supplies? Will there be endless arguments among lawyers in the High Court to define the term? The Minister of State should cut out the nonsense by including all supplies used. He also should include an amendment to ensure all subcontractors who should be bonded will be paid because without them building work could not go ahead and projects would not be completed.

The Bill has been well put together. I am interested in hearing whom the Minister of State consulted. With whom did he consult? I will be told it was the Construction Industry Federation and others, but he must consult at a lower level. The farmers contractors association was only set up a number of weeks ago. In fact, I was at the launch. They are also contractors who are being caught, left, right and centre. Ordinary small builders must be consulted, those who do not have the money to join the wealthy man's club of the Construction Industry Federation where we have seen a great deal of money go astray. I hope the matter will be fully investigated in time, but that is another issue. They all got around a table and got cosy.

Section 7 provides that if an adjudicator's award is not paid in full within seven days of the adjudication decision, the unpaid party has a right to suspend work under the construction contract. The section sets out the rules governing this arrangement. This is a vital component. However, one has one's hand in the dog's mouth. Where a subcontractor supplying machinery, for example, tells his or her company to stop, the main contractor will get Johnny down the road to do the job for less. As the subcontractor is afraid he or she will never get what he or she is owed, the bill gets higher and higher and the subcontractor is led a merry dance and then left high and dry. It is important that one has rights in that instance.

Section 9 gives the Minister for Public Expenditure and Reform the power to prepare and publish a code of practice to govern the conduct of adjudications. However, a code of practice is as useless as a piece of paper in dealing with the cowboys. We have seen this happen in the case of the Competition Authority which has no funds and no power. We are aware of the cartel in the concrete sector, to which Members referred. Millions of euro have been lost to the taxpayer. The Competition Authority is toothless and powerless to act. There is inertia which stemmed from high places. There were cosy deals negotiated with a nod and a wink.

It is welcome that there was a regulatory impact assessment and that there will be further consultation. There is too much legislation passed here without any impact assessment being made. This is an issue which must be addressed. The Technical Group looks forward to the making of amendments on Committee Stage and considering the rationale for Government intervention. There must be a good reason to intervene, but intervention is needed. While the

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Bill is long overdue, it does not cover all areas, but no doubt we could put another Bill side-by-side with it to deal with the money trail and the funny money.

We must insert amendments to bring down the thresholds of €50,000 and €200,000, respectively, to €1,000 or €2,000 and €5,000, respectively. The figure of €3,000 or €5,000 is as or more important to the small man working and paying his way than the figure of €1 million, €2 million or, for that matter, €10 million to the big guys because it is his livelihood, his bread and butter, to provide an education for his family. It is keeping him in employment and off the dole. The small subcontractors are the ones we must support because they offer us hope of recovery.

I welcome this legislation. On Tuesday I spoke to different legislation to which I was opposed because it was providing for another layer of bureaucracy to be put in the way of small hauliers and others who were trying to survive in stringent economic times. We need many more items of legislation, but it is vital that this Bill has a speedy passage through the House. We should make amendments to it on Committee Stage to ensure it is enacted into law before the summer recess. On another Bill, somebody asked this morning who would police it. We do not want another quango, but we certainly want to create fear among rogue builders, in other words, gangsters, that they will not be able to get Government contracts at ridiculously low prices. Government agencies and local authorities must look at their track records on other projects and put in place a bond for subcontractors, alongside the one put in place for projects, because people are merely being used, abused, blackguarded, threatened, intimidated and whatever else — I could not use strong enough words for it.

I look forward to a robust debate on the Bill and compliment the Minister of State because since he took office he has taken many imaginative steps. He has had the first regulatory impact assessment published by a Government and is a man who is interested in accepting Bills from the Opposition. There have been at least five Private Members' Bills presented by the Technical Group since the Government took office and each one has been blindly rejected. I had one dealing with scrap metal. I thank the Minister of State for the magnanimous way in which he has accepted and agreed to work with this Bill which he called Senator Feargal Quinn's Bill. It does not matter what it is called. What is important is that it is passed and made court-proof. Let us keep it away from the courts. Having a code of practice is nonsense. There are too many codes of practice and too many cowboys who merely pay lip-service to them. I, therefore, look forward to the passage of the Bill.

Deputy Bernard J. Durkan: Like other Members, I am delighted to have the opportunity to speak to this important legislation. I compliment the Minister of State on paying attention to the issue, bringing the Bill into the House and following up on the legislation initiated by Senator Feargal Quinn. Of course, I also compliment other Members of the two Houses who have an interest in this issue.

Sadly, the experience of the Celtic tiger years, to say the least, leaves many of us with mixed emotions. Lessons were learned, some them bitter. One of them was that, even before the squeeze, the fittest had set out to survive at all costs and squeezed those below them. That was particularly true in the construction sector. Once it was recognised that things were going to get tougher and tighter in terms of the availability of finance, there was a clear attempt by some to exclude subcontractors and leave them penniless. People in this country have been left destitute and forced into bankruptcy as a result of that type of scurrilous behaviour. It is high time that order was imposed and a common understanding restored that such behaviour will not be tolerated. This is one of many innovations required in the aftermath of the Celtic tiger to ensure we do not end up in the same place again, with people paying the ultimate price in

the form of intolerable debt and the economic and social difficulties associated with that. Such ill effects can endure for many years.

This Bill reflects the particular nature of the construction sector and was considered the right way to go about addressing the difficulties that have arisen in that industry. However, its provisions could be applied to all types of contracts right across the board and will probably have a knock-on effect. The problem common to all contracts is how to address a situation where one party enters into it with all good intent but another party has no intention from the very beginning of honouring it. That possibility makes it extremely difficult for people to have trust in the whole system of contracts and to have any reassurance that they can expect a reasonable return on their entrepreneurial efforts. This legislation is testament to the fact that many people have fallen victim to that scenario. As I have stated in respect of every Bill that is brought before this House, legislation is fine so long as it is observed in the spirit and in the letter and provided it is enforced. Unfortunately, many legislative provisions and regulations were not observed or enforced during the construction boom. We are all paying for that now as we discover the extent to which the quality of work suffered as a result. This is where the contract applies to the consumer in that he or she is entitled to expect that the standards set out will be delivered. In other words, a contract should do what it says on the tin. Unfortunately, too often that was not the case during the economic boom we enjoyed or suffered, as the case may be. In so far as we are now seeing its effects in this and other sectors, it is certainly a question of suffering.

The Building Control Act 2007, useful as it was, did not address some of the issues that have emerged in the meantime. Many consumers entered into contracts to purchase property which ultimately proved to be structurally inferior and to have associated financial difficulties in that the contract did not offer adequate protection to the purchaser. The State has a duty of care to ensure contracts entered into, under whatever aegis and whether in the public or private sector, adhere to prescribed quality standards. Those who provide a service to the required standard are entitled to be paid for it and those purchasing that service are entitled to a certain quality of service, whether in regard to a house, bridge, road or whatever. During the Celtic tiger, however, a type of attitude developed that can be summed up in the phrase: "Sure, won't it do?" Priory Hall is the most notable example of developments in respect of which the quality of work would not stand up to scrutiny. Such failures to deliver the required quality standard amount to a breach of contract. Somebody always ends up paying for that and, unfortunately, in most cases, it is those at the end of the line who do so. That is not a reference to a particular socioeconomic status. Regardless of a person's wealth or poverty, he or she is entitled to an expectation that a contract will be delivered in accordance with the specified quality standards. We are all entitled to expect a fair return and delivery. In recent years, however, consumers seem to have been somehow persuaded to expect a watered down version of their rights and to accept, moreover, that those rights should only be applicable and available to those who have sufficient influence and resources to pursue them. That is not how it should be.

What we are dealing with is the notion that no matter what, irrespective of developments, issues and outcomes, the main contractor will get paid and, if needs be, the unfortunate subcontractor can go whistle. This is a serious breach of the law of procedures and practices. Deputy Mattie McGrath referred to the quality of work and the quality of inputs. I recall an incident some years ago where a clerk of works indicated to a local authority that the materials being supplied by a serious player in the construction business for a particular building project were inadequate. This was reported to the engineer who, without any ado, ordered that the materials be tested. The clerks' suspicions were proved correct, the contract was suspended and the work

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had to be done all over again. That is a simple procedure which worked perfectly well 25 years ago. There was no difficulty with accountability and no confusion as to what should be done in that situation. Clerks of works knew what they were supposed to do, their superiors in turn knew what they were entitled to do and, by so doing, were able to protect consumers in an effective way and ultimately protect the taxpayer.

This is relevant in the context of the legislation before us and in seeking to cope with the bitter reaping of the whirlwind of the boom era that has taken place in recent years and will continue to play out for several years to come. The bottom line is that a simple expedient to all of these ills would have been to apply the old-fashioned rules instead of tolerating shortcuts, cutting of corners and little chats which involved persuading people to agree to things that were not in order. The rules should simply have been applied as they were intended to be applied. If that had been done, we would not have been necessary to introduce these provisions.

Debate adjourned.

Topical Issue Matters

Acting Chairman (Deputy Seán Kenny): 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 Brendan Ryan — fire safety in homes affected by pyrite; (2) Deputies Maureen O’Sullivan and Thomas Pringle — prisoners’ conditions at Maghaberry Prison; (3) Deputy Pat Breen — the provision of funding to Scoil Mhuire national school in Meelick in County Clare to address health and safety issues; (4) Deputy Patrick O’Donovan — the need to address the numbers of second level students studying leaving certificate science and maths at higher level; (5) Deputy Catherine Murphy — the need for county enterprise boards to disperse funds effectively under the European Globalisation Fund; (6) Deputy Robert Dowds — the need for a refund mechanism on returned glass and plastic containers as a way of tackling our litter problem; (7) Deputy Seamus Healy — the provision of a new school in respect of Gaelscoil Cluain Meala, County Tipperary; (8) Deputy Paul J. Connaughton — the reason Holy Rosary College, Mountbellew, County Galway, was not awarded an extension; (9) Deputy James Bannon -the need to review the cut in funding to St Christopher’s Services, Longford; (10) Deputy John O’Mahony — special arrangements needed for policing in Knock, County Mayo; (11) Deputy Noel Harrington — the proposed closure of the social welfare office in Castletownbere, County Cork; (12) Deputy Dessie Ellis — the need for added supports for people on fuel allowance in view of the recent unseasonably cold weather; (13) Deputy Kevin Humphreys — the need to establish an advisory task force to examine and provide expertise on the problems in multi-unit developments; (14) Deputy Dominic Hannigan — the review of rent allowances and the need to base allowances on house prices rather than country boundaries; (15) Deputy Mattie McGrath — the need for greater efficiencies and transparency in the progression of major schemes such as waste water treatment system upgrades; (16) Deputy Thomas P. Broughan — the need to make adequate provision for the treatment of eating disorders in the public health system; (17) Deputy Richard Boyd Barrett — the postponement of the new school building at Newpark Comprehensive School, Blackrock, Dublin until 2015 and; (18) Deputy Mick Wallace — the need to find a resolution to the problems of the residents of Priory Hall, Dublin.

The matters raised by Deputies O’Donovan, Breen, O’Sullivan and Pringle, and Broughan have been selected for discussion.

Dormant Accounts (Amendment) Bill 2011 [Seanad]: Second Stage (Resumed)

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

Deputy Paschal Donohoe: I welcome many aspects of this Bill, which contains many important provisions. I want to highlight the decision made to dissolve the Dormant Accounts Board and transfer of its functions and capacities back into the Department of the Environment, Community and Local Government. In this era, when we need to ensure taxpayers' money is spent as well as possible, such moves must be welcomed and form an essential part of what Fine Gael said it would do at the last general election.

In making this change, we must acknowledge the work the board was doing is not going to go away. The work was crucial for the implementation of the spending of dormant accounts in that area. It is important we ensure that work continues from a different place in the Department and if needs be some of those involved in doing the work will have the opportunity to continue that work, albeit in a different place. We can make the mistake in dealing with rationalisation of State bodies of assuming that because the body will not be there in the future, the work it did was unnecessary or will disappear. The work will continue, it just must take place elsewhere.

I also welcome the focus in the Bill on the Minister being compelled to draw up an action plan each year on the use of dormant accounts. This is similar to some arrangements already in place on the use of disbursement schemes and putting together these plans will be done in consultation with other Ministers. It is my understanding that a copy of the plan and a document supporting it must be laid before the Houses and I hope that will offer an opportunity for us to debate it.

I say that because we are all aware of the great work the board has done in our constituencies and the activities it has funded. It is important that use of money, where it is coming from and how it is spent are maintained and that we ensure the activities funded by the board in the past continue to receive funds regardless of how the new scheme is implemented and regardless of where it is sourced from.

My constituency colleague, Deputy Maureen O'Sullivan, asked a question about the status of the dormant accounts inspection reports, their contents and if they would be available to the Minister. The answer indicated there were no plans to publish the reports and that the Minister himself, at that stage, had not seen the report. I believe that report contains information on the number of different institutions that participate in the dormant accounts fund and the contribution they may or may not have made to that fund each year. In the context of this Bill and the work of the Dormant Accounts Board being moved back into the Department, I want to see this being reviewed and looked at. It is appropriate that citizens have an understanding of where the money is coming from, who is contributing it and, in the context of taxpayer investment in the banking system, access to it. Also, the variety of institutions that are capable of contributing to dormant accounts is larger than we would suspect. It would be helpful for evaluating the operation of the scheme and in the name of transparency that these reports, or their main conclusions, be made available to the public so people can understand where the money comes from and who contributes what. I understand some of the reluctance around the publication of the reports might involve the fact that they are produced as part of the regulatory role of the Central Bank. If aspects of them are commercially sensitive or that might impede on the ability of the Central Bank to deliver its regulatory role, I would still hope other parts of the report, particularly on who is contributing what and where the money comes from could be published.

[Deputy Paschal Donohoe.]

Credit unions do not contribute to the dormant accounts fund. There were good reasons for this at the time and I understand that at the moment the credit union movement faces many challenges of its own and is looking at changes that will take place in its structure and regulation. At the very least, given the change that is taking place on policy on dormant accounts, this should be reviewed to understand if the decision that was made by the then Minister for Finance, Charlie McCreevy, is still the right decision and if not, why not. Looking at this from outside the sector that manages dormant accounts, if a particular form of account, regardless of where it is held, meets the definition of dormant as laid down in legislation, I cannot see why that money cannot be sourced from any institution, credit union or otherwise.

I ask the Government to consider the provision on what happens to funding if it has not been claimed in an account after a certain period of time. As this Bill moves through the Dáil, I would like to find out if the money reverts back to the State if it is not used in the dormant accounts fund or lies in a dormant account beyond a certain period. I am unsure where that stands at present.

A feature of the Bill is that all of the powers of the Dormant Accounts Board are being moved back to the Department and the Minister. If other sources of funding become available in the future, I would like consideration to be given to providing the Minister of the day — by means of the introduction of a statutory instrument under the provisions of this Bill — with the ability to classify particular accounts and stores of wealth as meeting the definition of what constitutes a dormant account. He or she would then be able to bring such accounts or stores of wealth within the framework of dormant accounts and trigger the steps that are necessary for the money they contain to be spent in good ways across different communities.

As stated at the outset, I welcome both the measures contained in the Bill and the steps the Minister will be obliged to take to ensure the work being done in this area will continue. I touched on four areas which, in the context of the legislation and the change that is going to be taking place with regard to how dormant accounts are dealt with, I would like to be the subject of discussion. One of the points I raised relates to what will happen to the moneys involved after a certain period and I would appreciate some clarity on this.

Deputy Alex White: My contribution will be quite short because, relatively speaking, this is quite an uncontroversial proposal and one which deserves our support. Before I outline the single net point I wish to make, I endorse what Deputy Donohoe just stated in his characteristically clear and thoughtful way in respect of transparency. The Deputy made a very strong point on the reporting requirements. Where information cannot, should not or will not be placed in the public domain, best practice should be to make the reasons for this public. I accept that when one is providing such reasons, it is often possible that one will, quite unwittingly, reveal the actual information itself. I am of the view, however, that best practice should be to publish and be damned. If it is not possible or appropriate to reveal information, then the public and the Parliament should be informed as to why that is the case.

It is hardly controversial that the process relating to dormant accounts should be subsumed within the Department in order that it will fall within the remit of the Minister of the day. The question that arises for me relates to the rationale behind giving responsibility for this process to a separate agency in the first instance. As the Minister and Deputy Donohoe stated, namely, that in light of the current economic crisis and the financial pressures relating thereto, it makes sense for bodies to either be merged or to be subsumed within their parent Departments. Perhaps when he is replying, the Minister might indicate the rationale for establishing the Dormant Accounts Board in 2001. In my limited research on this matter, I have not been able to discover the nature of that rationale.

The work of the Dormant Accounts Board relates to the management of the fund and to the disbursement of moneys therefrom to different Departments. As the Minister outlined with great clarity, we must remind ourselves that the accounting approach taken to these moneys when they are being disbursed is that they are liabilities of individual Government Departments and recovery is made later by the Exchequer from the dormant accounts fund. At virtually all stages, this appears to be a Government activity. I have no wish to seek an inquiry with regard to what happened ten or 12 years ago, although such an exercise might be interesting. I am merely seeking to understand the rationale for placing responsibility for the dormant accounts fund with an outside agency. In turn, this will allow us to understand whether it makes sense, as seems to be the case, to take the fund back within the control of the Department.

In fairness, when welcoming the introduction of the Bill, Deputy Niall Collins of Fianna Fáil stated: “For too long my own party was at the forefront of diverting decision making from the relevant Ministers towards third-party quangos.” That was a refreshing statement on the Deputy’s party. Perhaps the Minister, when replying, might outline the position in respect of this matter. I accept there might have been governance reasons for bestowing responsibility for the dormant accounts fund on a separate agency. I do not have sufficient expertise to know whether such reasons exist or whether we might just be missing something. We are engaged in laudable efforts to reduce the number of quangos that exist and to rationalise the position in respect of the diffusion of powers across the public service in respect of the implementation of policy. Everyone understands and agrees with the need for this, particularly in light of current economic circumstances. However, it might not make sense to take the type of action envisaged in the Bill in every instance. It appears it makes sense to do what is envisaged in this case but perhaps the Minister might take the opportunity to indicate whether any governance concerns arise. Perhaps those concerns are to be found in the historical background to the establishment of the Dormant Accounts Board ten or 12 years ago.

The Bill is clear in its intent. It involves the transferring the function relating to the dormant accounts fund to the Minister. It is easy to see how this will be done. Effectively, the Minister will assume responsibility for the fund and the Dormant Accounts Board will be abolished. The Bill indicates the various assets and liabilities involved will be taken over by the Department. I presume this includes staff, etc. and that it will, perhaps, lead to savings being made in respect of premises. In view of the fact that what is being done has been presented as an exercise in economics, will the Minister indicate the net saving to the Exchequer from the abolition of the board and the transfer of its functions to the Department?

As stated, what is being done makes sense. However, we owe it to those whom we represent to delve slightly deeper in the context of whether there were any issues which encouraged the then Government to give responsibility for the fund to a separate agency in the first instance. I accept such concerns could have been misplaced, but equally they may have been well-founded. All I am seeking is an indication as to what they might be.

Deputy Shane Ross: I welcome the Bill. The key question in respect of it was asked by Deputy White, who inquired as to why the Dormant Accounts Board was established in the first instance. The Deputy was too polite to answer that question or even to make a political point in respect of it. However, he pointed us in the direction of realising that this particular body was unnecessary. There was an extraordinary proliferation of bodies which were not necessary in or around 2001, when the Dormant Accounts Board came into being. The then Fianna Fáil-led Government was flush with money and was very happy to set up a large number of bodies, similar to the board, which were not necessary. Between 1997 and 2007, Fianna Fáil-led Governments established well in excess of 200 bodies. It is doubtful whether many or any of these were necessary. It seems there were reasons for each of them but not good ones. This

[Deputy Shane Ross.]

is, I hope, the first of a number of such Bills which the Government will introduce to abolish unnecessary quangos set up for reasons which are quite apparent now. In the case of the Dormant Accounts Board, a large sum of money was spotted as being available in dormant bank accounts. Politicians, being as they were at the time, regarded this as fair game for distribution in a way which they found would be convenient, suitable and politically advantageous.

The Dormant Accounts Board started off with a significant inflow of approximately €200 million in 2003 which, according to the latest accounts, has been depleted to between €30 million and €40 million. It will obviously be reduced to zero. If this is the beginning of a quango cull by the Government, it is a welcome move. Deputy White asked how much will be saved but it will be small. My concern, therefore, is that this may just be a nominal and token attack on these unnecessary bodies while the majority of them will remain. I remind the Fine Gael Party that in 2008 it issued a good paper which identified Ireland as the land of 1,000 quangos. Now that it is in government, the speed at which it is removing them is extraordinarily slow. If this is the start, it must be welcomed, however. I hope there will be a concerted attack on unnecessary State bodies from now on.

The argument that these moneys could have just as easily been managed by the Department is unanswerable. The procedure for distributing these moneys was that the Dormant Accounts Board produced a plan which went to the Department, then to the Minister and finally to Cabinet. It was a way that allowed the then Government and politicians to get their hands on small sums of money, in terms of the overall position, but large if they could be used for political advantage and targeting certain areas under the guise of going to particularly worthy projects. We must be careful when we see, as in this case, large sums of money being targeted at what are obviously good causes. They could be done by those who are not politicians and who can claim credit for them. One defence the national lottery always puts up when it comes under criticism for its operations being too costly is the do-not-touch-me-when-I-have-got-the-baby-in-my-arms defence. It points to all the good it does when it puts in front of its critics the extraordinary and worthy projects it supports. What it does not look at is the cost or, in fact, the provenance of those who pushed the money in that direction. The dormant accounts fund was a means of putting large sums in the hands of politicians to distribute to their political advantage. I welcome the fact the Government is putting a stop to this.

The late Jim Mitchell, Deputy Donohoe's constituency and party predecessor, called the Dormant Accounts Board, when he was in opposition, the ultimate quango when it was established in 2001. Charlie McCreevy, the then Minister for Finance, said it was not as the board would operate at arm's length. No quango operates at arm's length. What happens is the body operates under the watchful eye of a Minister who ensures it operates to his advantage and decides who is on the board. To have a body like this with a board in 2001 might have been easy for the State to finance as we were moving into a period when enormous sums of money went through the Exchequer. The board of this particular body has been treated the same way as any other body.

I know I am not meant to mention names and I will not. However, the last Dormant Accounts Board was certainly full of the usual suspects, identifiable by their membership of and commitment to Fianna Fáil. On the last board, there by right, was a conglomeration of the usual social partnership junkies who were appointed because they delivered the national pay deals on time, such as IBEC and ICTU. This board then delivered for the Minister. I will not name those on the last board who fitted into this description but they were there. They were the same suspects one gets on other State boards. They are professional State board office-holders who are rewarded with small sums, €7,000, a year. If one gets enough appointments,

however, they become large sums. There were people on this board who were planted there as a reward or to do the Minister's bidding.

Apart from the social partnership appointees, there is at least one who I spotted immediately as a Fianna Fáil activist, which is never mentioned in his CV. There is another who is not only the chief executive of the Irish Banking Federation but was formerly the general secretary of the Fianna Fáil Party. It was and remains a disgrace that these boards are treated in this way by successive Governments. One has to be suspicious that the specific reason this body was set up was because there was money available that could certainly fund looking after a few *protégés* of the Fianna Fáil Party. The only reason the Dormant Accounts Board was set up was that the fund provided sufficient funding for that and a great cover for those people who had to be looked after by the Government in power at the time.

At the end of the day, it was the Minister who made the decision as to where this money went and he, or someone in his party, got the credit for it. It is very sensible to abolish the Dormant Accounts Board for that reason and now that the fund is so small it can certainly be administered by the Department. The Act actually states the board can provide independent advice to the Minister as to where the moneys will be distributed. No board appointed by a Minister with the same colouring as this one, what with a Minister's favourites and *protégés*, can provide independent advice. The advice such a board provides is the advice the Minister requires. That is why they are there. The way Ireland is, they always get reappointed.

On top of that, this particular body used a public relations company specifically identified with the party that was in power at the time. Let us not look at it then as some sort of little benign State agency or authority. It was a State agency which was used for party political purposes. I hope this will not continue under this Government. One reason this board is being abolished, which I welcome, is because the Government wants to send out a strong signal that this type of patronage and cronyism is now over. I say that more in hope than expectation but it would be a welcome sign if that happens.

I note the money will be given to the National Treasury Management Agency in the meantime, with a certain amount kept on deposit to meet various claims that may be made by dormant account beneficiaries. What is the infatuation in this and the last Government with the NTMA which is, after all, a State monopoly, a super-quango, full of people appointed, continuously and historically, on the same basis as those appointed to the quango we are now abolishing? The NTMA, to which the money will be given, would be held in far higher esteem if it was not used as a slot for the followers of the political party in power. Let us not be too starry-eyed about it or talk off the tops of our heads as if we knew nothing about it, which is what people tend to do. We should not see it as a God, an icon or a deity in the financial firmament of the State. Successive Taoisigh and Ministers for Finance have paid tribute to its work month after month, year after year without knowing what they are talking about. They have not made a proper analysis of what goes on, as the results produced by the NTMA with this fund are laughable. I examined the return some months ago and it had produced no performance assessment. The results produced by it with other funds are nothing like as good its spin. It is receiving these funds, but in gauging its performance one should not measure it against the National Pensions Reserve Fund, although some like that comparison.

NTMA officials repeatedly appear before Oireachtas committees, brief the press and tell Ministers of Finance and Taoisigh — who know no better — that it beat the average Irish pension fund by a certain percentage. They are dead right and Ministers for Finance swoon with admiration. What they do not realise is that the average Irish pension fund is the worst performer in the world and the NTMA is setting itself against a benchmark that is so bad a

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[Deputy Shane Ross.]

babe in arms would have beaten it. A monkey throwing darts at a target would beat the benchmark. Therefore, we should not be starry-eyed and assume the money is safe in the hands of the NTMA. It is in the hands of a body which, if compared to other bodies, does not perform particularly well; it is not the worst, but it is certainly no star. When it sets itself against the benchmark set by the National Pensions Reserve Fund, it seems like a big star because it is competing against the worst in the world.

Figures have come from the NTMA for the salaries of its top people and they are absolutely disgraceful. I am surprised the Government has continued to tolerate these figures and fees. The chief executive has taken a cut, but it is not nearly enough and he still receives a banking-type salary for a moderate performance. We all know bankers are paid far too much, but the head of the NTMA received a salary of €495,000 up to last year and we knew this was far too much. The NTMA is part of the banking bonus culture, to which we thought we saw an end, and although it has suspended the payment of bonuses for one year, it gave them when the banks gave them, despite a very moderate performance.

When the Minister of State considers this issue, will she indicate if this is the forerunner to a process to abolish many of the quangos? The Labour Party's colleagues in government promised that they would be culled, abolished and reduced. This should not equate to half a dozen being eliminated or lead to the creation of more quangos. This should be the forerunner to a logical forensic examination and analysis of some of the quangos which are much bigger than the one with which we are dealing. It should also mean we will no longer be frightened to criticise those icons which have frightened or dazzled us. The Minister and the rest of the Cabinet should examine the National Treasury Management Agency with a critical eye and not be besotted by the figures it gives. We should know when something is wrong and there is underperformance. The NTMA is an icon which deserves criticism, as it does not stand up to normal performance criteria. If that is the spirit in which the body dealt with in the Bill is being examined and abolished, I welcome the legislation.

Deputy Aengus Ó Snodaigh: Tá mé buíoch go bhfuil deis agam labhairt ar an mBille tábhachtach seo. Níl mé i gcoinne bunaidhm na reachtaíochta, ach ní aontaím le roinnt de na forálacha atá inti. Measaim go bhfuil sé ag dul sa treo mícheart.

During the years funds from the dormant accounts fund and the work of the Dormant Accounts Board have benefited many communities, especially those in areas which are socially and economically disadvantaged. There are many projects and programmes which have benefited from the grants paid which nobody would dispute, although some of the reasoning behind the refusal of applications of some groups has been questioned. In the main, however, the funding from the dormant accounts fund has had a positive effect on communities in helping projects and schemes to get off the ground and allowing others to develop. This occurred in a period when other funds were available, but we are now entering a different era. The bulk of the money in the dormant accounts fund has been expended and is no longer available for disbursement. This Bill changes some of the nature of the original ideal behind the dormant accounts process. I have some sympathy with those who wish to get rid of the dormant accounts board and see that responsibility ceded back to a Department and Minister but it is not the correct step. A board like this dormant accounts board should be in place, although the members should not be paid; instead, it should be an honour for people to serve on it. There is an example of how that facility has worked, with community participants, elected representatives, council officials and gardaí attending joint policing committees. They discuss policy and take decisions but nobody is getting paid specifically to sit on those board. There is not a significant administrative cost either, so it is an example of how we could have a more demo-

cratically reflective board to deal with dormant accounts. That is in preference to ending the process completely and ceding the responsibility to a Minister, leaving that Minister open to the accusation that the fund would become a ministerial slush fund. If the Minister intends proceeding that way, an Oireachtas committee should have oversight or at least should have to be consulted by him or her prior to making a decision or the committee could make the decision which would be rubber stamped by the Minister. That would allow for the transparency everybody seeks and prevent a single vested interest taking the decision, thereby dismissing charges of political favouritism that could be levelled. For example, when Ministers had the opportunity to administer grants under the sports capital programme, their constituencies benefitted much more than others. I do not have an expertise in this area but I read about these charges being levelled against some Ministers. The Minister should not open up that possibility. At the very least, therefore, the Oireachtas should have oversight of the dormant accounts fund through a committee or, preferably, a stand alone body should oversee the fund but it should not pay the attendance fees of its board members. People who are grounded in the community and who have expertise will, hopefully, offer their time for the benefit of their communities. The reason the fund was set up was to use money in dormant bank accounts, which was only benefiting the financial institutions, for the good of all. That is why I support the ideal of the fund. If the board comprised volunteers who were not paid fees, the membership could rotate and three-year terms of office could be used rather than five years. That would provide for through flow in expertise that would reflect the different fields covered by the grants and the population spread in Ireland, which is important.

Deputy Ross raised the question of the NTMA controlling the fund. The Minister should invest the money in An Post savings bonds rather than use the NTMA as the holding company for the fund, as this would boost the assets of An Post. Somebody who invests in one of the company's savings accounts is better off than those who invested in NTMA pension funds, which are under severe strain. The savings accounts yield a greater return with the NTMA not being as effective in using moneys invested with it to generate a good return. The agency may be good at managing money but it has not generated great returns for the Government. The money from the dormant accounts fund could also be invested in Government bonds which would be cashed in as required. Last year, the national solidarity bond was announced and money could be invested in that, although it is managed by the NTMA. If the money was invested in Government bonds, it could be drawn down as required when grants are paid out.

While my concerns are minor criticisms, I do not oppose the Bill. The amount in the fund is reducing and I wonder whether the fund could be enhanced. How could we boost this fund to address shortfalls in funding of community groups, in particular, and other projects in disadvantaged areas? Money confiscated by the Criminal Assets Bureau or the courts is diverted to the Exchequer because it is treated as revenue when, in fact, it is the proceeds of crime following the sale of cars, yachts and houses. I have argued with previous Ministers about this but they said such moneys could not be ring-fenced. However, I have proven that this is done. For example, the plastic bag levy is ring-fenced for environmental purposes. CAB confiscated moneys should be diverted to the communities most affected by crime. In most cases, these are disadvantaged communities. This pot of money could be transferred to bolster the dormant accounts fund and enable it to fulfil the role it was established to play.

In addition, judges often direct that money be put in the poor box. While this is administered by the Courts Service and a number of charities benefit, this process is not transparent and we do not know where the money goes. The charities that benefit know, but if this money was transferred to the dormant accounts fund, it would be recognised publicly. If the money was transferred to the fund, it could be administered openly to the benefit of all.

[Deputy Aengus Ó Snodaigh.]

This is not a contentious Bill but I am adamant that a Minister should not have it within his or her gift to administer the fund. The pot of gold available to community groups in recent years has reduced and it looks like the finance available to them will be restricted for another few years. This means they have had to cut back on programmes and they have been forced to scour everywhere for money for summer projects for senior citizen outings, further education, keep fit groups etc., and for the refurbishment of community halls and so on. Previously, they could access money from local authorities or the sports capital programme but this funding has been squeezed repeatedly. If the dormant accounts fund was enhanced in the ways I suggest, that might restore the faith of some struggling communities. They have to fund raise among their own people who have been hit in their pockets through increased taxes and the increased cost of living. Many community organisations have had to scale back their hours and the opening times of their centres or had to cancel projects altogether. That is why I support an enhanced fund to ensure the community programmes administered by various Departments can be fully funded as they were previously. I appeal to the Minister to find additional sources of money, ring-fence them for the dormant accounts fund and keep the money on deposit with An Post. This would benefit the company, as its balance sheet has been struggling. It would be nice for An Post to have this pot of gold on its balance sheet and, therefore, there would be a double benefit. It would also take some of the pressure off the NTMA, which has not been delivering in terms of returns on other investments it has been asked to deliver upon.

I hope the Bill will be altered on Committee Stage to reflect some of the points made by other speakers but also to reflect some of my points. It could never then be levelled at us that we put together a Bill which ended up doing exactly what it set out not to do, namely, promote political patronage. We do not want that, and it is one of the criticisms the Dormant Accounts Board had levelled against others. We want to make sure that whatever happens here is as transparent as possible and that this is not a political slush fund for whoever is in government to disperse in specific constituencies or on specific projects for electoral purposes. This area is too important for that.

The fund is to address disadvantage, and I do not mean disadvantage that emerged this year or last year. Some of the areas that have benefited in a small way from the moneys in dormant accounts have been disadvantaged for many generations. While this pot will not solve their problems and will not address all of their issues, it might help with some of the smaller issues or give a leg-up to some of the projects and schemes, whether it is a case of educational schemes, after-school clubs, crèches, school arts and music programmes which try to lift an area in general, or the whole range of other programmes which have been affected.

In my area many people have benefited and have been very welcoming of this fund, and they were concerned about what would happen when the fund ran out. This is why I suggested the use of CAB moneys, court moneys or a similar, once-off pot of money that had not been accounted for in the past. For example, the DIRT inquiry brought in a lot of money. When money comes in which is outside the normal, it should be ring-fenced and used for abnormal projects. These projects are abnormal because they are addressing key problems and key areas of inequality in our society, which is a good thing. I hope the Minister will reflect on the points I have made.

Deputy Bernard J. Durkan: I will begin by responding to one point made by my colleague Deputy Ó Snodaigh. For many years, I have heard about the diminishing amount in the dormant accounts fund. I can never understand this. Dormant accounts, as the description entails, should mean they are accounts that become dormant in the natural course of events over a period of years. However, that should be an ongoing development and this should not only

apply to last year, five years ago or ten years ago. However dormant accounts occurred, the same occurrence must continue into the future, unless there is some point I do not understand.

I raised this issue previously by way of parliamentary questions in recent years. While the replies to those questions stated the funds accruing from the dormant accounts were diminishing, I still do not understand how this could be. Dormant accounts occurred as a result of people being untraceable and their accounts falling into the hands of the lending institutions at a time before the Dormant Accounts Board was set up by the State. I was a member of the Committee of Public Accounts at the time the investigation took place which was the foundation of, and as a result of which agreement was reached on the setting up of, the dormant accounts fund. I agree with other speakers that a great deal of very useful work has been carried out through the funding that came from that body over the years. However, I must return to my original point. If accounts became dormant during, say, a ten year period in the 1980s and the fund then grew in the 1990s, which would have happened unless moneys were disbursed to some or other quarter, which would have diminished the fund, nonetheless, there would always be a naturally upcoming tranche of newly dormant accounts that would be transferred to the dormant accounts fund for disbursement at the discretion of the board.

I cannot for the life of me understand how the incoming amounts could have diminished or slowed down. Surely the same number of people are dying as died before and the same average number of people are dying intestate or dying without having left any direction in respect of insurance investments or bank accounts. The question arises, therefore, as to the amount which is about to be transferred having diminished. I have no difficulty with the transfer to the Department of the Environment, Community and Local Government and I have no doubt the funding will be disbursed in a proper and orderly way. The question remains, however, as to why the fund should be diminishing. The answer always given, of course, has been that the funds have been disbursed. How did the funds grow in the first place, however, other than through the means to which I have just referred?

The question I would love to know the answer to, although I think I know the answer, is what has happened since the setting up of the Dormant Accounts Board whereby the funds flowed into the hands of the State as opposed to previously flowing into the hands of the lending institutions. What has happened that has changed that inflow in the period since the board was set up? The Minister of State might make some comment on that in her reply, which would be very interesting.

Reference was made to the NTMA. With the passage of time we tend to become critical of bodies and boards, for one reason or another. The NTMA has a very difficult job to do and it has done a fairly good job. It got the job of managing and trying to wrestle with the debt that arose in the 1970s, which is still hanging around our necks and has not been paid off yet. What happened in the meantime is that growth and inflation caught up and the amount diminished as a proportion of GDP. Of course, we had the more recent ground shuddering events which saw the explosion of the Celtic tiger. We now know that increased management of funds will be required in respect of which the greatest degree of expertise ever known will be required in order to manoeuvre our way through the obstacle course that lies ahead of us.

A point that needs to be made in passing, and reference has been made to it in the course of this debate, concerns NAMA. There are many criticisms of NAMA, with some of which I agree. However, we need to know also that NAMA and everything that goes with it is owned by the taxpayer. When NAMA was set up — I was in the House on the night of the debate — its purpose was ultimately to achieve the best possible result for the taxpayer in the disposal of its assets at a later stage. While it is laudable for people to say we should dispose of as much as we can through local communities for their enjoyment, and this would be some recompense

[Deputy Bernard J. Durkan.]

for hardship and so on, that is not what it was set up for. It was set up in order to address the incredible plunge in terms of financial and banking services and the property sector, in particular to address the diminishing value of collateral that was held by the banks or lending institutions. It is easy to understand why some suggest some of the funds should be allocated to various deserving groups, but that is not why the fund was created. The duty of the State is to maximise its value and dispose of whatever it can in whatever way it can to secure recompense for the taxpayer who, ultimately, must pay for all of this. The day when some things were free is long gone; there are no free lunches anymore.

It is no harm to reflect on these matters. The dormant accounts fund concept was good in the sense that instead of the proceeds filtering into financial institutions which were the custodians before the introduction of the legislation and the establishment of the board, it was deemed preferable that the funds flow to the State. This is because, at least, the State has some responsibility to look after the citizenry, to whom it has a duty of care.

The McCarthy report suggested €1.7 million could be saved by the transfer of the functions of the board to the Department of the Environment, Community and Local Government. This may be the case, but it brings to mind that awful word “administration”. Administration nowadays is more circuitous, long-winded and expensive than it was 25 or 30 years ago, although the opposite should be the case. In the days before computerisation there was a direct system, under which, in so far as possible, administration was curtailed to maximise the impact and ensure the minimum of interference and red tape. Unfortunately, nowadays the reverse is the case. While I welcome the reduced costs of administration of the fund as a result of the proposed change, I have serious doubts about the way society is progressing, with particular reference to the cost of various administrations. I wish to illustrate this point. The simplest of application forms a citizen must use to apply for anything may run to 20 pages. Boxes must be ticked which are then scanned by computers. Consequently, the forms must be filled in a particular fashion. I imagine the Acting Chairman and the Minister of State have had similar experiences. What was the person who created the form thinking when he or she couched certain questions in a given way? This is especially the case if the same question is asked again two or ten pages later. It is as if he or she does not believe the answer from the citizen in filling in the application form. The idea appears to be to ask the same question again and if the same answer is given, the authority presumes it is the truth, but, if it is not, it assumes the citizen is lying either in the first or second instance. My comments relate simply to the cost of administration which has gone through the ceiling and it is not totally the result of cost of living increases. Costs have escalated because administration has become more circuitous and detailed, to the extent that in some cases the details are irrelevant and make no difference. God be with the days when one could use a simple application form to do a simple job and achieve simple results for one quarter of the cost. Let us remember that every document to be filed or filled in requires another person to examine it who sometimes must examine it twice.

The Acting Chairman and the Minister of State will be familiar with the following example of administration costs at their worst. Let us consider the case of a person applying for a local authority house. He or she must fill in an application form and state he or she did not have a house previously. He or she must write to the Revenue Commissioners to get proof of this. Revenue will stamp the form and return it to him or her, perhaps three weeks later, by which time he or she will wonder why he or she had to fill in the form in the first place. It will then lie dormant in the household for several months until the public representative writes to the local authority to explain that the applicant has heard nothing and ask for an update. It will then emerge that the form and the certification from the Revenue Commissioners were not forwarded because had elapsed.

Let us suppose a person applying for a given service or facility is divorced or separated and had previously, either jointly or individually, taken out a mortgage, in respect of which he or she had claimed mortgage interest relief from the Revenue Commissioners. The Revenue Commissioners, correctly, cannot approve such a form. However, the applicant is obliged to send it to them in order that they can reply indicating that they cannot approve such an application because the person had previously claimed income tax relief on a mortgage. Is it necessary to go to these extremes to prove a point? These are simply two examples of the way administration costs have gone mad.

I hope the proposed figure of €1.7 million can be saved as part of the proposal, but I am unsure. We must wait and see. I sincerely hope whatever good uses to which the funds have been put will be mirrored in the future to the benefit of taxpayers and the citizenry, which is as it should be.

There should be designation of disadvantaged areas, which is good. However, I am somewhat concerned about the concept of ring-fencing programmes funded by the taxpayer or which fall under the authority of the taxpayer. There is a problem if a programme has been specifically designed to be implemented in one direction only. This becomes administratively costly and the general good of the community is not necessarily always met as intended.

I am still in a quandary and have no doubt the Acting Chairman is in the same position. I cannot understand why the funds are diminishing. For example, if there were 20,000 dormant accounts in a 20 year period between 1960 and 1980, how could the number diminish in the period between 1980 and 2000? This will remain a mystery. Like all things, however, I must accept that certain matters remain a mystery until such time as someone decides to enlighten me. Perhaps the Minister of State will be good enough to take me out of my agony, to some extent at least, if not to the extent I desire.

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): I thank the Deputies on all sides of the House who have contributed to the debate. Several contributors focused on the nature of dormant accounts, apart from the provisions of the Bill which serves to tidy some administrative matters, as well as dissolving the Dormant Accounts Board which will give rise to modest annual savings. I realise Deputies White and Ross sought a more accurate figure of the savings to be made, but “modest” is the term I offer. We will probably have more accurate accounts at a later stage.

When dormant accounts legislation was first introduced, the priority was to ensure the large financial institutions would not benefit from the money, that it would either be returned to account holders or be used for the benefit of the community by people who were deprived or disadvantaged. The application of unclaimed funds lying in dormant accounts where the legal owners cannot be identified has proven very successful in making resources available to assist community projects and to tackle disadvantage. Since its establishment in April 2003 to the end of December 2011, the transfers of the dormant accounts fund have totalled €631 million, which includes interest earned of €35.5 million. Funds reclaimed in that period by account holders amounted to approximately €228.9 million, with almost €247.5 million disbursed from the fund.

These moneys have been applied to the public good rather than making a contribution to the bottom lines of financial institutions. That said, at a time of severe budgetary pressures resulting in reduced allocations across Departments, there is a need to prioritise and to try to main existing funding programmes in the first instance. Expenditure on new dormant accounts measures or programmes could potentially reduce spending on other existing programmes and would serve to increase Government debt levels as the money belongs to the account holder who can reclaim it at any time and not to the State. Consequently, every euro spent from the

[Deputy Jan O’Sullivan.]

fund is regarded in accounting terms as a potential Government liability and, therefore, dormant accounts funding cannot be regarded as free money.

This Bill, which allows for the dissolution of the Dormant Accounts Board, will transfer the statutory functions of the board to the Minister for the Environment, Community and Local Government. It will assist with the requirement to reduce the number of State bodies which, as the Minister, Deputy Hogan, indicated to the House previously, is part of this Government’s strategy to streamline Government business.

Acting Chairman (Deputy Jack Wall): I apologise for interrupting the Minister of State but we must adjourn the debate as it is now 3.42 p.m. and we are required to move on to the Topical Issue Debate.

Deputy Jan O’Sullivan: Should I finalise the debate rather than bring the House back on the same issue?

Acting Chairman (Deputy Jack Wall): If the Minister of State so wishes. I am sure the House will agree to that.

Deputy Jan O’Sullivan: I again thank everybody concerned and point out that the disbursement will continue to be made from the fund through the Votes of the relevant Departments, and it will be Exchequer neutral. Also, it will be laid before the House because there was some concern that questions could continue to be asked about it. The relevant joint committee of the Oireachtas has separate powers to require the Minister to appear before it.

Unfortunately, I cannot answer Deputy Durkan’s conundrum at this stage just as he has not been able to answer it over the years. There will be an opportunity on the further Stages of the Bill for other issues to be teased out, and perhaps Deputy Durkan’s issue can be teased out in those debates. I commend the Bill to the House.

Question put and agreed to.

Dormant Accounts (Amendment) Bill 2011 [*Seanad*]: Referral to Select Sub-Committee

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): I move:

That the Bill be referred to the Select Sub-Committee on the Environment, Community and Local Government pursuant to Standing Order 82A(3)(a)(6)(a).

Question put and agreed to.

Topical Issue Debate

School Curriculum

Deputy Patrick O’Donovan: I thank the Ceann Comhairle for selecting this matter. I welcome the Minister of State to the House. The recent job opportunities announced by the Department, IDA Ireland and others have highlighted the change in the Irish economy and also the need for a cohort of skilled graduates in the areas of science and engineering. We must ask ourselves two questions in that regard. How is Ireland positioned in terms of the degree courses we offer and how can we ensure we are maximising the opportunities for our younger

people to allow them get employment here? We must start that process at the primary and second level curriculum and look specifically at science and innovation and our mathematics and science curricula.

There is an interest in this area. One only has to consider the BT Young Scientist Exhibition held every year in the RDS to know there is a wealth of creativity and innovation among our young people, as demonstrated clearly at that event. In my part of the world the University of Limerick was to the fore in developing degree courses that reflected the needs of the economy at the time and there were successful job announcements over the years in the Limerick area as a result, but year in, year out, following the leaving certificate and junior certificate results, employers' groups, teachers, parents and others express concern about the numbers of students studying mathematics at higher level and the numbers studying science, particularly the sciences of physics, chemistry and physics and chemistry combined.

A holistic examination of that area will have to be done involving the Department, employers, parents, teachers and other stakeholders in terms of developing it in the future. The Minister of State will probably refer to the fact that the junior certificate syllabus will be examined again by the Department but we are almost unique in Europe in that we are one of the only countries in the European Union which does not require science to be studied as a mandatory subject at junior level.

The statistics speak for themselves. The numbers taking up higher level mathematics fell from just under 18% to just over 15% between 2006 to 2011 and for applied mathematics, which is essential for many people going into civil engineering, electronic engineering and so on, the decrease is 2%. It is obvious there is a problem in that regard.

There was a move recently to examine Project Maths and bonus points in terms of the uptake of mathematics at higher level, but I do not believe that is the only answer. There is a temptation, and I have said this directly to the Minister and the Minister of State, to dumb down the mathematics curriculum in the hope that more people will take up the subject, but we must look beyond that. Recently, the Department found itself in an embarrassing situation when it could not tell how many people were qualified to teach higher level mathematics. That raises the question of how many people are qualified to teach physics, chemistry or applied mathematics in second level schools.

There is also a temptation to overload the curriculum. Already at primary level there are 12 subjects on the curriculum from junior infants to sixth class, and 26 subjects are available at junior certificate level, although science is not mandatory.

The Minister of State will probably refer when replying to the change in terms of rote learning and so on but it is not that long since I was in school and up to junior certificate level, and other Deputies will recall this also, one was not allowed use a calculator. Students can now use a calculator at primary level with the result that students are coming out of primary school unable to do basic tables, arithmetic or even basic sums in their heads. We then wonder why students at leaving certificate level are not taking on higher level mathematics. Unfortunately, it is because in many cases the basic concepts are not being taught.

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): I am taking this topical issue on behalf of my colleague, the Minister for Education and Skills, Deputy Ruairí Quinn. I thank the Deputy for raising this important issue as it affords me the opportunity to outline the position regarding the numbers of second level students studying leaving certificate mathematics and sciences at higher level and to summarise the initiatives addressing this topic.

[Deputy Ciarán Cannon.]

Project Maths began as a pilot in 24 schools in 2008. It is being developed by the National Council for Curriculum and Assessment, NCCA. It was mainstreamed from September 2010 when it became available to all schools. Project Maths is designed to transform teaching and learning in mathematics at both junior and senior cycle. It would enable students to develop an understanding of the “hows and whys” of mathematics but also the ability to apply their knowledge and skills in familiar and unfamiliar contexts. It should also provide them with analytical and creative powers in mathematics. A key objective of Project Maths is to improve attainment levels in mathematics and to encourage more students to take the subject at higher level. The first mainstream examinations are for this year’s leaving certificate students and the first group of students presenting for the junior certificate will be in 2013. The introduction of Project Maths has been accompanied by a national programme of professional development for all teachers, not just those in the project schools, and this will continue to at least 2013.

The participation in higher level mathematics was down from a high of 18.9% in 2005 to 15.8% in 2011. To encourage more students to present at higher level, there will be 25 bonus CAO points available for all candidates who score grade D3 or above for higher level mathematics in the leaving certificate from this summer. Higher education institutions have collectively agreed to operate this bonus points scheme for higher level mathematics for a four year trial period from 2012 to 2015 inclusive, with a review in 2014.

The bonus points scheme aims to incentivise more students to continue with their studies to higher level mathematics. In fact, State Examinations Commission data highlights that for the 2011 leaving certificate examinations there were 9,950 candidates entered, with 7,917 sitting the examination. This year the number of candidates entered stood at 12,510, which is an increase of approximately 25%. I look forward to finding out how many of these entrants will present and I hope the majority of them do so.

On the sciences at senior cycle, it must be noted that participation in physics, chemistry and applied mathematics has been relatively stable in the past three years. The numbers participating in agricultural science increased from 4,164 in 2009 to 5,287 last year, while the numbers participating in biology increased from 20,102 to 22,677 in the same period.

An important element of the strategy for science, technology and innovation is to increase the proportions of students studying the physical sciences in senior cycle. Revised draft syllabuses in physics, chemistry and biology have been developed by the National Council for Curriculum and Assessment following consultations with the key stakeholders. The revised syllabuses aim to provide a strong focus on practical investigative approaches and practical assessment as a follow on from the changes introduced at junior cycle science in 2003. It is expected that these syllabuses will be submitted to the Department later this year.

This year, there has been a significant number of students applying through the Central Applications Office for science, technology, engineering and mathematics courses. The number of students expressing a first preference for science courses, including computing, at honours degree level — level 8 — increased by 18.4% this year and over the five year period from 2008 to 2012, the figure increased by a total of 63.5%. First preferences for agricultural science increased by 98%.

The National Council for Curriculum and Assessment provided its advice to me on junior cycle reform in late 2011. Ongoing consideration is being given to implementation of this reform, which will be introduced on a phased basis. All the existing subjects, including mathematics and science, are being continued and schools will also be able to provide their students with short course options.

Deputy Patrick O'Donovan: The Minister of State referred to entry into third level courses. The Department must examine the fairness or otherwise of entry requirements. For example, a student can enter a third level science course having studied only one science subject and ordinary level mathematics at leaving certificate level. He or she will be in a class with other students who will have taken physics, applied and honours mathematics, chemistry and biology in the leaving certificate. The Department should examine drop-out rates from science courses. My experience of studying at university was that many students drop out of science courses after first year. In many cases, these students were badly advised when they chose science in University College Dublin, University College Cork, the Dublin Institute of Technology or another third level college. We need to be straight with students who have taken only one science subject in the leaving certificate and inform them that they will be at a disadvantage if they study science at university.

The Departments of Education and Skills and Jobs, Enterprise and Innovation, employers and the trade union movement have an opportunity to demonstrate that science and technology offer many job opportunities. In Limerick, for example, we have had job announcements in areas such as cloud computing. Unless we provide the appropriate educational infrastructure at primary, secondary and tertiary level, we will not be in a position to benefit from job opportunities in the technology sector. We must ask the reason so many young people are either not studying technology subjects or are dropping out of science courses.

While I welcome the Minister of State's response, a great deal of work needs to be done on this issue. All the stakeholders should be encouraged to engage in constructive dialogue with a view to increasing participation rates in science and mathematics at secondary and tertiary level.

Deputy Ciarán Cannon: I wholeheartedly agree with all the points the Deputy makes. While we have made a significant start to the process of improving understanding of mathematics generally, we have a long way to go in that regard. As the Minister of State with responsibility for training and skills, I have been informed repeatedly by individuals involved in information technology and computing that the sector is experiencing significant skills shortages. Many of those in the industry impress on me that people do not need to have a computer science degree, master's degree or PhD to secure employment in the sector. A significant number of vacancies have arisen for people who do not have in-depth knowledge of information and communications technology. Many opportunities are presenting for young unemployed people to engage in training for six months to one year which would allow them to pursue sustainable, long-term careers in the ICT and computing sector.

I concur with Deputy O'Donovan that we need to examine the teaching of mathematics across primary, post-primary and tertiary education. I was fortunate to meet a number of social entrepreneurs from all over the world at a recent event in Dublin Castle called Change Nation. I was particularly taken with one gentleman, Dr. John Mighten, a teacher of mathematics in Canada who has devised a new way of teaching maths in Canadian schools known as JUMP Math. The Deputy may wish to browse the very interesting JUMP Math website. Dr. Mighten's system recognises that all children have talents when it comes to understanding mathematics and seeks to avoid coming to conclusions, as has happened in many schools, much too early in the lives of children that they are either good or bad at mathematics. He takes the view that we are all very good at mathematics initially and if this talent is nurtured, we can remain good at maths for our entire lives.

[Deputy Ciarán Cannon.]

I am examining the JUMP Math programme and working with a number of individuals in NUIG to ascertain whether it would be possible to roll out one or two pilot projects for the programme. The results in Canada, the United States and Brixton in the United Kingdom have been astounding and I look forward to applying them in this country.

School Accommodation

Deputy Pat Breen: I thank the Ceann Comhairle for affording me an opportunity to raise this issue. While I do not raise many matters in Topical Issue debates, this is an issue that is close to my heart. Having visited Scoil Mhuire national school in Meelick, County Clare, I can only describe the conditions I saw at the school as absolutely appalling. It is difficult to understand how the previous Government ignored the school and allowed conditions to deteriorate to such an extent, especially during the Celtic tiger period when the country was awash with money. Every area of the school building and its environs is in need of urgent attention. Running repairs are no longer sufficient to deal with the scale of the problems at the school and maintenance is costing the board of management a fortune.

It is difficult to keep up with the number of water leaks at the school, especially from roofs in the prefabricated buildings. I saw buckets and basins in several classrooms and there is a major concern that the leaks pose a fire hazard given that water penetrated the fluorescent bulb fixtures in ceilings on a number of occasions. Water has also caused structural damage to ceilings in the school's prefabricated buildings. The ceilings and foundations of these buildings need to be replaced.

The school has little ventilation because windows cannot be opened as their frames are swollen. This lack of ventilation gives rise to significant safety concerns and is not good for the health of the children or teachers. The main doorframe is unsteady and poses a health and safety risk. All the windows and doors need to be replaced.

Mould is visible on the walls of several classrooms and washrooms, the sewage system is not working properly and there is a foul smell in the toilets where the roof is leaking. There is also water on the floor and junior and senior infants do not have access to hot water in their classrooms which also have leaks in the ceilings. The permanent odour of damp in the school is a matter of serious concern to the school and parents as a number of children suffer from asthma and other respiratory related illnesses.

When I walked into the yard I noticed a number of structural problems with the school building. I observed, for example, that a number of roof slates were missing and several more were loose. The school yard surface is cracked, eroded and uneven and several potholes are visible. Manholes are rusted, dangerous and overflowing. The gradient in one part of the play area is so bad that teachers must constantly monitor the children to avoid serious injury.

Teachers are not to blame for conditions at the school and have done their best. The problem is that the school is old, having been built in 1959 in what was then a small locality. The school is located in the Stonepark area near the church. In the 1980s, many housing estates sprung up on the other side of the parish in the Ballycannon area and the population of the village increased. This also boosted the school population and the school now has eight teachers and 150 pupils, with a further 23 children due to enrol in September.

I visited a number of schools in County Clare in recent months and the conditions in Meelick school were the worst I saw. Stop gap measures or sticking plaster solutions are not sufficient to deal with the enormous problem in the school itself. Remedial works are carried out by the

school on an ongoing basis, but the scale of the problem is beyond the ability of the school authority to maintain or fund.

Can the Minister of State give me an update on the situation? The school has applied for emergency funding, because it poses a health and safety risk. A risk assessment has been carried out by a qualified consultant, who has confirmed that the works are urgently required so that the school and its grounds can be made safe for the children and parents who use it.

Deputy Ciarán Cannon: I am taking this topical issue debate on behalf of the Minister for Education and Skills. I thank the Deputy for raising this matter, as it gives me an opportunity to outline to the House my Department's position regarding the allocation of funding under the Department's emergency works scheme and, in particular, the applications received from the management authority of Scoil Mhuire national school, Meelick, County Clare. Application forms and guidelines for this scheme are available on my Department's website advising schools on how to apply for emergency funding, and also outlining the terms and conditions of the emergency works scheme.

The purpose of the emergency works scheme is solely for unforeseen emergencies or to provide funding to facilitate inclusion and access for special needs pupils. An emergency is deemed to be a situation which poses an immediate risk to the health, life, property or the environment which is sudden, unforeseen and requires immediate action, and in the case of a school, if not corrected would prevent the school or part thereof from opening. It is not intended that the emergency works scheme will be used to supplement previous applications under other schemes or to replace any other schemes provided by my Department.

The management authority of Scoil Mhuire national school, Meelick, County Clare, has submitted two applications under the emergency works scheme. The first of these was received on 8 July 2011, seeking funding to refurbish pupil and staff toilets in the school, and this was refused as it was outside the scope of the scheme. The second application was received on 18 February 2012, seeking funding to replace the roofs on both the permanent school building and the prefabricated building on the school site, completely resurface the hard play areas and carry out remedial works to sewer and surface water lines at the school.

On 1 March 2012, an official from my Department's planning and building unit contacted both the school authority and its consultant and informed them that the scale of the works was outside the scope of the scheme. The school authority was requested to identify the most urgent works required at the school and to reapply for these works in a scaled down scope of works, that is, to carry out repair work to the areas of roofs currently leaking and to identify the emergency works required to the sewerage system. Any such application will be given due consideration.

The school authority submitted a revised scope of works on 8 March 2012, but as the works requested for funding were still outside the type of works that would be funded under the emergency works scheme, the school authority was again informed that its application was not successful.

Deputy Pat Breen: I thank the Minister of State for coming into the House to take this issue, but I am still not satisfied with the answer I am getting today. Perhaps the Minister of State might chase up the history of previous applications. If it is outside the scope of the scheme, I fail to understand the problem. As far as I am concerned, every part of the school requires urgent attention. What happens if there is a fire in the school in the morning and windows

[Deputy Pat Breen.]

cannot be opened? It is just awful. I am not just saying this to try to influence the Minister of State, but it is urgent and there are safety fears here.

Can the school management apply for another scheme to deal with these ongoing problems? There are structural problems, electrical problems, problems with the roof, dampness and mould. Very little money has been spent on permanent structures in this school. It is an old type of school, built back in 1959. Many other schools in the area have improved, but this school has been left behind and I am extremely worried for the children, the teachers and the parents, who are also concerned about these issues.

I ask the Minister of State to come back to me on this. Perhaps he could visit the school in his capacity as Minister of State. It needs urgent attention. He might let me know where the school is in the Department's building programme for the construction of permanent structures or improvements. If the school is outside this scheme, what other scheme can it apply for?

Deputy Ciarán Cannon: On 1 March, an official from the building unit contacted the school and the school was requested to identify the most urgent works required and to apply for those works in a scaled down scope, to carry out works to the parts of roofs that are currently leaking and identify the issues raised by the Deputy in respect of the sewerage system. The building unit officials have told me that they are prepared to consider any application for funding that will address the most urgent needs of Scoil Mhuire national school. I think it is incumbent upon the board of management to identify the most urgent needs and if it succeeds in doing that and makes a submission to the building unit, such a submission may be looked on in a favourable light.

Human Rights Issues

Deputy Maureen O'Sullivan: I thank the Ceann Comhairle for allowing us to raise this matter. The issue of the prisoners in Maghaberry Prison has been long neglected and is getting very little publicity. We are not talking about the political views of these prisoners, but the human rights conditions in which they have been held for quite a while. I will discuss the case of Marion Price, while Deputy Pringle will speak about two other prisoners.

Until February, Marion Price was held practically in solitary confinement in an all male prison. She has now been moved to a so-called health centre, which I do not believe is addressing her health issues. There are questions about the lawfulness of her detention and the term "administrative internment" is also being used. She was re-arrested when she was out on bail on the order of the Secretary of State, so I think there are issues here about the independence of the Judiciary.

I followed up on prisoner rights and human rights issues for prisoners in China, Iran and Bahrain recently, and then I discovered that this was an issue just 100 km up the road. I tabled a question to the Minister for Justice and Equality in January, who told me that the Tánaiste was in discussions with the Minister of State in Northern Ireland. I then followed that with two questions to the Tánaiste and the gist of his response was that the situation was being monitored. More definite detail is needed on this. What exactly is going on? Does the Tánaiste feel that he has role on a prisoner rights and human rights issue up the road in Northern Ireland?

Deputy Thomas Pringle: I thank the Ceann Comhairle for giving me the opportunity to raise this issue. As Deputy O'Sullivan has outlined, this is a very important human rights issue on the island of Ireland that we need to address. Many Members have been quick to raise issues in Tibet, China and elsewhere, but we need to be cognisant of what is happening on our own island to Irish citizens.

There is an agreement in Maghaberry between the Department of Justice in Northern Ireland and the prisoners that will resolve the protests that have been going on there for the last few years, but the Northern Ireland Prison Service refuses to implement that agreement. This means that the conditions under the prisoners have to live are continuing. I impress on the Tánaiste and the Minister of State, Deputy Costello, the need to make forceful representations to the Minister for Justice in the Six Counties, and to the Northern Ireland Prison Service, to ensure that this agreement is implemented so that the protest can be ended and the prisoners can complete their sentences in some sort of dignity.

I also wish to raise the specific case of Brian Shivers, who is currently being held in Maghaberry as well, awaiting appeal for a conviction that he received a few months ago. Mr. Shivers suffers from cystic fibrosis and he is 46 years old. Life expectancy in the UK for sufferers of cystic fibrosis is 39 years, so he has already exceeded that. He has been denied medical treatment in Maghaberry Prison for the last six weeks by the Northern Ireland Prison Service. The service has refused to give him his medication so he can alleviate his condition, and it is a very serious issue for an Irish citizen to be held in those conditions. There is correspondence from the South Eastern Health and Social Care Trust, which has agreed to offer training to prison staff to administer his medication in a proper manner, but this has not been availed of to date.

I wrote to the Tánaiste on 20 April in relation to this issue but, as yet, I have not even received an acknowledgment from him. It is vitally important that these matters be brought up forcefully. On human rights grounds, prisoners should be treated with respect and dignity.

Minister of State at the Department of Foreign Affairs and Trade (Deputy Joe Costello): I thank both Deputies for putting the case for prisoners' in Maghaberry Prison so succinctly.

The Government is aware of a number of concerns which have been expressed regarding human rights conditions of prisoners currently being held in Maghaberry Prison in Northern Ireland. The Tánaiste has raised the issue with authorities in Northern Ireland on a number of occasions, most recently on 27 April with the Secretary of State for Northern Ireland, Owen Paterson, and on 20 April with the Minister of Justice in the Northern Ireland Assembly, David Ford.

There are a number of ongoing issues concerning a group of prisoners held in a separated prisoners' regime in Maghaberry. This group has been on dirty protest since May 2011 over conditions and practices in the prison, particularly the use of full body searches. This is a highly contentious and emotive issue and I understand that concerted efforts have been made to facilitate an agreement which would see a regime put in place acceptable to all parties. Recent incidents in Maghaberry Prison have made these efforts more difficult, as any agreement would need to balance the security concerns of the prison authorities with the issues raised by the prisoners.

I welcome the recent announcement by Minister Ford that full body scanner devices are to be used in a trial pilot scheme in Maghaberry Prison. The use of such technology might address the concerns of prisoners regarding a full body search regime.

In a wider context, huge progress has been made by the Northern Ireland Department of Justice and the Northern Ireland Prison Service in relation to implementing the recommendations of the Owers report for prison reform. This report outlined a series of reforms which will fundamentally change how prisons are operated and organised in Northern Ireland. The report team undertook a 360 degree review of the prison system and had a very strong focus on how best to protect the human rights of prisoners. Minister Ford, in a recent conversation with the Tánaiste, spoke positively of how the implementation of the report's recommendations was progressing and there is no doubt as to his commitment to reforming the prison

[Deputy Joe Costello.]

services to the benefit of all stakeholders. The full implementation of the Owers report will be the most effective way to ensure that human rights of all prisoners in Northern Ireland, not just in Maghaberry Prison, are fully observed.

Department of Foreign Affairs and Trade officials have been instructed to continue to monitor any further developments on these issues. The Government will continue to take an active interest in this subject and will make appropriate representations where necessary.

Deputy Maureen O'Sullivan: I thank the Minister of State for the reply, but it is disappointing. I am sure the Minister of State is also disappointed because I know of his role in prisoners' issues in Dublin Central and with my predecessor, the late Tony Gregory.

The Pat Finucane Centre, which is a non-party political and anti-sectarian human rights group committed to the non-violent resolution of conflict situations has taken these issues up and has been in touch with the Tánaiste. I wonder if he has responded to the centre.

Terms like "aware of", "raised issues" and "continue to monitor" sound very nice but there is no action behind them. Meanwhile the situation in Maghaberry has been ongoing for almost a year. Reforms are never worth the paper they are written on unless they are implemented. From the Minister of State's answer it sounds as though these issues are being kicked to touch. There has been reform and a report and everything is going to be fine, but in the meantime there are serious health and human rights issues for the prisoners.

We did not mention another prisoner, Gerry McGeough, and I know there are others besides the three we mentioned.

Deputy Thomas Pringle: Like Deputy O'Sullivan, I am disappointed by the Minister of State's response. A sense of urgency needs to be impressed on Department officials when they are dealing with their counterparts in the Six Counties to ensure the reforms are implemented without delay.

The introduction of full body scanners might go some way to relieving the conditions in Maghaberry, particularly for prisoners who are strip searched on numerous occasions on days when they receive several visits. That should not be allowed to continue in any civilised society. It merely heightens the sense of conflict and deteriorates the situation even further.

I ask that the Tánaiste make representations regarding Brian Chivers. His life is at risk due to his illness and his life expectancy will be curtailed by the conditions in which he is being forced to live. He is being denied life-saving and life-maintaining medical treatment. That is not acceptable in this country in this day and age.

Deputy Joe Costello: I take on board what the Deputies said. I will speak to the Tánaiste about the matter. He spoke to the Minister for Justice, David Ford, and the Secretary of State for Northern Ireland, Owen Paterson, in April. I will bring the issues the Deputies raised to the Tánaiste's attention.

I do not propose to discuss the individual cases the Deputies mentioned. I appreciate the necessity to take early action regarding the medical situation referred to. I hope there can be an early resolution to these matters. We do not want to go back from the Good Friday Agreement. There is still dissident activity in Northern Ireland and in the prison context, but we want to get overall agreement. I understand the authorities in Northern Ireland are seeking to get that agreement.

I will speak to the Tánaiste about the matter and encourage him to bring his good offices to bear to resolve the matter as quickly as possible.

Eating Disorders

Deputy Thomas P. Broughan: I thank my Fingal colleague, the Minister for Health, for coming to the House to discuss this matter.

First, there are only three public beds, instead of the recommended 24, for eating disorders nationwide. Second, we do not have standards or regulations for physiotherapists and counsellors who work in this field.

In 2006, the Vision for Change report on mental health policy estimated that up to 200,000 people in Ireland may be affected by an eating disorder, whether anorexia nervosa, bulimia, binge eating disorder or otherwise. It also reported that approximately 400 new cases of eating disorder are diagnosed each year in Ireland which, shockingly, represents approximately 80 deaths per year.

A Government study of children and adolescents carried out in 2006 indicated that 1.2% of Irish girls are at risk of developing anorexia nervosa and 2% are at risk of developing bulimia. Figures from the Health Research Board report on the activities of Irish psychiatric units in hospitals indicate that eating disorders represented the second highest level of diagnosis, at 18%, of child and adolescent psychiatric admissions in 2008. There are also worrying trends internationally. A study of Scottish secondary school students reported that approximately a quarter of boys and girls had engaged in bulimic or anorexic behaviour.

Eating disorders, as a psychiatric condition, have a significant mortality rate. A 1995 study in the *American Journal of Psychiatry*, shockingly, found that “aggregate annual mortality rates associated with anorexia are more than 12 times higher than the annual death rate due to all causes for females aged between 15 and 24 and more than 200 times higher than the suicide rate of females in the general population”.

This issue that does not predominantly affect girls and women, as the incidence of men who are affected by eating disorders is significantly on the rise. International studies estimate that as many as 25% of patients being treated for anorexia and bulimia are male and perhaps 50% of binge eating disorder cases are men.

All of these astonishing statistics have been compiled and highlighted by the outstanding campaigning organisation for victims of eating disorders, BodyWhys, led by Ms Jacinta Hastings. Many colleagues in the House, attended the excellent briefings provided by Ms Hastings during Eating Disorders Awareness Week in February and her follow-up briefings.

One of the most incredible facts surrounding eating disorders services is that there are only three beds in the public health system specifically designated for citizens with an eating disorder. Many patients approach their GP, and the Minister has emphasised that the treatment of eating disorders by community mental health teams is the best way forward. Bodywhys and other health professionals, however, believe there is an urgent need for at least 24 beds in the public health system to adequately treat the needs of the growing number of citizens with an eating disorder.

Recommendation 15.4.7 of A Vision for Change proposes an eating disorder sub-unit in a regional general hospital mental health unit with six beds each, which would contribute 24 public eating disorder beds. What can the Minister promise or what can he indicate will happen in this area? There is also a clear issue of equality at stake. With just three public beds, is it the case that only citizens who can afford private treatment will be able to access treatment for an eating disorder? There are many outstanding eating disorder counsellors and psychotherapists working in this country but it is an unregulated sector. As Bodywhys emphasises, citizens seeking treatment for an eating disorder are in an exceptionally vulnerable position. It is therefore essential that the areas of counselling and psychotherapy are strictly regulated to the

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highest standards. There is an opportunity for regulation, either by statutory instrument or by the introduction of legislation to the House. I urge the Minister to introduce regulations urgently in this regard and to ensure standards for counsellors and psychotherapists are provided either through legislation or by a statutory instrument. I seek a commitment from the Minister that eating disorder services will be introduced as a matter of urgency, as outlined in *A Vision for Change*, given the dramatic effect of eating disorders on young people.

Minister for Health (Deputy James Reilly): I thank Deputy Broughan for raising this important matter for discussion today. I am responding to this topical issue on behalf of my colleague, the Minister of State, Deputy Kathleen Lynch, who has responsibility for mental health issues. Health Service Executive, HSE, services for people with eating disorders are embedded in the main in the community mental health service and primary care. Individuals with eating disorders frequently present to the primary care practitioner with complications of their condition and early intervention at this level greatly improves outcomes. The HSE has developed a mental health in primary care accredited training programme with Dublin City University for primary care practitioners, with a view to enhancing the capacity of primary care to recognise, assess and treat a range of mental illnesses, including eating disorders, within the primary care setting.

Community based adult mental health services receive referrals from primary care and provide assessment and treatment to individuals with eating disorders. Child and adolescent mental health teams provide a similar role for their cohort of referrals. Where the individual's psychiatric or medical needs are more acute, inpatient admission is offered within the local psychiatric services or acute medical care where necessary. The HSE can and has worked with service providers in the independent sector to provide specialised care, on an inpatient and-or an outpatient basis.

Services for persons with eating disorders are also provided in the voluntary sector and in this regard I should mention that the HSE provides funding to BodyWhys, the national voluntary organisation supporting those with eating disorders. Bodywhys provides a range of support services for people affected by eating disorders, including specific services for families and friends. As the House will be aware, a special allocation of €35 million was provided in budget 2012 for mental health. The funding will be used primarily to strengthen community mental health teams in both adult and children's mental health services, by ensuring, at a minimum, that at least one of each mental health professional discipline is represented on every team. More than 400 additional staff will be recruited to support initiatives under the €35 million package. It is intended that the additional resources will be rolled out in conjunction with a scheme of appropriate clinical care programmes. Three areas in particular will be prioritised in 2012, one of which will be around the treatment and care of patients with eating disorders. These programmes are currently being finalised.

On the regulation of psychotherapists and counsellors, the priority of the Department of Health for the foreseeable future is the statutory registration of the conventional therapies, through the full establishment of the Health and Social Care Professionals Council. Before statutory registration can be considered for other therapies, such as counselling and psychotherapy, there is a need for each individual therapy to federate so that it can advise, as a single voice, on professional standards. That was a recommendation of the report of the national working group on the regulation of complementary therapists. The Higher Education and Training Awards Council is currently working with representatives of the professional bodies and higher education institutions that provide courses in counselling and psychotherapy, along with international experts, to determine national standards of knowledge, skill and competence

to be required for the award of higher education qualifications in these fields. While academic qualifications are not sufficient in themselves as a means of professional regulation, agreement on academic standards does form a critical building block for any modern regulatory system for professions. I trust this clarifies the issues for the Deputy.

Deputy Thomas P. Broughan: I thank the Minister for attending and for his reply. We all welcome the allocation of the €35 million secured through the budget by our colleague, the Minister of State, Deputy Kathleen Lynch, for mental health services. The question is, however, whether it will lead to more acute beds in front line services. That is one of the main points of today's debate.

I have liaised with the Minister for Children and Youth Affairs, Deputy Frances Fitzgerald, on the problem with psychiatric services for 16 year olds and 17 year olds. I am sure the Minister is aware of the issue. I welcome the point made by the Minister on the certification of psychotherapists and counsellors. As outlined by him on the second page of his reply, however, it appears to be a lengthy process. Is there some way the Minister could take decisive legislative action either by administrative means or otherwise to ensure the process is accelerated?

An issue of fairness arises in terms of the current provision. The Minister mentioned that some independent providers have been licensed to offer services but the fact remains that families on lower incomes will not be able to access them. There is still a clear requirement for additional beds.

Education is a major issue, both for the Department of Health and the Department of Education and Skills in terms of self-perception and people being accepting of different body types. I recently heard the Minister speak forcefully about smoking. He made a strong case on health grounds. I commend him on his interest in this major issue. Perhaps this is another area in which the Department could put its shoulder to the wheel in terms of education.

Deputy Mary Mitchell O'Connor raised the issue of websites which seem to promote anorexia and bulimia. I am concerned about the action that should be taken in this regard. I note the French Government has taken decisive action — the government there might change on Sunday to the benefit of all of us in this House. Does the Minister propose to take action against people who are causing harm? I accept he did respond previously to Deputy Mitchell O'Connor on the matter, as did the Minister of State, Deputy Kathleen Lynch.

Deputy James Reilly: I thank the Deputy opposite for his comments on the additional resources made available by the Government for mental health issues. It is an area to which the Government is very committed. The Taoiseach is also very interested in it. More work remains to be done in terms of having more organisation around specific beds for the treatment of eating disorders. Currently, as Deputy Broughan outlined, there are a number of designated beds but other beds are also used for the treatment of such conditions.

Like Deputy Broughan, the Minister for Children and Youth Affairs, Deputy Fitzgerald, and I are concerned about the changes that occurred *vis-à-vis* the law on the age of a child, which increased from 16 years to 18 years and the difficulties that created in terms of the provision of proper psychiatric and psychological services for children in that age group.

I am very concerned about regulation. The printed reply might have referred to the future but I am aware the change must be more urgent. There is a real need for GPs and community nurses in particular, and other professionals, to be confident they are referring individuals who need counselling, whether for an eating disorder or otherwise, to properly qualified and competent individuals. The regulation of counsellors and psychotherapists is very much on my agenda. As I outlined, we are currently organising issues around ancillary health professionals

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but I also want to address the issue of other therapists. I believe there is a real role for people in this area but there is a need to protect patients and ensure they are going, and the referring physician, nurse or clinician can have the confidence that he or she is referring, to a suitably qualified person.

I note the issue of education in this area. Certainly, that requires more co-operation between ourselves and the Department.

The other issue about websites and licensing is something I will discuss with the Minister of State, Deputy Kathleen Lynch, and we should raise that as well with the Ministers, Deputies Fitzgerald and Shatter, on a cross-departmental basis.

As Deputy Broughan pointed out, it is an area of real concern. It is a difficult area to treat for professionals. If intervention occurs early, the bulk of cases can be handled without admission to hospital, but there are occasions when that is required. Certainly, we will look into how we can better organise that facility in a more specialised way.

Ceisteanna — Questions

Priority Questions

Water Charges

1. **Deputy Niall Collins** asked the Minister for the Environment, Community and Local Government his estimate of the number of households that will be metered; the time frame for the roll out of metering; the costs of metering and the charges to households; and if he will make a statement on the matter. [22282/12]

2. **Deputy Brian Stanley** asked the Minister for the Environment, Community and Local Government if he will reconsider the proposal to introduce water meters and water charges as metering is not an option for one third of households in Dublin. [22569/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 1 and 2 together.

The Government considers charging based on usage the fairest way to charge for water and has decided that water meters should be installed in households connected to public water supplies. International evidence has shown that where meters have been installed, significant reductions have been achieved in the level of consumption, and this is also borne out by the water savings achieved with metering in the group water sector.

My Department estimates there are approximately 1.35 million domestic properties connected to public water supplies in Ireland. Following detailed analysis of available data, it is estimated that up to 300,000 of these households may not be metered in the initial metering programme due to either the high cost or the technical difficulty in doing so. It is not true to say these households will never be metered. I expect these households will be metered in the longer term as shared service connections are replaced and further options relating to metering apartment blocks are evaluated, including internal metering. Households which are not initially metered will pay for water on an assessed basis.

Detailed cost estimates on the metering programme have been prepared by my Department. It would not be appropriate to release these estimates in advance of the competitive procurement process. I am aware of some estimates of the cost of metering which have been reported

in the media in recent months. These estimates are speculative and will be shown to be significantly overstated when the procurement of metering is completed. The metering programme will begin before the end of 2012 and will be substantially delivered within a three year period.

The Government has also decided to assign responsibility for the economic regulation of the water sector to the Commission for Energy Regulation. The primary role of the regulator will be to protect the interests of customers and to ensure a consistent and appropriate level of service is provided to customers. My Department is working with the Commission on the development of the regulatory framework for the water sector, and legislation will be prepared to provide the Commission with the necessary powers to fulfil its new role.

Deputy Niall Collins: In the likely event the Minister's target number of houses will not be metered by 2014, what is his plan B for the project? Will he address the anomaly in the units to which he referred which cannot be metered in the short term because there is a disparity? The Minister quotes a figure of 300,000 units and the House will be aware what the executive engineer from Dublin City Council has said.

Deputy Phil Hogan: I know that.

Deputy Niall Collins: The recent census figures on which we can rely state that apartments, bed-sits and pre-1960 buildings combined come to a figure of 503,000 units. There is a fairly large discrepancy between the figure the Minister quotes and the figure the CSO quotes. Can the Minister elaborate on his statement that the units that cannot be metered in the short term would be charged on an assessed basis? Will they be means-tested? Will it be a flat rate charge? Can the Minister give Members any more detail on it? Can the Minister give the public who will face the wider metering project and the rest of us any idea on the structure of the free allocation and the pricing structure per litre above the free allocation?

Deputy Phil Hogan: The number of households that would not be metered was looked at in the context of the census data, the same as it was by those others whom Deputy Niall Collins mentioned, including the executive manager of Dublin City Council. We all were looking at the same figures. We have done a detailed analysis in the Department on the number of properties that will cause problems in the initial phase of metering. It is important to note that this figure is an estimate and it will be higher or lower. It is intended that each property will be individually examined for suitability for metering as part of the roll-out of the metering programme.

Deputy Niall Collins mentioned the media reports that one third of the houses will not be metered. My Department's analysis of the available data of property has taken into account the matters raised in the media reports, and where conventional metering installation is not possible, it is intended that alternative approaches will be considered, including a flat rate charge based on similar water usage in similar properties. For example, for housing units in apartment complexes, internal metering may be considered. Irish Water will be expected to ensure the maximum level of metering is achieved. It should fully evaluate the options for the properties where conventional meter installation will not be feasible.

The free allowance and the water pricing matters are the subject of an implementation plan, where Bord Gáis, which is the semi-State company put in charge of rolling out this project, in consultation with the regulator, will bring proposals to the Department and Government shortly. Bord Gáis is the company the Government is charging on behalf of the customer with responsibility to come to it with views about the free allowance. The Government will decide at the end of the day, in line with the programme for Government, on the free allowance and

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the amount that will be allowed in this case. On water pricing, we will be getting the proposals from Bord Gáis and the regulator on these matters as well in due course.

Deputy Niall Collins: I have one more question.

An Ceann Comhairle: I am afraid we are over time.

Deputy Niall Collins: The Minister is taking Questions Nos. 1 and 2 together.

An Ceann Comhairle: I apologise.

Deputy Niall Collins: The Minister——

Deputy Brian Stanley: I have not yet come in.

Deputy Niall Collins: Deputy Stanley has to come in. I asked about 2014——

An Ceann Comhairle: We will let Deputy Stanley in and then come back.

Deputy Brian Stanley: We can leave it until Question No. 2.

An Ceann Comhairle: Are we taking Questions Nos. 1 and 2 together?

Deputy Niall Collins: Yes.

An Ceann Comhairle: Then we discuss them together. Deputy Stanley should ask his question and then I will let Deputy Niall Collins in.

Deputy Brian Stanley: The Minister stated that there are in excess of 300,000 households that cannot be metered. The Dublin position has been mentioned, but would the Minister agree that this will also be a problem throughout the country?

Where there are apartments, the Minister mentioned fitting internal meters. What would happen in an apartment block where the occupants might not want meters fitted? Would somebody break down the doors?

Deputy Phil Hogan: That is what they used to do.

Deputy Brian Stanley: What would happen in the case of old housing estates in Carlow-Kilkenny, of which the Minister will be aware, and in many places throughout the State where there are pipes running at the back of houses, under garden sheds and under garden walls? Would one have to bulldoze one's way through garden sheds to try to get at these stopcocks to fit meters? These are real problems I am trying to point out to the Minister. I am trying to save him much head-on confrontation with residents. There will be many problems in trying to fit these. The senior engineer in Dublin City Council set out his stall in terms of the number of households in Dublin that cannot be fitted with meters, and he would know a thing or two about meters.

The Minister might address this issue. I have heard reports of these meters being installed in 18 months or two years. Is the Minister aware that across the water in England, there are parts that have not yet got meters? I spoke to somebody who worked in water services in England for ten years.

An Ceann Comhairle: Questions, please.

Deputy Brian Stanley: That person told me that in their duration with Anglian Water, the company had not succeeded in completing the fitting of water meters in that time. Is the Minister aware of that? It would appear to be unworkable and impossible. Even if the Minister succeeds in having interior meters installed in apartment blocks, charging a flat fee flies in the face of the stated aim of this measure which is to conserve water. That argument does not stack up when one looks at the figures.

An Ceann Comhairle: Does the Deputy have a question?

Deputy Brian Stanley: Does the Minister agree that if he is making a linkage between water metering and water conservation, a flat fee proposal is not in line with it?

Deputy Phil Hogan: I am surprised that Deputy Stanley would question a proposal to charge for any service considering that the average water charge per household in Northern Ireland equates to almost €1,000.

Deputy Brian Stanley: It does not.

Deputy Phil Hogan: Yes, it does.

Deputy Brian Stanley: The Minister is absolutely wrong.

Deputy Phil Hogan: The exact figure is €971. I am aware this is a sensitive issue for the Deputy given that Sinn Féin purports to be all-island party.

Deputy Brian Stanley: Householders in the North have access to free rural transport, free fire services and much more besides.

An Ceann Comhairle: The Minister should be allowed to continue without interruption.

Deputy Phil Hogan: I am also surprised that the Deputy would take the word of an executive manager of one local authority above the very detailed analysis carried out by my Department on a nationwide basis.

I have acknowledged there will be difficulties in respect of the installation of meters in a certain cohort of properties. I will not be out there installing them myself, no more than the Deputy will, but we are putting people in a position of responsibility to do that job. Approximately 200 contracts will be tendered and granted before the end of the year by the semi-State body charged with responsibility for the scheme. The installation programme will create 2,000 jobs. There is no question of it being necessary for one contract to finish before the next can proceed. Rather, the 200 contracts will be ongoing at the same time. These are the means by which we will speed up the implementation of the scheme. A public water utility, Irish Water, will be established for the purposes of implementation. Notwithstanding the difficulties that will arise, which I have acknowledged, let us give it the opportunity to fulfil its task.

Deputy Niall Collins: I asked the Minister to outline his plan B given that I am not convinced that his Department appreciates the complexity of the project being undertaken. All informed third-party commentators are of the view that the programme will not meet its deadline of the end of 2014. There is a discrepancy between the figures from the 2011 census and those contained in the PricewaterhouseCoopers report, which relied on the 2006 census data. This has led to the uncertainty as to whether 300,000 or in excess of 500,000 units will not be included in the initial metering programme. Does the Minister have a plan B if the deadline is not met at the end of 2014?

Deputy Phil Hogan: I am surprised at the Deputy's lack of confidence in a decision made by the Government to charge a semi-State company with what is the largest project since the establishment of the ESB, namely, to ensure the provision of water supplies in adequate quantities and quality for the people of this country. I would have expected him to support that objective.

Deputy Niall Collins: It is not a question of support or otherwise. It is reasonable to ask whether there is a plan B in the event that the deadline is not met.

Deputy Phil Hogan: I expected his support given that scheme is in line with a decision made by the previous Government in 2009.

Deputy Niall Collins: That has nothing to do with it.

An Ceann Comhairle: Deputy Collins must allow the Minister to reply.

Deputy Phil Hogan: There is no need for a plan B. We have made the decision to charge a semi-State body with carrying out this important work for the benefit of the people of this country. Let us give it an opportunity, through an implementation plan, to do so. Any talk of a plan B amounts to scaremongering. We are proceeding with plan A.

Deputy Niall Collins: There is no scaremongering. People are entitled to certainty.

Deputy Phil Hogan: They will have certainty.

Deputy Niall Collins: There is only more confusion.

Deputy Brian Stanley: I asked the Minister about the time line of 18 months to two years for rolling out metering nationally. In England, it has not been possible to do it—

An Ceann Comhairle: This is Question Time. Does the Deputy have a question for the Minister?

Deputy Niall Collins: Deputy Stanley is making a valid point.

Deputy Brian Stanley: What is the situation in regard to households which have already installed meters? Does the Minister agree that all of the money being invested in the installation of meters will do nothing to fix the leaks in piping systems? Surely it would be more effective, instead of proceeding with metering, to repair those faults and roll out the neighbourhood metering system on a national basis?

Deputy Phil Hogan: Some €200 million has been spent in the past six or seven years on the rehabilitation of mains and pipe networks, with an additional €120 million allocated for this purpose this year and next. I am surprised the Deputy is not supporting this water conservation programme. I am in support of clean water, but one can only conclude, on the basis of his attitude to the septic tank provisions, that he is opposed to it. The reality is that water leakage on the customer side is not being caught, with substantial losses arising in all local authority areas. That is totally unacceptable. Our objective is to address this issue by eliminating fragmentation and establishing a single public water utility to deal with these matters once. That will ensure we have adequate quantities of quality water for consumers, particularly on the east coast where a water shortage will develop if we do not plan for it now. I am determined, together with Bord Gáis and my Government colleagues, that we will do this in the shortest period of time, notwithstanding the difficulties and hiccups that will inevitably arise along the way.

Building Regulations

3. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government if he will accept that in view of the information available (details supplied), the Building Regulations Advisory Board could have prevented the pyrite problem by ensuring adequate testing standards and that he has a responsibility and duty to the thousands of home owners, who invested in their family home believing that the Building Regulations were a protection against major structural damage, to remediate the major structural damage caused by the failure of the BRAB and his Department. [22284/12]

Deputy Phil Hogan: The Building Control Acts 1990 to 2007 set out a clear statutory framework for construction activity based on legally enforceable minimum requirements, as set out in the Building regulations. Detailed technical guidance documents, TGDs, accompanying each part of the building regulations outline how compliance can be achieved in practice. The regulations and relevant TGDs first came into effect in June 1992. They are subject to ongoing review by my Department, working in conjunction with the Building Regulations Advisory Body, BRAB, in light of developments in the construction industry generally.

My Department first became aware of the pyrite problem in mid-2007, and, in conjunction with the BRAB, took appropriate and decisive action to deal with the emerging problem and prevent the use of pyritic material in future. All building control authorities were advised of the problem and their co-operation sought in the enforcement of the relevant building regulations. Industry stakeholders were also contacted and advised of the problem and their assistance sought in containing it. The National Standards Authority of Ireland, NSAI, in conjunction with my Department and industry stakeholders, undertook a review of existing guidance in regard to hardcore material and, following a public consultation process, issued additional guidance, standard recommendation SR21, on reducing the risk of reactive forms of pyrite being present in material fill for use under concrete floors in dwellings and other buildings. Technical guidance document C was revised in 2008 to take account of the additional guidance given in SR21.

Acknowledging the very difficult and challenging situation faced by home owners having to cope with the consequences of pyrite problems in their homes, I set up the pyrite panel in September 2011 whose remit is to identify solutions for a resolution to the pyrite problem. I look forward to receiving its report shortly.

Deputy Clare Daly: The Minister's response is factually inaccurate in several instances. He acknowledges that the regulations were inadequate and had to be changed. The issue, however, is whether he was aware of the problem at that time. There is now disputable evidence, given most recently at a symposium in Trinity College, that there was a massive awareness of this issue in terms of the ground engineering literature that was in circulation at the time and the geology of the area. It is indisputable that the information was out there and, as such, the building regulations should have ensured adequate testing to deal with it. Had that been in place, the nightmare scenario now facing families would not have arisen. Will the Minister respond to that point? His officials attended that symposium and have had it confirmed that the industry knew that testing should have been done, not least for sulphur attacks on concrete. The Department did not do that and although this was before the Minister's time, it remains the case that the Department is responsible for overseeing the building regulations. Given that it has been acknowledged as deficient in this regard, the Minister must take responsibility to remedy the matter now.

Deputy Phil Hogan: As the Deputy is aware, there was court action in regard to this matter and the Department was exonerated of any particular responsibility. The pyrite symposium to

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which the Deputy referred was organised by Professor Brian Hawkins, a former member of staff at the University of Bristol. He has an engineering and geological background and has been involved in a number of isolated pyrite-related incidents in the United Kingdom over a number of years. He has also had an involvement with the pyrite problem in Ireland since 2007. Four members of my departmental staff who provide technical and administrative support to the pyrite panel attended the symposium to which the Deputy referred and reported back to the pyrite panel yesterday. In response to a question from a member of the Pyrite Action Group as to whether the knowledge of pyrite was common prior to 2007, Professor Hawkins indicated that it was, referring to several academic papers and a book of his which dealt with pyritic heave. Paul Forde, joint managing director of DBFL Consulting Engineers, gave a presentation at the symposium on his experience of dealing with pyrite problems since 2007. He indicated he was not aware of pyrite prior to 2007 and had misdiagnosed cracking resulting from pyritic heave when he was initially engaged to deal with problems. The general view among engineering professionals is that there was very little knowledge of pyrite prior to 2007. It is not covered in third level engineering courses. Hardcore was seen as a low risk material. The question takes a narrow and selective view of what was said at that symposium.

Deputy Clare Daly: If the pyrite panel comes back with a finding that makes points like those the Minister is making, the householders affected are going to be seriously disappointed. The Minister must understand the nature of the problem to come up with a solution and he has quoted two people's different opinions. Mr. Brian Hawkins is the world renowned authority on pyrite and I would give greater credibility to his opinion. He absolutely confirmed on at least ten occasions at the symposium that this was known about and society should have acknowledged this. It should have been reflected in the regulations. Unless the Department takes responsibility for that, there will be a real problem when the panel issues its findings.

Deputy Phil Hogan: As Deputy Daly should acknowledge, I have done everything possible to engage with Oireachtas Members and people through this pyrite panel to ensure solutions are on offer, not a blame game. If the Deputy wants to go down the road of a blame game, she will not find solutions for ordinary people. In recent litigation that led me to establish this pyrite panel, it was clearly stated the Department was not in any way culpable in these matters. People will have differences of opinion in all walks of life; I am interested in getting solutions.

Household Charge

4. **Deputy Niall Collins** asked the Minister for the Environment, Community and Local Government if any changes have been made to payment methods for the household charge in response to the payment rate to date; and if he will make a statement on the matter. [22283/12]

Deputy Phil Hogan: 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 to enable homeowners to pay the household charge by credit or debit card. In addition, homeowners can make payment by cheque, postal order, or credit or 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 before 1 March 2012 for those who wished to pay in four instalments. This deadline was necessary in order to meet banking requirements for direct debit arrangements.

A bureau is in place in the LGMA to administer the charge on a shared service-agency basis for all local authorities. The Local Government Management Agency is administering the household charge system on a shared service/agency basis. In addition, 178,000 postal appli-

cations have been received in the household charge bureau, which are now being processed and this work will be completed shortly.

I am satisfied that there are comprehensive suites of payment options available to persons to pay the household charge and I have no proposals to introduce changes to the payment options currently available.

Deputy Niall Collins: The people who have not paid the household charge to date can be placed in one of two categories: those who have a principled objection and those with a clear inability to pay. The campaign to date lacked information. There were insufficient payment methods and there has been a series of incoherent messages from the Government about payment through An Post.

Will the Minister make provision for those with a clear inability to pay? There are genuine people who see these extra charges mounting up. It is acknowledged that the charge is regressive and the nature of the flat rate means there are unemployed people and old age pensioners with a genuine inability to pay. Will the Minister consider at some stage making provision for these people? There was a proposal to extend the payment deadline to September to avoid putting thousands of people outside the law. The Minister should consider that.

There are many unfinished housing estates that are not categorised as qualifying for the waiver. What process exists for residents' associations to contact the Department or local authority? There is no visible process. What is the Minister's strategy for dealing with those household that have not paid? Just about 50% have paid.

Deputy Phil Hogan: So far 57% have paid.

Deputy Niall Collins: The figure has stopped climbing. Just over 40% have not paid and I am making the case for those who cannot pay. What is the strategy for dealing with those who can pay but refuse to pay?

Deputy Phil Hogan: All the doomsday people on the back row opposite said only 20% would pay. I know it does not suit Deputy Daly's argument but 57% have paid.

Deputy Clare Daly: It does not bother me in the slightest but I could quote the Minister's own predictions for payment.

Deputy Phil Hogan: We had no comprehensive database of property, which meant we could not send a bill to people. An Post did not win the tender to deliver the leaflet, another company won it, although I have concerns about the manner in which it did that, which I will deal with in another way.

The extension of the deadline to September was proposed by Fianna Fáil and I rejected that. I operate on the basis that people will come up to a deadline and then pay. That is what happened, with 25% paying within a week of the deadline. If the deadline is extended, people will wait for that deadline to pay. We will process those who decided to pay at the 11th hour through An Post and that process will be completed in the next week or two. People will then get reminders in the same way as any payment that is needed for any utility. The data sharing protocols are in place to allow local authorities to send out letters over the summer. Ultimately people must decide if they want to comply with the law or not and if they do not comply with the law, they face litigation.

I accept there were difficulties with the categorisation of unfinished estates. Only categories 3 and 4 were eligible for the exemption, estates that were largely in receivership or liquidation, or that were very badly unfinished. The survey that was carried out did not capture all of them

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so we have asked local authorities to look at these matters in the light of genuine errors that were made and that city managers and county managers look at those sympathetically.

Deputy Niall Collins: Will estates that have not yet been taken in charge form part of the survey? There are many estates that have not been taken in charge that have legacy issues the local authorities are trying to address by dealing with developers.

The Minister did not address the question of those who are genuinely unable to pay, such as the unemployed and old age pensioners.

Deputy Phil Hogan: Everyone knew what the deadline was and if people wanted to pay before the deadline, they would not have any penalties to pay. I will not extend any exemptions for people who have not paid to date. They will continue to pay in line with the legislation that was passed by the Oireachtas in December and in line with what I have said on all occasions, that there would be no more exemptions for people. People knew exactly where they stood on this charge and there will be no change in that.

Planning Legislation

5. **Deputy Catherine Murphy** asked the Minister for the Environment, Community and Local Government if he will be reinstating the independent planning investigations commenced in June 2010; if he will make known the specifics of the complaint received by him in relation to alleged planning irregularities in Carlow County Council which formed the basis for that council's inclusion in the aforementioned investigative process by former Minister Gormley; if he will advise when his Department's Internal Planning Authority Review Report will be published; and if he will make a statement on the matter. [22556/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): The planning review is 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. Seven planning authorities, including Carlow County Council, 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. In the case of Carlow County Council, the issues raised relate to weaknesses in the procedures followed by, and governance structures in place in, the planning department of the Council.

The question of reinstating the review does not arise as it was never terminated. Rather, I am proceeding now on the basis of my predecessor's decision that instead of incurring significant costs to the Exchequer by securing outsourced expertise, the Department would carry out an examination of the cases involved to inform the planning review. I will be making a public statement in the coming weeks, setting out fully the nature of the complaints involved, the findings of the review and the conclusions and recommended next steps, as appropriate.

Deputy Catherine Murphy: This question arises in the context of the report of the Mahon tribunal. We know what happened in Dublin and that serious complaints were made to the Department and the Ombudsman about what had occurred in Cork. I have a copy of the Ombudsman's report, delivered on 25 February, which refers to difficulties of a systemic nature. Essentially, what is happening is similar to what occurred when the Ferns report — the first such report of its kind on child abuse within the church — was published. In the context of

child abuse, it did not come as a surprise that there was the same problem in other locations because the same structures and systems were in place. The position is exactly the same in the planning system which lies at the core of the economic difficulties by which we have been beset. People's sense of outrage regarding the Mahon tribunal cannot be temporary in nature. The investigation carried out must be credible and allow people to feel a sense of confidence in the planning system into the future. There can be no recurrence of past failures. Is the Minister of State confident that an internal inquiry will be seen as credible from the point of view of restoring people's confidence? Is she not of the view that there is a need for an independent assessment rather than an in-house one? I fully appreciate that money is tight, etc. However, an investigation must be credible, above reproach and independent. Will an internal review deliver in this regard?

Deputy Jan O'Sullivan: I agree with a number of the comments made by the Deputy. First, there is a need to restore confidence in the planning system. In that context, we must respond to the abuses and corruption identified in the Mahon tribunal's report. The Minister, other Ministers and I intend to respond to all of the recommendations contained in that report in a substantial and complete way.

The investigations which are the subject of this question were instigated by the former Minister, Mr. John Gormley, and represent a selection of the overall number of complaints received by the Department in respect of virtually every local authority in the country. The Department receives approximately 8,000 complaints from the public per annum about a variety of issues. I am sure the position is the same in other Departments. The seven cases in question were selected by the former Minister and we are carrying out investigations into them. If the report on these matters suggests further and external investigations are required, I will order them. We will publish a full report. The investigators from the Department have carried out on-site visits in the seven local authorities in question and will supply us with a complete analysis. I intend to publish the reports and recommendations I receive in full. I am committed to ensuring confidence in the planning system is restored.

Deputy Catherine Murphy: I understand the local authorities selected to be investigated were contacted and that they issued responses. I actually have a copy of the response submitted by the authority in Cork. I am sure each of the authorities involved has submitted a response at this point. Does the Minister of State propose to publish them? The State spent a small fortune on the Mahon tribunal and we were obliged to wait years for its report. Members of the public who are picking up the tab in respect of this matter — not just with regard to the report but also in the context of the property bubble and the lack of strategic planning relating thereto — continually state no action is taken. There is a need to resolve matters in a comprehensive and timely way with regard to individuals who still hold certain positions and in respect of whom questions have arisen in order that we might reassure the public and return to a position where we have a planning system over which we can stand.

Deputy Jan O'Sullivan: The report of the Mahon tribunal identified instances of serious corruption. We must ensure we learn from what occurred in the past and implement the recommendations contained in that report. The seven investigations relating to the local authorities do not relate to instances of corruption but rather to suggestions the administrative systems were not as good as they should have been. For example, an issue arose with regard to the height of buildings in Dublin and there were a number of differences of opinion between An Bord Pleanála and Dublin City Council in this regard. Issues also arose in respect of pre-planning meetings in Cork. There were other issues regarding the way planning departments

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were run. These are all serious issues, but they are not of the same scale as those identified in the report of the Mahon tribunal. In fairness to the local authorities concerned, we must acknowledge this fact. If there is anything which suggests there is a need for further investigation to be carried out by an independent outside entity into the matters which are the subject of this question, I am committed to establishing such an investigation. The report of the Mahon tribunal contains very significant recommendations which I intend to implement.

Other Questions

Local Authority Charges

6. **Deputy Charlie McConalogue** asked the Minister for the Environment, Community and Local Government the reason for delays in the septic tank registration system; the timeline for the future implementation of the system; and if he will make a statement on the matter. [22103/12]

17. **Deputy Gerry Adams** asked the Minister for the Environment, Community and Local Government if he will provide an update on the process for registration of septic tanks. [22120/12]

20. **Deputy Peadar Tóibín** asked the Minister for the Environment, Community and Local Government if he will provide public funding to meet the cost to householders of upgrading their septic tanks to meet the agreed new set of standards. [22121/12]

44. **Deputy Michael Colreavy** asked the Minister for the Environment, Community and Local Government if he will provide an update in the proposed standards for septic tanks; and when the standards will be published. [22124/12]

Deputy Phil Hogan: I propose to take Questions Nos. 6, 17, 20 and 44 together.

The online and written facilities for the registration of domestic wastewater treatment systems are being developed by the Local Government Management Agency on behalf of local authorities. My Department is also examining a number of payment options to facilitate householders to the fullest extent possible in the registration process. I understand the programming work for the online system will be completed shortly. I have decided that when the registration commences, a reduced fee of €5 will be payable for the initial three months and that a fee of €50 will apply thereafter. Ample time will be provided for householders to comply with the requirement to register their on-site wastewater treatment systems. My Department will ensure a public information campaign, including details of how and when to register, will be carried out in advance of registration commencing.

I published the draft performance standards for septic tanks and other domestic wastewater treatment systems for public consultation on 1 March. The draft standards set out the responsibilities of owners of septic tanks and other systems, including requirements for the removal of sludge and ensuring systems are in working order and functioning properly. The public consultation process regarding the draft performance standards concluded on 30 March. In total, 165 submissions were received and these are being assessed in consultation with the Environmental Protection Agency, EPA. When this assessment has been completed, I will finalise the regulations which will give legal effect to the standards. While it is not possible to

specify the dates for the commencement of the registration process or finalisation of the performance standards at present, these matters are being given priority and I expect to be in a position to make the necessary regulations as soon as possible. At that stage, the relevant statutory instruments will be laid before each House of the Oireachtas in line with a previous commitment I gave and in accordance with section 18 of the Water Services Act 2007.

I have previously given a commitment that I will keep under consideration all options to provide financial support for householders whose systems are deemed, following inspection, to require substantial remediation or upgrading. Any decision in this regard will obviously have to take account of the nature of the inspections, the extent of the difficulties and problems which might arise from such inspections and relevant budgetary matters. A national risk-based inspection plan is being prepared by the EPA and local authorities will be responsible for carrying out inspections in their functional areas. I expect that inspections will start in 2013. Inspections may give rise to householders being advised to improve the maintenance of their systems or, in more serious situations, upgrading or remediation of their treatment systems may be required.

Deputy Niall Collins: My party, Sinn Féin and some Independent Members tabled amendments on Committee Stage of the Water Services (Amendment) Bill which were debated at length, in which we sought to reduce the €50 charge relating to septic tanks. It made a mockery of the Oireachtas when the Minister announced, prior to a Fine Gael branch meeting at Dundrum House Hotel, that the charge was being reduced to €5.

Deputy Phil Hogan: That was our——

An Ceann Comhairle: I am afraid this is Question Time. In that context, the Minister should not interrupt. There is a time limit for these questions.

Deputy Niall Collins: On Committee Stage, the Minister indicated that he could not accept our amendments because they would give rise to a charge on the Exchequer. It was disrespectful to the Oireachtas that he could not agree to our amendments to reduce the registration fee and that he then made an announcement in this regard on the “Six One” news programme. This matter has been dealt with in a very disjointed fashion. There was no reason people could not have registered their septic tanks when registering for the household charge.

An Ceann Comhairle: Will the Deputy please ask a question? There is a time limit for these questions.

Deputy Niall Collins: I am coming to it. This shows the disjointed approach being taken to some of the projects being rolled out by the Minister’s Department. The Minister has indicated that the national risk-based assessment plan is being prepared by the EPA and will be rolled out by the local authorities. What is the position on the much discussed and promised grant aid scheme to assist householders who will be obliged to carry out improvement works?

Deputy Phil Hogan: Arising from the good decisions and progress made with the European Commission, which was very different to what was proposed by Fianna Fáil and the Green Party when in government, I was in position not to have universal inspection of septic tanks or compliance with a 2009 Environmental Protection Agency, EPA, code of practice. Instead, I was able to get a risk-based approach and a solution based on the Cavan model. Accordingly, we will not need as much money to administer the system as my predecessors would have made sure of taking from rural householders. The registration was important. I decided, however, it

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was not necessary to take €17 million from rural householders. All that is required for this particular scheme is €3 million to €4 million.

The risk-based approach, along with the sensible and pragmatic measures we got agreement on with the European Commission, flies in the face of what was proposed in the past by my predecessors. I am delighted with that result. We will ensure a pragmatic approach is taken and we have outlined in the standards how this will happen. The pragmatic approach and the agreement from the European Commission have come as a big surprise to some people.

As I stated in the reply, if grant assistance is required for remediation arising from an inspection, then we will consider it.

An Ceann Comhairle: I call Deputy Stanley. I remind Deputies that on ordinary questions it is one minute per supplementary. We can go back again if required.

Deputy Brian Stanley: The Minister did not give a timeframe for when the regulations will be published. I understood they would be published at the start of April and the registration process would begin then.

Deputy Phil Hogan: The draft regulations were published.

Deputy Brian Stanley: When will the registration process begin?

Deputy Phil Hogan: Whenever we have the approval by the Oireachtas of the commitment I gave.

Deputy Brian Stanley: The Minister had a dig at me earlier that I do not support protecting the environment by having septic tanks working properly. The Minister knows what I have always said on that and my commitment to the environment.

Deputy Phil Hogan: The Deputy is doing the opposite, however.

Deputy Brian Stanley: There will be households in some of those high-risk areas which will need financial assistance. I urge the Minister to bring that forward. We want to protect water but if there are families caught out and they cannot afford remediation, there will be a need for financial assistance.

On the standards, the devil will be in the detail. When inspections commence, it is important the inspectors take a considered approach with householders. Initially, these will be carried out by engineers from local authorities which is good news because they know their local areas' circumstances. I hope the inspections are rolled out in a practical way and will not be an imposition on people.

Deputy Phil Hogan: We have come a long way when we do not have people suggesting we are going to have to buy land to comply with these regulations, have planning permission or the 2009 EPA code of practice. We have come a long way from Deputy Ó Cuív and others—

Deputy Niall Collins: We have to wait and see.

Deputy Phil Hogan: Holding public meetings around the country to misinform people is a lovely thing to do. I am delighted the doomsday scenarios presented are wrong.

Deputy Niall Collins: The Minister is not in any position to be slapping himself on the back about anything but here he is cheerleading himself along. I do not see any of the Minister's fans on the backbenches today.

Deputy Phil Hogan: I am in favour of complying with the European Court of Justice judgment. Otherwise, the State would be paying massive amounts of fines. I am also in favour of clean water and good quality groundwater unlike Fianna Fáil and Sinn Féin. I regret to say that. Deputies Niall Collins and Ferris have gone around at various meetings being against it.

Deputy Brian Stanley: Do not start with that.

Deputy Niall Collins: On a point of order, a Cheann Comhairle, the Minister should withdraw that statement.

An Ceann Comhairle: Sorry, Deputy, will you sit down?

Deputy Niall Collins: No, I will not. He said we are not in favour of clean water.

Deputy Brian Stanley: That is very unfair.

An Ceann Comhairle: Sorry Deputy, there is only one person in the Chair.

Deputy Niall Collins: Will you ask him to withdraw that statement, a Cheann Comhairle?

An Ceann Comhairle: Will you resume your seat? You will have chance to reply in a moment.

Deputy Phil Hogan: I know Members opposite are sensitive about this because they have been at public meetings advocating people should not register, pay or comply with good practice to ensure clean water supply. What am I to do when I hear the views expressed here today in a rather hypocritical way? The greatest nonsense of all time is that those who advocated a universal septic tank inspection regime and for 2009 EPA regulations in the past are now saying the risk-based approach we have succeeded in getting from the European Commission is inadequate. I suppose the Members opposite are against the €5 registration fee.

Regarding Deputy Stanley's question, if a household requires financial assistance, I will not rule it out. However, we will not know that until the inspections are carried out in 2013.

An Ceann Comhairle: I remind Deputies that this is Question Time and it is for asking questions. Will Deputy Niall Collins please ask a question?

Deputy Niall Collins: Absolutely. I am going to ask the Minister to withdraw his statement in which he said we are not in favour of having clean water.

An Ceann Comhairle: I am not in a position to do that.

Deputy Phil Hogan: There were public meetings where people were advocating——

Deputy Niall Collins: You will not withdraw it? That is a lie. You are telling a blatant lie.

An Ceann Comhairle: Will the Deputy ask a question or else I will call Deputy Stanley?

Deputy Niall Collins: I know the Minister is under pressure because he makes a mess of everything to which he turns his hand. He should not come in here claiming we are not in favour of clean water.

An Ceann Comhairle: This is Question Time.

Deputy Niall Collins: No, the Minister comes in here and makes a false——

An Ceann Comhairle: Sorry, Deputy, but you have to learn to respect the Chair. It is not me personally. It is——

Deputy Niall Collins: Does the Chair have respect for the truth?

An Ceann Comhairle: The Chair is here——

Deputy Niall Collins: Does the Chair have respect for the truth?

An Ceann Comhairle: You do not question what the Chair does. The Chair is here to bring order into debate.

Deputy Niall Collins: Yes and the Minister told a lie.

An Ceann Comhairle: I am asking the Deputy to comply with Standing Orders.

Deputy Niall Collins: The Minister is lying when he says Fianna Fáil is not in favour of clean water.

An Ceann Comhairle: There is no question in Deputy Niall Collin's name and I have allowed him to take it. The Deputy will now resume his seat. Actually, no Deputy in the Chamber submitted the questions we are dealing with.

Deputy Niall Collins: I am just putting on the record of the House that the Minister is telling a lie. It is as simple as that.

Deputy Brian Stanley: Will the Minister clarify that from the first time I spoke on this I supported the risk-based approach——

An Ceann Comhairle: Sorry, Deputy, you will not have any more statements. You have a question or you do not. I call Deputy Clare Daly.

Deputy Brian Stanley: I supported the risk-based approach and that is on the record of the House.

An Ceann Comhairle: This is Question Time. Deputies ask questions; they do not make statements.

Deputy Niall Collins: What about the Minister making a statement like that?

An Ceann Comhairle: Deputy Niall Collins, you will not be called to speak if you are not careful because there are no questions in your name.

Deputy Clare Daly: The Minister said that grant aid would be considered if required. By whom will it be considered? What will the criteria be, from what budget will he take the funding for this and what amount will it be?

Deputy Phil Hogan: As I said on several occasions, I cannot talk about grant assistance with anybody until such time as I know the nature of the problem. We will not know until the inspections are carried out. I know Deputy Clare Daly would like me to give her a rather blanket answer stating there will be financial assistance. Only when I know the extent of the problem will I consider grant aid. Deputy Clare Daly may want to write a blank cheque on behalf of the taxpayer. I will not be doing that.

Deputy Clare Daly: It just means the Minister's promises of grant aid——

Deputy Phil Hogan: As you know on the deadline for the household charge, I do not promise anything that I cannot deliver. You know I deliver.

Deputy Clare Daly: You need not point your finger at me, Minister.

An Ceann Comhairle: Both sides will address their remarks through the Chair. We will move on to Question No. 7.

Deputy Clare Daly: I will certainly debate with you in any arena on this.

Departmental Staff

7. **Deputy John McGuinness** asked the Minister for the Environment, Community and Local Government the total number of staff in his Department in 2009, 2010, 2011 and currently; the redeployment of staff across sections that has occurred since March 2011; the amount spent on retraining programmes; and if he will make a statement on the matter. [22109/12]

Deputy Phil Hogan: There were 1,192 staff serving in the Department at the end of 2009, 1,177 at the end of 2010, 812 at the end of 2011 and 775 at the end of April 2012. The significant change in the staff numbers between the end of 2010 and the end of 2011 arises from the transfer of the heritage function to the new Department of Arts, Heritage and the Gaeltacht in May 2011 and the transfer of community functions to my Department. Having regard to these functional changes, to ensure delivery of the Department's overall objectives and business priorities, and taking account of the recommendations from the organisational review programme report, a restructuring of departmental divisions was carried out in mid 2011.

Internal staff assignments and redeployment, together with streamlining of business areas, continue to be used to ensure optimum staffing in priority business areas. This involved some 50 staff movements in 2011 and to date in 2012. Staffing needs are also being addressed in the workforce planning process under way in my Department in the context of public service reform. As part of this, a full skills needs and availability analysis is being carried out to inform future staffing deployment and training.

The Department's priority business plan sets out the highest priority outputs, deliverables and ongoing activities for 2012. This informs business planning at the business unit level and assists with resource and workforce planning. In addition, my Department has also undertaken some internal redeployment and streamlining to take account of recent retirements and in preparation for Ireland's EU Presidency term in early 2013, in which environment, climate change and sustainable development are significant themes at EU and international level.

My Department places considerable emphasis on relevant skills development. It offers ongoing training programmes for staff, based on requirements identified through the performance management development system, PMDS, process and in the organisational review programme report. The programmes vary and include training in areas such as ICT, language, law,

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economics, policy analysis, office skills and professional development. Training is also provided under a refund of educational fees scheme which operates on an annual basis and where staff members can develop specific critical skills through a number of formal education programmes offered by third level institutions. Expenditure on the Department's full training programme in 2009 was €734,000, in 2010 was €418,000 and in 2011 was €336,000. The training budget for 2012 is €338,000.

Deputy Niall Collins: With regard to the establishment of Irish Water, what is the long-term plan for local authority staff working in the provision of water and waste water services?

Deputy Phil Hogan: There will be no change in the staffing arrangements between now and 2017 for local authority staff. We will have a service level agreement between Irish Water and local authorities, and the level of knowledge and expertise in local authorities will continue to be available to the new entity. There will be a transition phase after 2017 for local authority staff going to Irish Water.

Water Charges

8. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government his views on the submission by the representative of the local authority engineers which challenges the conclusions of the Price Waterhouse Cooper report on fundamentals of their analysis of the water services here; his views that no further action should proceed regarding the setting up of Irish Water until the disputed issues are confirmed. [22169/12]

16. **Deputy Richard Boyd Barrett** asked the Minister for the Environment, Community and Local Government if he will consider instead of water meters, a public works programme to fit houses with water harvesting mechanisms; and if he will make a statement on the matter. [22164/12]

21. **Deputy Catherine Murphy** asked the Minister for the Environment, Community and Local Government with regard to the proposed installation of water meters, if he will confirm who will retain ownership of the water meters that are due to be introduced; if he intends to provide a basic free allowance per person above which the water charge will apply; and if so, if he will state the level of free use; if he will give details of the incentive that would exist for those houses or apartments which will not have a meter installed to reduce their water usage; if he plans to encourage the installation of rain water harvesting on a large scale to achieve water use efficiencies; and if he will make a statement on the matter. [22170/12]

24. **Deputy Caoimhghín Ó Caoláin** asked the Minister for the Environment, Community and Local Government if he will provide a detailed breakdown of the cost for the installation of water meters per household. [22122/12]

31. **Deputy Sandra McLellan** asked the Minister for the Environment, Community and Local Government the number of households in the State that will have water meters installed. [22125/12]

43. **Deputy Martin Ferris** asked the Minister for the Environment, Community and Local Government the number of households in the State in which it will not be possible to install water meters; and the way that he envisages these households paying for their water use. [22126/12]

Deputy Phil Hogan: I propose to take Questions Nos. 8, 16, 21, 24, 31 and 43 together.

The key objective of the Government's water reform programme is to put in place structures and funding arrangements that will ensure that we have a world class water and waste water infrastructure that meets all environmental and public health standards and is well positioned to attract foreign direct investment and support job creation and maintenance. The Government considers charging based on usage the fairest way to charge for water and has decided that water meters should be installed in households connected to public water supplies. International evidence has shown that where meters have been installed, significant reductions have been achieved in the level of consumption and this is also borne out by the water savings achieved with metering in the group water sector. Irish Water will be responsible for the metering programme and, in common with meters for other utility services, the meters will be the property of Irish Water.

The Government has also decided to assign responsibility for the economic regulation of the water sector to the Commission for Energy Regulation. The primary role of the regulator will be to protect the interests of customers and to ensure a consistent and appropriate level of service is provided to customers. My Department is working with the CER on the development of the regulatory framework for the water sector and legislation will be prepared to provide the commission with the necessary powers to fulfil its new role.

The Department estimates that there are approximately 1.35 million domestic properties connected to public water supplies in Ireland. Following detailed analysis of available data, it is estimated that up to 300,000 of these households may not be metered in the initial metering programme due to either the high cost or the technical difficulty in doing so. I expect an increasing number of households will be metered in the longer term as shared service connections are replaced and further options relating to metering apartment blocks are evaluated, including internal metering. Households which are not initially metered will pay for water on an assessed basis.

In keeping with international practice regarding water metering, the meters will be installed at the boundary of the property, most typically in the footpath at the front of a house. Detailed cost estimates on the metering programme have been prepared by my Department. However, it would not be appropriate to release these estimates in advance of the competitive procurement process. The installation of the meters is labour intensive and will provide 2,000 jobs per annum during the course of the metering programme. This is in addition to the significant employment that will be brought about through rolling out an enhanced Department water services investment programme. The framework for water charges, including the charges for unmetered customers and the level of any standing charges, will be determined as part of the regulatory process. No decision has been taken on the level of the free allowance. Almost 300 submissions were received from organisations and individuals as part of the public consultation on the water services programme. The submissions are being examined and will be taken into consideration in developing the implementation strategy for the transition of water services functions to Irish Water.

With regard to rain water harvesting, the provision of a storage tank and the cost of its installation are important considerations. The cost of installing a rain water harvesting system will be influenced by the existing roof drainage arrangements and the level of storage required. The cost of retrofitting an average-sized suburban semi-detached household with a rain water harvesting system is estimated at between €4,000 and €6,000 and would also require significant modifications to internal plumbing systems to avoid cross-contamination with the public water supply.

Deputy Clare Daly: I am shocked as although my question was quite specific, the Minister did not address a single part of it. The question indicated that the Minister is privy to information submitted by local authority engineers which undermines the entire premise of the establishment of Irish Water in the first place. In particular, they have pinpointed serious flaws in the PricewaterhouseCoopers study. The comparison used was Scottish Water and the analysis submitted three major flaws in this comparison. For example, the indicated pipe network, at 25,000 km, is half what it is in reality. In addition, the indicated Scottish Water staff was in the region of 1,600 but the real figure is 3,500. In other words, a picture was painted of Scottish Water being much more efficient than local authorities in Ireland in order to justify the establishment of Irish Water. There were factual inaccuracies and serious omissions and although I asked the Minister to comment, he has not even mentioned the issue. Will he answer the question I asked? Perhaps he picked up the wrong piece of paper but I would like to get an answer.

Deputy Phil Hogan: I am glad Deputy Daly has intimate knowledge of the matters. The same company which carried out the independent assessment for Irish Water did it for Scottish Water, and it would understand a thing or two in the establishment of a public water utility for the provision of essential services for the people of Ireland. I understand some of the data presented in the independent assessment by PricewaterhouseCoopers on Scottish Water has been disputed by the local authority professional officers section of SIPTU in a submission to the Department. My Department is examining all the submissions it received but I should stress that the data concerned were contained in an appendix to the report for illustrative purposes only. It was one part of an assessment of 11 different types of delivery models examined.

The Deputy is again being selective in her quotes, as she was with a previous question. The skills within local authorities will continue to be an essential part of the knowledge and expertise required to roll out this essential project. I assure local authority staff that the service level agreements to be drawn up as part of this policy between Bord Gáis and the Department, with local authorities, will continue to be maintained.

Deputy Catherine Murphy: My understanding of the free allowance is that the intention was for the charge to apply to waste. The free allowance was to be sufficient for the individual in the average household and would vary depending on the number of people in the household. It appears there will be sizeable income from these charges. Will the Minister confirm that this is about charging for waste and not water?

Will the Minister confirm no contractor has been appointed at this stage? Many people are hoping to be employed to carry out this work but some have indicated they do not expect to be employed because the contracts have already been awarded? Will the Minister confirm if that is the case?

The Minister mentioned figures of between €4,000 and €6,000 in regard to water harvesting, suggesting it will not be possible to assist people in getting a source of water other than direct supply. The Minister has also indicated the meters will be at a property boundary but many will be outside the boundary at a public location. There may be a serious problem if a leak occurs between the meter and the tap, and who would pay for the repair in that case? If a pensioner, for example, is facing a repair so extensive that he or she does not have the wherewithal to deal with it, how will the problem be solved? Has that been considered in the pricing of water?

Deputy Phil Hogan: I thank the Deputy for her questions. I am sure she would agree there are always rumours. However, the notion that we have contracts given out is amazing when the only decision made is that a commercial semi-State organisation — Bord Gáis — will be the company in charge of rolling out this Irish Water project. It would be amazing for contracts to be given out already in Kildare and elsewhere. I am sure the Deputy could allay the fears in that regard.

Deputy Catherine Murphy: So that is a “No”.

Deputy Phil Hogan: That is the only principal decision that has been made, and I presume the Deputy accepts that. The free allowance within the charge for water will form part of the discussions ongoing between Bord Gáis, the regulator, the Department and the Government. It is in the programme for Government. We are not in a position to give details of an implementation plan that has not yet been drawn up. We are in the process of formulating that plan. As the Deputy said, rainwater harvesting is expensive. However, it will save people money because this is essentially a water conservation programme. If they want to install features in their businesses and households to conserve a finite and valuable resource, I encourage them to do so. They will not have to pay as much if they have good water conservation programmes in place, in which we will assist them as part of the implementation plan.

Deputy Catherine Murphy: Therefore, they will have to pay.

Deputy Phil Hogan: We will not provide grant assistance to introduce rainwater harvesting systems. The problems identified by the Deputy such as whether the meter should be installed at the front or the back of the house will be dealt with in the same as they would be by other utility companies. I am not in the business of micromanaging decisions to implement the policy.

Deputy Dessie Ellis: I have serious concerns about the direction in which the Minister is moving——

Deputy Phil Hogan: I am surprised.

Deputy Dessie Ellis: ——in transferring powers from the local authorities.

An Ceann Comhairle: I must remind the Deputy that this is Question Time.

Deputy Dessie Ellis: I know and I am coming to the point. In this case, powers will transfer from local authorities which have provided the service during the years to Irish Water. Responsibility for the licensing and roadworthiness testing of commercial vehicles is also being transferred to the RSA from the local authorities. The Minister has referred to local government reform and giving more powers to local authorities. However, under this proposal, powers will be taken from councillors. I attended a meeting last week with all the managers of Dublin City Council which was also attended by party colleagues of the Minister, including Mr. Gay Mitchell, MEP, and Deputy Catherine Byrne.

An Ceann Comhairle: There is a time limit.

Deputy Dessie Ellis: I understand that, but I have spoken only once.

An Ceann Comhairle: I have to adhere to Standing Orders.

Deputy Dessie Ellis: I raised a question about the transfer of powers from the local authorities and the city manager, Dr. John Tierney, said, "This was in the programme for Government and I was not consulted." Is it the case that none of the local authority managers was consulted? They are the experts. Engineers have made their views known, as Deputy Clare Daly said, but it is crazy not to have consulted the managers overseeing the local authorities.

Deputy Phil Hogan: If that was the case, I would agree with the Deputy that that would be crazy, but two local authority managers were members of the project board.

Deputy Dessie Ellis: Who were they?

Deputy Phil Hogan: The Kerry and Cavan county managers.

Deputy Dessie Ellis: What about Dublin and Cork city councils?

Deputy Phil Hogan: I am trying to give the Deputy information. The County and City Managers Association also made a submission. Therefore, I would be surprised if any local authority manager was not aware of what was going on.

Deputy Clare Daly: The Minister has acknowledged that the PricewaterhouseCoopers report was disputed. In the light of this, how can he justify making the decision without exploring these issues further? Given that the company was involved in the Scottish Water project, does he not think there was a conflict of interest? How much was the company paid for its work?

What will the Minister do about the boundary issues relating to septic tanks and wastewater systems which have not been dealt with anywhere? How will the infrastructure be divided between the local authorities and Irish Water? Will the local authorities be left with the rubbish, while Irish Water is given all the best bits? There has been no clarification of this anywhere.

Deputy Phil Hogan: The local authorities will continue to be centrally involved with Irish Water delivering wastewater as well as water services. The fragmentation of local delivery has not worked because there have been many leaks and inadequate volumes and quality of water all over the country. We have to do something different because what is happening is not working. There will be an opportunity for additional finance to come into the system from the private sector to supplement the public sector to deal with the leaks and ensure we will have a substantially enhanced and accelerated programme of investment in water and wastewater services.

Deputy Clare Daly: From where will the additional finance come in the private sector?

Deputy Phil Hogan: It will go into Irish Water which will be a commercial semi-State company. Private investment is made in the commercial semi-State sector and these companies are in the financial markets on a regular basis.

Deputy Clare Daly: Give us an example.

Deputy Phil Hogan: I am sure the Deputy is supportive of having a public water utility in State ownership.

Deputy Clare Daly: Municipal control seems to be international best practice.

Deputy Phil Hogan: All of the issues mentioned by the Deputy have been the subject of ongoing negotiations with the Irish Congress of Trade Unions.

Deputy Niall Collins: Is it the Minister's intention to charge urban dwellers for the disposal of wastewater when the metering programme is up and running?

Deputy Phil Hogan: I would love to be able to provide the detail on all these matters, but the only decision made by the Government at this stage is the principal one to establish Irish Water with the commercial semi-State body, Bord Gais, rolling it out. The regulator will be consulted as part of the process. All of these issues will be dealt with as part of the implementation plan. I would love to give answers about the minute detail, but it will emerge in due course as part of the implementation plan.

Deputy Niall Collins: I would like to have it clarified that the Minister is not ruling out charging urban dwellers for the disposal of wastewater.

Deputy Phil Hogan: It is part of the implementation plan. I will not micromanage the implementation of these decisions. These matters will come before the Government in due course and we will make a decision as part of the implementation plan——

Deputy Niall Collins: What the Minister is saying is that we know they will be charged for water and he is effectively saying urban dwellers will be charged for the disposal of wastewater.

Deputy Phil Hogan: I am saying nothing of the sort.

Deputy Niall Collins: The Minister is not ruling it out.

Deputy Phil Hogan: That is like asking how often do I beat my wife. Is this the Lyndon B. Johnson way of doing things — make him deny it? If that is the Fianna Fáil way of doing things, that is fine. I am interested in doing the business in solving the water issue.

Deputy Brian Stanley: Will the Minister consider amending the building regulations to ensure that when a cistern is replaced, a dual flush cistern will be installed and that such cisterns will be installed in all new dwellings? This would be cost neutral. These cisterns save 20 litres of water per person a day.

I have asked the Minister previously about the position of those who have meters installed. There is a new water meter outside my house. Will it be ripped out?

Deputy Phil Hogan: I do not know.

Deputy Clare Daly: The Minister does not know a whole lot, which is a little frightening.

Deputy Brian Stanley: Will the Minister consider my dual flush cistern suggestion?

Deputy Phil Hogan: I know that we will wait for the people who will carry out this project to come forward with an implementation plan. We have made the principal decision about who will do the work and if the experts across the House want to implement the programme, they can go through the procurement process and might receive a contract.

Deputy Niall Collins: Does the Minister know anything?

Deputy Brian Stanley: I have asked the Minister to consider a suggestion I made. For the past 15 months he has been saying he is looking for suggestions. I agreed with him on the need to adopt a risk-based approach to septic tanks, but I do not agree with him on many other issues. When we make suggestions, will he try to take them on board? The use of dual flush

[Deputy Brian Stanley.]

cisterns would be cost neutral for the Exchequer and the public. I, therefore, plead with the Minister to consider amending the building regulations.

Deputy Phil Hogan: I agree with the Deputy. It is a good suggestion.

An Ceann Comhairle: Deputy Brian Stanley should table another parliamentary question about that issue. We are dealing with a series of questions for which the time has expired. Other Deputies are waiting to have their questions dealt with.

Community Development

9. **Deputy Dara Calleary** asked the Minister for the Environment, Community and Local Government if he will provide an update on the provision of funding for the RAPID scheme in Rathkeale, County Limerick; and if he will develop targeted regeneration scheme for the town. [22087/12]

Deputy Phil Hogan: In December 2009 the Government approved disbursements from the dormant accounts fund for a once-off measure to the value of €1.25 million for the five new provincial towns incorporated under the RAPID programme, including Rathkeale. To date, it has not been possible to allocate funds to meet the cost of the proposed projects in any of the new RAPID programme towns because there is no money available. The dormant accounts capital budget for my Department for 2012 is fully committed to existing projects and the priority in the light of that allocation must be to ensure sufficient funding is available to meet existing legal contractual commitments. In the meantime, my Department will keep under review the scope to secure funds within its Vote to meet the cost of some of the projects, if I can, in 2012.

Under the national housing regeneration programme, my Department supports a range of regeneration projects, including large mono-tenure areas, inner city flat complexes and social housing estates in regional towns. To qualify for such support, a local authority must first demonstrate significant social and economic disadvantage and a poor living environment and that these challenges cannot be met by other interventions, for example, through remedial works. To date, my Department has not received an application for such support for a regeneration project in Rathkeale.

Deputy Niall Collins: I have raised this issue a number of times. Rathkeale is the second largest town in County Limerick and has deep-rooted, chronic systemic problems associated with property ownership which are exacerbated by the fact the vast majority of property is owned by members of the Traveller community who reside in the State intermittently and do not exercise responsibility in terms of property ownership. Dereliction, abandonment and unauthorised developments are the order of the day.

The local community council has been very proactive in trying to deal with these issues. It has come to a stage where the non-Traveller community in Rathkeale feels completely under siege because any piece of property which comes for sale in Rathkeale is immediately snapped up by a member of the Traveller community at a price which is out of the reach of the majority of the non-Traveller community. Rathkeale has been dropped off many maps. For example, tourism promotion maps of the mid-west are dropping Rathkeale. I could speak for the night in regard to the issues.

I ask the Minister and the Minister of State, as I asked Deputy Penrose when it was his job, could they take the time to meet the Rathkeale community council and try to develop some

kind of a plan to help them to address the issues. For example, a property audit needs to be carried out in Rathkeale, at a minimum, and there are many other issues associated with the RAPID project. Will the Minister give a commitment to meet this group at some time in the near future?

Deputy Phil Hogan: I realise the genuine concerns of Deputy Collins in regard to this matter, which he and the other Deputies in the constituency, Deputies Neville and O'Donovan, have raised on a number of occasions. The Minister of State, Deputy O'Sullivan, and I are very keen to assist in whatever way we can but we will not give false hope. If savings accrue during the year in regard to other contractual obligations we have, perhaps we will be able to do something for places like Rathkeale. We are not going to announce an initiative with no money, as happened in the past, as that would give false hope to people.

While I will take on board what Deputy Collins has said, I do not believe the opportunity that presents in the short term will satisfy the requirements in Rathkeale. We will be glad to keep him informed if any savings accrue from contractual obligations that are ongoing in 2012. Rathkeale will certainly be one of the priority areas we will consider favourably.

Deputy Dessie Ellis: I believe some of what the previous speaker said had an anti-Traveller tone. I tend to resent some of the things that have been said about the Traveller community and minority communities.

RAPID has been fantastic for certain disadvantaged areas like my area of Finglas and Ballymun, which has availed of the programme. The Minister said money may become available. Is there a possibility of reintroducing RAPID, which has addressed huge areas throughout the country? If he does get extra cash, it is important he would look at these areas. RAPID adds to the quality of life and cuts down the problems we face in most of these areas.

Deputy Phil Hogan: We are very conscious of a number of areas where we would like to have money to implement programmes that were brought to our attention through the RAPID programmes. I am very committed to the RAPID and regeneration programmes, as is the Minister of State, Deputy O'Sullivan. We are, unfortunately, in a bailout programme and cash is not as plentiful as it was. Therefore, we are quite straight with people. If we find savings during the course of the year from projects that are under way, we will be glad to redirect some of those resources to areas of greatest need, including the areas mentioned by the Deputy.

An Ceann Comhairle: Does Deputy Collins wish to add to that?

Deputy Niall Collins: I am not anti-Traveller; I am pro——

Deputy Dessie Ellis: He sounds like it.

Deputy Niall Collins: I am pro the community in Rathkeale, who are under siege from elements of the Traveller community——

Deputy Dessie Ellis: The Deputy is playing to the locals.

Deputy Niall Collins: ——who are blatantly flouting the law. There are severe question marks over where they get the money to purchase many of their properties. That is a fact. The Criminal Assets Bureau, CAB, is working on that and monitoring it so——

An Ceann Comhairle: Has the Deputy a question for the Minister?

Deputy Niall Collins: No, I am just responding to an assertion that I am anti-Traveller. I am pro the community who are under siege from certain sections of the Traveller community in Rathkeale.

Deputy Dessie Ellis: They could be the only section that is causing trouble.

Deputy Niall Collins: The Deputy does not know what he is talking about, with respect. He probably could not find Rathkeale if he tried.

Deputy Dessie Ellis: It is very anti-Traveller.

Written Answers follow Adjournment.

The Dáil adjourned at 5.45 p.m. until 2 p.m. on Tuesday, 8 May 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 9, inclusive, answered orally.

Shared Ownership Scheme

10. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Community and Local Government the degree to which the shared ownership mortgage scheme is continuing to develop with particular reference to the degree to which those who obtain such mortgages are penalised by way of increased value of rental part of the equity thereby resulting in a situation wherein people who were deemed eligible for such loans on the basis of their income have been penalised on the grounds of annual rental increase plus mortgage increase plus notice to the effect that purchase of the remaining equity must be effected within the term of the original loan; if his attention has been drawn to the concern and hardship now being caused in such cases; and if he will make a statement on the matter. [22166/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): Under the Shared Ownership scheme the rent charged on the local authority’s equity in a shared ownership transaction is to cover the funding costs to the Housing Finance Agency which are based on borrowings at the prevailing interest rates. Any difference between the rent and prevailing interest rate is reflected in the capital outstanding on the property, i.e. if the rent charged in any period is greater than the prevailing mortgage interest due on the local authority’s share the purchase price of the outstanding equity will be reduced accordingly.

Local authority mortgage holders — including those who purchased under shared ownership — also benefit from extremely keenly priced interest rates which generally run at around 0.5% lower than the best rates available in the market and currently stand at around 1.5% below average variable rates available in the market. This is a very substantial differential. To take account of the current housing market conditions, the Government’s housing policy statement, published in June 2011, announced the standing down of all affordable housing schemes, including the shared ownership scheme, in the context of a full review of Part V of the Planning and Development Act 2000. Any future changes to legislation governing affordable housing schemes, including shared ownership, will be informed by that review which will shortly commence.

Local Authority Housing

11. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Community and Local Government the extent to which he is continuing to encourage the local authorities to return to the concept of providing a reasonable number of local authority houses in each local authority area throughout the country thereby reducing the extent of reliance on rent support as a means of augmenting the local authority housing programme; if particular attention can be paid to the total number of persons currently on local authority housing waiting lists; the annual recurring cost of rent support and the obvious benefit to the Exchequer of reducing such a liability in the traditional manner by providing local authority houses for rent and or purchase; and if he will make a statement on the matter. [22167/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): The Government’s housing policy statement, published in June 2011, clearly identifies that the priority for Government will be to meet the most acute needs of households applying for social housing support. 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 from €1.535 billion in 2008 to just over €333.7m this year. The financial parameters within which we will be operating for the coming years rule out a return to large capital funded construction programmes. Nevertheless, the Government is committed to responding more quickly and on a larger scale to social housing support needs through a variety of mechanisms, including through increased provision of social housing.

Delivery of social housing will be significantly facilitated through more flexible funding models such as the Rental Accommodation Scheme and leasing, but the Government is also committed to developing other funding mechanisms that will increase the supply of permanent new social housing. Such mechanisms will include options to purchase, build to lease and the sourcing of loan finance by approved housing bodies for construction and acquisition. There is also obvious potential, across a range of housing programmes, for the Government’s objective of sourcing and providing suitable residential units for use as social housing to be aligned with the commercial objectives of the National Asset Management Agency (NAMA).

Water Services

12. **Deputy Pádraig Mac Lochlainn** asked the Minister for the Environment, Community and Local Government if he will provide a detailed breakdown and timeframe for the cost of running Irish Water. [22119/12]

15. **Deputy Willie O’Dea** asked the Minister for the Environment, Community and Local Government the other State agencies that were reviewed in the independent internal assessment of agencies to take over Irish Water; the agencies that were requested to make and that made submissions; and if he will make a statement on the matter. [22085/12]

18. **Deputy Mary Lou McDonald** asked the Minister for the Environment, Community and Local Government if he will provide a detailed cost for the establishment of Irish Water. [22123/12]

57. **Deputy Niall Collins** asked the Minister for the Environment, Community and Local Government if he will outline the role of NewEra in Irish Water; and if he will make a statement on the matter. [21907/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Fergus O'Dowd): I propose to take Questions Nos. 12, 15, 18 and 57 together.

The *Programme for Government* includes a proposal to establish Irish Water, a State-owned water company that will take over the water investment and maintenance programmes of the 34 city and county councils who act as water services authorities. The Programme of Financial Support for Ireland with the EU/IMF/ECB also requires the preparation of proposals for implementation of the recommendations of an independent assessment of the transfer of responsibility for water service provision to a water utility and that water charges would be introduced.

The Government decided in December 2011, based on the recommendations of the independent assessment undertaken by Price Waterhouse Coopers, to establish a public water utility company to take over the operational and capital delivery functions of local authorities in the water services area. The Government also decided that certain issues raised in the independent assessment in regard to whether Irish Water should be established as a new State Agency or whether the role of Irish Water should be assigned to an existing State Agency should be analysed further with a view to ensuring that existing resources and capabilities in the State sector were used to best effect. This approach is also in line with Government plans to support economic growth by eliminating waste and duplication in public spending through rationalising state agencies.

The further analysis was undertaken by a team comprising my Department and NewERA, in consultation with the Department of Communications, Energy and Natural Resources. The process involved an assessment of the capacity and capabilities of a number of State agencies from amongst those identified in the independent assessment as having the potential to incorporate a new water utility. It was not a tendering process culminating in the award of a contract. The process involved the making of detailed submissions and presentations by Bord na Móna and Bord Gáis Éireann based on identified capabilities required for the establishment and operation of Irish Water. The outcome of this analysis is that Irish Water should be established as an independent state owned company within the Bord Gáis Group. This was agreed by Government at its meeting on 17 April 2012. Irish Water will be a public utility, wholly owned by the State, with water services remaining in public ownership.

The initial transition strategy for the establishment of Irish Water as a public utility, as recommended in the independent assessment, envisages a staged approach involving local authorities acting as agents of Irish Water for a period with Irish Water taking over their operations on a phased basis from January 2015, and the full transfer of operations being completed by end 2017, at the earliest. A more detailed implementation strategy for Irish Water is now being developed to give further effect to the Government decision of 17 April. NewERA are participating in the steering group to develop this strategy.

A detailed breakdown for the cost of establishing and running Irish Water is not at present available. The Government has also decided that the Commission for Energy Regulation will be responsible for the independent regulation of Irish Water and that the Commission will be responsible for determining the cost of water services to the consumer. The finalisation of the implementation strategy will focus on implementation and transformation issues involved in the creation of the new public water utility and will recommend appropriate transitional arrangements. The strategy will also focus on maintaining the delivery of a critical public service during and following a restructuring process, and will give further clarity on the next steps that will be taken in this reform process.

Ministerial Appointments

13. **Deputy Pearse Doherty** asked the Minister for the Environment, Community and Local Government if he will explain the appointment of two special advisors to the Minister for Housing; and the roles they will be fulfilling. [22176/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): In accordance with Section 11 of the Public Service Management Act 1997, and in line with the Instructions on Ministerial Appointments for the 31st Dáil, Ministers of State who regularly attend Cabinet are permitted to appoint two Special Advisers. In this regard, I have appointed Mr. Aidan Culhane as a Special Adviser and I am currently arranging for the appointment of a second Special Adviser.

In addition to my cabinet role, I have delegated responsibility for the substantial policies and programmes associated with the housing and physical planning functions of the Department, including implementation of the Government’s Housing Policy Framework. Special Advisers assigned to me are required to perform any duties, which are assigned to them from time to time as appropriate to the position of Special Adviser as set out in Section 11 of the Public Service Management Act 1997. Their primary functions include the provision of advice and the monitoring, facilitation and provision of assistance in securing Government objectives that relate to the Department. They also assist in keeping me informed and advising me on a wide range of Government business, financial, political and media matters. Special Advisers are appointed to temporary, unestablished positions in the Civil Service and their term of office ceases on the date of expiration of my assignment as Minister of State to the Department.

Building Regulations

14. **Deputy Thomas P. Broughan** asked the Minister for the Environment, Community and Local Government when he was last briefed by Dublin City Council senior management in terms of all outstanding issues for Priory Hall residents. Dublin, including on the proposed resolution process chaired by retired Supreme Court Judge Joseph Finnegan; and if he will make a statement on the matter. [22186/12]

49. **Deputy Thomas P. Broughan** asked the Minister for the Environment, Community and Local Government if he will provide a full update on his actions to urgently and fully resolve all outstanding legal, financial and housing for Priory Hall residents, Dublin; if he has been briefed on the proposed resolution process chaired by retired Supreme Court Judge Joseph Finnegan; and if he will make a statement on the matter. [22185/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 14 and 49 together.

I and my Department are being kept informed by Dublin City Council of developments with regard to the resolution of issues at Priory Hall. At my request, the Department has assisted the Council, in consultation with NAMA, in securing alternative temporary accommodation for many of the residents. My Department has made a contribution towards the costs necessarily incurred by Dublin City Council, in the context of a judgment of the High Court, in providing temporary accommodation for households evacuated from Priory Hall. Dublin City Council is the designated authority with powers to enforce the statutory requirements arising under the Fire Safety Act, the Building Control Acts and the Planning and Development Acts, all of which are at issue in relation to Priory Hall. The Council is also the designated Housing Authority under the Housing Acts.

My own responsibility as Minister is to ensure that appropriate statutory requirements, technical standards and administrative provisions are put in place under the various acts. This responsibility has been fulfilled and is not in dispute. While I sympathise with the residents who have been placed in a very difficult position, and wish to see their difficulties resolved as quickly as possible, I have no role in relation to enforcement activity or in relation to the direct provision of housing services. The appropriate statutory powers in this case rest with Dublin City Council and neither I nor the Department has a statutory function in relation to enforcement activity or in determining the provision of services in individual cases. It is important that I as Minister act appropriately and within the powers given to me, particularly in a case such as this which is already the subject of legal proceedings.

The recent adjournment of those legal proceedings for a period of three months to allow for a conciliation process chaired by Justice Finnegan provides an appropriate context for the parties concerned to work together towards identifying a way forward in relation to this complex problem. I would strongly encourage the financial institutions, the residents of Priory Hall and Dublin City Council to engage fully with this new process to give it every chance to succeed. It is important that all concerned now afford Mr. Justice Finnegan the opportunity to complete the task which he has been given. Dublin City Council has made commendable efforts to provide for the needs of residents to date and continues to work proactively on their behalf towards achieving the much needed resolution of the issues at Priory Hall.

Question No. 15 answered with Question No. 12.

Question No. 16 answered with Question No. 8.

Question No. 17 answered with Question No. 6.

Question No. 18 answered with Question No. 12.

Household Charge

19. **Deputy Dessie Ellis** asked the Minister for the Environment, Community and Local Government his plans to refund the household charge to residents of Priory Hall, Belmayne and pyrite contaminated housing who paid the charge and exempt them and residents of these houses who have not paid the charge but are liable. [22171/12]

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.

Households in developments in categories three and four are eligible for the waiver from payment of the household charge. This list of developments in which households are eligible for the waiver in 2012 is set out under the Local Government (Household Charge) Regulations

[Deputy Jan O’Sullivan.]

2012. Priory Hall is included on the list of those estates within which residents qualify for a waiver in 2012. Any residents who may have inadvertently paid the Annual Household Charge can apply for a refund at www.householdcharge.ie.

The independent Pyrite Panel is due to submit its report to me in the near future. On receipt of the report I will give careful consideration to the content of the report and any recommendations it may contain in relation to the position of home owners whose homes are affected by pyrite. The identification of dwellings affected by pyrite is complex, and this issue can only be given full consideration following receipt of the Panel’s report.

Question No. 20 answered with Question No. 6.

Question No. 21 answered with Question No. 8.

Local Authority Housing

22. **Deputy Martin Ferris** asked the Minister for the Environment, Community and Local Government his plans to deal with the need for improved insulation in local authority housing which are too old to be insulated up to current required standards using the current preferred methods. [22178/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): In line with overall national policy which promotes a reduction in energy use, the enhancement of energy efficiency standards remains a priority within my Department’s overall strategy for the improvement of local authority housing. Under the Department’s Social Housing Investment Programme, local authorities are allocated capital funding each year in respect of a range of measures to improve the standard and overall quality of their social housing stock. The programme includes a retrofitting measure aimed at improving the energy efficiency of older apartments and houses by reducing heat loss through the fabric of the building and the installation of high-efficiency condensing boilers.

My Department provides a grant of up to €15,000 per dwelling, depending on the energy improvement achieved, for necessary works such as attic and wall insulation, the replacement of windows and external doors and the fitting of energy-efficient condensing boilers. Additional funding, to a maximum of €3,000, is available for other essential improvement works to the dwelling. While the objective is to improve the general standard of a local authority house and increase the Building Energy Rating (BER) to as high a level as possible, with C1 being the target figure, it may not be practicable to bring every dwelling to this standard, especially in the case of older stock. Exchequer grants are not payable in respect of the achievement of G or F ratings.

23. **Deputy Aengus Ó Snodaigh** asked the Minister for the Environment, Community and Local Government if he will clarify to local authorities the incomes which are treated as exempt when assessing housing need and to ensure that all forms of carer’s allowance and domiciliary care allowance regardless of method or route of payment are exempt and treated as such by the local authorities. [22182/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): Household income is calculated in accordance with the Household Means Policy, issued in March 2011 under Regulation 17 of the Social Housing Assessment Regulations 2011. The Household Means Policy specifies that income from the carer’s allowance and domiciliary care allowance is to be disregarded for the purposes of assessing income when assessing eligibility for social housing support. My Department will arrange for the issue

of further guidance in this regard to ensure consistency of understanding and application across housing authorities.

Question No. 24 answered with Question No. 8.

25. **Deputy Michael Colreavy** asked the Minister for the Environment, Community and Local Government the provisions made as part of the national rent scheme to be implemented with the commencement of Section 31 of the Housing (Miscellaneous Provisions) Act 2009. [22177/12]

Minister of State at the Department of the Environment, Community and Local Government (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;
- how dependents will be accounted for in calculating rent;
- the manner in which the size, standard, etc., of any class or classes of dwellings are to be taken into account in determining rent, having regard to the market rent in respect of dwellings of similar size, standard, etc., in the administrative area concerned; and
- procedures for rent reviews.

Waste Management

26. **Deputy Pearse Doherty** asked the Minister for the Environment, Community and Local Government if he will provide an update on the regulatory impact analysis of domestic waste collection; and when he will be in a position to submit final proposals in regulation of this industry to Government. [22127/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The *Programme for Government* contains a commitment to introduce competitive tendering for household waste collection, under which service providers would bid to provide waste collection services in a given area, for a given period of time and to a guaranteed level of service, a system otherwise known as ‘franchise-bidding.’ A public consultation designed to inform the policy development process concluded in September 2011. A large number of responses were received from a broad spectrum of interests. A consensus is not apparent and, on almost all of the relevant issues, a considerable breadth of opinion was expressed. All of the responses received, in addition to a summary document, are available on my Department’s website, www.environ.ie.

My Department is currently finalising a regulatory impact analysis to examine the costs, benefits and other impacts of options for change, and to inform how best to regulate the household waste collection market. The analysis has been informed by the outcomes of the public consultation process and by information subsequently provided by consultees, including relevant economic information. I intend to publish the regulatory impact analysis concerning

[Deputy Phil Hogan.]

the regulation of household waste collection subsequent to Government's consideration of the issues.

Household waste collection is a service of critical importance to every household in the country. My intention is to ensure that household waste collection is regulated so that, as a society, our collective welfare is maximised. I wish to see competitive, high quality, and efficient services provided to households in all areas of the country, and I wish to see the best possible environmental outcomes achieved. I expect to be in a position to finalise proposals for Government in relation to household waste collection in the coming weeks. All policy proposals, including franchise-bidding, will be carefully considered by Government and will take account of the full range of issues and perspectives, including our obligations under the Landfill Directive and the Waste Framework Directive, the impact on consumers and the industry of potential changes to market structures, competition issues and the matter of waivers for low income households.

Local Authority Housing

27. **Deputy Jonathan O'Brien** asked the Minister for the Environment, Community and Local Government his plans to develop a strategy for dealing with almost 100,000 persons currently on the waiting lists for social housing. [22179/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): The Government's housing policy statement, published in June 2011, clearly identifies that the priority for Government will be to meet the most acute needs of households applying for social housing support. 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 reduced from €1.535 billion in 2008 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. Nevertheless, the Government is committed to responding more quickly and on a larger scale to social housing support needs through a variety of mechanisms, including through increased provision of social housing.

Delivery of social housing will be significantly facilitated through more flexible funding models such as the Rental Accommodation Scheme and leasing, but the Government is also committed to developing other funding mechanisms that will increase the supply of permanent new social housing. Such mechanisms will include options to purchase, build to lease and the sourcing of loan finance by approved housing bodies for construction and acquisition. There is also obvious potential, across a range of housing programmes, for the Government's objective of sourcing and providing suitable residential units for use as social housing to be aligned with the commercial objectives of the National Asset Management Agency (NAMA).

Household Charge

28. **Deputy Sean Fleming** asked the Minister for the Environment, Community and Local Government if he will outline the ongoing communication campaign in relation to payment of the household charge; and if he will make a statement on the matter. [22094/12]

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. The communication and advertising campaign is a matter for the LGMA and the county and city councils.

Following the 31 March payment deadline, national and local radio advertisements were undertaken to remind persons of their obligations under the household charge legislation. In particular, this campaign was aimed at reminding householders that late payment penalties applied after 31 March and that unpaid household charges and late payment penalties remain as a charge against the property concerned and will have to be discharged in the event of the transfer or sale of the property. In addition, local authorities are also taking other local initiatives to remind persons of their obligations under the legislation. Further local and national communications and advertising will be undertaken by the LGMA and local authorities as considered appropriate.

Property Tax

29. **Deputy Éamon Ó Cuív** asked the Minister for the Environment, Community and Local Government the steps he has taken in relation to the establishment of a property tax; the proposed type of tax involved; the timeline for its implementation; and if he will make a statement on the matter. [22113/12]

58. **Deputy Micheál Martin** asked the Minister for the Environment, Community and Local Government his views on the recent ESRI report on the way property charges should be applied; and if he will make a statement on the matter. [21421/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 29 and 58 together.

An independently chaired Inter-Departmental expert Group has been established to consider the structures and modalities for an equitable valuation based property tax. The Economic and Social Research Institute has been engaged to assist the Group in its deliberations. The Group will complete its work and make recommendations to me shortly. Following consideration of the Group's recommendations, I will bring proposals to Government on the full property tax as soon as possible. It will then be a matter for the Government to decide on the structure and modalities of the full property tax.

Strategy on Homelessness

30. **Deputy Mary Lou McDonald** asked the Minister for the Environment, Community and Local Government if he will commit to a target of providing 1,600 housing units for homeless persons this year and next year to help end long-term homelessness by the end of 2013; and his plans to achieve this target. [22174/12]

Local Government (Deputy Jan O'Sullivan): While the target set in the *National Homeless Strategy 2008-2013, A Way Home*, of ending long term homelessness was not met, progress in achieving this challenging ambition is a principal objective of national housing policy. Statutory responsibility in relation to the provision of accommodation and related services for homeless persons rests with the housing authorities. In this context a more devolved allocation-based system for the provision of accommodation-related funding to housing authorities is being put in place and will result in increased decision making at local level, in lieu of the existing individual project based arrangements. It strives to improve overall efficiency and value for money and will provide a more planned approach to the delivery locally and regionally of homeless

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services. The system has been put in place in the Dublin region since 1 January 2012 and it is to be extended nationally to the other regions by the end of 2012.

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 in the Dublin region, where there is a greater concentration of those accessing homelessness services, will be on 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; and
- better co-ordination with the voluntary and cooperative housing sector.

The *Programme for Government* committed to reviewing the national homeless strategy and to implementing a housing led approach to homelessness. The draft of the review is being considered by my Department and it is intended shortly to present it to the Cross Departmental Team on Homelessness and the Homeless Consultative Committee for consultation. The review will take account of demands on existing housing and will assess how best to continue providing services in a manner consistent with the elimination of existing homelessness and to ensure more effective prevention strategies. On its conclusion, I will be indicating what I expect from housing authorities and other stakeholders in accelerating progress towards realising the ambition of eliminating involuntary long-term homelessness.

Question No. 31 answered with Question No. 8.

Household Charge

32. **Deputy Billy Kelleher** asked the Minister for the Environment, Community and Local Government the number of persons who have paid the household charge to date; his plans, if any, to compensate the Local Government Fund for the shortfall in projected revenue; and if he will make a statement on the matter. [22097/12]

34. **Deputy Dessie Ellis** asked the Minister for the Environment, Community and Local Government the number of households that have paid the household charge; the number of these that are entitled to waivers; and the action he will take to meet the shortfall in the funding of local authorities. [22128/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 32 and 34 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 30 April, 2012, a total of 931,446 declarations have been received for the household charge. 15,336 declarations have been received where a waiver from payment of the household charge has been claimed. I will be keeping the income being generated from the household charge under constant review and I and local authorities will take any necessary measures, as appropriate, in regard to compliance with the legislation.

National Drugs Strategy

33. **Deputy Brian Stanley** asked the Minister for the Environment, Community and Local Government if he will provide an update on the progress made in accessing funding for an organisation (details supplied). [22116/12]

47. **Deputy Aengus Ó Snodaigh** asked the Minister for the Environment, Community and Local Government if he will provide an update in the funding situation of the three mainstreamed, development workers funded under social inclusion in the canals area of Dublin. [22115/12]

53. **Deputy Seán Crowe** asked the Minister for the Environment, Community and Local Government if he will reconsider his decision to withdraw his Department's representative from the Drug Advisory Group. [22118/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): I propose to take Questions Nos. 33, 47 and 53 together.

As part of the Government's Comprehensive Review of Expenditure and the 2012 estimates process, difficult decisions had to be taken in relation to prioritising funding for core services in all programme areas. The funding estimate to support the mainstreamed drugs projects under my Department's Housing programme for 2012 was €100,000, compared with €400,000 in 2011. In view of this, my Department informed the relevant local authority that it would not be possible to continue funding the projects concerned throughout 2012. Pro rata funding will be provided to fund the projects concerned until end June 2012 in order to allow the projects and other bodies to explore alternative funding mechanisms and identify resources to deliver on the overall objectives of the projects beyond end June 2012.

More broadly, and in the context of a public funding provision of €260 million for drugs programmes across all Departments and agencies in 2011, my colleague, the Minister of State with responsibility for the National Drugs Strategy, is currently undertaking a review of the structures that underpin the National Drugs Strategy at local, regional and national level, including how the current funding structures can be improved or streamlined, particularly in relation to local and regional drugs task forces. The outcomes of this review are expected shortly and will clarify, inter alia, the position on the most appropriate funding mechanisms for community based drugs projects.

In relation to my Department's representation on the Drugs Advisory Group, this matter is being kept under review in the context of overall Departmental resources and priorities. In the meantime, my Department continues to facilitate full engagement with the Department of Health in relation to any relevant issues arising under the National Drugs Strategy.

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Question No. 34 answered with Question No. 32.

Private Rented Accommodation

35. **Deputy Pádraig Mac Lochlainn** asked the Minister for the Environment, Community and Local Government the planned reforms in the Residential Tenancies Bill; and if a provision for a deposit retention scheme is being considered. [22175/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): The Residential Tenancies Act 2004 regulates the tenant-landlord relationship in the private rented residential sector. My Department conducted a review of the Act in 2009 with a specific emphasis on whether the Act best supports the PRTB’s key functions and on whether legislative amendments would support either the achievement of additional operational efficiencies by the PRTB in the delivery of those functions or the broader good working of the private rented sector. The drafting of the Residential Tenancies (Amendment) Bill was approved by Government in July 2011 and the Bill is currently in preparation by the Office of the Parliamentary Counsel in collaboration with my Department.

Among the main issues that will be addressed by the amending legislation are—

- a statutory objective of 6 months to be set for the issuing of determination orders arising out of dispute resolution applications;
- the Board of the PRTB to be reduced from 15 to 12 members;
- measures to address non-payment of rent by tenants during a dispute process, in particular to introduce scope for the legal termination of such a tenancy;
- the separation of the governance and quasi-judicial functions of the Board;
- the inclusion within the remit of the Residential Tenancies Act of segments of the voluntary and co-operative housing sector that most closely parallel its current remit.

The Programme for Government 2011 also commits to the introduction of a deposit protection scheme and it is important that action in this regard is taken in the context of a strong evidence base. I have therefore asked the PRTB to commission cost benefit analysis-based research on such a scheme and to report back to me with recommendations. I understand that the PRTB has recently awarded the tender for this research and I expect that the Board will revert to me with detailed research and recommendations in the autumn.

Building Regulations

36. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government in view of the reported failure to comply with building programmes, fire safety, in apartment buildings at Priory Hall and Belmayne, Dublin, if his attention has been drawn to similar non-compliance in other apartment buildings; and the action he will take to ensure fire safety in these buildings. [22168/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Local authorities have extensive powers of inspection and enforcement under current legislation and have used such powers on a number of occasions including the high profile case at Priory Hall. Concerns in relation to a number of developments are already in the public domain, and I have urged local authorities to continue to use all of the powers currently avail-

able to them to address issues of building standards compliance, including in relation to fire safety.

Social and Affordable Housing

37. **Deputy Seán Crowe** asked the Minister for the Environment, Community and Local Government the rent scales and terms which he plans to be part of lease agreements with the National Assets Management Agency developers' properties being used for social housing. [22172/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): The units being advanced through NAMA will in general be provided through the Social Housing Leasing Initiative under the standard terms and conditions that apply. It is not possible at this stage to estimate the cost of leasing these properties. Lease costs are determined by negotiation using a standard discounted market price which may vary to reflect the circumstances of a particular case and the terms of the contractual agreement. I can say that the current average annual cost of units leased from the private or voluntary sector under the leasing scheme generally is approximately €7,400.

Appointments to State Boards

38. **Deputy Mick Wallace** asked the Minister for the Environment, Community and Local Government in view of the report published on 25 April last by the Institute of Directors in Ireland which found that insufficient consideration is being given to the skills required when appointments are made to State boards, if he will outline the criteria and process by which new members, including the new chairperson, were selected and appointed to An Bord Pleanála in view of the fact that there is only one architect sitting on the appeals board and no member holds a professional qualification in conservation or urban design; if any of these new members were direct appointments made by him under Section 106(1)(e) of the Planning and Development Act 2000; and if he will make a statement on the matter. [22161/12]

52. **Deputy Mick Wallace** asked the Minister for the Environment, Community and Local Government his views on the report by the Institute of Directors published on 25 April last which stated that a majority of its directors do not believe that the process of appointments to State boards is fair and transparent; if he will state whether the most recent appointments, including the new Chairperson, to An Bord Pleanála were made under Section 106(1) or Section 106(7) of the Planning and Development Act 2000 and if he will specify the criteria used in both the nomination and the appointment process; if he will name the organisations which participated in the nomination process if new members were appointed under Section 106(1); and if he will make a statement on the matter. [22162/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): I propose to take Questions Nos. 38 and 52 together.

The Planning and Development Acts 2000-11 provide that the Board comprises a Chairperson and up to 9 ordinary members. The processes for the appointment of the Chair and ordinary Board Members are clearly and transparently set out under sections 105-107 of the Act and associated regulations.

In relation to the position of Chairperson, the appointment is made by Government from candidates selected by an independent statutory selection committee. The composition of this committee is set out under section 105 of the Act and, where a vacancy arises, the committee is required to select a maximum of three suitable candidates from among those who compete

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in a publicly advertised open competition. The selection committee established in accordance with the Act includes:

- the President of the High Court
- the Chairperson of An Taisce
- the Cathaoirleach of the General Council of County Councils
- the President of the Executive Council of the Irish Congress of Trade Unions.

Dr. Mary Kelly was appointed in May 2011 on foot of this process.

The appointment process for ordinary Board Members, set out under section 106 of the Act, provides that appointments are made by the Minister from nominees put forward by four representative panels of nominating bodies prescribed for this purpose. The organisations which make up these nominating panels are set out in Article 64 of the Planning and Development Regulations 2001 as amended. These bodies represent a wide range of interests so that potential appointees are drawn from a balanced group of people, with diverse backgrounds, who can reach a balanced view on the issues with which the Board is concerned. Each body in each panel was invited to nominate two candidates for consideration for appointment to the Board.

Arising from four recent appointments made by Minister Hogan, the Board will shortly comprise eight members including the Chair. In making these appointments cognisance was taken of the balance of skill sets and expertise required by Board members for the effective discharge of An Bord Pleanála’s complex and wide ranging functions, as well as the balance of skill sets and qualifications held by existing Board members. None of the recent appointments was made under section 106(1)(e). I am satisfied that the current nomination and appointment process is fair and transparent.

Private Rented Accommodation

39. **Deputy Sandra McLellan** asked the Minister for the Environment, Community and Local Government if he will give details of his plans for reform of the rent supplement scheme when it comes under his Department’s control and any minimum standards he hopes to introduce. [22181/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): The Government recently announced its decision in principle to support proposals to transfer responsibility for households in receipt of rent supplement, but with an established long-term social housing need, from the Department of Social Protection to the housing authorities. Housing authorities will provide this service using a new Housing Assistance Payment (HAP). This joint proposal, between the two Departments, reflects a commitment in the Programme for Government to review the operation of the rent supplement scheme due to concerns over the evolution of rent supplement from a short-term income support into a long-term housing support. It was also one of the key reforms announced in my Department’s Housing Policy Statement in June 2011.

The detail of the proposed transfer and any standards or criteria to be introduced are in the process of being developed and agreed through an established Steering Group, chaired by my Department, and a number of specific working groups. It is hoped, however, that the proposals will deliver a number of benefits for householders, the State and housing authorities, including:

- enabling job take-up by tenants who have been caught by poverty traps until now;
- allowing local authorities more flexibility in assisting those in need of social housing support;
- providing greater security of tenure for tenants, greater stability in the private rented market and contributing towards the creation of a higher quality, private rented sector through improved standards;
- providing a more integrated and streamlined service for households seeking support from the State to meet housing costs;
- delivering value for money for the taxpayer for the resources invested.

The proposed reform of the rent supplement scheme constitutes a major development in the provision of housing services and will require careful planning and consultation with interested parties. I hope to be in a position to announce further details of the new arrangements later in the year.

Foreshore Licences

40. **Deputy Richard Boyd Barrett** asked the Minister for the Environment, Community and Local Government if he will provide an update on his deliberations on a foreshore application in respect of a company (details supplied); and if at this stage he will consider a public inquiry; and if he will make a statement on the matter. [22163/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The application from Providence Resources for a foreshore licence in respect of site investigations and the drilling of an exploratory well off Dalkey is currently being assessed by the Marine Licence Vetting Committee. I will consider the recommendation of the Marine Licence Vetting Committee and my Department in due course in making a determination on the licence application. As indicated in reply to previous Questions on this matter, I do not consider that a public inquiry is warranted. Without prejudging my eventual determination of the current application, it is important to recognise that should the project progress to commercial exploitation it would be the subject of further formal applications for consents from the Minister for Communications, Energy and Natural Resources, in the first instance, and then An Bord Pleanála under the Planning Acts, and a full lease or licence under the Foreshore Acts, all of which will require an Environmental Impact Assessment, including full public consultation and, where appropriate, oral hearing.

Private Rented Accommodation

41. **Deputy Peadar Tóibín** asked the Minister for the Environment, Community and Local Government his plans to ensure that rents being paid as part of the rental accommodation scheme are more regularly revised down to reflect market trends. [22180/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): One of the main features of the Rental Accommodation Scheme (RAS) is that local authorities, in sourcing accommodation for households, enter into contractual arrangements with private sector landlords to secure medium to long-term availability of rented accommodation. The level of rents payable under RAS is determined by negotiations between the landlord and the local authority, taking account of rent supplement levels and local market conditions. In negotiating with landlords to bring properties into RAS, local authorities obtain reductions on existing rents where possible. Guidance which has issued by my

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Department advises that a discount of at least eight per cent below market rent is recommended.

As part of their negotiation process, local authorities may agree, at their discretion, periodic rent reviews with landlords in line with the prevailing market conditions at the time. My Department has issued guidance to authorities advising them to ensure that rent reviews are undertaken where provided for and also advising authorities of the need to obtain value for money and have regard to local market conditions when entering into new agreements. The achievement of value for money is the primary focus of authorities when negotiating costs and other associated terms and conditions provided for in agreements under the Scheme. Information in relation to the value of savings made resulting from negotiated contracts entered into by individual local authorities is not available in my Department. A Value for Money and Policy Review has been carried out on the RAS which provides general information on discounts achieved based on a sample of local authorities. This study will be available shortly.

Building Regulations

42. **Deputy Denis Naughten** asked the Minister for the Environment, Community and Local Government his plans to revise building regulations to regulate the retro fitting of septic tanks; and if he will make a statement on the matter. [22188/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The design and installation of wastewater treatment systems for single houses is addressed in the Environmental Protection Agency’s (EPA) Code of Practice in respect of Wastewater Treatment and Disposal Systems Serving Single Houses (2009). On foot of a comprehensive review and public consultation, Part H (Drainage and Wastewater Disposal) of the Building Regulations and its accompanying Technical Guidance Document H (TGD H 2010) were amended in the latter half of 2010 to reflect the relevant parts of the EPA’s Code of Practice.

The Technical Guidance Document H (TGD H 2010) further stipulates that the design and commissioning of wastewater treatment systems should be carried out and/or supervised by a suitably qualified person and that the owner of the building should be provided with sufficient, clear and comprehensive information on any continuing maintenance required to facilitate the effective operation of the system in order to protect human health and the environment. The Building Regulations normally apply to new dwellings and existing dwellings where a material change is being carried out. Where a service is being replaced, the requirements of the Building Regulations specific to the replacement apply. Repair or renewals works do not normally come within the scope of the Building Regulations.

In relation to the use of septic tanks in particular, TGD H 2010 states that “Septic Tanks must conform to I.S. EN 12566 Part 1 or 4 including their national annexes and comply with the EPA Code of Practice — Section 7.” The national annexes were recently completed and published by the National Standards Authority of Ireland, in consultation with my Department and others. They set out clearly the performance required by septic tanks when used in Ireland, and tested in accordance with I.S. EN 12566 Parts 1 or 4. Given that the current regulations and related guidance already set out clearly the requirements in respect of septic tanks, I have no plans to further amend Part H of the Building Regulations.

Question No. 43 answered with Question No. 8.

Question No. 44 answered with Question No. 6.

Water and Sewerage Schemes

45. **Deputy Denis Naughten** asked the Minister for the Environment, Community and Local Government his plans to enhance the group sewerage scheme grant; and if he will make a statement on the matter. [22189/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The rate of grant available for Group Sewerage Schemes is €2,031.58 per house or 75% of the cost of the scheme, whichever is the lesser. I have accepted a proposal from the National Rural Water Services Committee, who have a role in advising me on rural water policy, that the rate of grant be reviewed during 2012. They will be examining this issue, taking into account, inter alia, the results of a pilot programme funded by my Department to test a range of small-scale wastewater collection and treatment systems under Irish conditions.

Planning Issues

46. **Deputy Gerry Adams** asked the Minister for the Environment, Community and Local Government his plans to encourage use of renewable energy by businesses by making a requirement for inclusion of some renewable energy source in industrial and large commercial planning applications. [22173/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): My Department is aware that a number of planning authorities have incorporated Renewable Energy Strategies into their Development Plans, and a further number are in the process of so doing. The Sustainable Energy Association of Ireland (SEAI), as part of its brief to promote and assist the development of sustainable energy, hosted a number of regional wind energy workshops in 2010, targeted at local authority planners and other officials and stakeholders involved in the delivery of wind energy. At the workshops a number of stakeholders stated that they would welcome assistance in the preparation of more comprehensive Renewable Energy Strategies for their areas. Following this SEAI decided to prepare a methodology or template to act as a guide to assist local authorities in the preparation of renewable energy strategies. This will act as a guideline for local authorities when developing a Renewable Energy Strategy, including the matters to be taken into consideration and the information, resources and bodies that may be of assistance.

SEAI appointed consultants to assist in the preparation of the methodology, which is underway and it also set up a Project Steering Committee to input into its development. The committee includes representation from my Department, the Department of Communications, Energy and Natural Resources, the National Parks and Wildlife Service, the Irish Planning Institute, the City and County Managers Association, the Regional Authorities, EirGrid, ESB Networks, the Commission for Energy Regulation and the Dublin Institute of Technology.

My Department has also encouraged the provision of certain renewable technologies through the exempted development Regulations. The Planning and Development Regulations 2007, which came into effect from 28 February 2007, provide exemptions from planning permission requirements in respect of certain classes of micro-renewable technologies for use in the home i.e. solar panels and other micro-renewable technologies such as wind turbines, heat pumps and biomass, subject to certain conditions in each case. The Planning and Development Regulations 2008, which came into effect from 2 July 2008, provide exemptions from planning permission requirements in respect of certain classes of renewable technologies for use in industrial buildings, business premises and agricultural holdings, including combined heat and power, wind turbines, solar panels, heat pumps and biomass, subject to certain conditions in each case.

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In relation to the Building Regulations, Part L — Conservation of Fuel and Energy for Buildings other than Dwellings is scheduled for review in the second half of 2012 and the first half of 2013. The review process will involve an industry stakeholder group review and a public consultation. The review process will also take account of the Recast Energy Performance of Buildings Directive (EPBD) requirements to achieve nearly zero energy buildings where “the nearly zero or very low amount of energy required should be covered to a very significant extent by energy from renewable sources, including energy from renewable sources produced on-site or nearby;” for new public buildings by 2018 and for all new buildings by 2020.

Part L of the Regulations — Dwellings — requires renewable energy sources to provide a reasonable proportion of the energy consumption to meet the energy performance for new dwellings since 1 July 2008 (subject to a transition period). This will also be a factor to be taken into consideration in the review of Part L Buildings other than Dwellings. While I do not consider that it would be appropriate to require the inclusion of some renewable energy source in industrial and large commercial planning permissions by means of planning conditions, my Department will continue to pursue all appropriate measures to contribute to the achievement of national renewable energy targets.

Question No. 47 answered with Question No. 33.

Tax Code

48. **Deputy Mattie McGrath** asked the Minister for the Environment, Community and Local Government the measures he plans to introduce, if any, to assist the licensed Irish road hauliers who are struggling as a result of the price increases in motor tax; if he will consider eliminating motor tax for registered road hauliers and introduce a pay as you drive system of motor tax as used in Europe for road hauliers which could also generate revenue from foreign trucks coming here; and if he will make a statement on the matter. [17161/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I refer to the reply to Question No. 779 of 18 April, 2012 which sets out the position in this matter.

Question No. 49 answered with Question No. 14.

Water Services

50. **Deputy John Halligan** asked the Minister for the Environment, Community and Local Government if he will consider investing in the water infrastructure as both a water saving measure and a job creation measure; and if he will make a statement on the matter. [20887/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I refer to the replies to Question No. 106 of 2 May 2012 and Questions Nos. 8, 16, 21, 24, 31 and 43 on today’s order paper which sets out the position in this matter.

Building Regulations

51. **Deputy Arthur Spring** asked the Minister for the Environment, Community and Local Government when he will appoint nominations to an independent professional conduct committee in view of the fact that legislation was introduced in the Building Control Act 2008 to provide for the establishment of the professional conduct committee on a statutory basis to deal with the registration and regulation of architects. [22187/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Arrangements for the appointment of the Chairperson and the nomination of the majority of non-architect members to the Professional Conduct Committee in line with Section 23 of the Building Control Act 2007 are currently in hand and I expect this matter to be finalised in the near future.

Question No. 52 answered with Question No. 38.

Question No. 53 answered with Question No. 33.

Local Government Reform

54. **Deputy Jonathan O'Brien** asked the Minister for the Environment, Community and Local Government if he will provide an update on the report on the realignment of local government; and when same will be published. [22117/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): In the context of ongoing work on the reform of local government, I am currently considering the key findings and recommendations provided to me by the Local Government/Local Development Alignment Steering Group, with a view to determining the arrangements that will deliver the maximum benefit for local communities and people. Building on a range of reforms already underway, I intend to bring policy proposals to Government in the near future.

Planning Issues

55. **Deputy Catherine Murphy** asked the Minister for the Environment, Community and Local Government if he intends, specifically with regard to the recommendations of the final report of the Tribunal of Inquiry into Certain Planning Matters and Payments, Mahon Tribunal, to appoint a politically independent planning regulator to place the National Development Plan and the National Spatial Strategy on a statutory footing to ensure that local authority councillors are required to explain their reasoning when directing county managers to grant planning applications against the advice of professional planners; and if he will make a statement on the matter. [22165/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): The Government considered the findings of the Final Report of the Mahon Tribunal at its meeting on 27 March and agreed that the relevant Government Departments, working with associated agencies under their aegis, as appropriate, should consider as a matter of urgency the recommendations contained in the Report and revert to my Department with proposed actions to be taken on foot of the specific recommendations and a time-frame for their implementation, to enable Minister Hogan and me to report back to Government during May. In that context, my Department is currently examining the Report's relevant recommendations, including, *inter alia*, the recommendation for the establishment of an independent planning regulator, with a view to developing comprehensive responses to them.

Building Regulations

56. **Deputy Caoimhghín Ó Caoláin** asked the Minister for the Environment, Community and Local Government if he will provide an update on the progress in dealing with Priory Hall, Dublin and the making safe of unfinished estates. [22183/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): Dublin City Council is the designated authority with powers to enforce the statutory requirements arising under the Fire Safety Act, the Building Control Acts

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and the Planning and Development Acts, all of which are at issue in relation to Priory Hall. The Council is also the designated Housing Authority under the Housing Acts. My responsibility as Minister is to ensure that appropriate statutory requirements, technical standards and administrative provisions are put in place under the various acts. This responsibility has been fulfilled and is not in dispute. I have no role in relation to enforcement activity or in relation to the direct provision of housing services.

The reply to question No. 162 of 1 March 2012 set out the position in relation to the inspection undertaken by the Housing Inspectorate of my Department following an application by the developer of the Priory Hall complex for floor Area compliance Certificates (FACCs) as introduced by section 72 of the 2004 Finance Act. Residents at Priory Hall and their representatives have at all times been advised of the clear division of responsibilities outlined above. The appropriate statutory powers in this case rest with Dublin City Council and neither I, as Minister, nor the Department has a statutory function in relation to enforcement activity or in determining the provision of services in individual cases.

Question No. 57 answered with Question No. 12.

Question No. 58 answered with Question No. 29.

Human Rights Issues

59. **Deputy Seán Ó Feargháil** asked the Tánaiste and Minister for Foreign Affairs and Trade if he has raised the case of blind human rights activist Chen Guangcheng in discussions with his European partners; if he has individually or together with his European partners made representations to the Chinese authorities seeking reassurances in relation to the well being of Chen Guangcheng and his family; if he has further sought the release of this man from house arrest; and if he will make a statement on the matter. [22466/12]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): The case of Chen Guangcheng has been raised frequently by the European Union including at the EU-China human rights dialogue on 16 June 2011. Mr. Chen, a blind human rights defence lawyer was, until recently, being held under house arrest in Shandong Province in China. Currently, reports indicate that he escaped from house arrest last week, was at the US Embassy in Beijing for a number of days and was yesterday admitted to a medical facility in Beijing where he is receiving treatment.

60. **Deputy Seán Ó Feargháil** asked the Tánaiste and Minister for Foreign Affairs and Trade if he has raised the case of Assia Bibi, a Christian woman sentenced to death in Pakistan under that country’s blasphemy law, either individually or collectively with his European partners seeking reassurances that she will not be executed and indeed made representations seeking her release; and if he will make a statement on the matter. [22467/12]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): The Government remains concerned about the case of Mrs. Asia Bibi. In November 2010 a Punjab court found Mrs. Bibi guilty of blasphemy, sentencing her to death by hanging. This is the first time that a woman has been sentenced to death in Pakistan under its blasphemy law. When the case came to the attention of the Department of Foreign Affairs and Trade, the Ambassador accredited to Pakistan at the time called upon the Ministry of Foreign Affairs in Islamabad to convey our concern at the conviction and sentence. He also expressed our disquiet at the nature of Pakistan’s blasphemy law. Since that time, a number of representations have been made to the Embassy of Pakistan by senior officials in the Department of Foreign Affairs and Trade.

Mrs. Bibi's case and Pakistan's blasphemy laws were discussed at length during bilateral political consultations in Dublin in 2011 which were held with the Pakistani Additional Foreign Secretary for Europe. In the course of these consultations our concerns about the conviction, sentence and the nature of Pakistan's blasphemy laws were again strongly expressed. At the European level, the High Representative for Foreign Affairs Catherine Ashton, has also expressed her concerns at the Bibi judgement and others like it, and called on Pakistan to respect human rights as guaranteed under international conventions to which it is a party.

The EU engages in regular dialogue with Pakistan on human rights and democratic principles, including religious discrimination. The EU has called on the Pakistani authorities, at the highest level, to adopt measures to protect individual and minority rights in line with its Constitution and with international human rights standards and conventions. The EU has made clear to the Government of Pakistan that under its constitutional and international requirements it has a responsibility to protect its citizens regardless of their faith.

Ireland attaches great importance to the fundamental human rights of freedom of thought, conscience, religion and belief. We are well aware of the vulnerable situation of persons belonging to religious minorities in Pakistan and will continue to raise the case of Asia Bibi and others bilaterally with the Pakistan Government as well as through the framework and mechanisms of the European Union and the United Nations.

Diplomatic Representation

61. **Deputy John Deasy** asked the Tánaiste and Minister for Foreign Affairs and Trade the position regarding the cost of running the Irish Embassy in Washington DC per annum. [22567/12]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): The administrative costs associated with running the Embassy in Washington DC from 2008 to 2011 to date are provided below. This budget is considered to be the locally-devolved administrative (day-to-day) budget including local staff salaries but not salaries of diplomatic staff, which are a charge on the Headquarters budget. In line with overall Departmental cost-containment policies, the Mission constantly monitors its budget and the costs for 2011 are less than those incurred in the preceding years. Our Mission in Washington is actively engaged in representing and advancing Irish government policies in the United States and maintaining and further developing our excellent bilateral relationship with the United States, one of our most important relationships both politically and economically. US investment in Ireland continues to be crucial to our economy and the US friendship and support has been hugely important in the success of the peace process over many years.

The Embassy in Washington is putting an ever increasing focus on developing Ireland's bilateral economic relations, and trade and investment links and engaging with the US. The Embassy maintains strong relations with the US Administration and Congress on issues likely to affect Ireland's exports, inward investment and other key interests. The Embassy also promotes business and economic ties, for example this year through its promotion of the Euroscience Open Forum (ESOF) 2012 Dublin City of Science in the US and through the recently signed Memorandum of Understanding between US Department Energy and the Department of Communications, Energy and Natural Resources for cooperation in marine and hydrokinetic energy technologies.

The Embassy also provides frontline consular and passport services to Irish citizens. In conjunction with Ireland's friends on Capitol Hill and throughout the Irish-American community, it also seeks to identify and promote solutions on immigration issues as they affect Irish people and undocumented Irish migrants in particular. It engages with the Irish and Irish American

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communities and harnesses the resource they offer in assisting economic recovery. The Embassy also contributes to promoting Irish arts and culture in the US.

	2008	2009	2010	2011
Administrative Costs for Embassy Washington	€1,170,402	€1,200,800	€1,236,780	€1,072,065

Departmental Staff

62. **Deputy John Deasy** asked the Tánaiste and Minister for Foreign Affairs and Trade the number of public servants that retired in Waterford city and county since the beginning of the year and the number of those that have been retired by the State. [23008/12]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): My Department does not have an office in County Waterford. There are no State agencies under the aegis of my Department.

State Banking Sector

63. **Deputy Niall Collins** asked the Minister for Finance the efforts that he intends taking to ensure that State supported banks engage in the Priory Hall conciliation process; and if he will make a statement on the matter. [22372/12]

Minister for Finance (Deputy Michael Noonan): As the Deputy will be aware, under the Relationship Frameworks, the banks are run on a commercial basis and I have no role in the day-to-day management or commercial decisions of the banks including matters relating to residential mortgage books. Nonetheless, the Government understands the severe difficulties that the residents of Priory Hall are facing. My Department has been in contact with the State supported banks regarding the resolution process set up under former Supreme Court Justice Finnegan. Banks have already indicated that they are open to engaging in this new process. However, what will be involved in the process has yet to be clarified.

Tax Collection

64. **Deputy Seán Ó Fearghail** asked the Minister for Finance if he will expedite an application for a rebate of the universal service charge in respect of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [22295/12]

Minister for Finance (Deputy Michael Noonan): I have been advised by the Revenue Commissioners that they do not have sufficient details to process the claim and have contacted the person concerned in relation to the matter.

Tax Reliefs

65. **Deputy Michael McGrath** asked the Minister for Finance if he intends to provide tax relief for persons who improve the energy efficiency in their home; and if he will make a statement on the matter. [22306/12]

Minister for Finance (Deputy Michael Noonan): Section 13 of Finance Act 2011 provided for income tax relief at the standard rate for expenditure incurred by individuals on a range of works carried out to improve the energy efficiency of residential premises situated in the State. The underpinning legislation for the scheme was subject to Commencement Order. However,

that legislation, on review, was found to have flaws and would have required amendment before it could be implemented.

As part of the announcement in the Jobs Initiative in May 2011, the Government undertook to provide further funding for the grants available under the Better Energy Homes scheme operated by the Sustainable Energy Authority of Ireland (SEAI). Because of these circumstances, I decided to review the requirement for a co-existing tax incentive for similar works and, following this review, I decided not to proceed with the introduction of the tax relief scheme.

National Asset Management Agency

66. **Deputy Joanna Tuffy** asked the Minister for Finance if Weston Aerodrome, County Dublin, is part of the portfolio of the National Assets Management Agency; the up to date position regarding plans by NAMA for this facility; and if he will make a statement on the matter. [22374/12]

Minister for Finance (Deputy Michael Noonan): I am advised by NAMA that details relating to Weston Aerodrome, which is subject to enforcement action, are provided on its website, *www.nama.ie*. KPMG is the appointed receiver and the property is currently available for sale through the sales agent, Savills.

67. **Deputy Joanna Tuffy** asked the Minister for Finance the up to date position regarding social dividend provisions in the legislation for the National Assets Management Agency and has anything been delivered under these provisions to date; and if he will make a statement on the matter. [22375/12]

Minister for Finance (Deputy Michael Noonan): Taking account of its overriding commercial mandate as set out in Section 10 of the National Asset Management Agency Act 2009, NAMA has demonstrated its commitment and contribution to the achievement of wider social and economic policy objectives in line with Section 2 of the Act. This includes NAMA's policy to give first option to public bodies on the purchase of property which may be suitable for their purposes. NAMA also facilitates dialogue between its debtors/receivers and third parties which has enabled the latter to acquire suitable properties for civic, community and sporting purposes.

In December 2011, NAMA identified over 2,000 properties as being available for social housing, representing, potentially, one of the largest housing allocations made in the history of the State. The primary onus is now on local authorities and voluntary and co-operative housing bodies to match their needs against the units which have been identified as available by NAMA. The Deputy may be aware that NAMA also concluded the sale of 58 housing units in Sandyford, Co. Dublin to the Clúid Housing Association in 2011, marking the first time that stock controlled by NAMA was used for the delivery of permanent new social housing. Other such sales are in process.

I am also informed by NAMA that there is significant engagement between the Agency, the Department of Health and Children and the HSE to identify sites for Primary Health Care Centres and other step-down and community health care facilities. The Deputy may also be aware that NAMA has identified 11 sites as being potentially suitable for the location of the Government's planned National Children's Hospital and the Minister for Health and Children is on the public record as saying that he will look at these sites in this context and in the context of the Department's other pressing requirements.

NAMA further informs me that there has been a constructive engagement between the Agency and the Department of Education and Skills, which has already resulted in the identifi-

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cation and sale of lands for schools and to accommodate planned development by certain universities. This engagement is ongoing as is NAMA's interaction with other public bodies, including local authorities. The Agency also works to facilitate engagement between interested parties, including community and sporting organisations, and its debtors/receivers/sales agents and this has led to a number of positive outcomes for both parties.

Liquor Licences

68. **Deputy John Deasy** asked the Minister for Finance the number of licensed public houses that have had their licenses revoked in Waterford city and county over the past five years.

[22427/12]

Minister for Finance (Deputy Michael Noonan): I am informed by the Revenue Commissioners that they are responsible for the administration of the issue or renewal of Public House Licences. Revenue may only facilitate the issue of a Publican's licence where the appropriate certificate has been issued by a District or Circuit Court, and therefore do not have the authority to revoke a licence once issued. As the authority to revoke a Public House Licence rests with the District or Circuit Court the Revenue Commissioners do not record the numbers of revocations in any particular period.

Tax Collection

69. **Deputy Tony McLoughlin** asked the Minister for Finance the number of taxpayers in receipt of a Department of Social Protection pension who are due refunds and the amount of money to be refunded; and his views on whether all taxpayers in this category are made aware that they may be due outstanding overpayments. [22441/12]

Minister for Finance (Deputy Michael Noonan): I am advised by the Revenue Commissioners that approximately 20,000 taxpayers were originally notified by letter in January 2012 that they might have a potential refund of tax due for 2011, and that Revenue would automatically carry out a review. This process could not begin until the pay and tax deducted details in respect of 2011 were submitted by employers on the annual P35 form and processed by Revenue. Of these, the tax affairs of some 12,000 taxpayers have already been reviewed. To date, I am further advised that some €2million has already been refunded to approximately 7,000 taxpayers and in the rest of these cases no refund of tax was actually due. A further programme of reviews will be run over the coming weeks for the remaining 8,000 taxpayers, once all of the information required by the Commissioners to carry out these reviews is available. In this regard, the 2011 form P35s are still awaited in some cases or are currently being processed in other cases.

I am further advised by the Revenue Commissioners that they have taken a number of steps to inform potential refund recipients. Firstly, as indicated earlier, any taxpayer who was potentially over-taxed on their DSP pension received a letter in late December 2011 explaining that Revenue would be reviewing their tax affairs for 2011 with a view to making any relevant refund for that year. Secondly, Revenue has, through its contacts with representative bodies acting for the elderly, continued to reinforce the message that anyone who feels that they may be due a refund should contact the Commissioners directly. Thirdly, Revenue has published extensive frequently asked questions on its website on the taxation of DSP pensions and addresses the issue of potential refunds within that. Taking all of these measures into account, as well as the direct contacts that Revenue staff has with DSP pension recipients through handling telephone contacts and public office visits and the extent of the publicity on the matter

of pensioners and tax, I am satisfied that anyone who may be due a refund is aware of the steps they need to take to make a claim.

Banks Recapitalisation

70. **Deputy Éamon Ó Cuív** asked the Minister for Finance if the decision by Eurostat recently to consider the investment in AIB and Bank of Ireland and other covered institutions in 2011 as national debt will have long term repercussions under the Fiscal Compact Treaty if passed, particularly in relation to achieving of the 60% debt/GDP ratio; if it will, when will these impacts arise and the magnitude of the extra payments each year that will arise as a result of this decision; and if he will make a statement on the matter. [22451/12]

Minister for Finance (Deputy Michael Noonan): In July 2011 a net amount of €16.5 billion was injected into Irish financial institutions. At the time of the end-September Maastricht return, it was indicated publicly that a full examination of the deficit-impacting amount of this transfer would be made before the next notification. The outcome of this exercise is that of the €16.5 billion injected in June 2011, €5.8 billion is classified as a deficit-increasing capital transfer. This adds 3.7 per cent of GDP to the deficit for 2011 only. However, the full net recapitalisation of €16.5 billion in July 2011 was fully reflected in Ireland's forecast General Government Debt for end-2011 reported to Eurostat in September 2011. It is also included in the end-March 2012 Maastricht return in respect of the end-2011 debt position. The statistical reclassification from financial transaction to capital transfer affects the general government deficit only. Therefore there is no impact on our debt to GDP ratio as a result of this statistical reclassification.

71. **Deputy Clare Daly** asked the Minister for Finance if he will provide an estimate of the financial loss to the State and taxpayer arising from the unsafe loan undertakings provided by solicitors to banks, made public by the National Assets Management Agency during March 2012. [22473/12]

Minister for Finance (Deputy Michael Noonan): I am advised by NAMA that the estimated value of downward adjustments applied to the consideration paid to banks in respect of the acquisition of loans as a result of security defects identified in legal due diligence is €477 million. Only a minor part of this relates to legal undertakings provided by solicitors. I understand that as a consequence of the defects identified during the legal due diligence, the valuation of the assets was reduced and a lesser amount was paid by NAMA. NAMA advise me that it does not expect to suffer a loss on these acquisitions arising from the solicitors undertakings.

72. **Deputy Michael McGrath** asked the Minister for Finance his views on the recent disposal by Irish Life Investment Managers of its stake in the National Asset Management Agency special purpose vehicle; the implications of this for the accounting treatment of the NAMA bonds in the General Government Debt; his views on the operation of the Special Purpose Vehicle; and if he will make a statement on the matter. [22510/12]

Minister for Finance (Deputy Michael Noonan): The NAMA SPV was established with Eurostat approval and with Irish Life as one of the private owners. However, as Irish Life is now in public ownership, Eurostat attached a reservation to our Maastricht Returns in which it raised concerns about the private sector ownership of the NAMA SPV and consequently the treatment of NAMA for the purposes of calculating General Government Debt. I am advised that the sale of the Irish Life shareholding in the NAMA SPV to private investors has been agreed

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and it is anticipated that the transaction will be completed in the coming weeks. As a consequence, we expect that the General Government Debt treatment of the NAMA SPV will be unchanged.

73. **Deputy Michael McGrath** asked the Minister for Finance the number of properties that have been sold that is legally binding contracts in place by National Asset Management Agency or by agents acting on behalf of NAMA and, of this number, if he will confirm the number and total value of such properties which were up for sale on the open market and publicly advertised; and if he will make a statement on the matter. [22511/12]

74. **Deputy Michael McGrath** asked the Minister for Finance if the sale of all properties by or on behalf of National Asset Management Agency are required to be put up for sale on the open market and publicly advertised. [22512/12]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 73 and 74 together.

I am informed by NAMA that other than for land which is under its direct control, NAMA itself does not sell property securing its loans. I am advised by NAMA that, up to end-March 2012, its debtors and receivers have completed 663 legally binding sales transactions of property located in Ireland, some of which relate to multiple properties such as apartment blocks, with a total value of €508 million. I am advised that the NAMA Board has issued guidelines to be followed by its debtors and receivers in terms of the disposal of assets, which require, wherever feasible, their sale on the open market and their public advertisement. I am advised by NAMA that this covers the vast majority of such sales.

International Agreements

75. **Deputy Michael McGrath** asked the Minister for Finance if he will confirm whether he has a veto on the establishment of the European Stability Mechanism; and if he will make a statement on the matter. [22513/12]

Minister for Finance (Deputy Michael Noonan): A Treaty to establish the European Stability Mechanism (ESM) has been agreed among euro area countries. This is an intergovernmental treaty that stands outside the EU Treaty framework. The ESM Treaty will enter into force when ratified by signatories whose subscriptions represent 90% of the total initial subscriptions. The target date for the Treaty entering into force is 1 July 2012. Ireland's subscription will be 1.5922% of the total initial subscription. The Government considers that it is strongly in Ireland's best interests for the ESM Treaty to enter into force as soon as possible.

76. **Deputy Michael McGrath** asked the Minister for Finance if he will confirm the anticipated date that the European Financial Stability Facility will no longer accept new applications for funding and will be formally wound up. [22514/12]

Minister for Finance (Deputy Michael Noonan): The EFSF has been created as a temporary institution. The EFSF Framework agreement as amended provides that "Euro-area Member States which are potential Borrowers may only request and enter into Loan Facility Agreements up to 30 June 2013 (provided that Loans may be disbursed after this date under Loan Facility Agreements entered into prior to this date)." It also provides that EFSF guarantors

shall only be required to issue a guarantee to facilitate the financing under Loan Facility Agreements entered into on or prior to 30 June 2013.

In accordance with its Articles of Association, the EFSF will be liquidated on the earliest date after 30 June 2013 on which there are no longer loans outstanding to a euro-area Member State and all Funding Instruments issued by EFSF and any reimbursement amounts due to Guarantors have been repaid in full. This means that after June 2013, EFSF would not enter into any new programmes but will continue the management and repayment of any outstanding debt and will close down once all outstanding debt has been repaid.

The Eurogroup's statement of 30 March 2012, provides that the ESM will be the main instrument to finance new programmes as from July 2012. The EFSF will, as a rule, only remain active in financing programmes that have started before that date. For a transitional period until mid-2013, it may engage in new programmes in order to ensure a full fresh lending capacity of EUR 500 billion for the ESM.

These arrangements form part of a number of initiatives. All these initiatives were made to improve the governance of the euro area through enhancements of the Stability and Growth Pact, the new macro-economic imbalances procedure, the Euro Plus Pact and the Fiscal Compact enshrined in the new Treaty on Stability, Cooperation and Governance in the Economic and Monetary Union. Finally, robust firewalls have been established. This comprehensive strategy has paid off and led to a significant improvement of market conditions.

National Asset Management Agency

77. **Deputy Michael McGrath** asked the Minister for Finance if he has any concerns that an agent, acting on behalf of the National Assets Management Agency has concluded a deal for the sale of a 450 acre landbank in County Cork (details supplied) without putting the landbank on the open market effectively excluding potential bidders from the process; and if he will make a statement on the matter. [22515/12]

Minister for Finance (Deputy Michael Noonan): In relation to the particular transaction to which the Deputy refers, NAMA has advised me that the sales agent was acting on behalf of the debtor and that a competitive sales process was undertaken. The debtor was not in liquidation. I understand from NAMA that the sale was managed and implemented on behalf of the debtor by a firm of professional sales agents. Following wide engagement with viable interested parties, a special purchaser emerged in respect of the entire holding of 450 acres at a price considerably in excess of that guided by the retained professionals. It was the considered advice of the sales agent that the offer from this purchaser would be accepted.

I further understand that NAMA, on receipt of this information, commissioned a second independent report by another professional firm, which agreed with the original guide price. On the basis of this independent valuation advice, which established that the price offered was 40% in excess of the 2 independent valuations and taking account of the fact that the offer was for the entire holding rather than for individual land plots within it, NAMA granted its approval to the debtor to proceed with the sale on the advised terms on the basis that this maximised the recovery for the taxpayer. I understand from NAMA that this site, like all sites, would have been advertised except that the special purchaser emerged offering 40% over the independent valuations of the site's worth.

Departmental Correspondence

78. **Deputy Michael McGrath** asked the Minister for Finance the communications he has had

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with the German authorities in relation to the leaking of the European Commission's Economic Adjustment Programme for Ireland document; and if he will make a statement on the matter. [22516/12]

Minister for Finance (Deputy Michael Noonan): I am assuming the Deputy is referring to the unfortunate and unacceptable leak which took place on February 29th this year. The document which leaked in February was the EU Commission Services Staff report on their assessment of the 5th review of Ireland's EU-IMF Programme of support. As a Commission document, the content of the staff report is the responsibility of the Commission staff, as is the publication of the report. This document was circulated to senior EU Finance Ministry officials in advance of the relevant EU Officials discussion that were to take place that week which is normal practice for all programme countries. The report which was published as scheduled the next day, March 1st, was substantially the same as that circulated for officials.

It is my understanding that Commission staff had appended to it the updated programme documents that were prepared following the 5th review — specifically — the Letter of Intent to the EU authorities, the Memorandum of Understanding (MoU), the Memorandum on Economic and Financial Policies (MEFP), the Technical Memorandum of Understanding (TMU). These updated programme documents, along with the Letter of Intent to the IMF, had already been made publicly available shortly after being issued by the Minister for Finance, by being laid before both Houses of the Oireachtas, and placed on the Department of Finance website, on 14th February last.

On becoming aware of the leak, and the internal Commission process that they have in place, my officials raised our serious concerns with the Commission. I also contacted Commissioner Olli Rehn to express my disappointment regarding the leak and to enquire about steps taken to ensure confidentiality of documents in the future. The issue has also been raised at senior official level with the German authorities. We must nevertheless recognise that we remain in a Programme, and continue to rely on the support of the External Partners. In expressing our concern, we need also to continue working with our partners.

National Pensions Reserve Fund

79. **Deputy Michael McGrath** asked the Minister for Finance the value of the discretionary portfolio including cash balances held by the National Pension Reserve Fund; and if he will make a statement on the matter. [22517/12]

Minister for Finance (Deputy Michael Noonan): I am informed by the National Treasury Management Agency, as Manager of the National Pensions Reserve Fund (NPRF), that the provisional total value of the Fund at 30 March 2012 was €15.1 billion, and the value of the Discretionary Portfolio was €5.8 billion including cash balances of €0.9 billion. Final valuations of the Discretionary Portfolio and the Directed Portfolio as at 31 December 2011 will be provided in the NPRF Commission's Annual Report for 2011 which is expected to be published in July 2012.

Tax Yield

80. **Deputy Michael McGrath** asked the Minister for Finance the revenue that will be raised by the carbon levy in respect of each product on which it is applied; and if he will make a statement on the matter. [22518/12]

Minister for Finance (Deputy Michael Noonan): I am informed by the Revenue Commissioners that the forecast for Carbon Tax 2012 and estimated VAT in respect of each category is as follows:

2012	Carbon Tax	Estimated VAT
	€m	€m
Auto Diesel	130.63	3.00
Petrol	79.07	18.19
Aviation Gasoline	0.04	0.01
Fuel Oil	2.76	0.00
MGO	54.86	7.41
Kerosene	44.41	6.00
Auto LPG	0.20	0.05
LPG (Other)	3.94	0.53
Natural Gas	54.80	4.44
Total	370.70	39.62

The Carbon Tax figures shown are a breakdown of the Carbon Tax forecast for 2012. However, the VAT figures are estimates based on the expected Carbon receipts in each category. Please note that the VAT receipts are estimated, as the VAT returns do not require the yield from a particular sector or sub-sector of trade to be identified and the actual VAT yield for each category cannot therefore be determined.

Unsafe Loan Undertakings

81. **Deputy Clare Daly** asked the Minister for Finance if he will accept that unsafe loan undertakings provided by solicitors to banks, made public by the National Assets Management Agency during March 2010, are in reality property transactions to which principles of moral hazard apply. [22565/12]

Minister for Finance (Deputy Michael Noonan): I presume the Deputy is referring to information made public by NAMA in March 2012. I am advised by NAMA that the estimated value of downward adjustments applied to the consideration paid to banks in respect of the acquisition of loans as a result of security defects identified in legal due diligence is €477 million. I cannot comment on particular transactions, however, I am assured by NAMA that only a minor part of the adjustment to valuations related to legal undertakings provided by solicitors.

82. **Deputy Clare Daly** asked the Minister for Finance as the holder on behalf of Irish citizens of majority share holding in Allied Irish Bank and the bank formerly known as Anglo Irish Bank and significant shareholding in the Bank of Ireland, the number of civil proceedings in respect of false loan undertakings provided by solicitors to these banks that have been initiated; the identities of defendants and the number of settlements if any. [22566/12]

Minister for Finance (Deputy Michael Noonan): As the Deputy will be aware, under the Relationship Frameworks, the Boards of the Banks are responsible for the day-to-day management and operation of the respective institutions including decisions regarding civil proceedings taken and I have no role in this matter. The question of whether an undertaking provided by a solicitor to a bank is ‘false’ is a matter of determination by a court of law (with involvement of Gardaí and supervisory authorities if fraud is asserted) and AIB, Bank of Ireland and IBRC

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cannot therefore estimate the extent to which such findings will be arrived at by a court of law. The banks have confirmed that, in appropriate cases, solicitors who have not fulfilled their undertakings to them have been and will be pursued. The Deputy will appreciate that it would not be appropriate for the banks to name defendants in such cases.

Departmental Staff

83. **Deputy John Deasy** asked the Minister for Finance the number of public servants that retired in Waterford city and county since the beginning of the year and the number of those that have been retired by the State. [23007/12]

Minister for Finance (Deputy Michael Noonan): My Department does not have any office in Waterford city or county. However, I am advised by the Revenue Commissioners that a total of thirteen staff retired from their offices in Waterford since 1 January 2012. Three of the thirteen staff had reached their normal course retirement age, nine of the staff availed of Cost Neutral Early Retirement and one retired on grounds of ill-health.

School Staffing

84. **Deputy Seán Crowe** asked the Minister for Education and Skills if he will confirm the total number of teaching posts to be cut at schools (details supplied) in County Dublin; and if he will confirm the dates on which these posts will be lost to both schools. [22292/12]

105. **Deputy Tom Fleming** asked the Minister for Education and Skills further to Parliamentary Question No. 222 of 13 March 2012, if he will provide an update on same; and if he will make a statement on the matter. [22445/12]

144. **Deputy John McGuinness** asked the Minister for Education and Skills if he will confirm the situation regarding teacher numbers at a school (details supplied) in Dublin 24 following the appeal review recently completed by his Department; and if he will make a statement on the matter. [22555/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 84, 105 and 144 together.

The Primary Staffing Appeals Board met on 18th and 19th April. A total of 367 schools submitted appeals to the Appeals Board. These appeals were considered in accordance with the appeals criteria set out in Department Staffing Circular 0007/2012. 205 schools had their appeals upheld by the Staffing Appeals Board. The Appeals Board took the following approach in dealing with the appeals from the 37 schools that were losing 3 or more posts:

- Schools that were due to lose 3 or 4 posts will now lose a maximum of 2 posts in the 2012/13 school year. The loss of the remaining posts will be deferred to the subsequent school year.
- Schools that were due to lose 5 or more posts will now lose a maximum of 3 posts in the 2012/13 school year. The loss of the remaining posts will be deferred to the subsequent school year.

A summary outcome of the appeals is now published on my Department's website. Individual schools have been notified of the outcome of their appeals. The next meeting of Staffing Appeals Board is due to be held on 14 June 2012. The latest date for other schools to submit appeals is 1 June 2012. The final staffing position for all schools will ultimately not be known

until the Autumn. At that stage the allocation process will be fully completed and all appeals to the Staffing Appeals Board will have been considered.

85. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the position regarding an appeal in respect of a school (details supplied); and if he will make a statement on the matter. [22308/12]

86. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the outcome of an appeal in respect of a school (details supplied); and if he will make a statement on the matter. [22309/12]

87. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the outcome of an appeal in respect of a school (details supplied); and if he will make a statement on the matter. [22325/12]

88. **Deputy Charlie McConalogue** asked the Minister for Education and Skills his views on an appeal (details supplied) and the explanation given for the decision taken by the Appeals Board; and if he will make a statement on the matter. [22326/12]

89. **Deputy Charlie McConalogue** asked the Minister for Education and Skills his views on an appeal (details supplied) and the explanation given by the Appeals Board for the decision; and if he will make a statement on the matter. [22327/12]

90. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the outcome of an appeal (details supplied) and details of the explanation given by the Appeals Board for the decision; and if he will make a statement on the matter. [22328/12]

91. **Deputy Charlie McConalogue** asked the Minister for Education and Skills his views on an appeal in respect of a school (details supplied) and the explanation given for the decision; and if he will make a statement on the matter. [22329/12]

92. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the outcome of an appeal in respect of a school (details supplied) and the explanation given for the decision; and if he will make a statement on the matter. [22332/12]

93. **Deputy Charlie McConalogue** asked the Minister for Education and Skills his views on an appeal in respect of a school (details supplied) and the explanation given for the decision; and if he will make a statement on the matter. [22333/12]

95. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the position regarding an appeal in respect of a school (details supplied); if he will provide an explanation for the decision given and details of the further information requested from the school; and if he will make a statement on the matter. [22337/12]

96. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the position regarding an appeal in respect of a school (details supplied); if he will provide an explanation given for the decision and details of the further information requested from the school; and if he will make a statement on the matter. [22341/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 85 to 93, inclusive, and 95 and 96 together.

[Deputy Ruairí Quinn.]

The Primary Staffing Appeals Board met on 18th and 19th April. A total of 367 schools submitted appeals to the Appeals Board. These appeals were considered in accordance with the appeals criteria set out in Department Staffing Circular 0007/2012. 205 schools had their appeals upheld by the Staffing Appeals Board. The Appeals Board took the following approach in dealing with the appeals from the 37 schools that were losing 3 or more posts:

- Schools that were due to lose 3 or 4 posts will now lose a maximum of 2 posts in the 2012/13 school year. The loss of the remaining posts will be deferred to the subsequent school year.
- Schools that were due to lose 5 or more posts will now lose a maximum of 3 posts in the 2012/13 school year. The loss of the remaining posts will be deferred to the subsequent school year.

A summary outcome of the appeals is now published on my Department's website. Individual schools have been notified of the outcome of their appeals. The next meeting of Staffing Appeals Board is due to be held on 14 June 2012. The latest date for other schools to submit appeals is 1 June 2012. The final staffing position for all schools will ultimately not be known until the Autumn. At that stage the allocation process will be fully completed and all appeals to the Staffing Appeals Board will have been considered.

Languages Programme

94. **Deputy Patrick Nulty** asked the Minister for Education and Skills if he will provide an update on progress in implementing the Barcelona agreement on the teaching of modern languages; and if he will make a statement on the matter. [22334/12]

Minister for Education and Skills (Deputy Ruairí Quinn): Under the Barcelona Conclusions individual member states are invited to adopt the approaches set out in the Conclusions insofar as is appropriate to their particular national priorities, circumstances and resources. My Department fully accepts the desirability of this approach as an EU policy direction. This does not mean however that it is necessarily practicable in every Member state.

In Ireland, where there are two national languages, Irish and English, given recognition under the Constitution, both of these languages are taught at primary level. The National Council for Curriculum and Assessment is in the process of developing a language curriculum for infant classes which will inform future developments. The NCCA does not intend to compartmentalise children's language learning in terms of their experience with their first language (L1) and second language (L2) as is currently the case in the Primary School Curriculum. The language curriculum should provide a common structure for planning appropriate language experiences in all languages for all children in infant classes including those for whom English is an additional language. This is a new way of looking at language acquisition which will help children's learning in all languages taught at primary level and into the future at post-primary level.

Questions Nos. 95 and 96 answered with Question No. 85.

Higher Education Grants

97. **Deputy Brendan Griffin** asked the Minister for Education and Skills his views on a matter (details supplied) regarding entitlement to higher education grants; and if he will make a statement on the matter. [22359/12]

Minister for Education and Skills (Deputy Ruairí Quinn): As the Deputy will be aware, I announced last December that 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 in this regard will require further Government agreement and necessitate legislative amendment.

School Staffing

98. **Deputy Pat Deering** asked the Minister for Education and Skills if a person (details supplied) is entitled to panel rights due to the number of days worked in primary schools since 2002; and if he will make a statement on the matter. [22365/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The arrangements for panel access for fixed term (temporary), substitute and part-time teachers are set out in Department Circular 0012/2012 which is available on my Department's website. My Department has published on its website an indicative breakdown of the 1,769 applications that were received for these panels. My Department is now commencing the checking process in relation to these applications and when this process is completed individual teachers will be notified of the outcome of same. The panels set up in accordance with the arrangements set out in this circular will be used at a later stage in 2012 for appointments to full-time permanent teaching posts that are not otherwise required to facilitate the redeployment of surplus permanent and CID holding teachers.

Third Level Fees

99. **Deputy Brendan Smith** asked the Minister for Education and Skills his views on the continuation of the fee remissions schemes for the children of university staff; and if he will make a statement on the matter. [22366/12]

100. **Deputy Brendan Smith** asked the Minister for Education and Skills the total cost of the fee remissions scheme in each university in each year for the past five years; and if he will make a statement on the matter. [22367/12]

101. **Deputy Brendan Smith** asked the Minister for Education and Skills if the fee remissions scheme for the children of university staff is being considered as part of the review of public service allowances being carried out by the Department of Public Expenditure and Reform; and if he will make a statement on the matter. [22368/12]

102. **Deputy Brendan Smith** asked the Minister for Education and Skills the total number of young persons who are the children of university staff who benefitted from the fee remissions scheme in each year for the past five years; and if he will make a statement on the matter. [22369/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 99 to 102, inclusive, together.

The fee remission scheme for family members of full time employees of universities is a historical one which was sought to be discontinued by Government in 1982. Following a claim

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on behalf of affected staff, the Labour Court issued a recommendation in May 1986 stating that arrangements for existing staff should continue. In making this recommendation the Labour Court stated that it had been influenced by the fact that concessions in the matter of fees were either expressed or implied terms of the conditions of employment of the staff concerned over many years. In relation to new staff the Labour Court recommended that all parties should enter into detailed discussions on the matter. Following this recommendation a Conciliation Conference took place in 1991 with agreement reached that while the fee remission scheme would apply to those employed prior to September 1992 it would not apply to staff recruited after that date.

Details in relation to the costs and the numbers who benefited under the scheme are not readily available in my Department. I have asked the Higher Education Authority to contact each institution concerned seeking such details and I will arrange to have same forwarded to the Deputy as soon as possible.

Schools Building Projects

103. **Deputy Joanna Tuffy** asked the Minister for Education and Skills his views on the stage the planning for a new school building for a school (details supplied) is at and when is it expected construction of the building will commence; and if he will make a statement on the matter. [22385/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I am pleased to inform the Deputy that approval for a new 16 classroom primary school was recently announced on my Department's five year school building programme. Plans for this school are progressing and subject to securing the necessary local authority approvals this school should be ready to proceed to construction in 2013.

Higher Education Grants

104. **Deputy Michael McGrath** asked the Minister for Education and Skills if a person can receive a maintenance grant in respect of a third level degree course when that person already holds a primary degree but did not avail of the grant in respect of their first degree. [22443/12]

Minister for Education and Skills (Deputy Ruairí Quinn): To satisfy the terms and conditions of the student grant scheme in relation to progression, a student must be moving from year to year within a course having successfully completed the previous year or be transferring from one course to another where the award for the subsequent course is of a higher level than the previous course. The objective of this policy is to help as many students as possible to obtain one qualification at each level of study. Given the level of demand on the student grant budget from first time students and students that are progressing with their studies to a higher level, there are no plans at present to change the arrangements in place.

In the scenario presented by the Deputy, a student who already holds a Level 8 undergraduate qualification and intends to pursue a second undergraduate degree at the same level is not considered to be in progression and cannot be considered for funding, regardless of whether grant aid was made available to pursue the previous qualification. However, tax relief at the standard rate of tax may be claimed in respect of tuition fees paid for approved courses at approved colleges of higher education including approved undergraduate and postgraduate courses in EU Member States and in non-EU countries. Further information on this tax relief is available from the Revenue Commissioners.

Question No. 105 answered with Question No. 84.

Schools Building Projects

106. **Deputy Billy Timmins** asked the Minister for Education and Skills the position regarding a school (details supplied); and if he will make a statement on the matter. [22457/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The major building project for the school referred to by the Deputy was included in the five year construction programme and is listed to proceed to construction in 2015/2016. The building project is at an advanced stage of architectural planning. The design team are currently working on completing the stage 2(b) submission which will then be submitted to my Department for review. For the purposes of the 5 Year construction programme new school building projects as well as major extensions have been prioritised on the basis of meeting demographic needs in areas where such needs have been identified.

Due to the financial constraints imposed by the need to prioritise the funding available each year for the provision of school accommodation to meet the increasing demographic requirements it has not been possible to advance all projects to construction concurrently. In the meantime, for works that are of a very urgent nature, it is open to the school authorities to consider if the works in question might qualify for funding under my Department's Emergency Works Scheme. An emergency is deemed to be a situation which poses an immediate risk to health, life, property or the environment which is sudden, unforeseen and requires immediate action and, in the case of a school, if not corrected would prevent the school or part thereof from opening. Details of the Scheme, together with an application form for grant assistance, can be accessed on my Department's website at www.education.ie.

107. **Deputy Catherine Murphy** asked the Minister for Education and Skills the date on which the newly constructed school (details supplied) in County Kildare will open; the reason for the delay in same; the leases that are in place for the current prefabs; the amount that has been allocated for renting prefabs in this school in 2012; if additional posts have been scheduled; and if he will make a statement on the matter. [22458/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The project to which the deputy refers is close to completion. However, there are a number of technical issues which need to be resolved before the building can be handed over to the school authority. It is anticipated that these issues will be resolved in the coming weeks. There is currently only one small prefab leased by the school and the rent is €2,878.20 (VAT incl.) per annum. The staffing levels at the school will remain the same for the 2012/2013 academic year.

School Transport

108. **Deputy Arthur Spring** asked the Minister for Education and Skills if the students of a primary school (details supplied) are not entitled to automatic enrolment to the nearest secondary school; if the students are entitled to be provided rural school transport to the nearest secondary school to which the students are entitled to enrol; and if he will make a statement on the matter. [22474/12]

109. **Deputy Arthur Spring** asked the Minister for Education and Skills for the purpose of establishing automatic qualification for rural school transport, if he will identify the nearest qualifying secondary school to a school (details supplied); and if he will make a statement on the matter. [22475/12]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): I propose to take Questions Nos. 108 and 109 together.

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. Eligibility for post primary school transport is determined from where pupils reside and not from where they attend primary school.

Pension Provisions

110. **Deputy John McGuinness** asked the Minister for Education and Skills if an application for early retirement and lump sum will be expedited and approved in respect of a person (details supplied) in County Kilkenny; and if he will make a statement on the matter. [22508/12]

Minister for Education and Skills (Deputy Ruairí Quinn): Pension schemes generally make provision for the payment of benefit where a member retires because of a medical condition the nature of which makes him/her incapable of discharging the duties of the occupation and is likely to be permanent. Retirement on ill health grounds is a major decision that impacts both on the scheme member and the organisation. The award of pension in such circumstances must be grounded on a detailed assessment of the medical evidence in the case. To this end, the opinion/recommendation of an appropriately qualified medical adviser must be obtained. In this connection, where pension benefits are funded from monies provided directly or indirectly by the Oireachtas, the Minister has directed that the services of an Occupational Physician must be used by the organisation when assessing a scheme member's application for ill health retirement pension benefit.

The Occupational Physician, reviews the medical evidence, may conduct a medical examination of the member and then makes a recommendation outlining whether or not the member is incapable by reason of infirmity of mind or body of discharging his or her duties in the occupation and also whether or not that infirmity is likely to be permanent. The position in relation to the application for ill health retirement benefit by the person to whom the Deputy refers is that the assessment has been carried out and it has been determined that the person in question is not incapable by reason of infirmity of mind or body of discharging his/her duties. The person to whom the Deputy refers has been fully informed by the Pension Unit of my Department of the procedures in respect of ill health retirement applications and provided with information regarding the appeal process.

Departmental Staff

111. **Deputy Seán Crowe** asked the Minister for Education and Skills the number of staff employed in his Department; the number of these employees in receipt of salaries of more

than €200,000, more than €150,000, more than €100,000 and more than €80,000 and their job titles. [22519/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The table attached details the number of staff employed in my Department by salary band and job title at the end of 2011. As of end December 2011, the number of staff employed in my Department, including staffing of the Inspectorate and of the National Educational Psychological Service, was 1,251 whole time equivalents (WTE). The number of staff at the end of March 2012 was 1,216 WTE.

PQ 22519/12 — DES STAFF BY SALARY BAND AT 31 DECEMBER 2011

		Grade Equivalent to each Salary Band
Less than €80k	981	
€80k-€100k	240	Advisory Counsel Grade 111 Asst Chief Inspector Post Primary Asst Principal Higher District Inspector Primary District Inspector Post Primary Education Divisional Inspector Primary Senior Inspector Post Primary Engineer Grade 1 Civil Inspector and Senior Inspector (Guidance and Psychological) Manager Education Post Primary Inspector Principal Officer and Principal Higher Scale Professional Accountant Grade 1 Project Planner Quantity Surveyor Regional Director Senior Architect Statistician
€100k-€150k	28	Asst Chief Inspector Post Primary Appeals Officer Assistant Secretary Deputy Chief Inspector Manager Education Principal Officer Higher Regional Director (NEPS)
€150k-€200k	2	Chief Inspector Education Secretary General Education and Skills
€200k +	0	N/A
Total	1,251	

Departmental Expenditure

112. **Deputy Seán Crowe** asked the Minister for Education and Skills the average amount paid 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. [22520/12]

113. **Deputy Seán Crowe** asked the Minister for Education and Skills if he will provide a detailed breakdown of the money spent on home and foreign travel. [22521/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 112 and 113 together.

An analysis of payments made in respect of travel and subsistence in my Department during 2011 shows an average payment of €461 per claimant for Foreign Travel and €1,718 per claimant for Domestic Travel. The payment of Travel and Subsistence by officers within my Depart-

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ment in connection with official business is made in accordance with Department of Finance Circular 11/82 and such expenses are paid only in respect of necessary absence from headquarters. Officers are required to ensure that subsistence and other expenses are kept to a minimum, including using public transport as a preferred method of travel and where meals are provided, including in-flight provision, deductions are made accordingly. Evidence of all expenses, e.g. receipts, must also be submitted with each claim.

Travel and subsistence expenditure incurred during travel generally relate to subsistence, mileage, public transport, tolls/car parking fees. It can also include reimbursement in relation to visa and inoculation expenditure where required for foreign travel. The table provides a breakdown of expenditure during 2011 on domestic and foreign travel by category.

Expense Paid	Subhead A.2 Domestic Travel Dept Staff (Incl. Inspectorate)	Subhead A2. Foreign Travel (Incl. EU and International Travel)	A.9 NEPS Domestic Travel
Subsistence	466,146.76	46,113.25	157,206.54
Mileage	704,433.23	3,358.93	395,085.32
Hotel Accommodation	1,739.50	38,786.96	—
Flights	678.89	29,810.86	1,621.66
Taxis	18,647.75	6,331.76	463.75
Public Transport	81,470.97	5,123.43	13,057.99
Tolls/Carparking	7,885.49	7,468.19	747.53
Car Hire	—	725.00	—
Other Misc Fees*	—	1,618.9	—
	1,281,002.59	139,337.28	568,182.79

114. **Deputy Seán Crowe** asked the Minister for Education and Skills if he will provide a detailed breakdown of the type of events paid for under entertainment expenses. [22522/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I attach a breakdown outlining details of expenditure from my Department's administrative budget subhead A3.1 (Official Entertainment) in 2011:

Cost Centre:	Payment:	Description:
Higher Education PRS	€314.00	Lunch hosted by Tánaiste (Mary Coughlan)
Minister	€89.00	Credit Card Charge — Hotel Meeting — Tánaiste (Mary Coughlan)
Minister	€70.00	Hotel Accommodation — Tánaiste (Mary Coughlan)
Minister	€82.80	Credit Card Charge — Hotel Meeting — Tánaiste (Mary Coughlan)
Minister	€64.16	Reception for Mr. Patrick Scott
Minister	€48.33	Lunch with the Indian Ambassador
Minister	€296.75	Dinner on the retirement of Dr. John Hegarty Provost of Trinity College
Minister	€349.90	Dinner for Tom Jago and guests
Minister	€149.00	Lunch with the Chinese Ambassador
Minister	€136.82	Lunch in recognition of Dr. Kenneth Milne's contribution to the Irish Education System

Cost Centre:	Payment:	Description:
Minister	€1,017.22	Credit Card bill (including Accommodation costs and Dinners)
Minister	€2.54	Credit Card Charges
Minister	€30.00	Credit Card Charges
Minister	€106.70	Miscellaneous meeting refreshment costs — Minister
Minister of State	€108.75	Lunch for the members of the SOLAS Implementation Group
Minister of State	€63.95	Gift
Minister of State	€31.00	Credit Card Charges
Minister of State	€31.00	Credit Card Charges
Minister of State	€30.00	Credit Card Charges
Secretary General	€19.25	Refreshments for Meeting with HEA
Total	€3,041.17	

115. **Deputy Seán Crowe** asked the Minister for Education and Skills if he will provide a figure for the amount of money spent on uniforms and the type of uniforms bought by his Department. [22523/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The total expenditure on uniforms by my Department in 2011 was €4,174.27. This expenditure is in respect of uniforms (including a footwear allowance) for my Department's service officers.

116. **Deputy Seán Crowe** asked the Minister for Education and Skills the reason there has been a 10% increase in the cost of postal and telecommunication services. [22524/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The overall allocation for postal and telecommunications services in my Department for 2012 is €2.64 million. This funding is provided in my Department's Administrative Budget, subhead A4. The 2012 allocation represents an increase of approximately 10% over actual expenditure in 2011. The reason for the increased provision in 2012 is twofold:

a) Some flexibility is required in relation to the cost of postal services due to the fact that the volume of materials posted to schools can fluctuate significantly from year to year.

b) The 2012 allocation also includes, for the first time, funding for the postal and telecommunications cost of a number of regional offices. Prior to 2012 the administrative costs of the regional offices in question were provided for in a separate subhead which has now been discontinued and the funding has been allocated instead to a number of other subheads including subhead A4.

117. **Deputy Seán Crowe** asked the Minister for Education and Skills the reason there has been a 43% increase in office premises expenses; and the efforts being made to make offices more energy efficient. [22525/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The allocation for my Department's office premises expenses for 2012 is €2.34 million. The funding is provided in my Department's Administrative Budget, subhead A6. The 2012 allocation for subhead A6 represents an increase of approximately 43% over actual expenditure in 2011 (€1.635 million). The reasons for this level of provision in 2012 are as follows:

a) An allocation of some €0.4 million has been provided to allow essential building works to be carried out in my Department's premises in Athlone, Dublin and Tullamore.

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b) Additional funding of some €0.138 million has been allocated to provide for the cost of security services in my Department's Marlborough Street premises. The additional funding for 2012 is required in order to provide for the cost of this service for a full year. Prior to June 2011 the Office of Public Works met the cost of security services in Marlborough St.

c) The 2012 allocation also includes some €0.171 million to meet the office premises expenses of a number of regional offices. Prior to 2012 the administrative costs of the regional offices in question were provided for in a separate subhead which has now been discontinued and the funding has been allocated instead to a number of other subheads including subhead A6.

Officials in my Department engage with the Office of Public Works on an ongoing basis and in relation to energy efficiency matters.

118. **Deputy Seán Crowe** asked the Minister for Education and Skills the consultancy services and value for money reviews that have been paid for by his Department; and the way their findings have been implemented. [22526/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The information requested is being compiled at present and will be forwarded to the Deputy as soon as possible.

Psychological Service

119. **Deputy Seán Crowe** asked the Minister for Education and Skills if he will provide a breakdown on the provision of psychological services at primary and post-primary level. [22527/12]

Minister for Education and Skills (Deputy Ruairí Quinn): As the Deputy will be aware all primary and post-primary schools have access to psychological assessments either directly through the National Educational Psychological Service (NEPS) or through the Scheme for Commissioning Psychological Assessments (SCPA). Schools that do not currently have NEPS psychologists assigned to them may avail of the SCPA, whereby the school can have an assessment carried out by a member of the panel of private psychologists approved and paid for by NEPS.

In addition to psychological assessment NEPS provides assistance to all schools and school communities that experience critical incidents regardless of whether or not they have a NEPS psychologist assigned to them and processes applications for Reasonable Accommodation in Certificate Examinations, on behalf of the state Examinations Commission. NEPS also provides a service to children with visual impairment irrespective of the school which they attend. The main focus of NEPS is on early intervention with pupils and staff in schools in order to maximise pupil potential, to combat school failure and to avoid acute crises for children and young people.

In common with many other psychological services and best international practice, NEPS has adopted a consultative model of service. The focus is on empowering teachers to intervene effectively with pupils whose needs range from mild to severe and transient to enduring. Psychologists use a problem solving and solution focused consultative approach to maximize positive outcomes for these pupils. NEPS encourages schools to use a continuum based assessment and intervention process whereby each school takes responsibility for initial assessment, educational planning and remedial intervention for pupils with learning, emotional or behavioural difficulties. Teachers may consult their NEPS psychologist should they need to at this stage in the process. Only in the event of a failure to make reasonable progress, in spite of the school's best efforts in consultation with NEPS, will the psychologist become involved with an individual child for intensive intervention.

NEPS has a regional structure with some 23 offices nationwide providing service to schools where NEPS psychologists individually would normally be assigned to a mix of both Primary and Post-Primary schools in the immediate catchment area. In December 2011, with a complement of some 173 staff, NEPS psychologists provided direct service to 86% of primary schools (representing 91% of pupils) and 93% of post-primary schools (representing 94% of pupils) nationally. As previously stated the remaining school received assessment services under the SCPA. Overall expenditure on the Service amounted to €17.63m (€14.92m staff pay, SCPA €0.57m and €2.1m on N/Pay costs).

Departmental Expenditure

120. **Deputy Seán Crowe** asked the Minister for Education and Skills if he will provide additional information detailing the amount that was spent in preparation for Ireland's Presidency of the EU. [22528/12]

Minister for Education and Skills (Deputy Ruairí Quinn): A9 is a new subhead for 2012 to cover costs to my Department of our Presidency of the EU in 2013. The provision of €175,000 is made up of €137,000 for pay costs and €38,000 for non-pay costs. The pay provision is for additional full time and part-time staff for the Presidency, including two interns who are to take up duty in the Irish Permanent Representation in Brussels from July of this year and will be reporting to the Education Attaché. No expenditure has been incurred from this pay provision to date. The non-pay costs are mainly for Presidency-related foreign travel, associated with attendance at preparatory meetings with the Commission, Council Secretariat, Presidency Trio colleagues and other stakeholders, on which expenditure of some €7,000 has been incurred to date.

121. **Deputy Seán Crowe** asked the Minister for Education and Skills the changes resulting from the implementation of the Qualifications and Assurances Bill likely to lead to a reduction in current expenditure and the projected saving when the Bill is implemented. [22529/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The National Qualifications Authority of Ireland (NQAI), the Higher Education and Training Awards Council (HETAC), and the Further Education and Training Awards Council (FETAC) had a combined exchequer outturn for current expenditure of €12.935m in 2008, when the decision to amalgamate those agencies into a single qualifications and quality assurance body was announced. Their 2011 exchequer outturn for current expenditure amounted to €6.918m, a reduction since 2008 of 46.5%. Closer co-operation and sharing of resources in preparation for amalgamation has been one of the factors that has enabled the agencies absorb the reduced exchequer allocation.

The increase in the 2012 allocation for current expenditure over and above the outturn for 2011 is to meet unavoidable once-off costs arising from the amalgamation, in particular relating to accommodation and ICT. Overall, the annual savings directly attributable to amalgamation are expected to be in the order of €1 million. Some of these savings have already taken place, for example through the appointment of a single Chief Executive Officer for all of the agencies concerned, and further significant savings are being achieved through shared accommodation and corporate services.

School Transport

122. **Deputy Seán Crowe** asked the Minister for Education and Skills the number of subsidised bus routes that have been cut to make the 1% savings in transport services. [22530/12]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): A number of changes to the School Transport Schemes were introduced from the 2011/12 school

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year and derived from recommendations contained in the Value for Money review of the School Transport Scheme. As a consequence of the combined changes a number services were withdrawn in respect of the 2011/12 school year. In such cases, families of eligible children may still apply for the remote area transport grant. These changes form part of the overall requirement to deliver savings of €17 million on the school transport budget by 2014. Similarly, the reduction in the School Transport Allocation for 2012 does not refer solely to a cut in the number of school transport services but rather is part of these savings and efficiency measures.

Departmental Expenditure

123. **Deputy Seán Crowe** asked the Minister for Education and Skills the international activities and conferences funded by his Department. [22531/12]

Minister for Education and Skills (Deputy Ruairí Quinn): Funding is provided from my Department's Subhead B.3 to support the following activities:

- The costs of Ireland's participation in the education and training related work of the OECD and the Council of Europe.
- A financial contribution to the College of Europe, including scholarships for Irish students.
- Scholarships for Irish students and for the expenses involved in Ireland's participation in the European University Institute.
- Support for Irish participation in the World Schools Debating Championships and in the International Mathematical Olympiads.
- The hosting in Ireland of international educational conferences. In 2011 this included the Asia-Europe Classroom Network Conference (AEC-NET) and the General Assembly of the International Association for the Evaluation of Educational Achievement (IEA).

UNESCO Contribution

124. **Deputy Seán Crowe** asked the Minister for Education and Skills the nationality, age profile and gender of the students and teachers who benefitted from the UNESCO Contribution and International Exchanges; and the schools with pupils who benefitted from the scheme. [22532/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The purpose of UNESCO contribution in subhead B.4 is to meet the costs arising from Ireland's membership of UNESCO, the United Nations Educational, Scientific and Cultural Organisation, by way of the payment of a membership contribution. The subhead also provides for international exchange programmes.

The Teacher Exchanges programme for second-level teachers

France:

2 Irish teachers visited second-level schools in France under the French/Irish Professional Visit Scheme for 2011/12. Both were female. 18 teachers from France visited second-level schools in Ireland; the personal details of these teachers are not available as they make a direct application to the French Cultural Services in Paris.

Foreign Language Assistant Scheme 2011/12

Foreign Language Assistants are undergraduates or recent graduates who study modern languages. A total of 110 assistants come to second-level schools in Ireland each year under bilateral cultural agreements. They receive a monthly allowance from my Department. The most recent intake was 60 French, 30 German, 2 Austrian, 12 Spanish and 6 Italian. The Foreign Language Assistants are selected by the cultural services in their own countries. Irish undergraduates serve as Language Assistants in these countries. They receive monthly allowances from the host countries. A breakdown by age or gender is not readily available.

Postgraduate scholarships

My Department also funds a one-year reciprocal postgraduate scholarship scheme for international students. To date, the purpose has been to meet the terms of international agreements and educational exchange agreements with Ireland's international partners. Ireland has concluded cultural agreements with Belgium, Czech Republic, China, Finland, France, Germany, Greece, Italy, Malaysia, Mexico, Netherlands, Norway, Portugal, Russia, and Spain. Ireland also has educational exchanges with Australia, Chile, Japan, Hungary, Switzerland and Turkey.

11 postgraduate scholarships were offered annually to non-EEA countries and 23 postgraduate scholarships to EU countries but take-up varied year by year. Last year, 5 scholarships in total were awarded to Chinese, Mexican and Japanese students.

From 2012, this programme is being amended in line with this Government's International Education Strategy 2010- 2015, with the purpose of more effectively using the scholarships as a means to promote Ireland as a centre for international education in high-growth markets.

Research Funding

125. **Deputy Seán Crowe** asked the Minister for Education and Skills if he will provide information on the research and development activities and EU pilot projects provided by funding (details supplied). [22533/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The B.5 subhead, entitled "Research and Development Activities" has two components.

1. Research and development.
2. EU projects.

1. Research and development. The purpose of the Research and Development subhead (B5.1) is to fund individual researchers and research institutes for specific educational research projects. A Departmental Research and Development Committee assesses applications for funding, reviews progress of research projects supported by the Committee, and considers means for dissemination of results obtained. Expenditure totalling €150,823.22 was incurred in 2011. This included funding for two research projects:

- Valuing Visibility: an exploration of how sexual orientation issues arise and are addressed in post-primary schools.
- Action Research project to develop a religious education curriculum for delivery in Community National Schools. The project commenced in July 2008 and it is envisaged that the project will continue until a religious education programme has been developed for all classes from junior infants to sixth class.

2. EU projects. The main purpose of this provision is to make a national contribution towards the administrative costs of the national agency which administers the EU Lifelong

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Learning Programme in Ireland, which is Léargas, the Exchange Bureau. The Lifelong Learning Programme 2007-2013 (LLP) comprises four sub-programmes supporting cross-border mobility, networking and sharing of best practice. Erasmus deals with mobility activities for those participating in third level education.

Leonardo daVinci is the vocational education and training action. It funds mobility and project activities for trainers and trainees. Funding under this action is available to public and private bodies and institutions involved in vocational education and training.

Grundtvig covers activities by adult trainers and learners. Comenius deals with activities by schools, teachers and pupils.

Under the Lifelong Learning Programme, the European Commission provides funding to beneficiaries and project promoters and partners. This funding is administered by the national agencies in the member states in the case of decentralised actions and by the Commission in the case of centralised actions. Expenditure from this subhead on EU projects relates to the administrative costs of Léargas in running the Lifelong Learning Programme, rather than to the costs of the programme itself which are fully funded by the Commission. There is no co-funding requirement.

In-service Training

126. **Deputy Seán Crowe** asked the Minister for Education and Skills the in-career development and training provided to teachers in first, second and further education sectors; the average time spent by teachers in career development and the training provided by parents and school management involved at first and second levels. [22534/12]

Minister for Education and Skills (Deputy Ruairí Quinn): In 2011 there were 130,679 training places provided by my Department funded support services for teachers. This figure includes the primary and post primary sector. Each year Vocational Education Committees (VEC) are allocated funding for the delivery of a Continuing Professional Development programme for Youthreach, Senior Traveller Training Centre (STTC) and Vocational Training Opportunities Scheme (VTOS) staff. The most recent returns from VECs indicate that 44,636 training hours were provided.

The amount of time a teacher spends on in-service varies in accordance with school and Departmental priorities and the availability of resources. Current priorities include Project Maths and literacy and numeracy. My Department also provides funding to the Management Bodies and the National Parent Councils for the provision of training to parents and Boards of Management. In 2011 there were 1,486 training places provided in both Primary and Post Primary sectors. There will be an increase in the number of participants in 2012 given that there are new Boards of Management in place at primary level.

School Curriculum

127. **Deputy Seán Crowe** asked the Minister for Education and Skills the provision, if any, that has been made for the National Council for Curriculum and Assessment to implement reform of the Junior Cert curriculum. [22535/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The NCCA's 2012 allocation reflects an increase of €0.077m (8%) on the 2011 outturn which my Department considers sufficient to allow the Council to continue to fulfil its statutory obligations as laid out in the Education Act 1998. A core element of its work for 2012 is to continue to support Junior Cycle reform. It is important to note that reform will be introduced on a phased basis. The reform

will commence for students beginning junior cycle in September 2014 and the first examination of the reformed Junior Certificate will be in 2017.

National Drugs Strategy

128. **Deputy Seán Crowe** asked the Minister for Education and Skills if he will provide a breakdown of the six projects funded under the Drugs Task Force areas and his plans to expand the scheme. [22536/12]

Minister for Education and Skills (Deputy Ruairí Quinn): There are six projects in Local Drugs Task Force areas which receive allocations from subhead B8 of my Department's Vote. Four of the projects are administered by the VECs in Dublin City, Dublin County (2) and Dun Laoghaire; my Department also provides each VEC with an allocation towards administration costs. The remaining two projects are administered directly by my Department. The attached table shows details of the allocations provided to the six projects in 2011 and 2012.

A review of the six projects was carried out in 2011. As a result of the review, four of the projects have received allocations in 2012 similar to their allocations in 2011. Two of the projects have had their 2011 allocations reduced by 10%. These projects involve outside facilitators delivering the substance use aspect of the Social, Personal and Health Education curriculum in schools. Following the review, it was considered that, in line with best practice guidelines issued to schools by my Department, the classroom teacher is the best placed professional to work consistently with students on the SPHE programme. There are no plans to extend funding to other projects under subhead B8 of my Department's Vote.

Projects Receiving Allocations under Subhead B8, Vote 26.

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Local Drugs Task Force Area	Project	Administered by	2011 Allocation	2012 Allocation
North Inner City	Salesian Youth Enterprises	City of Dublin Youth Services Board, under City of Dublin VEC	€52,041	€52,040
Blanchardstown	Blanchardstown Early School Leavers Project	County Dublin VEC	€59,677	€59,670
Ballyfermot	Familiscope	D/Education and Skills	€67,402	€67,400
Dublin North East	Rehabilitation and Support Programme (RASP)	D/Education and Skills	€138,847	€138,840
Tallaght	Killinarden Drug Primary Prevention	County Dublin VEC	€64,426	€57,980
Dun Laoghaire	Drug Education and Training	Dun Laoghaire VEC	€16,000	€14,400

Disadvantaged Status

129. **Deputy Seán Crowe** asked the Minister for Education and Skills if he will list the projects and schemes that have failed to access funding under educational disadvantage schemes. [22537/12]

Minister for Education and Skills (Deputy Ruairí Quinn): There were no projects or schemes that failed to access funding under educational disadvantage schemes administered by my Department in 2011 or 2012. The 1% decrease alluded to in the Deputy's question refers to the allocation for B10 Educational Disadvantage (Dormant Accounts Funding) in 2012, of €1.6 million. This allocation is some €13,000 or 0.81% less than the outturn under B10 Educational

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Disadvantage (Dormant Accounts Funding) in 2011, but is sufficient to cover existing commitments. There are currently three Educational Disadvantaged Schemes administered by my Department, namely:

1. Scheme to enable DEIS Schools in Limerick City to open after school hours;
2. Access Programmes in the Institutes of Technology;
3. Pre-Schools Education Initiative- Equality and Diversity Training.

All of the above schemes will conclude in 2012, once all the approved funding has been drawn down by recipients.

Residential Institutions Redress Scheme

130. **Deputy Seán Crowe** asked the Minister for Education and Skills the number of persons who have availed of the Residential Institutions Redress scheme; their ages, gender and country of residence; if he will provide an exact figure paid to the survivors of abuse and a breakdown of money paid to the legal profession and advocacy groups. [22538/12]

Minister for Education and Skills (Deputy Ruairí Quinn): At the end of December 2011 the Redress Board had accepted 15,404 applications of which 14,855 had been processed resulting in 13,915 awards. A total of €866.58m was paid out in awards and €166.34m was paid in legal and associated costs. The Board's annual report provides a more detailed breakdown of the legal payments to solicitors in any one year. At end 2011, the Redress Board had a further 1,474 late submissions to be considered.

At the end of 2011, further expenditure associated with the Indemnity Agreement amounted to €9.6 in respect of court awards, settlements and associated costs. I have provided a breakdown of the age profile, gender profile and country of residence.

Up to the end of 2011, a total of approximately €2.79 million in funding was provided by my Department to Irish based groups representing survivors of institutional abuse. In the same period, just over €5.14 million was paid to the Survivor Outreach Services based in the UK. In addition to this, approximately €36,000 was paid in miscellaneous expenditure, primarily to groups who were not in receipt of regular annual funding from my Department but who would have been involved in various meetings with Government in the context of redress related issues.

Note:

- All figures provided are up to 31st December 2011
- Reports on Age, Gender and Country of Residence are based on the 15,341 cases which had been registered on the Case Management System by the 31st December 2011. 63 cases had not yet been registered due to insufficient information provided.

1. Total Number of Applications Received — 15,404.
2. Breakdown of applications by decade of birth:

Age Group	Number of Apps	Percentage
Prior to 1920	99	0.65%
1920-1929	776	5.06%

Age Group	Number of Apps	Percentage
1930-1939	2,896	18.88%
1940-1949	4,374	28.51%
1950-1959	4,066	26.50%
1960-1969	2,012	13.12%
1970-1979	911	5.94%
1980-	196	1.28%
No DOB Provided	11	0.07%
Total	15,341	100.00%

5. Breakdown of applications by country of residence

Country of Residence	Total Applications Received	% of Total Received
Ireland	9,227	60.15%
Great Britain	5,093	33.20%
USA	327	2.13%
Australia	321	2.09%
Northern Ireland	137	0.89%
Canada	101	0.66%
Spain	32	0.21%
New Zealand	21	0.14%
Germany	18	0.12%
The Netherlands	15	0.10%
France	9	0.06%
Sweden	6	0.04%
Denmark	5	0.03%
South Africa	4	0.03%
Channel Islands	3	0.02%
Belgium	2	0.01%
Italy	3	0.02%
Portugal	2	0.01%
Austria	1	0.01%
China	1	0.01%
Cyprus	1	0.01%
Finland	1	0.01%
Malta	1	0.01%
Morocco	1	0.01%
Nigeria	1	0.01%
Norway	1	0.01%
Republic of Panama	1	0.01%
Sri Lanka	1	0.01%
Thailand	1	0.01%
The Philippines	1	0.01%
United Arab Emirates (UAE)	1	0.01%
West Indies	1	0.01%

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Country of Residence	Total Applications Received	% of Total Received
Zimbabwe	1	0.01%
Total	15,341	100.00%

6. Breakdown of applications by gender

Gender	Number	Percentage
Male	9,212	60.05%
Female	6,129	39.95%
Total	15,341	100.00%

Good Friday Agreement

131. **Deputy Seán Crowe** asked the Minister for Education and Skills if he will list the initiatives in the field of education that have benefitted from North South cooperation funding and the names of schools where children who have benefitted from the George Mitchell Scholarship Fund Act, 2011 have attended. [22539/12]

Minister for Education and Skills (Deputy Ruairí Quinn): Under the terms of the Good Friday Agreement there are four designated areas of cooperation in the area of education; special education needs, educational underachievement, teacher mobility and school, youth and teachers exchanges. My Department funds a number of initiatives in these four areas. A list of projects currently funded is attached as Appendix A for the deputy's information. In relation to the George Mitchell Scholarship Programme, this programme provides third level scholarships to enable US university graduates to pursue a year of study at institutions of higher learning in Ireland and Northern Ireland. A list of the third level institutions which George Mitchell scholars have attended is attached as Appendix B.

North South Co-operation Unit Projects and Programmes Funding 2012

Name	Source of Funding Republic of Ireland	Other Source(s) of Funding Northern Ireland and USA
<i>School, Youth and Teachers</i> Cinemagic	Dept. Education and Skills	— Dept. of Culture, Arts and Leisure NI Northern Ireland Screen
Civic Link	Dept. Education and Skills	N/A*
Dissolving Boundaries	Dept. Education and Skills	Dept. Education Northern Ireland
European Studies Project	Dept. Education and Skills	Dept. Education Northern Ireland
History Teachers Association of Ireland (HTAI) Visit to Belfast	Dept. Education and Skills (NSCU and Teacher Education Section)	N/A
Irish Science Olympiad	Dept. Education and Skills	Dept. Education Northern Ireland
Maths Week Ireland	Dept. Education and Skills	Dept. Education Northern Ireland
Coordinating Training Tool (for English as an additional language and integration)	Dept. Education and Skills	N/A
Pushkin Prizes	Dept. Education and Skills	Dept. Education Northern Ireland

Name	Source of Funding Republic of Ireland	Other Source(s) of Funding Northern Ireland and USA
North South Ministerial Council Working Groups (Literacy Conference)	Dept. Education and Skills	Dept. Education Northern Ireland
<i>3rd Level</i>		
Dare to be Digital	Dept. Education and Skills	Belfast City Council
Glór na nGael	Dept. Education and Skills	N/A
SCoTENS Teacher Education Conference	Dept. Education and Skills	— Dept. Education Northern Ireland — Dept. of Employment and Learning NI
Universities Ireland	Dept. Education and Skills	Dept. of Employment and Learning NI
Washington Ireland Programme	Dept. Education and Skills	Office of First Minister and Deputy First Minister Northern Ireland
<i>Other</i>		
Centre for Cross Border Studies	Dept. Education and Skills	N/A

Table 2

Breakdown of George Mitchell Scholars by Institution and Programme

Year	Scholars	Institutions	Programme
2001	12	Dublin City University	Financial and Industrial Mathematics
		National University of Ireland Galway	International Law and Human Rights
		National University of Ireland Galway	Culture and Colonialism
		National University of Ireland Maynooth	Medieval Irish History
		Queen's University Belfast	Irish Studies
		Queens University Belfast	Human Rights and Law
		Trinity College Dublin	Peace Studies
		Trinity College Dublin	Multimedia Systems
		University College Cork	English
		University College Dublin	Mathematical Studies
		University of Limerick	Peace and Developmental Studies
		University of Ulster	Biomedical Sciences
2002	12	Dublin City University	International Relations
		Queen's University Belfast	Classics
		Queen's University Belfast	Comparative Ethnic Conflict
		Trinity College Dublin	Ethnic and Racial Studies
		Trinity College Dublin	Anglo-Irish Literature
		University College Cork	Government
		University College Cork	Applied Social Studies
		University College Dublin	Computer Science
		University College Dublin	Politics
		University of Limerick	Peace and Development studies
		University of Limerick	International Relations

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Year	Scholars	Institutions	Programme
2003	12	University of Ulster	Biotechnology
		Dublin City University	Political Communications
		NUI Galway	Human Rights Law
		NUI Galway	International Human Rights Law
		NUI Maynooth	Geography
		Queen's University Belfast	Human Rights Law
		Queen's University Belfast	Creative Writing
		Trinity College Dublin	Community Health
		Trinity College Dublin	History of Art
		University College Dublin	Anglo-Irish Literature
		University College Dublin	Anglo-Irish Literature
		University of Ulster	Peace and Conflict Studies
		University of Ulster	Political Communications and Public Affairs
2004	11	National University of Ireland Galway	Health Promotion
		National University of Ireland Galway and Queens University Belfast	Human Rights Law
		Queen's University Belfast	Comparative Ethnic Conflict
		Queen's University Belfast	Human Rights and Criminal Justice
		Trinity College Dublin	Irish Theatre and Film
		Trinity College Dublin	International Peace Studies
		University College Cork	Economic Science
		University College Cork	International Relations
		University College Dublin	Anglo-Irish literature
		University College Dublin	Equality Studies
University of Limerick	International Studies		
2005	12	Dublin City University	International Relations
		National University of Ireland Galway	Economic Policy Evaluation
		National University of Ireland Galway	Zoology
		Queen's University Belfast	Comparative Ethnic Conflict
		Queen's University Belfast	Comparative Ethnic Conflict
		Trinity College Dublin	Civil Engineering
		Trinity College Dublin	Drama Studies
		University College Dublin	Equality Studies
		University College Dublin	Politics
		University of Limerick	International Studies
		University of Limerick	International Studies
University of Ulster	Peace and Conflict Studies		
2006	11	Dublin City University	International Security and Conflict Studies
		National University of Ireland Galway	Economic Policy Evaluation
		Queen's University Belfast	Music Composition
		Queen's University Belfast	Comparative Ethnic Conflict
		Trinity College Dublin	Ecumenics
		Trinity College Dublin	Fire Engineering
		University College Cork	Applied Science

Year	Scholars	Institutions	Programme
2007	11	University College Dublin	Equality Studies
		University of Limerick	Biomedical Engineering
		University of Ulster	Peace and conflict studies
		University of Ulster	Irish History and politics
		Dublin City University	Journalism
		Dublin City University	International Security and Conflict Studies
		National University of Ireland Galway	Biomedical Science
		National University of Ireland Galway and Queens University Belfast	Human Rights and Criminal Justice
		Queen's University Belfast	International Politics
		Trinity College Dublin	International Peace Studies
		Trinity College Dublin	Creative Writing
University College Dublin	Anglo-Irish Literature		
University of Limerick	Peace and Development Studies		
University of Limerick	International Studies		
University of Ulster	Peace and Conflict Studies		
2008	12	Dublin City University	International Security and Conflict Studies
		National University of Ireland Galway	International Human Rights Law
		National University of Ireland Maynooth	Musicology
		Queen's University Belfast	Ethnic Conflict
		Queen's University Belfast	Theory, culture and identity
		Trinity College Dublin	Applied Social Research
		Trinity College Dublin	Environmental Science
		University College Cork	Contemporary Migration/Diaspora studies
		University College Cork	Politics
		University College Dublin	Meteorology
		University College Dublin	Development Studies
University College Dublin	Cultural Policy and Arts management		
2009	12	National University of Ireland Galway	Public Advocacy and Activism
		University College Dublin	Sociology
		Queen's University Belfast	Human Rights
		Trinity College Dublin	Environmental Science
		University College Dublin	Neuroscience
		University of Ulster	Peace Studies
		National University of Ireland Maynooth	Anthropology and Development
		Dublin City University	Political Communication
		Dublin City University	Development Studies
		Trinity College Dublin	Creative Writing
		Queen's University Belfast	Violence, Terrorism and Security
University College Cork	Mobile Networking and Computing		
2010	12	Trinity College Dublin	Masters in Neuroscience
		University College Cork	Public Health
		University of Limerick	Music Therapy
		Queen's University Belfast	Masters in Environmental Science

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Year	Scholars	Institutions	Programme
2011	9	Queen's University Belfast and National University of Ireland Galway	Masters in Human Rights Law
		National University of Ireland Maynooth	Immunology and Global Health
		Trinity College Dublin	Playwriting
		Queen's University Belfast	Rural Development
		National University of Ireland Galway	Masters in Gender, Globalization and Development
		University College Dublin	Equality Studies
		Trinity College Dublin	Mathematical Physics
		National University of Ireland Galway	International Human Rights Law
		University College Dublin	Global Health
		University of Ulster	Peace and Conflict Studies
		Dublin City University	International Security and Conflict Studies
		NUI Galway	Political Science and Sociology
		University of Limerick	Sociology
		University College Dublin	Public Health
		NUI Galway	Writing
Queen's University Belfast	Violence Terrorism and Security		
NUI Maynooth	Military History and Strategic Studies		
2012	12	NUI Galway	Economic Policy Evaluation
		NUI Maynooth	Equality and Social Activism
		Queen's University Belfast	Corporate Governance
		Dublin City University	Intercultural Studies
		University College Dublin	Anglo-Irish Lit and Drama
		University College Dublin	Development Practice
		Trinity College Dublin	Gender and Women's Studies
		University of Ulster	Human Rights Law
		University of Ulster	Health Communication
		NUI Galway	Theatre
Queen's University Belfast	Human Geography		
Trinity College Dublin	Theatre and Performance		
Total	138		

Computerisation Programme

132. **Deputy Seán Crowe** asked the Minister for Education and Skills if he will provide a list of schools that are currently waiting for the upgrading to the school broadband service; and the percentage of the amount paid on wages to those persons employed to upgrade the school broadband scheme. [22540/12]

Minister for Education and Skills (Deputy Ruairí Quinn): Under the Schools Broadband Programme services are secured by my Department on behalf of schools through a public tendering process. All schools wishing to avail of broadband under the Programme are currently in receipt of the best available connections within resources. As the Deputy will be aware, broadband capacity can vary due to geographical location. However, since the commencement of the Schools Broadband Programme there has been a significant increase in

bandwidth capacity. This is due to improved bandwidth speeds being made available to schools and the substantial reduction in the number of schools who are connected via satellite. Schools are only offered satellite connections where no alternative was offered during the procurement process.

The schools Broadband Programme has been re-tendered and an evaluation of responses is currently taking place. New contracts for the supply of services will be awarded shortly. It is expected that under the new contracts there will be further increases in the overall availability of bandwidth provided to schools within the current budget.

In 2011 €3m was paid to internet service providers. Information regarding the element of the broadband contracts which relates to providers' wage costs is not available. In addition to the current broadband scheme, the Government has approved the roll out of 100Mbit/s broadband to all post primary schools. This is a joint initiative between this Department and Department of Communications, Energy and Natural Resources. The national roll-out will be completed over three stages with 203 schools being connected by September 2012, a further 200 being connected next year and the remaining 250 schools being connected in 2014.

Under the agreed arrangements, Department of Communications, Energy and Natural Resources will provide the capital investment and current costs for each school for the year of installation and also for the first calendar year. My Department will pay the current costs for connectivity thereafter which is estimated at €8.1m. For this year, this Department will pay €1.2m which is the current costs for the 78 schools that were in the pilot project and this amount is included in the 2012 Estimate for my Department.

Teachers' Remuneration

133. **Deputy Seán Crowe** asked the Minister for Education and Skills if he will provide a breakdown of teachers' wages under basic pay scales, 1-25; the amount spent on substitution/supervision and those involved in the part-time teaching schemes for special needs and disadvantaged children and adults. [22541/12]

Minister for Education and Skills (Deputy Ruairí Quinn): Teachers in Primary Schools are paid salary in accordance with the Common Basic Salary Scale. This scale ranges from €30,904 to €59,359 for those whose first appointment was prior to 1st January 2011 (full details in Circular 04/2010). For those Primary Teachers whose first appointment was on or after 1st January 2011, the salary scale ranges from €27,814 to €53,423 (full details in Circular 40/2011). The cost of the Supervision and Substitution scheme in 2011 was €61.2m including Employers PRSI. The amount spent on part-time teaching schemes for special needs in 2011 was €20.83 million.

Capitation Grants

134. **Deputy Seán Crowe** asked the Minister for Education and Skills if the reduction in school capitation grants has resulted in the loss of caretaker or secretarial services. [22542/12]

Minister for Education and Skills (Deputy Ruairí Quinn): As the Deputy is aware Budget 2012 provided for a 2% reduction in the funding for capitation and related grants to primary and second level schools in both 2012 and 2013 and a further 1% in 2014 and 2015. Due to my decision of 21st February last, to retain posts from previous disadvantage schemes in DEIS Band 1 and Band 2 primary schools, it was necessary to generate alternative savings within the primary education budget. This has been achieved by bringing forward to this year 1.5% of the 2% reduction in overall capitation funding originally scheduled for 2013.

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The Boards of Management of schools are responsible for the employment of school secretaries and caretakers and it is a matter for each school to determine the level of secretarial and caretaking needs required for the school. Funding to cater for these needs is made available from my Department under two separate schemes. One is the 1978/79 scheme under which my Department meets the full cost of salary and the school secretaries are paid directly through my Department's payroll. The 1978/79 scheme is being phased out as posts become vacant and no new posts are being created. The 1978/79 scheme has been superseded by a more extensive capitation grant scheme towards the funding of ancillary services in schools. While these specific ancillary services grants were not reduced in Budget 2011 the overall capitation funding available to schools was reduced.

The Deputy will be aware that Circular 0040/2009 provides that capitation funding paid to schools for general running costs and funding provided for caretaking and secretarial services may be regarded as a common grant from which the Board of Management can allocate according to its own priorities. I cannot provide specific information on the effect, if any, the reduction in capitation funding to schools has had on the provision of secretarial and caretaking services. However, my Department has not received any communication from schools that would indicate any reduction in such services.

School Accommodation

135. **Deputy Seán Crowe** asked the Minister for Education and Skills if he will list the temporary school premises being rented by his Department. [22543/12]

139. **Deputy Seán Crowe** asked the Minister for Education and Skills if he will list the temporary post-primary school accommodation rented by his Department. [22547/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 135 and 139 together.

The amount spent on renting temporary accommodation at primary and post-primary level, including — but not limited to — prefabricated accommodation has reduced in recent years as outlined below:

Year	€m
2012	€29.3m (allocation)
2011	€28.9m
2010	€29.3m
2009	€39m

As the Deputy is aware I announced an initiative to replace rented prefabs in schools in March of this year. Almost 200 schools were been offered an opportunity to replace rented prefabs with permanent accommodation. A total of €35 million has been allocated for this initiative in 2012. Approximately 80 schools have now been given approval to proceed with the replacement of their rented prefabs at a cost of €14m and the remaining 110 schools will be finalised in the coming weeks. This new initiative will provide additional savings on the rental of prefabs in these schools in the coming years.

Details of school accommodation currently being rented by primary and post-primary schools is outlined on a county by county basis in the following table. Please note that one prefab unit may consist of one or more classrooms and/or ancillary accommodation.

Listing of Temporary Accommodation : Primary and Post Primary-May 2012

Roll No.	School Name	Town/ Townland	County	Desc. of rental	No. of Prefab Units
04077I	St Brigids NS	Tullogh	Carlow	Prefab	1
11135K	St Mary's NS	Bagenalstown	Carlow	Prefab	1
16080N	St Phadraig Naofa	Tullogh	Carlow	Prefab	2
17501Q	Bennekerry NS	Bennekerry	Carlow	Prefab	2
17514C	Clonegal NS	Clonegal	Carlow	Prefab	1
17994T	SN Fhoirtcheim	Muinebeag	Carlow	Prefab	2
20295K	Carlow Educate Tog	Graigucullen	Carlow	Building and Land	
20370V	Saplins School	Carlow	Carlow	Building and Prefab	1
61140K	St. Leo's College	Dublin Road	Carlow	Prefab	6
08453H	Crubany NS	Crubany	Cavan	Prefab	2
08490N	St Clare's PS	Ardmhuire	Cavan	Prefab	3
16057S	Convent of Mercy NS	Belturbet	Cavan	Prefab	2
16083T	St Mary's NS	Virginia	Cavan	Prefab	8
16959M	Curragh NS	Glangevlin	Cavan	Prefab	1
17326B	St Felim's NS	Farnham St	Cavan	Prefab	1
17625L	Knocktemple NS	Virginia	Cavan	Prefab	1
18857O	Carrigabruise NS	Virginia	Cavan	Prefab	1
19439B	Holy Family NS	Cootehill	Cavan	Building	
19608V	St Kilian's NS	Mullagh	Cavan	Prefab	8
19871N	Scoil Naomh Padraig	Blackloin	Cavan	Prefab	1
70380I	Breifne College		Cavan	Prefab	4
04919H	St John's NS	Cratloe	Clare	Prefab	2
14111L	Cross NS	Kilrush	Clare	Prefab	1
14757N	Scoil na Mainstreach	Quin	Clare	Prefab	1
15301V	Kildysart NS	Ennis	Clare	Prefab	2
16186G	Inch NS	Ennis	Clare	Prefab	1
16677C	CBS Bunscoil Inis Senior School	Ennis	Clare	Prefab	5
16908S	Sixmilebridge NS	Sixmilebridge	Clare	Prefab	4
16946D	Parteen NS	Parteen	Clare	Prefab	2
17583V	Knockanean NS	Knockanean	Clare	Prefab	5
18639E	Ballynacally NS	Ennis	Clare	Prefab	1
19274S	St. Conaire's NS	Shannon	Clare	Prefab	3
19849U	GS Donncha Rua	Sionna	Clare	Prefab	4
19999Q	GS Uí Choimín	Cill Rois	Clare	Building	
20041C	St. Senan's Conv	Kilrush	Clare	Prefab	3
20075T	St. Mochulla's NS	Tulla	Clare	Prefab	1
20086B	Ennis Educate Together NS	Ennis	Clare	Land and Prefabs	9
20312H	Raheen Wood Steiner NS	Tuamgraney	Clare	Buildings	
20313J	Mol an Oige NS	Ennistymon	Clare	Land and Prefabs	6
70840Q	Ennistymon VEC	Ennistymon	Clare	Prefab	2
01272O	Glandore NS	Glandore	Cork	Prefab	1

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Roll No.	School Name	Town/ Townland	County	Desc. of rental	No. of Prefab Units
02114B	Ballygiblin NS	Mitchelstown	Cork	Prefab	1
04118T	Bishop Ahern NS	Leamlara	Cork	Prefab	1
07242M	Cloghroe NS	Cloghroe	Cork	Prefab	4
10047I	Macroom Convent NS (St Joseph's)	Macroom	Cork	Prefab	5
10523O	Fermoy Adair NS	Fermoy	Cork	Prefab	1
10724B	South Abbey NS	Youghal	Cork	Building	
11992I	Whitegate Mixed NS	Midleton	Cork	Prefab	2
12004A	Mallon No1 NS	Mallow	Cork	Prefab	1
12041G	St. John the Baptist, Midleton NS	Midleton	Cork	Prefab	2
12446J	Glenahulla NS		Cork	Prefab	1
12447L	Baltdaniel NS	Mallow	Cork	Prefab	1
12473M	Scoil Mhuire na nGrós (Greenmount Monastery NS)	Green Street	Cork	Prefab	5
12505W	Kilbarry NS	Macroom	Cork	Prefab	1
13234W	Cloughduv NS	Crookstown	Cork	Prefab	2
13375R	Scoil Bhríde	Bandon	Cork	Prefab	3
13450F	Rushbrooke NS	Cobh	Cork	Prefab	8
13512B	Scoil Mhuire Lourdes	Carrigaline	Cork	Prefab	4
13728B	Castletownshend NS	Skibbereen	Cork	Prefab	2
13779S	Dromahane NS	Mallow	Cork	Prefab	2
13828F	St. Columba's Boys NS	Douglas	Cork	Building	
13889C	Shanbally NS	Ringaskiddy	Cork	Prefab	1
13976U	St Matthias National School	Ballydehob	Cork	Prefab	1
14052V	St Colmans BNS	Kanturk	Cork	Prefab	1
14839P	Clondrohid NS	Macroom	Cork	Prefab	2
15165Q	Ballintotas NS	Castlemartyr	Cork	Prefab	2
15484J	SN an Chroí Naofa	Glounthaune	Cork	Prefab	5
15594Q	Grange NS	Fermoy	Cork	Prefab	3
15646J	Coomhala NS	Bantry	Cork	Prefab	1
15701O	Bartlemy NS	Fermoy	Cork	Prefab	1
15781P	Ballintemple NS	Ballintemple	Cork	Prefab	1
15792U	SN Naomh Micheál	White's Cross	Cork	Prefab	1
16087E	Kealkil NS	Bantry	Cork	Prefab	2
16271U	Watergrasshill NS	Watergrasshill	Cork	Prefab	3
16339F	St Joseph's NS	The Mardyke	Cork	Prefab	2
17011W	St Mochomóg's NS	Bantry	Cork	Prefab	1
17103E	Scoil Chlochair Mhuire	Carrigtwohill	Cork	Prefab	2
17112F	Ballyhea NS	Charleville	Cork	Prefab	1
17152R	Knockskeagh NS	Clonakilty	Cork	Prefab	1
17168J	SN Inis Eoghain	Innishannon	Cork	Prefab	1
17281F	Togher NS	Dunmanway	Cork	Prefab	1
17297U	St Fergal's NS	Killeagh	Cork	Prefab	2

Roll No.	School Name	Town/ Townland	County	Desc. of rental	No. of Prefab Units
17360B	SN Mhuire	Mallow Rd	Cork	Prefab	2
17505B	Brooklodge NS	Glanmire	Cork	Prefab	1
17533G	Rahan NS	Mallow	Cork	Prefab	4
17600S	Scartleigh NS	Midleton	Cork	Prefab	5
17609N	Rathcormac NS	Rathcormac	Cork	Prefab	1
17639W	CBS PS	Mitchelstown	Cork	Prefab	3
17667E	Whitechurch NS	Whitechurch	Cork	Prefab	2
17804L	SN Cnoc Na Manach	Minane Bridge	Cork	Prefab	1
17823P	Glantane NS	Mallow	Cork	Prefab	1
17972J	Killmurry NS	Lissarda	Cork	Prefab	1
17993R	Scoil Mhuire Gan Smál (B) (Glasheen BNS)	Glasheen	Cork	Prefab	3
18000W	Scoil Mhuire Naofa	Carrigtwohill	Cork	Prefab	3
18128C	Scoil Mhuire NS	Mallow	Cork	Prefab	1
18217B	Scoil Padre Pio	Churchfield	Cork	Prefab	2
18246I	Ballymoney NS	Ballineen	Cork	Prefab	1
18279A	Carrigaline No3 NS	Carrigaline	Cork	Prefab	2
18377A	St Joseph's NS	Fermoy	Cork	Prefab	1
18428O	Bailenóra NS	Tobar an Iarla	Cork	Prefab	3
18468D	St Mary's NS	Drimoleague	Cork	Prefab	1
18483W	School of the Divine Child	Ballintemple	Cork	Prefab	2
18497K	Scoil Inse Ratha	Little Island	Cork	Prefab	2
18535P	St John's GNS	Carrigaline	Cork	Prefab	6
19256Q	Scoil Ghobnatan	Mallow	Cork	Prefab	1
19351K	Cill Chriodain	Ladysbridge	Cork	Prefab	3
19381T	Rathmore NS	Skibereen	Cork	Prefab	1
19404F	Scoil Mhuire SN	Ballyhooly	Cork	Prefab	2
19415K	Scoil an Athar Tadhg	Carraig na bhFear	Cork	Prefab	5
19557H	Caheragh NS	Drimoleague	Cork	Prefab	1
19637F	Scoil Fhionnbarra	Béal Athan Ghaorthaidh	Cork	Prefab	2
19760E	Scoil Triest	Glanmire	Cork	Prefab	3
19761G	St Peter's NS	Dungourney	Cork	Prefab	1
19801P	Drimoleague Junior School	Drimoleague	Cork	Prefab	2
19839R	GS Ui Riordain	Baile an Chollaigh	Cork	Building, Land and Prefabs	6
19851H	GS de Hide	Fermoy	Cork	Building	
19881Q	GS Charraig Uí Leighin	Carraig Uí Leighin	Cork	Prefab	6
19906G	Cork School Project NS	Grattan St	Cork	Prefab	1
19909M	GS Pheig Sayers	New Mallow Rd	Cork	Building	
19978I	Maulatrahane Central NS	Skibereen	Cork	Prefab	1
19993E	GS an Ghoirt Alainn	Gort Alainn	Cork	Land	
20006A	GS Chloch na gCoillte	Cloch nagCoillte	Cork	Building	

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Roll No.	School Name	Town/ Townland	County	Desc. of rental	No. of Prefab Units
20025E	GS Droichead na Banndan	Droichead na Banndan	Cork	Building	
20049S	Ringaskiddy Lower Harbour NS	Ringaskiddy	Cork	Prefab	3
20074R	St Gabriel's Spec School	Bishopstown	Cork	Building	
20106E	Scoil Niocláis	Cork	Cork	Prefab	17
20107G	Gaelscoil Mhainistir na Corann	Mainistir na Corann	Cork	Buildings and Prefabs	7
20151J	Gaelscoil Mhuscraí	An Bhlarna	Cork	Building and Land	
20182U	St Enda's NS	Dunmanway	Cork	Prefab	1
20204E	Kilworth National School	Killworth	Cork	Prefab	1
20222G	Scoil Chuil-Aodha/Barr dInse	Maghcromtha	Cork	Prefab	1
20239A	Gaelscoil Ui Drisceoil	Rathchuanna, GleannMaglair	Cork	Building	
20265B	Gaelscoil ChionntSaile	Kinsale	Cork	Land and Prefabs	3
20310D	Carrigaline Ed Tog NS	Mountain Rd	Cork	Buildings	
20336V	Midleton Educate Together NS	Midleton	Cork	Building	
20354A	Cara Jnr School	Glanmire	Cork	Building	3
62050O	The Hamilton High School	Bandon	Cork	Prefab	2
62170B	Sacred Heart Sec School	Clonakilty	Cork	Prefab	1
62421A	Presentation Sec School	Mitchelstown	Cork	Prefab	1
62460K	St Francis College	Rochestown	Cork	Prefab	4
62730N	St Patricks College	Gardiners Hill	Cork	Prefab	1
91499E	Kinsale Community School	Kinsale	Cork	Prefab	1
07143K	Monreagh NS	Lifford	Donegal	Prefab	1
11843O	Niall Mor NS	Killybegs	Donegal	Prefab	1
12077E	Scoil Naomh Fiachra	Letterkenny	Donegal	Prefab	4
13755E	Gartan NS	Chruchill	Donegal	Prefab	1
16672P	Lurgybrack NS	Letterkenny	Donegal	Prefab	1
16821G	St Patricks GNS	Carndonagh	Donegal	Prefab	1
16903I	Faugher NS	Duntanaghy	Donegal	Building	
17721H	Scoil Treasa Naofa	Lifford	Donegal	Prefab	1
17728V	SN Talamh na Coitle	Letterkenny	Donegal	Prefab	1
18052S	Scoil Mhuire Gan Smal	Letterkenny	Donegal	Prefab	1
18520C	Scoil Phadraig	Clonmany	Donegal	Prefab	1
18625Q	Scoil Cholmcille	Letterkenny	Donegal	Prefab	2
18737E	Scoil Bhríde	Leifear	Donegal	Prefab	1
19313C	Glenswilly NS	Letterkenny	Donegal	Prefab	3

Roll No.	School Name	Town/ Townland	County	Desc. of rental	No. of Prefab Units
19343L	SN Dhubhthaigh	Letterkenny	Donegal	Prefab	1
19724A	Little Angels Special School	Letterkenny	Donegal	Prefab	1
19927O	Scoil Mhuire	Stranorlar	Donegal	Prefab	4
19967D	Scoil Iosagain	Buncrana	Donegal	Prefab	6
19971R	Gaelscoil Adhamhnain	Letterkenny	Donegal	Prefab	2
20097G	Gaelscoil Bhun Chranncha	Bhun Chranncha	Donegal	Building	
20144M	Gaelscoil Chois Feabhail	Bun an Phobail	Donegal	Building and Land	
20167B	Gaelscoil Eirne	Baile Átha Seanaidh	Donegal	Building and Land	
20235P	Letterkenny Educate Together	Letterkenny	Donegal	Prefab	12
62830R	St. Eunan's College	Letterkenny	Donegal	Prefab	4
71140Q	Crana College	Letterkenny	Donegal	Prefab	3
76081F	Colaiste Ailigh	Letterkenny	Donegal	Prefab	5
76107U	Gaelcholaiste Bhun Cranncha	Letterkenny	Donegal	Building	
00752A	Central Model Senior Mixed NS	Marlborough St	Dublin	Prefab	1
01170G	Naul National School	Naul	Dublin	Prefab	3
01795A	Central Model Infants School	Marlborough St	Dublin	Prefab	3
03359N	Ballyroan Boys NS	Rathfarnham	Dublin	Prefab	1
06200O	St Mary's BNS	Boosterstown	Dublin	Prefab	1
07546J	Our Lady of Lourdes NS	Inchicore	Dublin	Prefab	7
11583O	St. Andrew's NS	Malahide	Dublin	Building	
12014D	St Andrew's NS	Lucan	Dublin	Prefab	3
14180H	Holmpatrick NS	Skerries	Dublin	Prefab	1
16333Q	St. Patricks JNS	Skerries	Dublin	Prefab	2
16461C	St Finian's NS	Newcastle Lyons	Dublin	Prefab	4
16675V	Mulhuddart NS	Tyrrelstown	Dublin	Prefab	6
16860Q	Corpus Christi NS	Drumcondra	Dublin	Prefab	1
16972E	SS Peter and Paul JNS	Balbriggan	Dublin	Prefab	3
17055T	Scoil Naomh Mhuire	Saggart	Dublin	Prefab	4
17083B	Scoil Mhuire gan Smal	Dublin 8	Dublin	Prefab	1
17472M	Hedgestown NS	Lusk	Dublin	Prefab	1
17559B	St. Mary's NS	Garristown	Dublin	Prefab	1
17569E	St Oliver Plunkett NS	Balbriggan	Dublin	Prefab	2
17691E	Lusk NS	Lusk	Dublin	Prefab	1
17912O	St John Boscós SBS	Navan Rd	Dublin	Prefab	5
17953F	Edmondstown NS	Rathfarnham	Dublin	Prefab	1
17961E	Lusk NS	Lusk	Dublin	Prefab	15
17977T	Scoil Aine	Raheny	Dublin	Prefab	1
17978V	Naiscoil Ide	Raheny	Dublin	Prefab	2
18046A	Scoil Bhríde BNS	Blanchardstown	Dublin	Prefab	3

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Roll No.	School Name	Town/ Townland	County	Desc. of rental	No. of Prefab Units
18047C	Scoil Bhride GNS	Blanchardstown	Dublin	Prefab	4
18210K	St Michaels House Special School	Baldoyle	Dublin	Prefab	8
18386B	Marist NS	Crumlin	Dublin	Prefab	2
18411U	St Marys NS	Tallaght	Dublin	Prefab	3
18412W	Scoil Phdraic C	Donabate	Dublin	Prefab	1
18632N	SN Eoin Bosco	Navan Rd	Dublin	Prefab	1
18671A	St Michaels House	Rathgar	Dublin	Building	
18763F	St Michaels Special NS	Ballymun Rd	Dublin	Prefab	3
18778S	St. Mochta's NS	Clonsilla	Dublin	Prefab	7
18815V	Our Lady of Lourds	Dun Laogharie	Dublin	Prefab	1
18976W	St Colmcilles BNS	Swords	Dublin	Prefab	5
19066L	Loreto Primary	Dalkey	Dublin	Prefab	1
19220S	Scoil Ide	Clondalkin	Dublin	Prefab	2
19221U	Scoil Aine	Clondalkin	Dublin	Prefab	3
19259W	St. Patricks GNS	Foxrock	Dublin	Prefab	1
19281P	Mater Special School	James Joyce St	Dublin	Building	
19374W	Our Lady's Grove NS	Goatstown	Dublin	Prefab	4
19390U	St. Marks SNS	Tallaght	Dublin	Prefab	1
19435Q	St Francis Xavier JNS	Castleknock	Dublin	Prefab	5
19472W	St Marks JNS	Tallaght	Dublin	Prefab	5
19509T / 19510E	Talbot SNS	Clondalkin	Dublin	Prefab	3
19515O	St. Teresa's NS	Balbriggan	Dublin	Prefab	4
19535U	St Cronan's SNS	Swords	Dublin	Prefab	5
19545A	St Patricks JNS	Blanchardstown	Dublin	Prefab	1
19574H	Divine Word NS	Rathfarnham	Dublin	Prefab	2
19594N	St Pauls Youth Encounter Project	Finglas	Dublin	Building	
19601H	St Philip the Apostle JNS	Clonsilla	Dublin	Prefab	1
19605P	Scoil Mhuire JNS	Blakestown	Dublin	Prefab	1
19624T	St Catherine's NS	Rush	Dublin	Prefab	3
19625V	Scoil Realt na Mara	Skerries	Dublin	Prefab	3
19628E	St Fiachras SNS	Beaumont	Dublin	Prefab	3
19636D	St Patricks SNS	Blanchardstown	Dublin	Prefab	5
19652B	Sacred Heart NS	Tallaght	Dublin	Prefab	1
19660A	Rush NS	Rush	Dublin	Prefab	4
19662E	St Michael's Primary School	Ballyfermot	Dublin	Prefab	1
19676P	Scoil Aine Naofa	Lucan	Dublin	Prefab	2
19705T	Catherine McAuley NS	19 Lr Baggot St.	Dublin	Building	
19757P	St Michaels Special NS	Skerries	Dublin	Prefab	1
19782O	St Brigids JNS	Tallaght	Dublin	Prefab	5
19817H	Scoil Mhuire	Lucan	Dublin	Prefab	4

Roll No.	School Name	Town/ Townland	County	Desc. of rental	No. of Prefab Units
19834H	St Aidans NS	Brookfield	Dublin	Prefab	4
19877C	Holy Family SNS	Swords	Dublin	Prefab	2
19878E	Holy Rosary PS	Firhouse	Dublin	Prefab	9
19907I	Gaelscoil Mologa	Charleville Road	Dublin	Prefab	1
19926M	Gaelscoil Cholaiste Mhuire	Bac 1	Dublin	Building and Land	
19935N	Scoil Eoin Abacus	Kilbarrack	Dublin	Building	
19949B	Muslim NS	Clonskeagh	Dublin	Prefab	1
19991A	Ghaelscoil na Camoige	Clondalkin	Dublin	Building	
20012S	Griffith Barracks Multi D School	South Circular Rd	Dublin	Prefab	2
20021T	Henrietta St School	8 Henrietta St	Dublin	Building	
20028K	Setanta Special School	Stillorgan	Dublin	Prefab	4
20035H	St. Gabriels NS	Cowper St	Dublin	Prefab	1
20043G	Gaelscoil Chnoc Liamhna	Cnoc Liamhna	Dublin	Prefab	1
20047O	Gaelscoil Bharra	Cabra	Dublin	Land and Prefabs	2
20103V	John Scottus NS	47/49 Northumberland Rd	Dublin	Building	
20139T	Inchicore NS	Inchicore	Dublin	Prefab	3
20152L	North Dublin Muslim School	Navan Road	Dublin	Building and Prefabs	3
20168D	Glasnevin Educate Together NS	Glasnevin	Dublin	Prefab	2
20190T	Holy Trinity NS	Leopardstown	Dublin	Prefab	15
20220C	Gs Ui hEarcain	Glसानाon Road Finglas	Dublin	Building	
20223I	Gaelscoil Eiscir Riada	Leamhcan	Dublin	Building and Prefabs	2
20304I	St Francis of Assisi	Belmayne	Dublin	Land and Prefab	1
20308Q	Belmayne ETNS	Belmayne	Dublin	Land and Prefab	1
20334R	Gaelscoil Ros Eo	Rush	Dublin	Land and Prefabs	3
20348F	Hollywell ETNS	Swords	Dublin	Prefab	5
20372C	ABA Facility (Saplings)	Rathfarnham	Dublin	Building	
20378O	St Kevins (Abacus Unit)	Kilnamanagh	Dublin	Building	
20381D	Red Door Learning Centre	Monkstown	Dublin	Building	
60092U	Clonkeen College	Blackrock	Dublin	Prefab	3
60343T	St Josephs Sec School	Rush	Dublin	Prefab	3
60370W	St Fintan's High School	Sutton	Dublin	Prefab	1
60450U	Coláiste Mhuire	Bothar Rath Tó	Dublin	Building	
70010V	Balbriggan Community College	Balbriggan	Dublin	Prefab	2
70230M	Killester College	Collins Avenue	Dublin	Prefab	1
76062B	Castleknock Community College	Castleknock	Dublin	Prefab	2

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Roll No.	School Name	Town/ Townland	County	Desc. of rental	No. of Prefab Units
76085N	Gaelcholaiste Reachrann	Donaghmede	Dublin	Prefab	4
76130P	Luttrellstown Community College	Luttrellstown	Dublin	Prefab	7
81002K	Mount Temple Comprehensive School	Malahide Road	Dublin	Prefab	3
03607G	Leitrim NS	Loughrea	Galway	Prefab	1
04506F	Oranmore BNS	Oranmore	Galway	Prefab	7
05754G	SN Chreachmhaoil	Craughwell	Galway	Prefab	3
07551C	Ballinderreen NS	Kilcolgan	Galway	Prefab	2
09833W	Lettergesh NS	Renvyle	Galway	Prefab	1
10095T	Scoil Naomh Treasa	Ahascragh	Galway	Prefab	1
11675T	Annagh BNS	Tuam	Galway	Prefab	2
12954F	Scoil Bhride	Turloughmore	Galway	Prefab	2
13208V	Convent Primary School	Gort	Galway	Prefab	2
13365O	Scoil Mhuire	Oranmore	Galway	Prefab	6
13856K	St James' NS	Bushypark	Galway	Prefab	4
13914V	SN Sheosaimh	Bearna	Galway	Prefab	1
15228O	Corgary NS	Mountbellew	Galway	Prefab	1
16293H	Kilrickle NS	Loughrea	Galway	Prefab	1
16804G	SN Chlair na Gaillimhe	Baile Clar na Gaillimhe	Galway	Prefab	2
17444H	Scoil Seosaimh NS	Athenry	Galway	Prefab	2
17613E	Scoil Chaitriona Naofa	Ballinasloe	Galway	Prefab	2
17668G	Scoil na bhForbacha	Spiddal	Galway	Prefab	1
17759J	Scoil Bhride	Castlebar	Galway	Prefab	1
17782E	Scoil Bhride	Shantalla	Galway	Prefab	6
17807R	Cahergal NS	Tuam	Galway	Prefab	2
18089S	Scoil Mhuire an Gharran	Oranmore	Galway	Prefab	1
18112K	Scoil Eanna	Loughrea	Galway	Land and Prefabs	3
19544V	Kilchreest NS	Loughrea	Galway	Prefab	2
19567K	St Anne's School	Merlin Park	Galway	Building	
19803T	Scoil Sheamais Naofa	Bearna	Galway	Prefab	1
19965W	Scoil Mhuire	Clarinbridge	Galway	Prefab	2
19994G	GS Mhic Amhlaigh	Bothar na gCeapach, Cnoc na Cathrach	Galway	Prefab	3
19996K	St Brendan's NS	Portumna	Galway	Prefab	2
19998O	GS De hÍde	Oranmore	Galway	Building, Land and Prefabs	10
20000L	Galway Educate Together	Newcastle	Galway	Prefab	2
20042E	Scoil an Chroi Naofa Ballinasloe	Ballinasloe	Galway	Prefab	7
20061I	GS Iarfhiltha	Tuam	Galway	Building	
20070J	Rosedale School	Renmore	Galway	Prefab	7

Roll No.	School Name	Town/ Townland	County	Desc. of rental	No. of Prefab Units
20123E	Gaelscoil Riabhach	Baile Locha Riach	Galway	Land and Prefabs	4
20199O	Oughterard NS	Oughterard	Galway	Prefab	1
20211B	Claregalway ETNS	Claregalway	Galway	Building, Land and Prefabs	2
20237T	Gaelscoil Riada	Athenry	Galway	Building and Prefabs	7
20264W	GS na bhFili	Gort Inse Guaire	Galway	Building	
20326S	Kilcolgan Educate Together	Kilcolgan	Galway	Building, Land and Prefabs	3
20328W	St Teresa's Sp School	Ballinasloe	Galway	Building	
20350P	Merlin Woods Primary School	Doughiska Road	Galway	Land	
20371A	Abalta School	Galway	Galway	Building	
62870G	Presentation College	Athenry	Galway	Prefab	10
62880J	St Joseph's College	Ballinasloe	Galway	Prefab	1
62960H	St Joseph's Patrician College	Nuns Island	Galway	Building	
71330V	Colaiste na Coirbe	Bothar Thuama	Galway	Building and Prefabs	3
02849C	Kenmare BNS	Kenmare	Kerry	Prefab	1
03132I	Sliabh A'Mhadra NS	Ballyduff	Kerry	Prefab	1
04062S	Listowel Convent PS	Listowel	Kerry	Prefab	1
07841L	Kilgobnet N S	Killarney	Kerry	Prefab	1
08320L	St Clare's GNS	Kenmare	Kerry	Prefab	1
09708T	Scoil Mhuire	Knocknagoshel	Kerry	Prefab	1
13615L	Scoil Eoin	Tralee	Kerry	Prefab	1
15592M	Scoil Cheann Tra	Tralee	Kerry	Prefab	1
16217O	Scoil Bhreac Chluain	Annascaul	Kerry	Prefab	1
16898S	SN Breandan Naofa	Tralee	Kerry	Prefab	1
17915U	Freastogail Mhuire Mixed NS	Abbeydorney	Kerry	Prefab	1
18247K	CBS Tralee	Tralee	Kerry	Prefab	8
18702I	Spa NS	Tralee	Kerry	Prefab	1
19448C	Scoil Realt na Mara	Tuosist	Kerry	Prefab	1
19487M	Holy Cross Mercy NS	Killarney	Kerry	Prefab	1
19512I	St Oliver's NS	Killarney	Kerry	Prefab	7
19547E	St Francis Spec School	Beaufort	Kerry	Prefab	1
19986H	Scoil Naomh Eoin Baiste	Tralee	Kerry	Building	
20013U	GS Lios Tuathail	Listowel	Kerry	Prefab	1
20158A	Tralee ETNS	Oakpark, Tralee	Kerry	Building and Land	
61410N	Presentation Secondary School	Miltown	Kerry	Prefab	1
08099P	St. Laurences N S	Sallins	Kildare	Prefab	2
09414C	St Laurence's N S	Athy	Kildare	Prefab	2
12747A	Scoil na Mainistream De La Salle	Kildare	Kildare	Prefab	1

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15040T	Mercy Convent Primary School	Naas	Kildare	Prefab	6
15599D	St. Brigid's Primary School	Kildare Town	Kildare	Prefab	1
15957D	St. Patrick's Boys Primary School	Rathangan	Kildare	Prefab	1
16706G	St Joseph B.N.S	Kilcock	Kildare	Prefab	5
16707I	St Peter's BNS	Monasterevin	Kildare	Prefab	3
16845U	St Mochuo's N S	Naas	Kildare	Prefab	4
17254C	St Corbans	Naas	Kildare	Prefab	4
17674B	St Anne's NS	Kill	Kildare	Prefab	1
17968S	Two Mile House NS	Naas	Kildare	Prefab	3
18018S	Scoil Bhride NS	Rathangan	Kildare	Prefab	4
18288B	Scoil Mhichil Naofa	Athy	Kildare	Prefab	14
18449W	St. Conleth's NS	Carbury	Kildare	Prefab	6
18515J	Scoil an Lenbh Iosa	Naas	Kildare	Prefab	1
18644U	Straffan NS	Straffan	Kildare	Prefab	1
18988G	St. Raphaels SS	Celbridge	Kildare	Prefab	3
19675N	Scoil Bhride	Kilcullen	Kildare	Prefab	4
19796C	Scoil Phadraig	Clane	Kildare	Prefab	2
20058T	Gaelscoil Ui Fhiaich	Maigh Nuad	Kildare	Prefab	9
20114D	Scoil Bhride	Naas	Kildare	Prefab	3
20257C	St Patrick's NS	Celbridge	Kildare	Building	
00788V	Lisdowney NS	Ballyragget	Kilkenny	Prefab	1
01300Q	St Michael's NS	Danesfort	Kilkenny	Prefab	1
15632V	St Joseph's GNS	Kilmacow	Kilkenny	Prefab	1
16140F	Skeaghvasteen NS	Skeaghvasteen	Kilkenny	Prefab	1
16875G	St Patricks NS	Kilmacow	Kilkenny	Prefab	1
17093E	St Brendans NS	Ballyfoyle	Kilkenny	Prefab	1
17108O	St Johns Junior NS	Michael St	Kilkenny	Prefab	1
18660S	St Nicholas NS	Windgap	Kilkenny	Prefab	1
19344N	St Aidans NS	Kilmanagh	Kilkenny	Prefab	1
19626A	St Canices Co-Ed NS	Kilkenny	Kilkenny	Prefab	2
19856R	Gaelscoil Osraí	Kilkenny	Kilkenny	Prefab	5
20132F	High Support Special School	Callan Road	Kilkenny	Building	
20380B	Jonah Special School	Slieverue	Kilkenny	Building	
01556F	Scoil Bhride NS	Ballyroan	Laois	Prefab	1
07183W	St Josephs GNS	Mountmellick	Laois	Prefab	2
07636K	St Fintan BNS	Mountrath	Laois	Prefab	1
12231L	Rushall NS	Portlaoise	Laois	Prefab	1
13741Q	Rath NS	Portlaoise	Laois	Prefab	1
14838N	Maryboro NS	Portlaoise	Laois	Prefab	1
15446B	Gaelscoil Thromaire	Mountrath	Laois	Prefab	1
15556I	Presentation Convent Primary School	Portarlington	Laois	Prefab	1
17064U	St Patrick's NS	Ballylinan	Laois	Prefab	3

Roll No.	School Name	Town/ Townland	County	Desc. of rental	No. of Prefab Units
17557U	St Abbans NS	Mageny	Laois	Prefab	2
17617M	Scoil Chomhghain Naofa	Killeshin	Laois	Building and Prefabs	2
18150S	Scoil an Fraoich Mhoir	Portlaoise	Laois	Prefab	3
18547W	Faolan Naofa NS	Portlaoise	Laois	Prefab	1
18828H	St Pauls Primary	Portlaoise	Laois	Prefab	5
19747M	Scoil Bhríde NS	Portlaoise	Laois	Prefab	9
20224K	Gaelscoil an tSli Dala	Buirios Mor Osrai	Laois	Prefab	2
20347D	Portlaoise Educate Together NS	Portlaoise	Laois	Building	
16474L	St. Mary's NS	Carrigallen	Leitrim	Prefab	1
17233R	St Clare's NS	Manorhamilton	Leitrim	Prefab	1
19423J	St. Patrick's NS	Drumshambo	Leitrim	Prefab	2
20212D	Gaelscoil Liatroma	Cora Droma Ruisc	Leitrim	Land	
20260O	Gaelscoil Chluainin	Cluainin Ui Ruairc	Leitrim	Building	
02007A	Cronagh National School Rathleale	Rathkeale	Limerick	Prefab	1
06539H	Knockea NS	Ballyneety	Limerick	Prefab	1
07857D	Killinure NS	Brittas, Boher	Limerick	Prefab	1
09296W	Our Ladys Abbey NS	Adare	Limerick	Prefab	1
11422N	Mahoonagh	Castlemahon	Limerick	Prefab	1
16264A	St Marys Boys National School	Abbeyfeale	Limerick	Prefab	3
16443A	Scoil Phádraig Naofa Buachaillí	Dublin Road	Limerick	Prefab	1
16508C	Ahane NS	Lisnagry	Limerick	Prefab	1
16712B	Scoil Naomh Iosaf	Adare	Limerick	Prefab	1
17937H	Monaleen NS	Castletroy	Limerick	Prefab	1
18161A	Castleconnell NS	Castleconnell	Limerick	Prefab	2
18177P	St Annes Primary	Rathkeale	Limerick	Prefab	3
18426K	Scoil Ide Naofa	Ballagh	Limerick	Prefab	1
18653V	St Josephs BNS	Rathkeale	Limerick	Prefab	1
18692I	Catherine McAuley School. (SS)	Asbourne Ave	Limerick	Prefab	1
18991S	John F. Kennedy Memorial School	Ennis Road	Limerick	Prefab	2
19336O	St Pauls NS	Dooradoyle	Limerick	Prefab	10
19475F	St Brigids NS	Singland	Limerick	Prefab	2
19956V	Gaelscoil Sairseal	Sraid an Droichid	Limerick	Buildings	
20148U	Gaelscoil Chaladh an Treoigh	Moin a Lin	Limerick	Building, Land and Prefabs	8
20175A	Limerick East Educate Together NS	Mungret	Limerick	Building and Prefabs	2
20181S	Gaelscoil an Raithin	Tuar an Dail	Limerick	Building, Land and Prefabs	5
20185D	St Marys Boys National School	Island Road	Limerick	Prefab	2
20311F	Redhills NS	Patrickswell	Limerick	Prefab	4

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Roll No.	School Name	Town/ Townland	County	Desc. of rental	No. of Prefab Units
7610II	Gaelscholaiste Luimnigh	Meal Sior Anrai	Limerick	Building	
00860D	Forgney NS	Ballymahon	Longford	Land	
19429V	St. Christopher's Special School	Longford	Longford	Building	
20083S	Gaelscoil Longfoirt	Fearann ui Dhuagain	Longford	Land	
20124G	St Marys NS	Edgeworthstown	Longford	Building and Prefabs	5
20128O	St Matthews NS	Ballymahon	Longford	Prefab	4
00851C	Presentation Primary School	Drogheda	Louth	Prefab	1
01434O	St Colmcilles NS	Togher	Louth	Prefab	2
01553W	Louth NS	Dundalk	Louth	Prefab	1
01554B	Ballapousta NS	Drogheda	Louth	Prefab	3
08052M	Scoil Mhuire Fatima	Drogheda	Louth	Building and Prefabs	2
14069P	Dun Dealgan NS	Dundalk	Louth	Prefab	1
14651U	Castletown GNS	Dundalk	Louth	Prefab	1
15259C	St Malachys Girls Sch	Dundalk	Louth	Prefab	3
16208N	Termonfeckin Mixed NS	Drogheda	Louth	Prefab	2
17059E	Iosaif na mBraithre	Droich	Louth	Prefab	1
17195M	CBS Primary Dundalk	Dundalk	Louth	Prefab	3
17856H	Scoil Naomh Mhuire	Donore	Louth (see Meath for file)	Prefab	1
17865I	St Mary's BNS	Drogheda	Louth	Prefab	2
17949D	SN Padraig Naofa	Drogheda	Louth	Prefab	3
17965M	SN Bhríde	Omeath	Louth	Prefab	1
18098T	Scoil N Bhríde C	Drogheda	Louth	Prefab	2
18101F	Rampark NS	Dundalk	Louth	Prefab	1
18148I	Scoil Bhríde Lann Leire	Dunleer	Louth	Prefab	2
18504E	St Malachys Boys	Dundalk	Louth	Prefab	2
18635T	St Buite's NS	Dunleer	Louth	Prefab	2
19215C	SN Ard Mhuire	Drogheda	Louth	Prefab	5
19223B	SN Padraig Naofa	Drogheda	Louth	Prefab	2
19479N	Rathmullen NS	Drogheda	Louth	Prefab	9
19673J	St Josephs NS	Dundalk	Louth	Prefab	7
19678T	St Pauls Senior NS	Drogheda	Louth	Prefab	5
20171P	Ardee Educate Together NS	Ardee	Louth	Building, Land and Prefabs	3
20259G	St Francis NS	Blackrock	Louth	Building and Prefabs	5
20339E	Realt na Mara School	Dundalk	Louth	Prefab	1
20349H	Scoil Oilibheir Naofa	Drogheda	Louth	Land and Prefabs	4
20374G	ABA Facility	Drogheda	Louth	Building	
63870L	Drogheda Grammar School	Drogheda	Louth	Prefab	1

Roll No.	School Name	Town/ Townland	County	Desc. of rental	No. of Prefab Units
63900R	St Vincents Secondary School	Dundalk	Louth	Prefab	1
71770D	O'Fiaich College	Dundalk	Louth	Building	
91441T	Ardee Community College	Ardee	Louth	Prefab	1
04796R	Brackloon NS	Westport	Mayo	Prefab	3
07054L	Scoil Naomh Bríd	Ballina	Mayo	Prefab	4
11725I	Behymore NS	Ballina	Mayo	Prefab	4
12206M	SN Padraig	Knockmore, Ballina	Mayo	Prefab	1
13659I	Bekan NS	Claremorris	Mayo	Prefab	1
13667H	St. Josephs NS	Ballina	Mayo	Prefab	2
13758K	Templemary NS	Killala	Mayo	Prefab	1
13945J	Eskeragh NS	Bellalorick, Ballina	Mayo	Prefab	1
14400S	Richmond NS	Crossmolina	Mayo	Prefab	1
15539I	St Johns NS	Claremorris	Mayo	Prefab	1
15555G	Breaffy NS	Ballina	Mayo	Prefab	1
16122D	Scoil Mhuire	Claremorris	Mayo	Prefab	1
16170O	Cloghans NS	Knockmore, Ballina	Mayo	Prefab	1
16173U	Kinaffe Ns	Swinford	Mayo	Prefab	1
16283E	Pullathomas National School	Ballina	Mayo	Prefab	1
16904K	Lankill NS	Liscarney	Mayo	Prefab	1
16911H	Lahardane NS	Ballina	Mayo	Prefab	1
17082W	SN Chomain Naofa	Roundfort	Mayo	Prefab	1
17209U	Caoneal NS	Ballina	Mayo	Prefab	1
18070U	Muire Gan Smal	Claremorris	Mayo	Prefab	3
18145C	St Tiernans NS	Ballyhaunis	Mayo	Prefab	1
19375B	St Brid's Spec NS	Castlebar	Mayo	Prefab	3
19402B	Ballyvary Central NS	Castlebar	Mayo	Prefab	2
19451O	Holy Family NS	Newport	Mayo	Prefab	1
19972T	GS Uileog de Burca	Mhuiris	Mayo	Prefab	7
20084U	Scoil na gCeithre Maol	Beal an Atha	Mayo	Building	
20142I	Scoil Iosa	Ballyhaunis	Mayo	Prefab	2
20230F	Scoil Phadraig	Westport	Mayo	Prefab	2
64570E	Our Lady's Sec School	Belmullet	Mayo	Prefab	5
64690O	Scoil Mhuire and Padraig	Swinford	Mayo	Building	
00883P	St Annes	Navan	Meath	Prefab	1
01309L	St Patricks NS	Navan	Meath	Prefab	1
02905J	SN Naomh Padraig	Baconstown	Meath	Prefab	1
04210H	St Josephs NS (Kilmessan Mxd NS)	Kilmessan	Meath	Prefab	2
05630L	St Michaels NS Trim	Trim	Meath	Prefab	1
11039O	Kilbeg NS	Carltonstown, Kells	Meath	Prefab	1
15104T	Scoil Bhride	Navan	Meath	Prefab	2
16100Q	St Josephs Mercy P.S	Navan	Meath	Prefab	6

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Roll No.	School Name	Town/ Townland	County	Desc. of rental	No. of Prefab Units
16549Q	Scoil Naoimh Pio	Beauparc	Meath	Prefab	1
17520U	Robinstown NS	Navan	Meath	Prefab	2
17623H	O'Growney NS	Athboy	Meath	Prefab	4
17705J	Whitecross Primary School	Julianstown	Meath	Prefab	7
17821L	St Marys, Enfield	Enfield	Meath	Prefab	13
17839H	Duleek BNS	Duleek	Meath	Prefab	2
17840P	Scoil Bhainin Naofa/Duleek GNS	Duleek	Meath	Prefab	2
18106P	Lismullen NS	Navan	Meath	Prefab	3
18132Q	Scoil Mhuire	Kells	Meath	Prefab	1
18448U	Rathbeggan NS	Dunshaughlin	Meath	Prefab	1
18762D	Realt na Mara BNS	Donacarney	Meath	Prefab	3
18767N	Realt na Mara GNS	Mornington	Meath	Prefab	10
19560T	Saint Marys Special School	Navan	Meath	Prefab	2
19768U	St Marys NS	Asbourne	Meath	Prefab	1
20032B	Dunboyne Junior School	Dunboyne	Meath	Prefab	5
20051F	Gaelscoil na Boinne	Trim	Meath	Building	
20082Q	Gaelscoil Thulach na nOg	Dun Buinne	Meath	Building and Prefab	1
20164S	Navan Educate Together NS	Navan	Meath	Building and Prefabs	4
20191V	St Peters National School, Church Of Ireland	Dunboyne	Meath	Prefab	7
20200T	Ratoath Senior NS	Ratoath	Meath	Prefab	2
20352T	Ard Ri Community NS	Navan	Meath	Building	
20379Q	Stepping Stones Special School	Kilcloon	Meath	Building	
20382F	Gaelscoil na Mí	Ashbourne	Meath	Building	
91508C	Boyne Community School	Trim	Meath	Prefab	1
15142E	Donaghmoyne NS	Carrickmacross	Monaghan	Prefab	1
16769H	Latnamard NS	Smithboro	Monaghan	Prefab	1
16923O	SN iorball Sionnaigh	An Bhoth	Monaghan	Prefab	1
16954C	St Michaels NS	Castlehare	Monaghan	Prefab	1
17099Q	St. Josephs NS	Carrickmacross	Monaghan	Prefab	3
17686I	Scoil Mhuire BNS	Castleblaney	Monaghan	Prefab	2
19936P	Gaelscoil Ultain	An Cnoc	Monaghan	Prefab	2
20055N	GS Eois	Lios Darach	Monaghan	Building	
20327U	Gaelscoil Lorgan	15 Cloverhill	Monaghan	Building	
72170H	Ballybay Community School	Ballybay	Monaghan	Prefab	4
07949I	Oxmantown NS	Birr	Offaly	Prefab	1
17637S	St Joseph's NS	Tullamore	Offaly	Prefab	1
17827A	St Patrick's NS	Portarlinton	Offaly	Prefab	4

Roll No.	School Name	Town/ Townland	County	Desc. of rental	No. of Prefab Units
18057F	Scoil Mhuire NS	Tullamore	Offaly	Prefab	1
18364O	Scoil Muire Banrion	Edenderry	Offaly	Prefab	1
18406E	St Francis BNS	Clara	Offaly	Prefab	1
18797W	SN Naomh Iosef	Tullamore	Offaly	Prefab	2
20099K	Offaly School of Special Education	Tullamore	Offaly	Building	
20267F	Scoil Bhríde PS	Edenderry	Offaly	Land and Prefabs	6
20332N	Gaelscoil Eadan Doire	Edenderry	Offaly	Buildings	
65582Q	St. Mary's Secondary School	Edenderry	Offaly	Prefab	4
65620V	Sacred Heart School	Tullamore	Offaly	Prefab	2
14356S	Lisaniskey NS	Donamon	Roscommon	Prefab	1
16816N	Attyrory NS	Ballinaloe	Roscommon	Prefab	1
17266J	St. Mary's NS	Ballinagore	Roscommon	Prefab	1
18395C	Cloonakilla NS	Athlone	Roscommon	Prefab	1
19789F	St. Michaels School	Castlereagh	Roscommon	Building	1
20126K	GS De hÍde	Galway Rd	Roscommon	Building	1
65100S	Scoil Mhuire	Strokestown	Roscommon	Prefab	2
04487E	Achonry NS	Tubbercurry	Sligo	Prefab	1
14636B	Scoil Naomh Eanna	Carraroe	Sligo	Prefab	1
18053U	Soeey NS	via Boyle	Sligo	Prefab	1
18298E	Culfadda NS	Ballymote	Sligo	Prefab	1
18334F	Knockminna	Ballymote	Sligo	Prefab	1
18575E	Scoil Naomh Molaise	Grange	Sligo	Prefab	4
18979F	Scoil Ursula	Strandhill Rd	Sligo	Prefab	2
20044I	Gaelscoil Chnoc Na Re	Baile Ui Dhugain	Sligo	Building, Land and Prefabs	7
00590A	Borrisoleigh BNS	Thurles	Tipperary	Prefab	1
01594N	Scoil Eoin Naofa	Roscrea	Tipperary	Prefab	2
09190G	Boher NS	Ballina	Tipperary	Prefab	1
10120P	Our Lady of Mercy NS	Cahir	Tipperary	Prefab	2
11872V	Presentation Primary School	Carrick-on-Suir	Tipperary	Prefab	3
12540B	Clonmore NS	Templemore	Tipperary	Prefab	1
16077B	Ardfinnan NS	Clonmel	Tipperary	Prefab	1
16211C	Scoil Mochaomhog Naofa	Thurles	Tipperary	Prefab	1
16276H	Carrig NS	Nenagh	Tipperary	Prefab	2
17779P	Powerstown NS	Clonmel	Tipperary	Prefab	4
18062V	Grange NS	Clonmel	Tipperary	Prefab	2
18345K	Scoil Iosef Naofa	Roscrea	Tipperary	Prefab	4
18716T	Cahir BNS	Cahir	Tipperary	Prefab	3
19230V	Scoil Chormaic	Cashel	Tipperary	Building and Prefabs	5
19615S	Scoil Aonghusa	Cashel	Tipperary	Building	
20085W	GS Charraig Na Siuire	Carrick-on-Suir	Tipperary	Building and Prefabs	7

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Roll No.	School Name	Town/ Townland	County	Desc. of rental	No. of Prefab Units
72400V	Comeragh College	Clonmel	Tipperary	Building	
14686	Jonah Project ABA school	via Waterford	Waterford	Building	
01395H	Aglish National School	Cappoquin	Waterford	Prefab	1
17159I	Garranbane NS	Dungarvan	Waterford	Prefab	1
17525H	Light of Christ School	Dunmore East	Waterford	Prefab	1
17535K	S.N. Fionnabhair (Fenor NS)	Fenor	Waterford	Prefab	4
18094L	Scoil Mhuire	Dungarvan	Waterford	Prefab	2
18235D	St Marys BNS	Ferrybank	Waterford	Prefab	3
19108B	St Martins Special School	Ballytrunkle Road	Waterford	Prefab	2
19885B	Gaelscoil Philib Barun	Tra Mhor	Waterford	Prefab	4
20050D	Gaelscoil na nDeise	Bothar Grasta De	Waterford	Land	
20143K	Waterpark National School	Park Road	Waterford	Prefab	1
20160K	Waterford Educate Together NS	Tycor	Waterford	Building	
20170N	Bunscoil Chill Mhic Thomaisin	Kilmacthomas	Waterford	Prefab	4
64922J	Stella Maris Sec School	Tramore	Waterford	Prefab	4
64923L	CBS Secondary School	Tramore	Waterford	Prefab	6
64970U	Presentation Secondary School	Cannon Street	Waterford	Prefab	4
68078U	Gaelcholáiste Phort Láirge	Bothar Kilbarry	Waterford	Building and Land	
91509E	Blackwater Community School	Lismore	Waterford	Prefab	1
05916G	St Annes Ns Tyrrellspass	Tyrrellspass	Westmeath	Prefab	1
14603J	Convent Primary School	Rochfortbridge	Westmeath	Prefab	2
17025K	The Downs NS	Mullingar	Westmeath	Prefab	1
17102C	Cluain Buinne	Athlone	Westmeath	Prefab	1
17327D	Curraghmore NS	Mullingar	Westmeath	Prefab	6
17903N	Cornamaddy NS	Athlone	Westmeath	Prefab	1
18262G	SN Lochan a'Bhealaigh	Mullingar	Westmeath	Prefab	1
18405C	St Paul's NS	Athlone	Westmeath	Prefab	1
18505G	St Clares NS	Athlone	Westmeath	Prefab	2
18640M	St Josephs NS	Killucan	Westmeath	Prefab	4
18864L	Coosan NS	Athlone	Westmeath	Prefab	3
19848S	St Etchens NS	Kinnegad NS	Westmeath	Prefab	3
20063M	Scoil an Chlochair	Kilbeggan	Westmeath	Prefab	2
20073P	St Marys NS	Athlone	Westmeath	Prefab	1
20238V	GS an Choillín	Mullingar	Westmeath	Building, Land and Prefabs	5

Roll No.	School Name	Town/ Townland	County	Desc. of rental	No. of Prefab Units
20373E	ABA School (Saplings)	Mullingar	Westmeath	Building	
03633H	Our Lady of Lourdes NS	Bunclody	Wexford	Prefab	3
05070W	Scoil Chroi Ro Naofa	Enniscorthy	Wexford	Prefab	4
08221J	St Senans Primary	Enniscorthy	Wexford	Prefab	14
11986N	Mercy National School	Kennedy Park	Wexford	Prefab	3
16409A	St Marys NS	Gorey	Wexford	Prefab	1
16605A	Kilrane NS	Rosslare Harbour	Wexford	Prefab	2
16828U	Oylegate NS	Enniscorthy	Wexford	Prefab	2
17450C	Poulfour NS	New Ross	Wexford	Prefab	1
17610V	Scoil Baile Fada	Gorey	Wexford	Prefab	1
17768K	Castletown NS	Gorey	Wexford	Prefab	2
17800D	Bree NS	Enniscorthy	Wexford	Prefab	2
17841R	Scoil Mhuire	Enniscorthy	Wexford	Prefab	1
17913Q	Our Lady of Fatima NS	Barntown	Wexford	Prefab	3
18280I	St Josephs Boys Primary	Gorey	Wexford	Prefab	2
18336J	Boolavogue NS	Enniscorthy	Wexford	Prefab	1
18558E	Piercestown NS	Drinagh	Wexford	Prefab	2
19240B	St. Patrick's Special School	Enniscorthy	Wexford	Buildings	6
20003R	St Aidans Primary	Enniscorthy	Wexford	Prefab	10
20057R	GS Inis Córthaidh	Inis Corthaidh	Wexford	Prefab	8
20333P	Wexford ETNS	Wexford	Wexford	Building	
63640R	CBS Wexford	Wexford	Wexford	Prefab	1
68080H	Meanscoil Gharman	Enniscorthy	Wexford	Building	
01782O	SN Padraig	Arklow	Wicklow	Prefab	1
11372B	Scoil Mhuire Realt Na Mara	Brittas Bay	Wicklow	Prefab	1
12529N	St Saviour's NS	Rathdrum	Wicklow	Prefab	1
13932A	St Michaels GNS	Arklow	Wicklow	Prefab	1
14398L	Glebe NS	Wicklow Town	Wicklow	Prefab	3
16573N	St Brigid's NS	Greystones	Wicklow	Prefab	4
16634H	St Laurence O'Toole's NS	Roundwood	Wicklow	Prefab	1
16874E	St Joseph's GNS	Rathnew	Wicklow	Prefab	1
17181B	St Joseph's NS	Arklow	Wicklow	Prefab	10
17826V	Na Coroine Mhuire Mixed	Ashford	Wicklow	Prefab	2
18365Q	Kilmacanogue NS	Bray	Wicklow	Prefab	1
18502A	Talbotstown NS	Kiltegan	Wicklow	Prefab	2
18962L	St Ernan's BNS	Rathnew	Wicklow	Prefab	1
19522L	St Catherine's Spec School	Newcastle	Wicklow	Building and Prefabs	6
19573F	St Laurence's NS	Greystones	Wicklow	Prefab	1
19734D	St Francis's NS	Newcastle	Wicklow	Prefab	2

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Roll No.	School Name	Town/ Townland	County	Desc. of rental	No. of Prefab Units
20045K	Gaelscoil Chill Mhantain	Rath Naoi	Wicklow	Prefab	10
20080M	GS An Inbhir Mhoir	An t-Inbhear Mor	Wicklow	Building and Land	
20178G	Wicklow ETNS	The Murragh	Wicklow	Building	
20242M	Blessington ETNS	Blessington	Wicklow	Building	
20243O	GS Na Lochanna	Kilmalum	Wicklow	Land	
70740M	Arklow Community College	Arklow	Wicklow	Prefab	2
70790E	Colaiste Bhríde	Carnew	Wicklow	Prefab	5
76106S	Gaelcholaiste na Mara	Wicklow Town	Wicklow	Building and Land	

Pension Provisions

136. **Deputy Seán Crowe** asked the Minister for Education and Skills if he will provide a breakdown of the teachers and their salary grades who availed of pension payments under the national school teachers' superannuation scheme. [22544/12]

138. **Deputy Seán Crowe** asked the Minister for Education and Skills if he will provide a percentage breakdown of the teacher grades that availed of pension payments under the secondary teachers' superannuation scheme. [22546/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 136 and 138 together.

The number of retired teachers in receipt of pension benefit under the Primary School Teachers Pension Scheme is in excess of 13,000. The number of retired teachers in receipt of pension benefit under the Secondary, Community and Comprehensive School Teachers Pension Scheme is in excess of 9,500.

The Pension Unit of my Department is currently compiling detailed statistical data on the number of teachers who retired in the period up to February 2012. When compiled, this data will be published on my Department's website.

School Staffing

137. **Deputy Seán Crowe** asked the Minister for Education and Skills the number of teaching posts that have been cut as a result of the 2% reduction in spending for second level teaching salaries and the percentage of this budget that is paid to teachers teaching within the private school sector. [22545/12]

Minister for Education and Skills (Deputy Ruairí Quinn): This Government has protected education as much as it can. Far greater reductions in expenditure and in the number of public servants are being made in other sectors relative to those in schools. But there are limits to the level of expenditure on education and the number of teaching posts we can afford.

The Budget 2012 measures in relation to the post-primary sector are set out in the documentation that was published by my Department last December. This envisages a net overall reduction of about 450 posts at post-primary level between the current school year and the 2012/13 school year. This net reduction in posts takes account of the impact of the budget

measures, demographics and the budget decision to shelter all the DEIS post-primary schools through a reduced staffing schedule of 18.25:1.

The final overall staffing position for all schools at post 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 Board will have been considered.

Question No. 138 answered with Question No. 136.

Question No. 139 answered with Question No. 135.

Third Level Progression

140. **Deputy Seán Crowe** asked the Minister for Education and Skills if he will provide figures for the numbers of students who dropped out of third level education as a result of a cut or decrease resulting in the higher education grants scheme, the VEC's scholarship scheme, the third level maintenance grants scheme for trainees and the maintenance grants scheme for PLC students. [22548/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The HEA is responsible for the collection of data on student progression. The most recent report by the HEA entitled 'A study of Progression in Higher Education', published in October 2010, is available on the HEA website.

The proportion of new entrants in 2007/08 who were not present one year later was 15% on average across all sectors and NFQ Levels.

However, the Deputy will appreciate that a number of factors influence progression in higher education, and the study shows that prior educational attainment is a significant factor. My Department does not collect data in relation to the impact of reductions in the student grant on retention rates in further and higher education.

In the context of the current economic circumstances, difficult choices have been made by the Government to control public expenditure and to ensure sustainability. Despite the difficult circumstances in our public finances, my priority as Minister for Education and Skills is to preserve access, to the greatest extent possible, for the most disadvantaged students to further and higher education.

It is worth emphasising that 41% of all undergraduate students currently receive a grant and pay no student contributions. In addition, the Student Assistance Fund will continue to be made available through the access offices of third-level institutions to assist students in exceptional financial need.

Non-Presence Rates for New Entrants by Sector and NFQ Level (2008/09)

Sector	Level	Most Common Points Attained	% Not Present
Institutes of Technology	Level 6	250-300	25%
	Level 7	250-300	26%
	Level 8	300-350	16%
	L8 3 yr duration	300-350	16%
	L8 4 yr duration	300-350	16%
	L8 4+ yr duration	450-500	10%
	All New Entrants	300-350	22%

[Deputy Ruairí Quinn.]

Sector	Level	Most Common Points Attained	% Not Present
Universities	Level 8	400-450	9%
	L8 3 yr duration	350-400	10%
	L8 4 yr duration	450-500	9%
	L8 4+ yr duration	550-600	3%
Other Colleges	Level 8	450-500	4%
	L8 3 yr duration	450-500	2%
	L8 4 yr duration	400-450	7%
All Institutions	Level 8	350-400	11%
All Institutions	All New Entrants	350-400	15%

Question No. 141 withdrawn.

State Agencies

142. **Deputy Seán Crowe** asked the Minister for Education and Skills the FÁS personnel who are paid an annual wage of €80,000 or more. [22551/12]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): There are 49 FÁS staff currently in receipt of salaries in excess of €80,000 per annum as follows:

Table

Grade 1	1 (equivalent to Secretary General)
Grade 3	3 (equivalent to Assistant Secretary)
Grade 4	13 (equivalent to PO)
Grade 6	32 (equivalent to AP)
Total	49

FÁS Training Programmes

143. **Deputy Seán Crowe** asked the Minister for Education and Skills the numbers of persons who benefitted from FÁS training and supports from 2010 onwards. [22552/12]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): FÁS funds its training from a mixture of funding provided by the Exchequer and the National Training Fund. The table attached sets out the amounts allocated for FÁS training for the three years 2010 to 2012.

In 2010, 89,500 training places were provided on FÁS training programmes; this includes the Technical Employment Support Grant.

In 2011, according to the provisional outturn, 95,989 training places were provided on FÁS training programmes. This includes the Technical Employment Support Grant.

In 2012 up to 81,500 FÁS training places are being provided which included 6,500 under the new Labour Market Education and Training Programme. This excludes the Technical Employment Support Grant which is now under the remit of the Department of Social Protection.

Funding	2012 Estimate	2011 Outturn	2010 Outturn
	€'000	€'000	€'000
Exchequer	23,057	40,267	16,324
NTF	295,860	271,955	343,908
Total	318,917	312,222	360,232

Question No. 144 answered with Question No. 85.

Departmental Staff

145. **Deputy John Deasy** asked the Minister for Education and Skills the number of public servants that retired in Waterford city and county since the beginning of the year and the number of those that have been retired by the State. [23005/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The number of teachers who retired from primary and secondary schools in the months of January and February 2012 is 1166. The compulsory retirement age where applicable is generally attained at the end of the school year in which the teacher reaches age 65 years. Accordingly, no compulsory retirements are included in this figure. Information is not available on a regional basis. The Pension Unit of my Department is currently compiling detailed statistical data on teacher retirements for the months of January and February 2012. This information will be published on my Department's website.

Historical Sites

146. **Deputy Éamon Ó Cuív** asked the Minister for Public Expenditure and Reform if it is intended to provide all year tours and guides at Pearse's cottage Rosmuc, County Galway, in 2016; and if he will make a statement on the matter. [22453/12]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes): Pearse's Cottage, Rosmuc is open to visitors between Easter and end of August each year and on weekends only until end September. Preparations for commemoration of 2016 are ongoing and consideration will be given to Pearse's Cottage in that context. However it is improbable that visitor numbers, particularly in winter months, would warrant extending the extent of guide service currently provided.

147. **Deputy Éamon Ó Cuív** asked the Minister for Public Expenditure and Reform if it is intended to provide sign boards at Pearse's cottage in order that visitors who call during the closed season can get information on the significance of the site; and if he will make a statement on the matter. [22454/12]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes): Information panels will be developed for Pearse's Cottage to address the issue of interpretation during the closed season.

Retirement Age

148. **Deputy Olivia Mitchell** asked the Minister for Public Expenditure and Reform his views on requests from public servants to allow them to postpone retirement beyond the current 65 years cut off; and if he will make a statement on the matter. [22324/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): Staff who joined the Civil Service prior to 1 April 2004 are required under current legislation to retire at the maximum retirement age which is 65 years of age. Staff who joined the Civil Service after 1 April 2004 and are classed as new entrants, as defined in section 2 of the Public Service Superannuation (Miscellaneous Provisions) Act 2004, are not required to retire at 65 as the maximum retirement age was removed under this Act. There are changes proposed, which will change the retirement age for all civil and public servants in the new Public Service Pensions (Single Scheme) and Remuneration Bill 2011. However, these changes will only apply to new entrants from a specific future date. In addition we are required under the terms of the Memorandum of Understanding with the EU/ECB/IMF to reduce numbers in the Public Service. Allowing staff to stay beyond age 65 would significantly impact on our ability to reduce the overall numbers in the Public Service as retirement has been the primary driver in reducing numbers.

Flood Relief

149. **Deputy Catherine Murphy** asked the Minister for Public Expenditure and Reform if the Office of Public Works has the necessary funding available to address the severe flooding events that persist in the area of Alasty, Killeenmore and Turnings, near Straffan in County Kildare, where many homes, businesses, roads and the Dublin-Cork rail-line are impacted downstream of Johnstown and the M7 motorway; if there are initiatives that can be undertaken in the short-term to provide relief; and if he will make a statement on the matter. [22400/12]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes): Kildare County Council prepared a Pre-Feasibility Report in relation to the provision of a flood relief scheme for the Lower Morrell River, which includes the Alasty, Killeenmore and Turnings area, near Straffan, earlier this year. Following discussions with Office of Public Works officials, it was agreed that the council should apply to the OPW for funding to undertake a full feasibility and cost benefit analysis for the scheme. The council submitted a formal application to the OPW last month and a decision will be made shortly in this regard. The viability or cost of possible mitigation measures is not known at this stage.

Kildare County Council, in consultation with the OPW, has investigated the possibility of carrying out interim flood relief works to alleviate flooding in the area but the council has not been able to identify an engineering solution which was economically viable and environmentally sustainable. The OPW understands however that the council will undertake a programme of light maintenance works on the channel later this year, which should help the situation.

Public Sector Staff

150. **Deputy John Deasy** asked the Minister for Public Expenditure and Reform the number of public servants that retired in Waterford city and county since the beginning of the year and the number of those that have been retired by the State. [22428/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): My Department does not have any offices in Waterford city or county. Questions in relation to such offices should be put to the relevant Department.

An Coimisinéir Teanga

151. D'fhiafraigh **Éamon Ó Cuív** den Aire Caiteachais Phoiblí agus Athchóirithe cén uair a bheidh athbhreithniú déanta aige ar na moltaí atá curtha ar aghaidh ag an Roinn Coimirce Sóisialaí chuige agus a ndearnadh tagairt dóibh i bhfreagra ar cheist pharlaiminte Uimhir 117 an 26ú Aibreán 2012; agus an ndéanfaidh sé ráiteas ina thaobh. [22429/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): Tá mo Roinn ag déanamh breithniú ar mholtaí an Choimisinéara Teanga maidir leis an Roinn Coimirce Sóisialaí agus déanfaidh mo Roinn cinneadh i leith an chur chuige cuí sna míonna atá amach romhainn.

My Department is considering the recommendations made by the Language Commissioner to the Department of Social Protection and will be deciding on the most appropriate approach in the coming months.

Credit Guarantee Scheme

152. **Deputy Patrick Nulty** asked the Minister for Jobs, Enterprise and Innovation if he will provide an update on his plans to implement the credit guarantee scheme to support small and medium enterprises; when the scheme will come into effect; and if he will make a statement on the matter. [22355/12]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): I published the Credit Guarantee Bill on Tuesday 3rd April, and I will be progressing this legislation through the various stages in the Oireachtas over the coming weeks. In terms of timelines, the Government hope to enact the legislation by the end of May. Following the enactment of the legislation, it is envisaged that the Scheme will be going live shortly thereafter. A contractor was selected in February to operate the scheme, a Maynooth based company called Capita Asset Services Ltd, following a public tendering process.

The Scheme is intended to address two distinct barriers to lending; inadequacy of collateral (Pillar 1) and inadequacy of understanding of the novelty of a business model, market, sector or technology (Pillar 2). It will be exclusively targeted to address these particular market failures. Commercially viable, well performing micro, small and medium enterprises that have a solid business plan and a defined market for their products or services, thereby demonstrating their ability to repay the loan are the target of the scheme.

This Scheme will support new lending, encourage investment and company growth, save jobs and facilitate the creation of new jobs, and will boost trade. Term loans, other instruments with term loan-like structures, performance bonds and invoice finance will be covered by the Scheme. The minimum permissible loan value will be €10,000 and the maximum will be €1,000,000. Use of the Scheme is focussed on facilitating additional new lending, with refinancing of existing debt explicitly excluded.

The Scheme will facilitate up to €150 million of additional lending per annum. The benefits forecast to arise from this intervention in each year of operation, on the basis of each tranche of €150m of additional lending to SMEs, include:

- Over 1,300 jobs created.
- Over €25m of exchequer benefits in tax revenues and welfare cost savings.

Participation in the Scheme is open to all lending institutions who are able to satisfy a series of accreditation criteria focused on regulatory status and compliance, relevant SME lending activities, capacity to undertake additional lending and a commitment to behavioural change leading to greater innovation in SME lending. The accreditation process will be managed by the Operator.

Copyright Law

153. **Deputy Brendan Griffin** asked the Minister for Jobs, Enterprise and Innovation his

[Deputy Brendan Griffin.]

views on a matter regarding copyright (details supplied); and if he will make a statement on the matter. [22398/12]

Minister of State at the Department of Jobs, Enterprise and Innovation (Deputy Sean Sherlock): I wish to acknowledge the concerns that have been expressed by your constituent regarding the introduction of the European Union (Copyright and Related Rights) Regulations 2012 which were signed into law on 29 February, 2012. However, I would like to explain that this legislative measure concerning injunctions against intermediaries has been introduced to clarify the situation that arose following a High Court Judgment in the case of EMI and others -v- UPC. This judgment held that by reason of provisions of the Copyright and Related Rights Act 2000, an injunction is not available in cases of transient communications, and that Ireland did not comply with EU law. As you will appreciate, non-compliance with EU law is a very serious matter.

I am satisfied that the High Court now has significant guidance in the implementation of the legislative measure which has been introduced arising from the underpinning EU Directives, as interpreted by the recent Court of Justice of the European Union case law, to ensure that any remedy provided will uphold the following principles:

- Freedom to conduct a business enjoyed by operators such as ISPs;
- The absolute requirement that an ISP cannot be required to carry out general monitoring on the information it carries on its network;
- Any measures must be fair and proportionate and not be unnecessarily complicated or costly;
- The fundamental rights of an ISPs' customers must be respected, namely their right to protection of their personal data and their freedom to receive or impart information.

I would like to point out that I am determined to ensure that Ireland will be a premier location where innovation can flourish and where innovation is facilitated by our copyright laws. In this regard, I am committed to reviewing and updating the Copyright legislation currently in place in order to strike the right balance between encouraging innovation and protecting creativity.

In this context, please note that the Copyright Review Committee published a wide-ranging Consultation Paper on 29 February, 2012 which examines the current Copyright legislative framework to identify any areas of the legislation that might be deemed to create barriers to innovation. The Consultation Paper is a discussion document which sets out issues and concerns which were expressed to the Committee in submissions from a broad spectrum of interested parties on foot of an initial consultation process held during the summer of 2011 (in the region of 100 submissions were received during the initial consultation process).

The fundamental aim of this Paper is to begin the process of sketching reforms to Irish copyright law to further innovation without denying protection to those who need copyright law to innovate. I would specifically refer to Chapter 6 of the Review Committee's Consultation Paper which is concerned with intermediaries and it is stated that "One of the main questions for the present Review is whether the copyright balance between rights-holders and intermediaries now requires further amendment, in particular to incentivise innovation." If any interested party has any concerns in this regard, I would suggest that they engage with this review process.

Industrial Development

154. **Deputy John Deasy** asked the Minister for Jobs, Enterprise and Innovation the number of Industrial Development Agency site visits in Waterford city and county by the IDA since the 500 job losses at Talk Talk in 2011; and if he will make a statement on the matter. [22435/12]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): I am informed by IDA Ireland that in the seven month period since the announcement of the closure of Talk Talk in September 2011 there have been 12 IDA sponsored site visits by potential investors to Waterford city and county. There were a total of 11 such visits to Waterford in each of 2010 and 2011. Following on from the Talk Talk closure announcement, I directed that a report be prepared to investigate the particular issues affecting Waterford City and its hinterland and to outline a list of actions to be taken over the short and medium/long term to seek to address those issues. I launched the South East Employment Action Plan, which contains specific actions to address the specific unemployment problems affecting the South East, on 2nd December last and it is my intention to meet regularly with a forum representing the agencies and stakeholders to progress the implementation of the Plan.

The reality is that the structural challenges that the South East region faces have built up over many years and will not be reversed with a simple set of actions. What is required is to build a stronger enterprise base in the region as a whole. The Action Plan identifies many actions that can help deliver on that ambition of having a stronger local enterprise base, but this will achieve only so much. There are challenges for all agencies in the region to help build up the region's competitive advantage and then to promote it in a coordinated manner. In fact, one of the key issues that no single agency or Government Department can hope to address is the issue of the overall coherence of the region's "value proposition" to investors from home or abroad. What has arisen again and again in consultation with all the relevant stakeholders and agencies in the region is the need for greater co-ordination of effort from all those with an interest in improving the enterprise potential of the region.

In the case of IDA site visits, a company is generally shown three or four locations within a Gateway Economic Region that can meet its requirements. The South East Employment Action Plan includes a commitment by the agencies to assign a clear priority to the South East region. In selecting locations to market to client companies, IDA Ireland will endeavour to include locations which have been affected by closures/job losses. Whilst IDA Ireland seeks to influence the selection of a location, the final decision on where to visit and where to locate is taken in all cases by the investor. Meanwhile, we must not lose sight of the fact that at present there are 31 IDA Ireland client companies employing 5,196 people in Waterford city and county.

Public Sector Staff

155. **Deputy John Deasy** asked the Minister for Jobs, Enterprise and Innovation the number of public servants that retired in Waterford city and county since the beginning of the year and the number of those that have been retired by the State. [23010/12]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): In the period 1st January 2012 to date, 43 people retired from my Department, none of whom resided in Waterford City or County Waterford at the time of retirement. Of the 43, 19 were at minimum retirement age, 3 were compulsory retirements and 21 were early retirements. I have asked the agencies under the remit of my Department to respond directly to the Deputy in the matter.

Social Welfare Appeals

156. **Deputy Jack Wall** asked the Minister for Social Protection the position regarding an appeal against the decision to refuse an application for carer's allowance in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [22290/12]

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 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. These papers were received in the Social Welfare Appeals Office on 15th February 2012 and the case will be referred to an Appeals Officer who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an 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.

Redundancy Payments

157. **Deputy Jack Wall** asked the Minister for Social Protection the position regarding an application for statutory redundancy in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [22302/12]

Minister for Social Protection (Deputy Joan Burton): A redundancy lump sum claim in respect of the person concerned was received on 5 March 2012. It is expected that the claim will be finalised in the coming weeks.

Question No. 158 withdrawn.

159. **Deputy Paschal Donohoe** asked the Minister for Social Protection the position regarding a redundancy claim in respect of a person (details supplied) in Dublin 11; and if she will make a statement on the matter. [22307/12]

Minister for Social Protection (Deputy Joan Burton): A redundancy lump sum claim in respect of the person concerned was received on 31 August 2011. Redundancy lump sum claims received in July 2011 are currently being processed.

Social Welfare Benefits

160. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if and when carer's allowance will be paid in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [22342/12]

Minister for Social Protection (Deputy Joan Burton): I confirm that the Department is in receipt of an application for carer's allowance from the person in question. On completion of the necessary investigations relating to all aspects of his case a decision will be made and the person concerned will be notified directly of the outcome.

161. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the entitlement to old age pension in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [22343/12]

Minister for Social Protection (Deputy Joan Burton): A person aged 65 years, who has retired from insurable employment, and who satisfies certain qualifying conditions, may be

eligible for a State pension (transition). The person concerned has reached the age of eligibility for State pension (transition) and a claim form has been sent to him. On receipt of the completed claim form, his entitlement to pension and any backdating will be fully examined and he will be notified of the outcome without delay.

162. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the entitlement to old age pension in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [22344/12]

Minister for Social Protection (Deputy Joan Burton): The person concerned has reached the age of eligibility for State pension (contributory) and a claim form has been sent to her. On receipt of the completed claim form, her entitlement to pension will be fully examined and she will be notified of the outcome without delay.

163. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if and when payment of disability allowance will issue in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [22345/12]

Minister for Social Protection (Deputy Joan Burton): I confirm that an application for disability allowance has been received from the person concerned. The application has been referred to a Social Welfare Investigator for a means investigation. A decision on her entitlement to disability allowance will be made on receipt of the Social Welfare Investigator's report and the person will be notified directly of the outcome.

164. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if and when payment for invalidity pension will issue in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [22346/12]

Minister for Social Protection (Deputy Joan Burton): Invalidity pension is a payment for people who are permanently incapable of work because of illness or incapacity and who satisfy the contribution conditions. The person concerned attended for a medical assessment with a medical assessor of my Department. On the basis of this assessment, the medical assessor was of the opinion that the person concerned was not eligible for invalidity pension as he does not satisfy the medical criteria. The application for invalidity pension was, accordingly, disallowed by a deciding officer. The applicant was notified of this decision on 8 October 2011 and was advised of his right to request a review of the decision and also of his right to lodge an appeal with the social welfare appeals office. To date no further written correspondence has been received from the person concerned.

165. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if and when payment will issue in respect of an application for carer's allowance in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [22348/12]

Minister for Social Protection (Deputy Joan Burton): I confirm that the Department is in receipt of an application for carer's allowance from the person in question. On completion of the necessary investigations relating to all aspects of her case a decision will be made and the person concerned will be notified directly of the outcome.

166. **Deputy Michelle Mulherin** asked the Minister for Social Protection the position regarding a carer's allowance application in respect of a person (details supplied) in County Mayo; if she will expedite the application; and if she will make a statement on the matter. [22354/12]

Minister for Social Protection (Deputy Joan Burton): I confirm that the department is in receipt of an application for carer's allowance from the person in question. On completion of the necessary investigations relating to all aspects of her case a decision will be made and the person concerned will be notified directly of the outcome.

167. **Deputy Willie Penrose** asked the Minister for Social Protection the position regarding an application for domiciliary care allowance in respect of a person (details supplied) in County Westmeath; and if she will make a statement on the matter. [22357/12]

Minister for Social Protection (Deputy Joan Burton): There is no record of an application for domiciliary care allowance having been received from the person concerned.

Social Welfare Appeals

168. **Deputy Pat Breen** asked the Minister for Social Protection the position regarding an application for invalidity pension in respect of a person (details supplied) in County Clare; and if she will make a statement on the matter. [22381/12]

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 an assessment by a Medical Assessor who expressed the opinion that she was medically unsuitable for the allowance. An appeal was registered on 28 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 Protection and is responsible for determining appeals against decisions on social welfare entitlements.

Social Welfare Offices

169. **Deputy Joanna Tuffy** asked the Minister for Social Protection if there are plans to open a second social welfare office in Lucan; and if she will make a statement on the matter. [22382/12]

Minister for Social Protection (Deputy Joan Burton): There are no plans at present to open a second social welfare office in Lucan. Jobseeker claims for people living in the Lucan area are administered by the Social Welfare Local Office in Clondalkin. Signing-on for the majority of jobseekers occurs once in a 4-week period. However, to avoid the necessity for people in Lucan to travel to Clondalkin, the Department opened a signing centre in Lucan village.

That signing centre was initially open 2 days per month. However, with the increasing numbers claiming Jobseeker's payments, this was increased to 4 days and subsequently to 5 days per month since July 2010. The Department will continue to keep the arrangements for serving the Lucan area under review, in consultation with the Office of Public Works, which is responsible for the acquisition of all accommodation requirements for the Department.

Social Welfare Benefits

170. **Deputy Jack Wall** asked the Minister for Social Protection the position regarding an application for rent allowance in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [22394/12]

Minister for Social Protection (Deputy Joan Burton): The person concerned was requested to provide information necessary to assess entitlement. This information was received on 23 April 2012. The person concerned will be advised of decision within 5 working days.

Question No. 171 withdrawn.

Social Welfare Code

172. **Deputy Tom Fleming** asked the Minister for Social Protection if she will continue with the payment of domiciliary care allowance to the parents of children with autism; her views that this is a payment to assist children who need extra care; and if she will make a statement on the matter. [22409/12]

Minister for Social Protection (Deputy Joan Burton): Domiciliary care allowance (DCA) was originally introduced in the early 1970's in recognition of the extra care and attention provided by parents of children with a severe disability, who are cared for in their own home. The qualifying conditions for the scheme require that the child is under 16 years of age and has a disability so severe that it requires care and attention and/or supervision substantially in excess of another child of the same age. This care and attention must be given by another person, effectively full-time, so that the child can deal with the activities of daily living. The child must be likely to require this level of care and attention for at least 12 months.

Eligibility for the DCA is not based primarily on the medical or psychological condition, but on the resulting lack of function of body or mind necessitating the degree of extra care and attention required. Each application is assessed on an individual basis taking account of the evidence submitted and no specific condition or disability rules a child in or out of qualifying for the allowance. It is important to point out that applications for children with autism are processed in exactly the same manner as applications for children with other types of disability.

Prior to the transfer of the DCA scheme from the HSE in 2009, an expert medical group examined the scheme and made recommendations on how it should operate within the Department. These recommendations included the need for a review process and the minimum term that should apply to such reviews. A review policy is an integral part of all social welfare schemes and is necessary to ensure that payments continue to be made only to those customers who meet the qualifying conditions.

DCA cases are routinely reviewed to ensure that all the conditions for receipt of the payment continue to be met. Cases are reviewed based on either (i) a scheduled review on the recommendation of the medical assessor when the claim is initially processed or (ii) on information received about a change of circumstances which potentially affects the continued entitlement of a case already in payment.

Scheduled reviews, on the recommendation of the medical assessor, are based on the prognosis of the child's disability and how their care needs may change over time. Customers who are reviewed are asked to provide relevant up-to-date medical evidence and details of the additional care needs of their child versus a child of the same age who doesn't have their disability. This information is assessed by a medical advisor and a decision is made based on the medical opinion they provide. Where payment is stopped as a result of a review, the customer is invited to submit any further information they may wish to have considered and that information is further examined and/or they may appeal the decision directly to the Social Welfare Appeals Office.

Community Employment Schemes

173. **Deputy Jack Wall** asked the Minister for Social Protection if a person (details supplied)

[Deputy Jack Wall.]

in County Laois has an entitlement to a further discretionary year on the community employment scheme; and if she will make a statement on the matter. [22410/12]

Minister for Social Protection (Deputy Joan Burton): The person will complete 4 years on Community Employment in August 2012, and therefore after this date is no longer eligible to participate under the rules governing the programme. The person concerned should contact his local Employment Services Office to discuss other options that may be available to him.

Pension Provisions

174. **Deputy Jack Wall** asked the Minister for Social Protection her views on a submission (details supplied) regarding State pensions; her plans to address the issues raised; and if she will make a statement on the matter. [22417/12]

Minister for Social Protection (Deputy Joan Burton): I understand that the person in question has been in touch with my Department on a number of occasions and that a reply has issued to her on the queries raised by her which are similar to those raised here in this question. I also answered a parliamentary question on April 18th 2012 in relation to issues raised. I would again like to take this opportunity to outline why changes have to be made to pension provision. Social structures in Ireland are changing rapidly and the structures of our social support need to change to accommodate this.

The decision to make changes to State pension provision was taken in a budgetary context together with the changing demographics in Ireland and the fact that people are living longer and healthier lives. The number of people over age 65 is projected to treble by mid-century, by which time it is also expected that there will be less than 2 people of working age to every person aged 65 or over (compared to 6 today) with the associated increased expenditure on State Pensions. It is for these reasons that State pension provision has to change and the change to the rate bands is one of the measures planned which aims to increase the sustainability of the Irish pension system. Ireland is facing the same challenges other countries are facing and has taking similar steps.

Considerable consultation has taken place in relation to the State pension including a Green Paper on Pensions which was published in 2007 followed by a national consultation. Furthermore I have commissioned the OECD to review the long term pension policy in Ireland. A core principle of sustainable social protection systems in advanced economies is that citizens receive benefits in proportion to their contributions.

Recognising that the State pension contributory is a very valuable benefit, it is important to ensure that those qualifying have made a sustained contribution to the Social Insurance Fund over their working lives thereby ensuring equity in the social welfare system. This has always been part of our pensions system and changes to State pension contributory provision which were announced in Budget 2012 put an increased emphasis on this. Recipients of the State pension contributory who have contributed more will receive a more generous pension. For example, currently a person with an average of between 20 and 47 PRSI contributions per year over their working life receives a weekly State pension contributory of only €4.50 less than a person with a yearly average of 48 or more PRSI contributions. This is neither fair nor equitable.

To address this, a change to the rate bands was one of the reform measures announced in Budget 2012. The rate of State pension contributory paid to new applicants will be proportionate to the rate band appropriate to the average number of contributions paid. Those who have fewer contributions will receive a lower rate of pension. Furthermore, the principle that the

amount of pension paid should reflect the PRSI contributions paid over a working life needs to be adhered to if we are to be able to fund pensions into the future. By aligning the rate of pension paid with the number of contributions paid ensures that those who contribute more during a working life benefit more in retirement than those with lesser contributions. This is fair and equitable and puts us on a more financially sustainable track.

With effect from September 2012, the rate band of between 20 and 47 (24 and 47 for State pension transition) yearly average contributions will be replaced with new rate bands of between:

- 40 and 47 yearly average contributions,
- 30 and 39 yearly average contribution, and
- 20 and 29 yearly average contributions.

Therefore, the rate of State pension transition or State pension contributory paid to new applicants will be more appropriate to the average number of contributions paid over a working life. Those who have fewer contributions will receive a lower rate of pension. The maximum rate is unchanged as is the rate for those with yearly average contributions of between 40 and 47. While existing pension recipients are unaffected, the changes proposed will apply to new claimants from September 2012.

The total contributions approach, due to be implemented in 2020 and referred to in the question, will mean that the rate of pension payment made will be directly related to contributions made over a working life. The changes to rate bands due to commence in September 2012 goes somewhat towards this process. However, the averaging system, which is currently used will remain in place until the total contributions approach is implemented in full in 2020.

The homemaker scheme referred to, makes qualification for the State pension contributory easier for those who take time out of the workforce for caring duties. The scheme was introduced in and took effect from 1994. The scheme allows up to 20 years spent caring for children under 12 years of age or incapacitated adults to be disregarded when a person's social insurance record is being averaged for pension purposes. This scheme can be more beneficial to women as they are more likely to have periods of caring for children or incapacitated persons.

The homemaker disregard (or credit) will not, of itself, qualify a person for a pension. The standard qualifying conditions, which require a person to enter insurance ten years before pension age, pay a minimum of 520 contributions at the correct rate and achieve a yearly average of at least 10 contributions on their record from the time they enter insurance until they reach pension age, must also be satisfied. I have no plans to back date this scheme. In relation to raising awareness of the changes to State pension, an information campaign has been undertaken by my Department where the changes to State pension have been extensively outlined to all of the representative organisations and members of the public.

Social Welfare Appeals

175. **Deputy Willie Penrose** asked the Minister for Social Protection the position regarding a social welfare appeal in respect of a person (details supplied) in County Westmeath in relation to the disallowance of his illness benefit claim and if same can now be expedited; and if she will make a statement on the matter. [22419/12]

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 23 August 2011. It is a statutory requirement of the appeals process that the relevant Departmental papers

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and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. These papers were received in the Social Welfare Appeals Office on 27 January 2012 and the case has been referred to an Appeals Officer who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an 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

176. **Deputy Jack Wall** asked the Minister for Social Protection the position regarding an application for rent allowance in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [22433/12]

Minister for Social Protection (Deputy Joan Burton): The person concerned has made an application for rent supplement and was requested to provide further information on 20 April 2012. The referral for further information was sent to the person's new address. We have now been advised that the person concerned has not moved to the new address despite lease stating tenancy commenced 4 April 2012. A second request for further information will now be sent to person's current accommodation and a decision will be made on her application when the information is provided.

177. **Deputy Peadar Tóibín** asked the Minister for Social Protection the position regarding mortgage interest relief in respect of a person (details supplied). [22434/12]

Minister for Social Protection (Deputy Joan Burton): The person concerned is a casual worker and is also in receipt of a jobseeker's payment. She applied for a mortgage interest relief supplement in September 2011 and was disallowed as her means exceeded the limit. If her circumstances have changed, she may seek a review of the decision. Alternatively, she may, of course, appeal the decision directly to the Social Welfare Appeals Office. If she is experiencing financial hardship, she can discuss the situation with an officer in the local community welfare service who may be in a position to indicate whether there are any other supports that may be available to her.

Redundancy Payments

178. **Deputy Tony McLoughlin** asked the Minister for Social Protection the position regarding an application for statutory redundancy in respect of a person (details supplied) in County Sligo; and if she will make a statement on the matter. [22465/12]

Minister for Social Protection (Deputy Joan Burton): A redundancy lump sum claim in respect of the person concerned was received on 15 August 2011. Redundancy lump sum claims received in July 2011 are currently being processed.

Social Welfare Appeals

179. **Deputy John McGuinness** asked the Minister for Social Protection the position regarding an appeal in respect of a person (details supplied) in County Carlow; if she will expedite a response [22477/12]

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 21st 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 8th December 2011 and the case will be referred to an Appeals Officer who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an 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.

180. **Deputy John McGuinness** asked the Minister for Social Protection if an application for carer's allowance now under appeal will be expedited and approved in respect of a person (details supplied) in County Kilkenny. [22478/12]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that office on 12th April 2012. It is a statutory requirement of the appeals process that the relevant Departmental 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 who will make a summary decision based on the documentary evidence presented or, if required, hold an 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.

181. **Deputy John McGuinness** asked the Minister for Social Protection if she will expedite an application for disability benefit now under appeal in respect of a person (details supplied) in County Carlow. [22480/12]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeal Office has advised me that in accordance with the statutory requirements the person concerned has been contacted asking him to set out the complete grounds of his appeal. On receipt of a response from the person concerned, his appeal will be processed.

182. **Deputy John McGuinness** asked the Minister for Social Protection if she will expedite a decision on carer's allowance in respect of a person (details supplied) in County Kilkenny. [22482/12]

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 July 2011. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. These papers have been received in the Social Welfare Appeals Office and the case has been referred to an Appeals Officer who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an 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.

183. **Deputy John McGuinness** asked the Minister for Social Protection if she will expedite a response to an application for benefit now under appeal in respect of a person (details supplied) in County Kilkenny [22483/12]

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 25th April 2012. It is a statutory requirement of the appeals process that the relevant Departmental 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 who will make a summary decision in the case based on the documentary evidence presented or, if required, hold an 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.

184. **Deputy John McGuinness** asked the Minister for Social Protection if an application for payment of maximum carer's allowance now under appeal will be expedited in respect of a person (details supplied) in County Kilkenny. [22484/12]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that office on 12th April 2012. It is a statutory requirement of the appeals process that the relevant Departmental 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 who will make a summary decision based on the documentary evidence presented or, if required, hold an 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.

185. **Deputy Ciarán Lynch** asked the Minister for Social Protection when a decision will issue on an appeal for family income supplement in respect of a person (details supplied) in County Cork; and if she will make a statement on the matter. [22488/12]

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 20th January 2012 and the case has been referred to an Appeals Officer who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an 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

186. **Deputy Sandra McLellan** asked the Minister for Social Protection further to Parliamentary Question ref:18535/12 where she states, if a person's means are insufficient to meet their needs while awaiting a decision on an application, they may apply for a means tested supplementary welfare allowance payment from their local community welfare officer; the reason a person (details supplied) in County Cork was told that this is not the case and that I quote the Minister says things like that in the Dáil all the time; and if she will make a statement on the matter. [22553/12]

Minister for Social Protection (Deputy Joan Burton): The person concerned was refused carer's allowance on the grounds that the care recipient is not so disabled as to require full-

time care and attention as laid down in carer's allowance legislation. On 4 April 2012, she was notified of this decision and the reason for it. Additional medical evidence was subsequently received and forwarded to the medical assessor for further consideration. She will be notified of the outcome of the review in due course.

The supplementary welfare allowance scheme (SWA) is designed to provide immediate and flexible assistance for those in need who do not qualify for payment under other State schemes or who are awaiting a decision on a social welfare application. The partner of the person in question has recently been awarded a supplementary welfare allowance while awaiting decisions on their carer's and FIS claims respectively.

Departmental Staff

187. **Deputy John Deasy** asked the Minister for Social Protection the number of public servants that retired in Waterford city and county since the beginning of the year and the number of those that have been retired by the State. [23012/12]

Minister for Social Protection (Deputy Joan Burton): One civil servant from Waterford city and county retired from my Department since the beginning of the year. There were no retirements during this period from any of the agencies under the aegis of my Department, namely The Pensions Board, The Office of the Pensions Ombudsman and The Citizens Information Board.

Departmental Expenditure

188. **Deputy Robert Troy** asked the Minister for Arts, Heritage and the Gaeltacht the amount paid to private contractors to fly over bogs as part of its inspection regime to ensure compliance with the ban on turf cutting in protected areas; and if he will make a statement on the matter. [22371/12]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): No payments have been made to date by my Department in respect of these operations but invoices amounting to some €10,300 in respect of 8 flights, undertaken this year, are being processed for payment at present.

National Monuments

189. **Deputy Brendan Griffin** asked the Minister for Arts, Heritage and the Gaeltacht further to Parliamentary Question No. 261 of 27 March 2012, his views on this matter; and if he will make a statement on the matter. [22402/12]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): The ecclesiastical site at Kilgobnait, including church ruins, is part of the statutory Record of Monuments and Places compiled for Co Kerry under the National Monuments Acts. My Department's National Monuments Service will be pleased to provide guidance or assistance in relation to the care and conservation of the monument on request.

Turbary Rights

190. **Deputy Willie Penrose** asked the Minister for Arts, Heritage and the Gaeltacht his views on a bog (details supplied) which was designated as a special area of conservation; his views on the level of consultation that took place, with the various turbary/bank owners; if there has been any contact made with the persons affected, following his and the Minister for

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the Environment, Community and Local Government's trip to Brussels, to make contact with the relevant director general; and if he will make a statement on the matter. [22422/12]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): Officials from my Department have been in direct contact with turf-cutters' representative groups such as the Turf-Cutters and Contractors Association and the Irish Farmers Association for a number of years. My Department has also written to individual turbary-right and land owners in the SAC referred to. Over fifty applications have been received from turf-cutters on the SAC seeking compensation or relocation. Direct discussions were held with turf-cutters from this SAC in February of this year and my officials have been in contact with this group in the past few days, with a view to organising further discussions. The Group is to revert to my Department with a suitable date for such a meeting.

191. **Deputy Willie Penrose** asked the Minister for Arts, Heritage and the Gaeltacht his views on the level of cooperation there has been, between bog owners/bank owners/turbary right owners in relation to their rights under the compensation's scheme; and if contact has been made with each individual involved pointing out to them the various options, in relation to these bogs; and if he will make a statement on the matter. [22423/12]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): The Government put in place a compensation scheme for those affected by the cessation of turf cutting on raised bog special areas of conservation. This cessation of turf cutting compensation scheme now comprises a payment of €1,500 per year, index linked, for 15 years or, where feasible, relocation of turf cutters to non-designated bogs where they can continue to cut turf. Those wishing to relocate can avail of the financial payment or the delivery of 15 tonnes of cut turf per annum while relocation sites are identified and prepared. The costs of acquiring and preparing relocation sites will be met by the State. An additional once-off payment of €500 will be provided where legal agreements are signed with me, as Minister for Arts, Heritage and the Gaeltacht.

Last year my Department wrote to known owners of land and rights in the 53 raised bog special areas of conservation to inform them of the cessation of turf cutting on these sites and to invite applications for compensation. Advertisements were also placed in local and national newspapers. Over 1,700 applications for compensation have been received to date under the cessation of turf cutting compensation scheme and more than 380 payments have been made. Over 1,300 applicants have received acknowledgement letters from my Department. In addition, officials from the Department have contacted almost 300 applicants in the last few weeks to up-date them on the status of their applications and to discuss the compensation options available to them.

Payments have been made on the basis that applicants have indicated that they fulfil all the qualifying criteria of the scheme in the cessation of turf cutting compensation scheme application form. My Department has been checking and will be continuing to check that all of the qualifying criteria of the scheme have been met. In this regard, my officials have been working closely with turf cutters, the Department of Agriculture, Food and the Marine, as successor of the Land Commission, Bord na Móna and the Property Registration Authority to assist people to provide the necessary proof of legal interest.

Calafóirt agus Céanna

192. **D'fhiafraigh** Éamon Ó Cuív den Aire Ealaíon, Oidhreachta agus Gaeltachta cén dul chun cinn a dhéanfar i 2012 le pleanáil an mhéadaithe agus oibreacha eile in Inis Oírr agus an

bhfuil sé i gceist tosú ar an tógáil ar an gcéibh an bhliain seo chugainn; agus an ndéanfaidh sé ráiteas ina thaobh. [22431/12]

Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley): Tuigtear do mo Roinn go bhfuil cead pleanála agus ceadúnas forchladaigh faighte ag Comhairle Contae na Gaillimhe don fhorbairt atá i gceist. Tuigtear do mo Roinn fosta nach bhfuil sé beartaithe dul chun tairisceana sa ghearrthearma toisc nach bhfuil na hacmhainní ar fáil chun dul i mbun na forbartha faoi láthair ar Ché Inis Oírr.

Seirbhísí Farantóireachta

193. **D'fhiafraigh** Éamon Ó Cuív den Aire Ealaíon, Oidhreachta agus Gaeltachta an mbeadh sé sásta seirbhís bhreise i lár an lae Dé Domhnaigh a chur ar fáil sa gcéad chonradh eile don bhád farantóireachta go hInis Meáin agus Inis Oírr; agus an ndéanfaidh sé ráiteas ina thaobh. [22432/12]

Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley): Beidh an conradh farantóireachta chuig Inis Meáin agus Inis Oírr ag teacht chun críche ar an 31 Deireadh Fómhair 2012. Tá léiriú spéise á lorg trí chóras *etenders* ag mo Roinn faoi láthair i leith an chonartha nua a thosóidh ar an 1 Samhain 2012.

Cuimsíonn an léiriú spéise dhá rogha. Tá an chéad rogha ar aon dul leis an leibhéal seirbhíse atá ann faoi láthair, is é sin dhá sheoladh fillte in aghaidh an lae don bhliain iomlán. Is é atá i gceist leis an dara rogha ná seoladh fillte breise ar an Domhnach i rith an tsamhraidh. Déanfar cinneadh i leith an leibhéil seirbhíse nuair a bheidh measúnú dhéanamh ar na tairiscintí.

Turbary Rights

194. **Deputy Pat Breen** asked the Minister for Arts, Heritage and the Gaeltacht further to Parliamentary Question No. 145 of 16 February 2012, the position regarding an application in respect of a person (details supplied) in County Clare; and if he will make a statement on the matter. [22464/12]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): The individual referred to in the Deputy's question has applied to sell her interest in land in a raised bog special area of conservation under the voluntary bog purchase scheme, administered by my Department. A letter of offer for the purchase of the land had issued from my Department. However, no contracts for sale have been signed. I am advised that processing of applications on hand under this scheme has been slower than anticipated, due to capacity constraints in undertaking the work involved.

The Government agreed to a compensation scheme for those affected by the cessation of turf cutting on raised bog special areas of conservation. This cessation of turf cutting compensation scheme now comprises a payment of €1,500 per year, index linked, for 15 years or, where feasible, relocation of turf cutters to non-designated bogs where they can continue to cut turf. Those wishing to relocate can avail of the financial payment or the delivery of 15 tonnes of cut turf per annum while relocation sites are identified and prepared. The costs of acquiring and preparing relocation sites will be met by the State. An additional once-off payment of €500 will be provided where legal agreements are signed with me, as Minister for Arts, Heritage and the Gaeltacht.

Where applicants under the voluntary bog purchase scheme have not received a letter of offer or have received a letter of offer but contracts have not been signed, my Department has recently written to them to outline their options under the cessation of turf cutting compen-

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sation scheme as an alternative to proceeding with their applications under the voluntary bog purchase scheme.

Public Service Staff

195. **Deputy John Deasy** asked the Minister for Arts, Heritage and the Gaeltacht the number of public servants that retired in Waterford city and county since the beginning of the year and the number of those that have been retired by the State. [23001/12]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): I wish to advise the Deputy that no civil or public servants employed by my Department or agencies under its aegis, located in Waterford City and County, have retired since the beginning of the current year.

Fishing Licences

196. **Deputy Dara Calleary** asked the Minister for Communications, Energy and Natural Resources if he will confirm if a compensation fund will be established to compensate eel fishermen who's licences were decommissioned. [22558/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The 2007 EU Eel regulation (1100/2007), drafted in response to the endangered status of the European Eel, required EU States, including Ireland, to develop Eel Management Plans. Based on the scientific facts available, a recommendation of this plan was that Ireland closes both the commercial and recreational Eel fisheries in 2008. The then Central and Regional Fisheries Boards engaged with the eel fishermen representatives to investigate possible diversification schemes; however, no specific funding was identified for diversification.

I understand that a number of former eel fishermen have been contracted by the ESB to undertake Trap and Transport operations to mitigate the impact of hydropower schemes as part of the eel management plan. There is no property right attaching to public eel licences and consequently the issue of compensation is not relevant or appropriate, given that the closure of the fishery is being applied for conservation reasons under the Fisheries Acts. Given that context, I am sure the Deputy will also appreciate that in the current economic climate the Government does not have funds available to provide for compensation payments.

Energy Efficiency

197. **Deputy Dominic Hannigan** asked the Minister for Communications, Energy and Natural Resources if his attention has been drawn to the fact that a company (details supplied) which is inspecting work carried out by the better energy homes scheme also undertook the same work when it was the warmer home scheme; and if he will make a statement on the matter. [22330/12]

198. **Deputy Dominic Hannigan** asked the Minister for Communications, Energy and Natural Resources the way the Sustainable Energy Authority of Ireland undertook their tender for companies to inspect work under the better energy homes scheme; the number of companies that applied; the conditions for the tender; the length of the contract; the amount the contract was worth; the terms of the inspections that have to be carried out; and if he will make a statement on the matter. [22331/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): I propose to take Questions Nos. 197 and 198 together.

The Better Energy Homes scheme provides fixed grants to homeowners who wish to improve the energy performance of their homes through insulation and heating upgrades. The Better Energy Warmer Homes Scheme provides insulation services free of charge to vulnerable fuel poor homes, through a combination of Community Based Organisations and private contractors.

The Sustainable Energy Authority of Ireland (SEAI) administers both of these schemes. One key component of scheme governance is to ensure that the works have been completed to an appropriate standard. Inspections are conducted in accordance with checklists issued by the SEAI which assess conformance to the technical specifications for the works as published by the SEAI. The inspections are undertaken by an outsourced third party appointed by the SEAI in accordance with Public Procurement Guidelines. Until recently inspections under the separate schemes were subject to two separate contracts, both of which were awarded to Carillion, following Invitation to Tender Procedures conducted through *www.e-tenders.gov.ie* and the Official Journal of the European Union.

In order to verify compliance with the requisite standards, under the scheme, SEAI implements a technical inspection regime in accordance with the SEAI's detailed Quality Assurance and Disciplinary Procedure. A percentage of properties are inspected by suitably qualified personnel, in accordance with published checklists, to ascertain compliance with relevant aspects of the Technical Specification and Code of Practice. The overall technical inspection rate for the scheme has been around 11% of installations. The rate of inspections and the targeting of inspections is being enhanced by SEAI to ensure, among other requirements, that both large and small or new contractors are appropriately and proportionately covered under the technical inspection regime.

While technical inspections are largely, but not exclusively, focused on quality assurance, SEAI is currently implementing much greater use of prepayment verification inspections across all categories of installations and contractors as well as a programme of ongoing enhancement of scheme assurances and controls.

In August 2011, the SEAI commenced a procurement process with the aim of consolidating the contracts for inspections and related services across the Better Energy Programme. The procurement process was completed in full compliance with the Public Procurement Guidelines. The SEAI published the Request For Tender (RFT) on the e-tenders website and in the Official Journal of the European Union on 25th August, 2011 with a closing date for receipt of tenders of 4th October, 2011. The stated objective of the RFT was to appoint an organisation to provide the SEAI with a range of survey, inspection and related quality assurance services in accordance with the quality assurance objectives of the Better Energy Homes schemes.

A total of nine tenders were received by the deadline which were evaluated by an expert selection panel and scored in accordance with the published selection criteria and weightings. The selection panel met with a number of the tenderers in order to clarify aspects of their submissions.

The selection panel recommended the appointment of Kerrigan Sheanon Newman (KSN), a Dublin-based company, to the contract which was approved by the Board of the SEAI in December 2011. Approval is, in accordance with the published RFT, initially for a one year period and thereafter, subject to satisfactory performance, for a further period of two years. All bidders were notified of the outcome and the contract notification cooling off period commenced. Engagement of the winning bidder by the SEAI and transition from the incumbent service provider, commenced in mid-January. The contract value is estimated at €1.9m per annum, excluding VAT. The service is managed on the basis of a Services Contract (template

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published at time of RFT) and a Service Level Agreement with agreed Key Performance Indicators (KPIs), monitored and managed by the SEAI.

Broadcasting Services

199. **Deputy Éamon Ó Cuív** asked the Minister for Communications, Energy and Natural Resources if he has had any discussions with RTE regarding the continuance of long wave services from Ireland from the mast in Summerhill in County Meath in view of the importance of this signal to persons in northern Ireland and Britain and in view of the fact that internet broadcasting is not suitable for radio listeners in cars; and if he will make a statement on the matter. [22452/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): RTÉ is an independent national public service broadcaster whose remit and obligations are set out in Section 114 of the Broadcasting Act 2009. Section 98 provides that the company shall be independent in the pursuance of these objects, subject to the requirements of the Act, and as such I, as Minister, have no function in the management of RTÉ's day to day affairs, including decisions on how and on which platforms it wishes to transmit its radio service. Therefore, I have had no discussions with RTÉ on this matter.

Departmental Staff

200. **Deputy John Deasy** asked the Minister for Communications, Energy and Natural Resources the number of public servants that retired in Waterford city and county since the beginning of the year and the number of those that have been retired by the State. [23003/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): As my Department does not have offices in Waterford, I can confirm that there were no retirements from that location. Information in respect of bodies and agencies under the aegis of my Department is a day to day matter for those organisations and my Department does not have the information sought by the Deputy. I will, however, request the relevant Agencies and bodies under the aegis of my Department to respond directly to the Deputy on this matter.

Noise Pollution

201. **Deputy Jack Wall** asked the Minister for the Environment, Community and Local Government the legal provisions or mechanisms available to a person or community to protect them and or their families against protracted invasion of their privacy through noise pollution by neighbours or other persons in their locality (details supplied); and if he will make a statement on the matter. [22412/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Currently, a person experiencing noise nuisance may contact their local authority, which may initiate proceedings on grounds of noise nuisance under the Environmental Protection Agency Act 1992. This Act also provides for any person, or group of persons, to seek an order in the District Court to have noise giving reasonable cause for annoyance abated. The procedures involved have been simplified to allow action to be taken without legal representation. A public information leaflet A Guide to the Noise Regulations, outlining the legal avenues available to persons experiencing noise nuisance, is available on my Department's website www.environ.ie.

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 develop-

ment of new noise legislation by my Department will be considered in the context of this commitment; however, as indicated in the Government Legislation Programme published on 17 April 2012, it is not possible at this time to indicate when the legislation will be published, having regard to other priorities in the area concerned and the broader range of legislative priorities to be progressed across my Department's remit.

Planning Issues

202. **Deputy Catherine Murphy** asked the Minister for the Environment, Community and Local Government if, in view of the recent An Taisce State of the Nation report which highlighted several issues with regard to planning and development across the entire country, if he will be considering expanding the independent planning investigations process begun by his predecessor to include all 88 planning authorities in the State; and if he will make a statement on the matter. [22557/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): While the An Taisce Report presents a position on planning at the local level utilising a particular set of indicators, the Regional Planning Guidelines Implementation Annual Report 2011 prepared jointly by the 8 Regional Authorities in respect of their activities, also provides information on planning and development across the entire country, particularly in regard to the alignment of plans at national, regional and local levels. This report by the regional authorities is a first step in achieving a comprehensive overview of planning; it contains a commitment to ongoing monitoring and evaluation of Regional Planning Guidelines' implementation including by the establishment of a robust set of indicators.

Furthermore, my Department is currently examining the relevant recommendations of the Final Report of the Mahon Tribunal with a view to developing comprehensive responses to them. My focus is on finalising the current planning review and I have no plans to include any further planning authorities to assist this review.

Local Authority Housing

203. **Deputy Dessie Ellis** asked the Minister for the Environment, Community and Local Government if his attention has been drawn to the fact that local authorities have awarded contracts to development companies which have unfinished estates on their books; and if he intends to resolve this practice. [22568/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): As part of the Unfinished Housing Developments Public Safety Initiative, launched by my Department last year, unfinished housing developments fall within four categories:

- 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.

[Deputy Jan O’Sullivan.]

In circumstances where a developer is still active it is the responsibility of the local authority planning department to pursue the developer for completion of the development in line with the terms of the original planning permission. Similarly, where a developer is inactive but still in place the enforcement of the planning conditions is a matter for the relevant planning authority.

All capital investment projects funded by my Department are subject, *inter alia*, to EU and national public procurement requirements and guidance, as set out by the Department of Public Expenditure and Reform, relating to capital project management in the public sector. It is a matter for local authorities, as contracting authorities, to administer procurement processes in accordance with the relevant requirements and guidance. It is open to contractors to submit tenders under the relevant procurement processes, unless precluded by any of the conditions which apply to the competition, which include meeting requirements in respect of financial standing including tax compliance, insurance, ability to obtain a bond and technical capability.

Water Services

204. **Deputy Brian Stanley** asked the Minister for the Environment, Community and Local Government if he will consider redirecting funding away from installing water meters and towards upgrading the water pipe system in this State. [22570/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Government considers that charging based on usage is the fairest way to charge for water and it has decided that water meters should be installed in households connected to public water supplies. International evidence has shown that where meters have been installed significant reductions have been achieved in the level of consumption, and this is also borne out by the water savings achieved with metering in the group water sector. Mains rehabilitation does not address customer side leakage and does not impact on consumer behaviour. Mains rehabilitation needs to be sustained as part of long-term strategy complementary to metering rather than instead of it. Progress in relation to water conservation and water mains rehabilitation is set out in reply to Question No. 106 of 2 May 2012.

Noise Pollution

205. **Deputy Arthur Spring** asked the Minister for the Environment, Community and Local Government further to Parliamentary Question No. 145 of 25 April 2012, if he will clarify which section of the local authority is responsible for dealing with loud noise caused by dogs; if the local authority is responsible for dealing with noise by dogs on private property as well as local authority housing; his views on whether local authorities have been made aware of this responsibility; and if he will make a statement on the matter. [22291/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Control of Dogs Act, 1986 requires every local authority to employ one or more persons to be dog wardens for the purposes of the Act. The legislation does not specify the exact local arrangements to be made for implementation purposes, and no differentiation is made in the provisions dealing with nuisance by barking dogs between private property and local authority housing. The legislation has been in place for some time and it is a matter for the authorities themselves to determine the most appropriate arrangements, including administrative arrangements, for purposes of implementation.

206. **Deputy Arthur Spring** asked the Minister for the Environment, Community and Local Government further to Parliamentary Question No. 141 of 25 April 2012, if he will clarify

which section of the local authority has powers to investigate complaints about neighbourhood noise that affects quality of life under Section 108 of the Environmental Protection Agency Act 1992 and the Environmental Protection Agency Act 1992 (Noise) Regulations 1994; if he will make the local authorities aware of this power through communication from him; and if he will make a statement on the matter. [22293/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Currently, a person experiencing noise nuisance may contact their local authority, which may initiate proceedings on grounds of noise nuisance under the Environmental Protection Agency Act 1992. This Act also provides for any person, or group of persons, to seek an order in the District Court to have noise giving reasonable cause for annoyance abated. The procedures involved have been simplified to allow action to be taken without legal representation. A public information leaflet A Guide to the Noise Regulations, outlining the legal avenues available to persons experiencing noise nuisance, is available on my Department's website, *www.environ.ie*.

Section 107 of the Environmental Protection Agency Act 1992 provides local authorities with powers to require measures to be taken to prevent or limit noise from any premises, processes and works. The Environment Section of the relevant City or County Council is the appropriate contact point for reporting a noise nuisance in this regard.

My Department periodically meets with representatives of local authorities through the Environmental Enforcement Network (EEN). The key objective of the EEN is to foster co-operation between public service bodies involved in the enforcement of environmental legislation, including noise, so that a higher and more consistent standard of enforcement is achieved throughout the country. The legislative options for addressing noise complaints have been discussed at previous EEN meetings and I am satisfied that local authorities are broadly aware of their powers under Section 107 of the Environmental Protection Agency Act.

Building Regulations

207. **Deputy Niall Collins** asked the Minister for the Environment, Community and Local Government the engagement, if any, he has had with the Department for Finance in recent weeks to ensure the banks fully engage in the Priory Hall conciliation process; and if he will make a statement on the matter. [22373/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The recent adjournment for a period of three months of the legal proceedings in relation to Priory Hall to allow for an independent conciliation process chaired by Justice Finnegan provides an appropriate context for the parties concerned to work together towards identifying a way forward in relation to this complex problem. While I have no role in relation to the conciliation process I have strongly encouraged the financial institutions, the residents of Priory Hall and Dublin City Council to engage fully with this new process to give it every chance to succeed. No one at this point can anticipate the outcome of the process and it is important that all concerned now afford Mr. Justice Finnegan the opportunity to complete the task which he has been given.

Unfinished Housing Estates

208. **Deputy Niall Collins** asked the Minister for the Environment, Community and Local Government the amount of money that has been spent from the €5m unfinished estates fund established in February 2011; and if he will make a statement on the matter. [22376/12]

209. **Deputy Niall Collins** asked the Minister for the Environment, Community and Local Government his plans for the future development of the unfinished estates fund; and if he will make a statement on the matter. [22377/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): I propose to take Questions Nos. 208 and 209 together.

Under the Public Safety Initiative my Department has made allocations totalling some €2.94 million to 21 local authorities from the funding allocation made available to address immediate safety issues in 2011. The types of works that have been approved to date include the fencing off of unsecured and hazardous areas, capping of pipes, installation of street lighting and other works to secure sites. A provision of €2m has been made for 2012 and my Department will be making further allocations as applications are received from local authorities and assessed. To date, a total amount of €1.544 million has been drawn down by local authorities.

Planning Issues

210. **Deputy Catherine Murphy** asked the Minister for the Environment, Community and Local Government if his attention has been drawn to whether or not Carlow, Longford and Roscommon county councils have adopted a core strategy in accordance with the provisions of the Planning and Development (Amendment) Act 2010 which includes a legal requirement that a core strategy must be prepared within one year of the adoption of the relevant Regional Planning Guidelines applicable to the county; the sanctions he proposes to take in respect of counties which are not legally compliant; and if he will make a statement on the matter. [22401/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): It is a matter for the locally elected members of planning authorities to introduce the evidence-based core strategy provisions in new development plans and variations to existing plans in line with the Planning and Development (Amendment) Act 2010. It is also a matter for the elected members to ensure that local area plans are consistent with the development plan thereafter.

On foot of the Regional Planning Guidelines Implementation Annual Report 2011 prepared jointly by the 8 Regional Authorities in respect of their activities, including ensuring proper oversight of the alignment of plans at national, regional and local levels, my Department issued a Circular Letter to planning authorities on 3 April 2012 reminding them of their statutory obligations. Furthermore, where planning authorities had not yet adopted core strategies in their development plans, they have been requested to provide a status report setting out the reasons for the delay together with a planned timescale for completion of same. These reports will inform whether or not any further action is necessary.

Household Charge

211. **Deputy Brendan Griffin** asked the Minister for the Environment, Community and Local Government his views on a matter regarding exemptions from the household charge and water charges (details supplied); and if he will make a statement on the matter. [22408/12]

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 provide the legislative basis for the household charge. Interpretation of the legislation is a matter for legal advice in individual cases and ultimately a matter for the Courts. 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 (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 established an independently chaired Inter-Departmental expert Group to consider the structures and modalities for an equitable valuation based property tax. The Group will complete its work and make recommendations to me shortly. Following consideration of the Group's recommendations, I will bring proposals to Government on the full property tax as soon as possible. It will then be a matter for the Government to decide on the structure and modalities of the full property tax.

In relation to water pricing, Irish Water, which will assume the operation of water services from local authorities, will be required to have a range of options in place to assist householders who have difficulties in paying their bills. For example, a wide range of flexible payment options are available for the other utility services and it is expected that these will be replicated for water services. The Regulator will address affordability issues, including in respect of persons with medical conditions, in consultation with my Department and the Department of Social Protection in the context of developing a water pricing framework.

212. **Deputy John Deasy** asked the Minister for the Environment, Community and Local Government the number of households in Waterford city and county that are liable for the household charge and the number that have paid this charge to date. [22425/12]

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 provide the legislative basis for the household charge. Interpretation of the legislation is a matter for legal advice in individual cases and ultimately a matter for the Courts. 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. The information requested is set out in the table under:

County/City Council	Estimated No. of Residential Properties Liable to Household Charge	Registered for Payment of Household Charge on 1/5/12
Waterford County Council	24,777	10,068

[Deputy Phil Hogan.]

County/City Council	Estimated No. of Residential Properties Liable to Household Charge	Registered for Payment of Household Charge on 1/5/12
Waterford City Council	15,753	6,465

It must also be noted that there are an estimated 183,500 household charge declarations which have been made through the post and over the counter in local authority offices that have yet to be processed. These declarations are therefore not included in this table and a county/city breakdown is not yet available in respect of them. In addition, 15,336 declarations have been received where a waiver from payment of the household charge is claimed and these declarations are not included in the figures.

213. **Deputy John Deasy** asked the Minister for the Environment, Community and Local Government the number of households in Waterford city and county who have registered for the non principal private residence. [22426/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The number of properties in respect of which the non-principal private residence (NPPR) charge has been paid as of 1 May, 2012 is set out in the following table. Owners of residential property liable to the charge have up to 30 June, 2012 to pay the 2012 NPPR and avoid the application of late payment fees:

Year	2009	2010	2011	2012
Waterford County Council	4,364	4,345	4,360	248
Waterford City Council	4,586	4,457	4,295	253

Water Services

214. **Deputy Michael McCarthy** asked the Minister for the Environment, Community and Local Government when a decision will issue on an application for funding by Cork County Council (details supplied); if he will take into consideration the need to release funding to the council in order that they can repair a problem which is causing frequent distress to many residents in Kinsale, County Cork; and if he will make a statement on the matter. [22442/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): My Department has been in correspondence with Cork County Council in relation to water conservation works but no formal submission has been received to date from the Council in relation to the works in question.

Housing Statistics

215. **Deputy Éamon Ó Cuív** asked the Minister for the Environment, Community and Local Government the number of new housing units completed each year since 1980 broken down between apartments and houses; the number expected to be completed each year for the next five years; and if he will make a statement on the matter. [22450/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): My Department collates and publishes a wide range of housing statistics that inform the preparation and evaluation of housing policy and these can be viewed on my Department's website www.environ.ie. While data regarding housing completions are available

online back to 1970, no breakdown by housing type is available prior to 1994. Future output depends on a wide range of factors and my Department does not make output predictions for the wider housing market.

Local Government Reform

216. **Deputy Simon Harris** asked the Minister for the Environment, Community and Local Government his plans for local government reform; the time frame for implementations of these reforms; and if he will make a statement on the matter. [22455/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Work on the reform of local government is already underway following Government decisions to merge Limerick City and County Councils and North and South Tipperary County Councils by mid-2014. Progress reports have been submitted by the Reorganisation Implementation Groups in these areas and each Group is due to produce an Implementation Plan by mid-2012. The report of the Waterford Local Government Committee, which was established to consider whether Waterford City and County Councils should be unified, was submitted to me recently and is under examination.

Building on these actions, I intend to bring wider policy proposals to Government in the near future for an action programme on local government, with particular focus on strengthening structures generally at regional, county and sub-county levels and expanding the role of local government as per the Programme for Government. The reform programme will also reflect other work under way in relation to local government efficiency implementation and financing and will broadly map out further aspects of the local government system on which reform proposals will be considered.

217. **Deputy Simon Harris** asked the Minister for the Environment, Community and Local Government the reason motor tax, driving license applications and other similar functions cannot be processed by town council offices in a location (details supplied); if he intends to address this as part of his plans to reform local Government structures; and if he will make a statement on the matter. [22456/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The licensing authority for the purpose of motor tax and driving licences in Wicklow is the County Council and the administrative arrangements for the provision of services by a local authority within its functional area are a matter for that authority. Most motor tax transactions can be done by post or online and driving licence applications can be made by post and, accordingly, such transactions do not require a visit to a motor tax office. However, I understand that there is an area office in Bray, which opens three mornings a week with the facility to process motor tax applications. I envisage that decisions on the delivery of motor tax services at local level will remain a matter to be determined by the relevant licensing authority. Future delivery of the driving licence service is a matter for the Minister for Transport, Tourism and Sport.

Local Authority Housing

218. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Community and Local Government the extent to which he is aware of the concerns of families with shared ownership mortgages who are currently at a disadvantage arising from a situation of almost nil equity in their homes despite paying a mortgage on half the value of the property and rental

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on the remainder of the property for several years; if it is intended to examine this issue with a view to resolution in the near future; and if he will make a statement on the matter. [22489/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): I refer to the reply to Question No. 10 on today’s Order Paper which sets out the position in this matter.

219. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Community and Local Government the extent of local authority housing applicants currently on waiting lists for re-housing; the extent to which it is planned to provide houses for such persons thereby eliminating the need for rent support which in turn prevents such applicants from obtaining employment which would result in loss of rent support; his plans if any to address this issues in the near future; and if he will make a statement on the matter. [22490/12]

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 at any given time. This number inevitably 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.

The Government’s housing policy statement, published in June 2011, clearly identifies that the priority for Government will be to meet the most acute needs of households applying for social housing support. 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 from €1.535 billion in 2008 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.

Nevertheless, the Government is committed to responding more quickly and on a larger scale to social housing support needs through a variety of mechanisms, including through increased provision of social housing. Delivery of social housing will be significantly facilitated through more flexible funding models such as the Rental Accommodation Scheme and leasing, but the Government is also committed to developing other funding mechanisms that will increase the supply of permanent new social housing. Such mechanisms will include options to purchase, build to lease and the sourcing of loan finance by approved housing bodies for construction and acquisition. There is also obvious potential, across a range of housing programmes, for the Government’s objective of sourcing and providing suitable residential units for use as social housing to be aligned with the commercial objectives of the National Asset Management Agency (NAMA).

Community Development

220. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Community and Local Government the extent to which community support is likely to be administered through him in the future; the nature of such support; and if he will make a statement on the matter. [22491/12]

226. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Community and Local Government the extent to which his Department continues to engage with locally based community groups with a view to addressing and supporting areas of social and economic deprivation throughout the country; and if he will make a statement on the matter. [22497/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 220 and 226 together.

The key objectives of my Department's Community Division are to facilitate integrated development at local level and foster vibrant, sustainable and inclusive communities; and to support the Community and Voluntary Sector in its contribution to an active, democratic and pluralist society. My Department continues to be responsible for a range of programmes and initiatives to support communities including the Local and Community Development Programme (LCDP), the Rural Development Programme 2007-2013 (RDP), the Seniors Alert Scheme, RAPID (Revitalising Areas by Planning, Investment and Development) Programme, the Scheme to Support National Organisations in the Community and Voluntary Sector and the Forum on Philanthropy and Fundraising.

The objective of the LCDP is to tackle poverty and social exclusion through partnership and constructive engagement between Government, its agencies, and people in disadvantaged communities. It is a key tool of Government in providing supports for the 'harder to reach' in the most disadvantaged areas in society. The Government's commitment to enabling rural communities to become self sufficient has been reaffirmed this year through increased funding for Axes 3 and 4 (LEADER Axes) of the RDP giving a total allocation for 2012 of €96 million. The LEADER approach ensures that communities are involved and have a say in their own development choices.

In terms of future approaches, the government is committed, under the Programme for Government to reviewing the delivery of local and community development functions by exploring options to improve the alignment of these functions with those of local government. In this regard, I refer also to the reply to Question No. 54 on today's Order paper.

Local Authority Housing

221. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Community and Local Government the number of local authority houses likely to be built or acquired from existing housing stock by each local authority in the current or future years; and if he will make a statement on the matter. [22492/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): Given the reduced level of capital resources available under my Department's Social Housing Investment Programme, there is a shift away from the traditional local authority housing construction and acquisition programmes towards more flexible funding models based around the Social Housing Leasing Initiative, the Rental Accommodation Scheme and using more limited Exchequer funds to leverage private finance for the delivery of new housing supply.

With a view to making optimum use of the capital funding available under the housing programme over the 2012-14 period, I intend to announce details of a 3-year programme of new local authority housing construction and acquisition later this year. Local authorities were requested, in October 2011, to submit proposals for projects to be advanced in 2012 and the following two years. Authorities were advised that priority consideration will be given to projects that complete earlier phases of projects, provide small infill developments and/or can leverage additional housing units through a combination of capital and leasing monies. It is not

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possible at this stage to provide details of individual projects or the numbers of housing units to be delivered under the programme.

222. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Community and Local Government the extent to which funding is available through the local loans fund or otherwise to meet the housing requirements of first time house buyers or those on local authority housing waiting lists; and if he will make a statement on the matter. [22493/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): No funding restrictions have been placed on local authorities for the purposes of providing loan finance for house purchase or home improvement. Allocations totalling over €51m issued to local authorities for House Purchase and House Improvement lending in April 2011, an increase of almost €20m (or 61%) on the 2010 allocation of almost €31m. These allocations represent borrowings ceilings rather than financial provisions. Allocations for the provision of loan finance in 2012 are currently being prepared.

National Asset Management Agency

223. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Community and Local Government if he has any information or knowledge as to whether recent distressed property sales by the National Assets Management Agency have shown that any substantial proportion of such sales have gone to address the housing needs of first time buyers throughout the country as opposed to investors; and if he will make a statement on the matter. [22494/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): The information sought is not collected by my Department. I have no function in respect of the sale of private residential property or the sale of property by the National Asset Management Agency.

Fire Services

224. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Community and Local Government the degree to which part time fire services operated by the local authorities are likely to be provided for in the future in view of the increased awareness of fire safety; and if he will make a statement on the matter. [22495/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Fire services are provided by the 37 statutorily designated fire authorities. The provision of a fire service in its functional area, including the establishment and maintenance of a fire brigade, the assessment of fire cover needs, the provision of a premises and the making of such other provisions as it considers necessary or desirable, is a statutory function of individual fire authorities under Section 10 of the Fire Services Act 1981.

The cities of Dublin, Cork, Galway, Limerick and Waterford have full-time fire services, and Drogheda and Dundalk have a combined full-time and retained service. Fire services in all other communities are provided by the retained system where, in the event of an emergency call, the relevant group of fire-fighters are alerted, respond to their fire station and turn-out to the incident in their fire appliance. The retained services provide an excellent model of service delivery where, to a substantial degree, a contingent rather than continuous capability is required.

The national blueprint for the future development of the fire services, including improvements in efficiency and effectiveness, is set out in the Irish Fire Services National Development

Framework 2010-2015. The Framework sets out key actions in the areas of Fire Services Role in Society; National Processes and Guidance on Standards; Staff Learning and Development; Quality Assurance Systems and Reporting Performance; and Service Infrastructure and legislative support. The Framework was developed and approved under the aegis of the Management Board of the National Directorate for Fire and Emergency Management, which is also managing the implementation of its actions.

The National Directorate for Fire and Emergency Management is currently engaged in stakeholder consultation with a priority project titled “Keeping Communities Safe”. It sets out an integrated approach to efficient fire safety in Ireland through achieving an appropriate balance between prevention of fires, having appropriate fire protection facilities in place in buildings and through appropriate and effective fire brigade response. The draft policy proposes guidance and standards for fire service delivery underpinned by a risk categorisation approach which matches identified risks with the appropriate prevention and response.

Following stakeholder consultation, it is intended that the finalised policy document will be completed by the end of summer 2012. “*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 in the period 2012-2015. The “*Keeping Communities Safe*” draft document is available on my Department’s website at www.environ.ie via the “Public Consultations” link which can be found on the home page under the heading “Popular Topics and Quicklinks”.

Water and Sewerage Schemes

225. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Community and Local Government the extent to which he expects local authorities to receive adequate funding from his Department for the provision of group water schemes; and if he will make a statement on the matter. [22496/12]

227. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Community and Local Government the extent to which he expects to be in position to continue to assist Kildare County Council in their efforts to implement local group water schemes; and if he will make a statement on the matter. [22498/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 225 and 227 together.

My Department provides funding towards group water schemes by way of annual block grant allocations to local authorities, including Kildare County Council, under the Department’s Rural Water Programme. Responsibility for the administration of this programme has been devolved to local authorities since 1997. The selection and approval of individual group scheme proposals for funding and advancement under the programme, within the overall priorities set by my Department and subject to the block grant allocation provided, is therefore a matter for the water services authorities. The 2012 allocation for the Rural Water Programme is €40 million, of which over €20 million was notified to local authorities last March by way of block grant allocations towards group water schemes. The allocation notified to Kildare County Council was €110,000. In addition, group water schemes can qualify for subsidy funding towards their operational costs. This subsidy scheme, for which some €21 million is being provided this year, is also administered by the local authorities.

Question No. 226 answered with Question No. 220.

Question No. 227 answered with Question No. 225.

Planning Issues

228. **Deputy Dara Calleary** asked the Minister for the Environment, Community and Local Government the position regarding the local area plans in towns (details supplied); and if he will give consideration to extending the lifetime of the plans in the towns referred to, until new plans are introduced. [22563/12]

229. **Deputy Dara Calleary** asked the Minister for the Environment, Community and Local Government the legal standing of a matter (details supplied) [22564/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): I propose to take Questions Nos. 228 and 229 together.

The responsibility for zoning lands for specific purposes is a matter for planning authorities through their development plans and local area plans. Under the Planning Acts, the making, amending or revoking of a local area plan (LAP) is a reserved function of the elected members of the planning authority for the area. Furthermore, under the Planning and Development Act 2000, as amended by the Planning and Development (Amendment) Act 2010, there is a mandatory requirement to make a LAP in respect of a town with a population in excess of 1,500 persons except where the planning authority decides to indicate objectives for the area of the town in its development plan, or a LAP has already been made in respect of the area of the town, or objectives for that area have already been indicated in the development plan.

Under Section 19 of the Planning and Development Act 2000, as amended by the Planning and Development (Amendment) Act 2010, a planning authority may, not more than 5 years after the making of a LAP, by resolution defer commencing the review process for a further period not exceeding 5 years, extending the lifetime of an LAP for a stated period, where the members have:

- notified the manager of their decision and the reasons; and
- sought and obtained the Manager’s opinion that the LAP remains consistent with the objectives and core strategy of the relevant development plan, and the objectives of the LAP have not been substantially secured.

Section 19(6) provides that there is no presumption in law that any land zoned in a particular LAP must remain so zoned in any subsequent LAP.

Public Sector Staff

230. **Deputy John Deasy** asked the Minister for the Environment, Community and Local Government the number of public servants that retired in Waterford city and county since the beginning of the year and the number of those that have been retired by the State. [23006/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Fifteen people retired from Waterford City Council and nineteen retired from Waterford County Council in the period 1 January 2012 to 29 February 2012. More detailed information in respect of staff retirements may be obtained from the local authorities concerned.

Asylum Applications

231. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if the family of

a person (details supplied) in Dublin 5 were subject to execution in their homeland; and if he will make a statement on the matter. [22298/12]

Minister for Justice and Equality (Deputy Alan Shatter): The person concerned applied for asylum on 13 May 2008 in accordance with Section 9 of the Refugee Act 1996 (as amended). His asylum application was refused following consideration of his case by the Office of the Refugee Applications Commissioner and, on appeal, the Refugee Appeals Tribunal. Arising from the refusal of the asylum application of the person concerned, he applied to be re-admitted to the asylum process in accordance with the provisions of Section 17(7) of the Refugee Act 1999 (as amended). This application was approved which gave rise to the fresh, and ultimately unsuccessful, consideration of his asylum claim.

As a result from the refusal of this asylum application, and in accordance with the provisions of Section 3 of the Immigration Act 1999 (as amended), the person concerned was notified, by letter dated 31 August 2009, that the Minister proposed to make a Deportation Order in respect of him. He was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a Deportation Order or of making representations to the Minister setting out the reasons why a Deportation Order should not be made against him. In addition, he was notified of his entitlement to apply for Subsidiary Protection in the State in accordance with the European Communities (Eligibility for Protection) Regulations 2006 (S.I. No. 518 of 2006).

The person concerned submitted an application for Subsidiary Protection in the State in accordance with these Regulations and this application is under consideration at present. When consideration of this application has been completed, the person concerned will be notified in writing of the outcome. In the event that the application for Subsidiary Protection is refused, the position in the State of the person concerned will then be decided by reference to the provisions of Section 3(6) of the Immigration Act 1999 (as amended) and Section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement. This refoulement consideration will include a detailed assessment of the prevailing political and human rights conditions in the country of origin of the person concerned. Additionally, all representations submitted will be considered before the file is passed to me for decision. Once a decision has been made, this decision and the consequences of the decision will be conveyed in writing to the person concerned.

The Deputy will appreciate that it would not be possible for me to state with any certainty the situation of the person's family in their homeland. Queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

Residency Permits

232. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if a Stamp 4 extension will be granted in the case of a person (details supplied) in Dublin 24; and if he will make a statement on the matter. [22350/12]

Minister for Justice and Equality (Deputy Alan Shatter): The person concerned has been granted Leave to Remain in the State which is valid to 27 May 2012. This decision was conveyed in writing to the person concerned by letter dated 27 May 2009. The person concerned is

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required to apply in writing for the renewal of this permission one month before the end of its expiry period.

Queries in relation to the status of individual immigration cases may be made directly to the INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from the INIS is, in the Deputy's view, inadequate or too long awaited.

Deportation Orders

233. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the position in respect of an application for residency in the case of a person (details supplied) in County Cork; and if he will make a statement on the matter. [22351/12]

Minister for Justice and Equality (Deputy Alan Shatter): The person concerned is the subject of a Deportation Order, signed on 10 July 2009, following a comprehensive and thorough examination of her asylum claim and her application for subsidiary protection, and a detailed examination of the representations she submitted for consideration under Section 3 of the Immigration Act 1999 (as amended). An application by this person in respect of the Zambrano judgement has now been received. This will be considered shortly. Once a decision has been made, this decision and the consequences of the decision will be conveyed in writing to the person concerned.

Queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

Residency Permits

234. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality when a Stamp 4 update will issue in the case of a person (details supplied) in Dublin 15; if he will provide a history of the case to date and progress therein; and if he will make a statement on the matter. [22352/12]

Minister for Justice and Equality (Deputy Alan Shatter): The person concerned was granted temporary permission to remain in the State in 2000 under the arrangements then in place for the non-EEA parents of Irish born children. This permission was renewed subsequently and the latest permission expired on 30 November, 2010. I am informed that the person concerned applied to the Garda National Immigration Bureau (GNIB) to have his permission renewed prior to December 2010. However, his registration was not processed due to concerns regarding his being part of a family unit.

The person concerned then wrote to the Irish National Immigration Service in January 2011 to seek permission to remain in the State. He was requested to provide documentation regarding his family circumstances and his finances. Some documentation was supplied by the person concerned in March 2011 but was insufficient to prove his family circumstances and further documentation were requested during 2011 and again in January 2012. The requested full documentation was finally received on 9 February, 2012 in INIS and following recent consider-

ation of his case file, my officials will be writing to the person concerned very shortly regarding the renewal of his permission to remain in the State.

Queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

Citizenship Applications

235. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the total Stamp 4 validated residency in the case of a person (details supplied) in Dublin 15; the extent to which this is valid for an application for naturalisation; and if he will make a statement on the matter. [22353/12]

Minister for Justice and Equality (Deputy Alan Shatter): The person concerned was granted temporary permission to remain in the State in 2002, under the arrangements then in place for the non-EEA parents of Irish born children. This permission was renewed on a regular basis and is currently valid until 30 June, 2012. I would advise the person concerned to contact the Administration Section of the Garda National Immigration Bureau (GNIB) to obtain a record of her reckonable residency in the State for naturalisation purposes.

Section 15 of the Irish Nationality and Citizenship Act, 1956, as amended provides that the Minister may, in his absolute discretion, grant an application for a certificate of naturalisation provided certain statutory conditions are fulfilled. One of these conditions is that the applicant must have had a period of one year's continuous residency in the State immediately before the date of the application and, during the eight years immediately preceding that period, have had a total residence in the State amounting to four years. It is open to any individual to lodge an application for citizenship if and when they are in a position to meet the prescribed statutory requirements. The on-line Naturalisation Residency Calculator can be used as a guide to whether an individual satisfies the naturalisation residency conditions and, if not, give an indication of how long they should wait before making an application.

Queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

Garda Deployment

236. **Deputy Jonathan O'Brien** asked the Minister for Justice and Equality if he will provide the exact figures for the number of gardaí based in Limerick City District on 1 April of each year from 2006 to 2012 in tabular form; and if he will make a statement on the matter. [22362/12]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda authorities that the personnel strength of Limerick Garda Division on 31 March 2006-31 March 2012 inclusive was as set out in the following table:

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Year	Strength
31/03/06	532
31/03/07	593
31/03/08	635
31/03/09	635
31/03/10	643
31/03/11	637
31/03/12	618

Anti-Social Behaviour

237. **Deputy Jack Wall** asked the Minister for Justice and Equality the legal provisions or mechanisms available to a person or community to protect them and or their families against protracted invasion of their privacy through anti social behaviour by neighbours or other persons in their locality (details supplied); and if he will make a statement on the matter. [22412/12]

Minister for Justice and Equality (Deputy Alan Shatter): Currently, a person experiencing noise nuisance may contact their local authority, which may initiate proceedings on grounds of noise nuisance under the Environmental Protection Agency Act 1992. This Act also provides for any person, or group of persons, to seek an order in the District Court to have noise giving reasonable cause for annoyance abated. The procedures involved have been simplified to allow action to be taken without legal representation. A public information leaflet A Guide to the Noise Regulations, outlining the legal avenues available to persons experiencing noise nuisance, is available on my Department's website *www.environ.ie*.

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, as indicated in the Government Legislation Programme published on 17 April 2012, it is not possible at this time to indicate when the legislation will be published, having regard to other priorities in the area concerned and the broader range of legislative priorities to be progressed across my Department's remit.

Visa Applications

238. **Deputy Willie Penrose** asked the Minister for Justice and Equality the position regarding a person from the Philippines who marries an Irish citizen in the Philippines, and who now wishes to return here with their spouse to live and work permanently here; and if he will make a statement on the matter. [22420/12]

Minister for Justice and Equality (Deputy Alan Shatter): In the first instance I should mention that nationals of the Philippines are required to be in possession of a visa prior to seeking entry to the State. It is open to any visa required national to submit a visa application for any purpose. Each visa application will be considered on its individual merits, the onus resting with the applicant to satisfy the Visa Officer as to why the visa sought should be granted. Any further information/supporting evidence that it is wished to have taken into consideration should be included where a visa application is submitted. It should be borne in mind however,

that the provision of the suggested evidence in no way guarantees that a visa will be granted. Furthermore, it does not limit the discretion of the visa officer in dealing with individual applications. Guidance information as to the visa application process (including a link to the on-line application form) can be found on the Irish Naturalisation and Immigration Service website — (www.inis.gov.ie). It should be borne in mind however that the information contained on the website is intended to act as a guideline only.

Queries in relation to general immigration matters may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

Public Sector Staff

239. **Deputy John Deasy** asked the Minister for Justice and Equality the number of public servants that retired in Waterford city and county since the beginning of the year and the number of those that have been retired by the State. [23011/12]

Minister for Justice and Equality (Deputy Alan Shatter): I am taking the Deputy's question to refer to the number of public servants who retired in the period 01 January to 29 February 2012 and who benefitted from the provisions under the Financial Emergency Measures in the Public Interest (No. 2) Act 2009. This Act provided for the superannuation benefits of public servants, who retired within a "grace period" which ended on 29 February 2012, to be unaffected by the pay reductions introduced for all public servants with effect from 1 January 2010 under that Act. In the period 1 January 2012 to 29 February 2012 a total of 12 public servants who retired from my Department or agencies under my aegis were located in Waterford. Of these, a total of 5 had reached minimum retirement age, 6 availed of the Cost Neutral Early Retirement scheme and 1 person retired on Ill-Health grounds.

Air Corps Operations

240. **Deputy Robert Troy** asked the Minister for Defence the total cost to the state of flying military missions over bogs as part of its inspection regime to ensure compliance with the ban on turf cutting in protected areas; and if he will make a statement on the matter. [22370/12]

244. **Deputy Michael Healy-Rae** asked the Minister for Defence the amount of money that has been spent by his Department from 20 February 2012 to 25 April 2012 on deploying Defence Forces aircraft to spy on bogs to see if turf is being cut; the number of flying hours that have been incurred on these missions; and if he will make a statement on the matter. [22462/12]

Minister for Defence (Deputy Alan Shatter): I propose to take Questions Nos. 240 and 244 together.

In accordance with the roles assigned to them in the White Paper on Defence, the Air Corps are committed to providing support to the civil authorities including Government Agencies such as the National Park and Wildlife Service, (NPWS). As part of the efforts to ensure Ireland's compliance with the EU ban on turf cutting in Special Areas of Conservation, the NPWS submitted a request to the Department of Defence seeking the transport of NPWS personnel in Air Corps aircraft to monitor these areas. The Department of Defence follows the normal practice in the aviation business of costing aircraft by reference to the cost per

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flying hour. For these missions, the Cessna aircraft has been used and the average hourly direct cost of operating this aircraft which include fuel and maintenance costs is €185. The cost to-date in 2012 of providing assistance to the NPWS is €13,690, (based on approximately 74 hours of flying time).

Defence Forces Equipment

241. **Deputy Dara Calleary** asked the Minister for Defence the amount of money being spent on riot gear in 2010, 2011 and 2012; and if he will make a statement on the matter. [22386/12]

Minister for Defence (Deputy Alan Shatter): The primary responsibility for the maintenance of law and order rests with the Garda Síochána. The Defence Forces, pursuant to their role of rendering aid to the civil power, assist the Gardaí as required in a range of duties. As part of this role, the Defence Forces maintains an anti-riot capability in order to meet a contingent and operational capability at home and overseas. It is essential therefore that all military personnel involved be appropriately equipped. In 2010 and 2011, expenditure on personal protective equipment was €132,500 and €474,935 (excl VAT) respectively. The equipment procured included personal protective equipment for use by the Defence Forces in public order and crowd and riot control operations at home and overseas. In relation to 2012, a tender competition for the acquisition of protective visors for the Defence Forces which can attach to in-service helmets, is in train. The cost of the visors will be determined by the tender competition.

The purchase of this equipment was planned as a replacement programme and is required to enable the Defence Forces train and carry out its roles at home and overseas to the highest possible international standards and best practice.

Defence Forces Deployment

242. **Deputy Dara Calleary** asked the Minister for Defence if there are ongoing communications between the armed forces and the Gardaí in relation to riot control procedures; and if he will make a statement on the matter. [22387/12]

Minister for Defence (Deputy Alan Shatter): Primary responsibility for the maintenance of law and order rests with An Garda Síochána. However, one of the roles assigned to the Defence Forces in the White Paper on Defence (2000) is to provide Aid to the Civil Power (ATCP) which, in practice, means to assist An Garda Síochána when requested to do so. Whilst the Defence Forces and An Garda Síochána hold regular meetings concerning ATCP operations generally, there have been no specific discussions recently in relation to riot control procedures.

Overseas Missions

243. **Deputy Dara Calleary** asked the Minister for Defence the plans in place for Irish involvement in UN Peace keeping in Syria [22388/12]

Minister for Defence (Deputy Alan Shatter): On 24th April 2012, the Government approved the deployment of up to six members of the Permanent Defence Force as unarmed military observers to United Nations Supervision Mission in Syria (UNSMIS), in response to a request from the United Nations. The selection of Defence Forces personnel is currently in train and, subject to the security situation in Syria, it is expected that Irish observers will be deployed to the mission over the next few weeks. The new Supervision Mission will monitor a cessation of armed violence “in all its forms by all parties” in Syria. The mission will also monitor the full implementation of the six-point plan recently proposed by Joint Special Envoy for the United

Nations and the League of Arab States, Mr. Kofi Annan to bring an end to the crisis in Syria. A UN advance team is already in Syria, and the Government also agreed that Defence Forces personnel could be made available to the UN advance team should that be required.

Question No. 244 answered with Question No. 240.

Public Service Staff

245. **Deputy John Deasy** asked the Minister for Defence the number of public servants that retired in Waterford city and county since the beginning of the year and the number of those that have been retired by the State. [23004/12]

Minister for Defence (Deputy Alan Shatter): There are no civil servants or civilian employees of this Department based in Waterford. In relation to military personnel, one member of the Defence Forces based in Waterford has retired since the beginning of this year.

Grant Payments

246. **Deputy Michael Creed** asked the Minister for Agriculture, Food and the Marine if a person (details supplied) in County Cork has received their full REP scheme payment; and if he will make a statement on the matter. [22289/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named commenced REPS 4 in August 2008 and received payments for the first three years of their contract. REPS 4 is a measure under the current 2007-13 Rural Development Programme and is subject to EU Regulations which require detailed administrative checks on all applications to be completed before any payments can issue. Administrative checks in respect of 2011 have now been completed and the 75% 2011 REPS 4 payment amounting to €6171.01 has been issued to the person named on 26th April 2012. The remaining 25% 2011 REPS 4 balancing payment for the amount of €2056.99 issued to the person named on the 2nd May 2012.

Forestry Sector

247. **Deputy Tom Fleming** asked the Minister for Agriculture, Food and the Marine the position regarding a forestry appeal in respect of a person (details supplied) in County Kerry. [22361/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The period of payment under the afforestation schemes is 20 years for farmers and 15 years for non-farmers with a higher rate of premium payable to farmers. Eligibility for the different rates is determined by the applicant's farming status at the time of application. The appeal by the person named was received within the past fortnight and is being prepared for submission to the Appeals Committee. As soon as the decision is given the person named will be notified of the outcome.

Departmental Schemes

248. **Deputy Michael Moynihan** asked the Minister for Agriculture, Food and the Marine the number of persons who finished REP scheme 3 in 2011 and have not been able to take up an agri-environment options scheme contract; and if he will make a statement on the matter. [22403/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): There were 23,692 active participants in REPS 3 in January 2011. By the end of April 2011, 4,274 had completed their 5 year REPS contract. Those farmers who had exited REPS before 15 May 2011, including those referred to above, and who submitted a valid application were admitted into the Agri-environment Options Scheme (AEOS). The remaining 19,418 farmers that exited REPS 3 during the remainder of 2011 were not eligible to apply for AEOS in 2011. I am now actively considering the possibility of re-opening AEOS to allow for the submission of applications either on an amended basis from the existing scheme and/or on a limited scale, including the possibility of re-opening for applications later in the year with a possible closing date for applications of end September and a commencement date of January 2013.

249. **Deputy Michael Moynihan** asked the Minister for Agriculture, Food and the Marine his plans for the future of an agri-environment options scheme in 2012; and if he will make a statement on the matter. [22404/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I am actively considering the possibility of re-opening the Agri-environmental Options Scheme to allow for the submission of applications either on an amended basis from the existing scheme and/or on a limited scale. Any decision on a new AEOS will be taken in the context of 2013 Estimate in order to remain within the agreed expenditure ceiling for 2013. I will be examining the possibility of re-opening for applications later in the year with a possible closing date for applications of end September and a commencement date of January 2013. Any new scheme will need to take account of the review of the Commonage Framework Plans to be completed by mid summer.

250. **Deputy Michael Moynihan** asked the Minister for Agriculture, Food and the Marine the amount of money unused in the rural development programme; and if he will make a statement on the matter. [22405/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The Rural Development Programme 2007-2013 has an overall value of €4.9 billion over a 7-year period of which €2.5 billion will be funded by the EU and €2.4 billion by the National Exchequer. Current expenditure under the Programme amounts to close on €3.2 billion, being 65% of its total value. While the Programme ends in 2013, spending may continue under certain schemes until the end of 2015.

A total of €396 million has been allocated to fund measures such as on farm investment and other schemes under Axis 1 of the Programme, which promotes competitiveness and innovation. An amount of €4.148 billion has been allocated to Less Favoured Areas and the Repe and AEOS schemes under Axis 2 which fosters the environment and land management. Apart from a small amount for technical assistance, the balance of the funding, being €353 million, has been allocated to the remaining part of the programme which supports the quality of life and diversification of economic activity in rural areas. This part is administered by the Department of Environment, Community and Local Government using the Leader approach while the Rural Broadband Reach Scheme is administered by the Department of Communications, Energy and Natural Resources.

All funding under the Programme is committed at present. Spending is monitored on an ongoing basis with funds reallocated and Programme amendments proposed as necessary. This process will continue until the Programme ends with a view to ensuring full draw down of all EU funding within the available budgetary allocation to my Department.

251. **Deputy Michael Moynihan** asked the Minister for Agriculture, Food and the Marine the status of the common framework plans; its future timeline; its impact on an agri-environment options scheme; and if he will make a statement on the matter. [22406/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The Department of Arts, Heritage and the Gaeltacht is currently undertaking a review of the Commonage Framework Plans. My Department is co-operating with the review which will revise permitted stocking levels based on the current condition of commonages. It is expected that the review will be completed by end of June. The revised stocking levels will form the basis of future sustainable management plans to protect against both over and under grazing of commonages. Officials from the National Parks and Wildlife and my Department, are in discussion with the farming organisations on the implementation of the revised management plans. Any new Agri-environment Options Scheme will have to take account of the outcome of the review of the Commonage Framework Plans.

Beef Exports

252. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine when it is proposed that the Libyan authorities will lift their 16 year ban on importation of beef from Ireland and other EU countries; and if he will make a statement on the matter. [22414/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The Deputy is no doubt aware that I announced last week that I understood that the Libyan authorities were about to lift their 16 year ban on the importation of beef from Ireland and other EU countries. In common with Agriculture Ministries from other Member States, I and my Department are now awaiting official confirmation from the Libyan authorities of the lifting of the ban. The Deputy will understand however that the timing of this official confirmation is in the gift of the Libyan authorities and I cannot pre-empt any announcement by them.

My Department can however ready itself in anticipation of the lifting of the ban. Once official confirmation is received, the next step will be to agree a veterinary health certificate with the Libyan authorities which will set out the conditions under which the export of Irish beef can take place. My department has already sent a draft certificate to the Libyan authorities for their consideration, so that we are as prepared as we can be once the ban is officially lifted.

Animal Identification Scheme

253. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine his views on a matter (details supplied) regarding sheep tagging; and if he will make a statement on the matter. [22415/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I am aware that concerns have been raised with regard to welfare issues and sheep EID tagging and that the matter has been discussed by my officials with a number of farming organisations. The Deputy will also know that it is a matter I addressed in a statement recently. The Deputy should be aware that some 100 million sheep in the EU are all identified under the tagging regulation (21/2004). There does not appear to be a problem, in general, with sore and infected ears post tagging across the Union as long as appropriate practices are observed. These includes correct placement of the tag in the ear, tagging at the correct time of year in order to avoid fly strike and also the disinfection of equipment and the sheep's ear prior to tagging each animal. These guidelines are outlined in a booklet that I am forwarding to each flockowner in the coming weeks.

[Deputy Simon Coveney.]

My Department has and will take a pragmatic approach to applying the European rules in these cases. If a farmer has sheep with infected ears post tagging then he can seek veterinary advice from his own practitioner. If the advice is to remove the tag(s) then the sheep farmer should record the event in his/her farm flock register and retain the removed tags. The affected sheep should be re-identified as soon as possible after the ears have healed — correlating the new tag number to the removed tag number. If the farmer follows this procedure there should be no issues on cross compliance for animals that have had their tags removed on animal welfare grounds with veterinary advice. I can assure the Deputy that my officials will work with farmers in finding solutions to any legitimate problems that may arise.

Calafóirt agus Céanna

254. D'fhiafraigh **Éamon Ó Cuív** den an tAire Talmhaíochta, Bia agus Mara cé na socruithe atá á ndéanamh aige lena chinntiú go mbeidh páirceáil shaor in aisce shábháilte ar fáil ag Céibh Ros a'Mhíl do bhunadh na n-oileán lena gcarranna a fhágáil ann nuair atá siad ar an oileán; agus an ndéanfaidh sé ráiteas ina thaobh. [22430/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Glacaim leis go bhfuil do cheist ag tagairt do pháirceáil ag Ionad Cuan Iascaigh Ros an Mhíl do mhuintir Árann. Ní mór do mo Roinnse gach Ionad Cuan Iascaigh a stiúradh ar bhealach seasmhach airgeadais agus níl aon oibleagáid ann páirceáil saor in aisce a chur ar fáil i Ros an Mhíl do mhuintir Árann. Thug mo Roinn faoi obair mhór uasghrádaithe ar shaoráidí páirceála i Ros an Mhíl le déanaí agus tá siad sin anois réidh le húsáid. Tá an Roinn ar tí iarratas ar thairsicintí ó oibreoirí neamhspleácha a fhógairt chun an carrchlós a bhainistiú thar a ceann agus beidh táille le híoc ar an tsaoráid a úsáid.

Mar aitheantas ar na cúinsí speisialta a bhaineann le hÁrainn, áfach, bhuail oifigigh ó mo Roinnse agus ón Roinn Ealaíon, Oidhreachta agus Gaeltachta le hionadaithe Chomharchumainn Árann an 23 Feabhra 2012 chun plé a dhéanamh ar charrchlós saor in aisce a bheith ar fáil do mhuintir Árann amháin. Tá an carrchlós eile seo le taobh an charrchlóis ina n-íoctar airgead le páirceáil ann. Tá sé socraithe ag an Roinn Ealaíon, Oidhreachta agus Gaeltachta maoiniú a chur ar fáil chun obair feabhais a dhéanamh ar an gcarrchlós saor in aisce. Tá ionadaithe Chomharchumainn na n-oileán le teacht ar ais chuig mo Roinnse faoin tairiscint.

Féadfaidh ar ndóigh muintir Árann an príomh-charrchlós a úsáid agus íoc as más mian leo sin a dhéanamh.

Questions Nos. 255 and 256 withdrawn.

Fishing Industry Development

257. **Deputy Clare Daly** asked the Minister for Agriculture, Food and the Marine if he will acknowledge that Ireland's seashore employment ratio, as 1 to 1.5 approximately, compared to 1 to 3-1 to 5 in other member States is amongst the poorest in the EU; and if he will outline his plans to improve on this situation. [22444/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Our ocean is a national asset, supporting a diverse marine economy with vast potential to tap into the €1,200 billion global market for seafood, tourism, oil and gas, renewable energy and new applications for health, medicine and technology. In parallel, our ocean gives us many non commercial benefits for example, amenity, biodiversity and our mild climate.

In Ireland, responsibility for marine matters is spread across a number of Government Departments and agencies. The Marine Co-ordination Group, chaired by myself, was established in recognition of the broad scope of the sector, and the need for better co-ordination. The Marine Co-ordination Group meets monthly and is currently taking steps to develop an integrated marine plan for Ireland in order to harness “Our Ocean Wealth”. A Public Consultation document under this title has just been completed and the Marine Co-ordination Group is currently drafting “Actions that will deliver an Integrated Marine Plan for Ireland” paper. This Plan will be launched in late July 2012. The objective of the actions will be to move from generating only 1.2% of our GDP from the ocean resources, to get the environment right for investment and use the potential of our marine economy to create jobs in a sustainable manner.

Grant Payments

258. **Deputy Tom Fleming** asked the Minister for Agriculture, Food and the Marine if he will address the delays involved and expedite the processing of Tams applications for the dairy equipment scheme so that dairy farmers may proceed with works on the installation of milking machines and bulk tanks; and if he will make a statement on the matter. [22447/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): All applications under the Targeted Agricultural Modernisation Scheme, including the Dairy Equipment Scheme, are being processed as quickly as possible in the department. Over 800 approvals to commence work have already issued to farmers under that Scheme. There was a very significant over-subscription for the grant-aid available under the tranche of funding under the Dairy Equipment Scheme which closed on 31 January 2012. These applications are currently being processed within my Department in order to complete the required selection process and approvals will issue as soon as possible to those applicants who are selected. Eligible applications which do not receive approval in that particular tranche will be carried forward for consideration under the next tranche of funding.

259. **Deputy Pat Breen** asked the Minister for Agriculture, Food and the Marine further to Parliamentary Question No. 581 of 21 March 2012, the position regarding an application for single farm payment in respect of a person (details supplied) in County Clare; and if he will make a statement on the matter. [22485/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Further to the reply to the Deputy’s previous Question, I can again confirm that the changes referred to relate to the 2012 Disadvantaged Areas Scheme, the changes to the rules governing which have recently been published by my Department. I can also confirm that booklets outlining the Terms and Conditions of the 2012 Scheme are currently being printed and will shortly be posted to all farmers with DAS-designated land. However, as these proposals have yet to be approved by the EU Commission, they may be subject to change.

That said, insofar as the specific enquiry of the person named is concerned, the requirements under the 2012 Scheme are as follows: In the first instance, an applicant is required to have met a stocking density in 2011, for three consecutive months, of 0.3 livestock units per forage hectare. Thereafter, while the minimum stocking density remains at 0.15 livestock units per forage hectare for 2012, the applicant must meet the minimum stocking requirement for six consecutive months during the scheme-year, in addition to which, the applicant is also required to meet an annual stocking density average of 0.15 livestock units per forage hectare, which will be calculated over the twelve months of the scheme-year.

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However, specific provision is being made for those farmers who had a stocking density less than 0.3 livestock units per forage hectare in 2011, where that lower stocking density was as a result of adherence to a lower stocking requirement of an agri-environmental measure, such as a Commonage Framework De-stocking Plan, Rural Environmental Protection Scheme (REPS) or Agri-Environment Options Scheme (AEOS). All applicants, whose stocking density was below 0.3 livestock units per forage hectare in 2011, will be written to formally and given the opportunity to apply for a derogation on the grounds that his or her participation in one of the above measures resulted in the lower stocking density. The principles of force majeure/exceptional circumstances will also be provided for in the process and provision will also be made for new entrants to farming.

Departmental Agencies

260. **Deputy Dara Calleary** asked the Minister for Agriculture, Food and the Marine the plans Teagasc have for a disused building (details supplied); if he will confirm that Teagasc is currently unable to sell the premises as a result of issues concerning title or any other issue and if considering this impairment to a commercial disposal, if he will make the premises available to the local regional youth service for youth work and development purposes; and if he will make a statement on the matter. [22499/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Operational matters such as this are properly the responsibility of the Teagasc Authority and not the Minister. I am advised by Teagasc that they have closed the office in Bagnelstown and plan to dispose of it on completion of certain matters relating to the conveyance. The Deputy may wish to contact Teagasc directly for further detail.

Departmental Schemes

261. **Deputy Dara Calleary** asked the Minister for Agriculture, Food and the Marine if he will consider amending the terms and conditions of the agri environment options scheme to make them more flexible and allow for a more practical approach when dealing with the criteria attached to the scheme, in order to make the scheme more workable for farmers and allow agricultural consultants or planners make amendments where appropriate in respect of the scheme. [22559/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The Agri-environment Options Scheme is designed to protect biodiversity, encourage water management/quality and contribute to climate change. The scheme provides for a considerable degree of flexibility in achieving these objectives and farmers to may implement measures from a range or menu of options which are best suited to their own circumstances. Participants in AEOS have been approved on the basis of the information contained in their application forms. The Terms and Conditions of the scheme were available to applicants when applications to join the scheme were prepared and must now be complied with. Where obvious errors have been found by my Department in the processing of applications, participants have been allowed to make amendments to rectify the position. Other amendments fall outside the scheme Terms and Conditions and cannot be permitted.

Fishing Discards

262. **Deputy Dara Calleary** asked the Minister for Agriculture, Food and the Marine if he will acknowledge that discards are the hidden scandal of fisheries industry and the socio-econ-

omic data available on this real human crisis is variable in quality and highly questionable and that tackling this crisis has been identified as an urgent need by BIM and North Western Waters Regional Advisory; and if he will outline his plans to address this hidden crisis. [22560/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Finding practical and implementable solutions to the wasteful practice of discarding fish is a major priority issue for me. It is an important element of the reform of the Common Fisheries Policy which is currently under consideration at the EU Fisheries Council and the EU Parliament. Ireland has been to the forefront in the drive to reduce and eliminate discards and has taken a number of initiatives in this regard. On the 8th of November last, I launched an Irish “discard” atlas, which is a detailed compendium of discards by the Irish Fleet on a stock by stock and area by area basis. The Atlas, compiled by the Marine Institute and Bord Iascaigh Mhara with the support of Irish Industry, outlines potential measures to help reduce discarding.

The Irish fishing industry secured the support of the EU North Western Waters Regional Advisory Council (NWWRAC) for measures to reduce discarding of haddock and whiting in the Celtic Sea at the end of last year. The NWWRAC has submitted these measures to the EU Commission recommending their adoption at EU level as early as possible. The Irish industry has also supported, as an interim measure pending the introduction of the measures at EU level, quota management arrangement that incentivise the use of these measures by the Irish fleet. I have made available to Irish vessels who use the recommended modified fishing gear an additional 40% of haddock and whiting in the Celtic Sea since the beginning of April.

The measures for the Celtic Sea are an important initiative in reducing discards. The Discards Atlas for Irish fisheries was the first publication of its kind and places Ireland firmly to the fore in the debate on eliminating discards. The Atlas identifies where action needs to be taken, and the potential measures that could be adopted. The Atlas will also inform the process to achieve real change and a significant reduction in discarding within the new Common Fisheries Policy,

Appointments to State Boards

263. **Deputy Dara Calleary** asked the Minister for Agriculture, Food and the Marine his views on the proposals to include on the boards of BIM, Sea Fisheries Protection Authority, Marine Institute, European Fisheries Fund and other fisheries related State boards, representatives of stakeholders from the non-catch sector Environmental, Community and Voluntary Pillars. [22561/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Appointments to the Boards of BIM, the Sea Fisheries Protection Authority, the Marine Institute and other fisheries related State boards that come under the remit of my Department are made in accordance with the legislation establishing the respective agencies and in compliance with the Code of Practice for the Governance of State Bodies. In making appointments to boards I take into consideration a number of factors including the specific requirements of each board, any gaps in competencies advised by Board Chairs as per Section 2.7 of the Code of Practice and expressions of interest received directly by the Department. According to the Sea-Fisheries Maritime Jurisdiction Act 2006 the Board of the Sea Fisheries Protection Authority is an executive board, members of which are appointed through the Public Appointments System. The European Fisheries Fund is not an agency of the State.

Departmental Staff

264. **Deputy John Deasy** asked the Minister for Agriculture, Food and the Marine the

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number of public servants that retired in Waterford city and county since the beginning of the year and the number of those that have been retired by the State. [23000/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Eight staff of my Department who were under the maximum retirement age and headquartered in County Waterford retired in the period from 1 January 2012 to date. No Waterford based staff of my Department retired on age regulations (i.e. having reached the age of 65) during this period.

Child Care Services

265. **Deputy Joanna Tuffy** asked the Minister for Children and Youth Affairs the position regarding any grants available to set up after school care for children using primary school buildings; and if she will make a statement on the matter. [22379/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The Community Childcare Subvention (CCS) programme is implemented by my Department and provides funding to community not for profit childcare services to enable them to provide childcare services at reduced rates to qualifying parents. Community services providing after school care are eligible to participate in the CCS programme. While there are no specific grants provided by my Department to primary schools for the provision of after school services, the Board of Management of a primary school, or a community group providing after school services from a primary school building, are eligible to apply to enter the CCS programme. I wish to advise the Deputy, however, that at this point in time, no new places under the CCS programme are being considered by my Department.

266. **Deputy Joanna Tuffy** asked the Minister for Children and Youth Affairs the provision available in Dublin mid west constituency to co-ordinate childcare services, including in relation to training, recruitment, career guidance and monitoring for those establishing childcare facilities; and if she will make a statement on the matter. [22380/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): Thirty three City and County Childcare Committees (CCCs) were established in 2001 by the then Office of the Minister for Children under the Equal Opportunities Childcare Programme (EOCP) 2000-2006 to co-ordinate a strategy to promote and develop quality childcare throughout the country. The CCCs are composed of local representatives from the statutory, community and voluntary sectors, social partners, childcare providers and parents. There are four committees in Dublin City and County to provide for the four local authority administrative areas within the County.

The CCCs offer a wide variety of services locally that include advice on setting up a childcare business, childcare information sessions, and co-ordinating training courses for those working in the childcare sector and those considering a career in childcare. Services are also provided to parents, such as information on local childcare facilities and parent networks. The CCCs also play a very important role in the implementation of the three childcare support programmes funded by my Department. Pre-school services are regulated under the Child Care (Pre-School Services) (No. 2) Regulations 2006, as provided for under Part VII of the Child Care Act 1991. Under the Regulations, pre-school services, including childminding services taking care of more than 3 pre-school children, are required to notify the Health Service Executive (HSE) of their services and the Pre-School Inspectorate of the HSE carry out inspections of these pre-school services with the objective of securing the health, safety and welfare of children attending them.

The Early Childhood Care and Education (ECCE) programme is implemented by my Department and provides a free pre-school year to eligible children. In the region of 95% of pre-school services throughout the country are participating in this programme. The CCCs continually monitor the programme in order to ensure that all parents benefit from the free pre-school provision as intended. In addition, Pobal — as an agent of my Department — also carry out site visits to ensure compliance with the terms and conditions of the programme.

Child Abuse

267. **Deputy Michael Healy-Rae** asked the Minister for Children and Youth Affairs with regard to the two Bills going before Dáil Éireann requiring the mandatory reporting of child abuse, if it is not true to say that the child protection system could face a massive increase in referrals on the back of this legislation; in view of the fact that social workers are swamped with cases, the way she proposes that these services will be able to deal with further increases in their work without additional staff being supplied; and if she will make a statement on the matter. [22461/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The Children First National Guidance for the Protection and Welfare of Children, published in 2011, provides greater clarity and guidance for individuals and organisations in identifying and responding appropriately to child abuse and neglect. It also sets out what organisations that care for or work with children should do to ensure they are safe whilst in the organisation. The Government has committed, as a priority, to the introduction of legislation to underpin Children First and the Heads of the Bill have been prepared and submitted to the Committee for Health and Children for their consideration.

I am aware that the proposed legislation could give rise to a significant number of reports being made to the HSE and I am cognisant of the need for an effective filtering system to be put in place. In this regard, “Guidance for Reporting of Abuse” is to be developed by my Department. This Guidance will deal with issues such as definitions, thresholds and appropriate routes for the reporting of abuse. The Guidance will be dependent on designated officers and professionals named in the legislation, considering a number of factors to see if the concern reaches the threshold of a report under the legislation.

It is important to note that Mr. Gordon Jeyes, HSE National Director Children and Family Services has given me an assurance that all referrals when initially received are assessed and the action taken is prioritised by risk. In addition, the new Child and Family Support Agency with dedicated responsibility for the delivery of child welfare and protection services is to be established. A new model to deal effectively with referrals is being developed to ensure that all child welfare and protection reports receive a service promptly from the range of family support services and child protection services available.

Departmental Staff

268. **Deputy John Deasy** asked the Minister for Children and Youth Affairs the number of public servants that retired in Waterford city and county since the beginning of the year and the number of those that have been retired by the State. [23002/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): I can confirm to the Deputy that none of the people in my Department or from State Bodies under the aegis of my Department who retired since the beginning of the year was based in Waterford city or county.

Health Service Staff

269. **Deputy Michael Healy-Rae** asked the Minister for Health if he will be in a position to fund a much needed post (details supplied). [22459/12]

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 Aids and Appliances

270. **Deputy Simon Harris** asked the Minister for Health the average waiting time faced by a person with a disability in need of a new wheelchair; if he has any plans to introduce measures to reduce this delay; and if he will make a statement on the matter. [22286/12]

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

271. **Deputy Denis Naughten** asked the Minister for Health further to Parliamentary Question No. 669 of 24 January 2012, the plans he has to address the situation where medical cards cannot be extended by general practitioners despite persons having returned their application for renewal as the information is waiting to be put up on the system; and if he will make a statement on the matter. [22294/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): In the vast majority of cases, the renewal of a medical card by a GP is not necessary as the Primary Care Reimbursement Service is currently dealing with new applications and renewals in a speedy manner. Renewal notices are issued 3 months before a medical card expires and in the case of most persons who return completed applications their renewals are completed within 15 working days. The latest information from the PCRS indicates that 93% of complete medical card applications are processed within 15 working days.

A medical card holder who genuinely engages with the review of their medical card will not have their entitlement withdrawn before that review is complete. This period of continued eligibility is further extended if the person appeals the non-renewal of a card or the granting of a GP visit card. To avoid a situation where eligibility ceases because the client was unable to respond to a renewal notice, an additional safeguard is now present in that a GP can, where appropriate, extend eligibility to allow the medical card holder a further opportunity to engage with the review process.

272. **Deputy John McGuinness** asked the Minister for Health if an application for a medical card now under appeal will be expedited and approved in respect of a person (details supplied) in County Carlow [22299/12]

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

273. **Deputy Michael McCarthy** asked the Minister for Health the reason the Health Service Executive has withheld STC payments from a medical practitioner (details supplied); when the

payments will issue; if he will consider that the situation is causing undue frustration to the person concerned; and if he will make a statement on the matter. [22300/12]

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.

Care of the Elderly

274. **Deputy Arthur Spring** asked the Minister for Health the number of contracted beds the Health Service Executive has held in private nursing homes in County Kerry in each year since 2005; and if he will make a statement on the matter. [22304/12]

275. **Deputy Arthur Spring** asked the Minister for Health the number of contracted beds the Health Service Executive has held in private nursing homes in County Kerry; the current break down in relation to each nursing home; and if he will make a statement on the matter. [22305/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): I propose to take Questions Nos. 274 and 275 together.

As these are service matters they have been referred to the Health Service Executive for direct reply.

Medical Cards

276. **Deputy Jack Wall** asked the Minister for Health the up to date position of a review of 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. [22310/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): If a person has been refused a medical card they can lodge an appeal within 21 days. Details of the appeals process are forward to the applicant with their refusal letter. As this refusal of a medical card renewal is a service matter I have referred it to the Health Service Executive for direct reply to the Deputy.

Health Services

277. **Deputy Finian McGrath** asked the Minister for Health the reason a person (details supplied) in Dublin 3 doctor was changed without consultation [22313/12]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Medical Cards

278. **Deputy Bernard J. Durkan** asked the Minister for Health if and when a medical card will issue in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [22349/12]

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.

279. **Deputy Mattie McGrath** asked the Minister for Health when a decision will be made on an application for a medical card in respect of a person (details supplied) in County Tipperary; and if he will make a statement on the matter. [22391/12]

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.

Tobacco Policy Review

280. **Deputy Michael Healy-Rae** asked the Minister for Health his views on proposals to ban smoking in public places (details supplied); and if he will make a statement on the matter. [22413/12]

Minister for Health (Deputy James Reilly): Smoking is the greatest single cause of preventable illness and premature death in Ireland, killing over 5,200 people a year. Ireland's public health policy objective in relation to tobacco is to promote and subsequently move towards a tobacco free society. The document *Towards a Tobacco Free Society* was adopted as Government policy in 2000 and continues to be the main strategic document guiding the development and implementation of policy measures and services to reduce smoking in Ireland. The Tobacco Policy Review Group will be reporting to me shortly.

The report of this group will build on our existing policies and legislation. This group is examining a number of areas which need to be developed or enhanced in order to reduce smoking prevalence in Ireland including the possibility of extending the smoking ban to other areas e.g. cars with children present, educational and health care campuses, playgrounds, public parks, beaches etc. The report will also examine how to develop our cessation services in order to support those people who want to stop smoking. Of major concern to me is the number of young people who are still taking up the habit.

The “denormalisation” of smoking within our society is key tool in stopping our children and young people from doing so. To achieve this we must make smoking less attractive to children and increase its social unacceptability. I understand that in order for such initiatives to be successful they must be supported by the public. It is also important, however, that everyone in society recognises their role in effecting change in our lifestyle behaviours such as smoking for the benefit of everyone.

281. **Deputy Michael Healy-Rae** asked the Minister for Health his views regarding the cost of cigarettes and tobacco (details supplied); and if he will make a statement on the matter. [22416/12]

Minister for Health (Deputy James Reilly): As the Deputy is aware smoking is the largest single cause of preventable mortality in Ireland, killing over 5,200 people every year. Evidence shows that pricing is a key tool in the efforts to control smoking and in particular preventing children and adolescents from taking up the habit. Just last week an international group of health economists and tobacco control experts (PPACTE) called for an increase in the taxation of all tobacco products as the most effective way to make them inaccessible to consumers. As you know this Government increased the excise duty on tobacco products in the last budget. The Tobacco Policy Review Group will be reporting to me in the near future and is considering the issue of excise duties on tobacco products. I am of the view that increasing tax on tobacco together with the strengthening of policy, services and programmes will be effective in reducing smoking prevalence in this country.

Health Services

282. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health when the signalled Health Service Executive review of domestic violence and sexual assault services will commence; and if he will make a statement on the matter. [22437/12]

Minister for Health (Deputy James Reilly): A national and regional review of Domestic, Sexual and Gender-based Violence services funded by the HSE has already commenced. It is envisaged that by year end the review will be completed and a strategic plan for the future provision and configuration of services in this area will be developed.

Hospital Waiting Lists

283. **Deputy Tom Fleming** asked the Minister for Health the steps he will take to address the ENT waiting lists at Kerry General Hospital at which 466 adults and 245 children are awaiting outpatient appointments; and if he will make a statement on the matter. [22448/12]

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

284. **Deputy Tom Fleming** asked the Minister for Health if he will grant an emergency medical card in respect of persons (details supplied) in County Kerry; and if he will make a statement on the matter. [22449/12]

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.

Service Level Agreements

285. **Deputy Clare Daly** asked the Minister for Health if he will review the contracts for funding which require the signing of service level agreements in cases of volunteer run organisations (details supplied). [22469/12]

Minister for Health (Deputy James Reilly): The HSE funds over 2,500 organisation, which operate over 4,100 separate funding arrangements to a value of approximately €3.3 billion. These organisations vary in scale and complexity, ranging from large acute hospitals to local community based organisations providing social care services. The HSE National Governance Framework regarding funding of non-statutory organisations commenced in 2009 and was rolled out to all agencies in 2010.

The Framework sets out the requirement that all agencies in receipt of State funding must sign a Service Level Agreement (SLA). This policy was put in place to ensure accountability, probity and good governance in relation to spending of State funding. The HSE had made the organisation referred to by the Deputy aware of the Framework in 2008. Part 1 of the SLA document is generic to all organisations and cannot be changed and Part 2 allows for specific details of the organisation's role and services to be inserted. Signing the SLA does not compromise the confidentiality of the work of the organisation.

Discussions are continuing with the organisation referred to by the Deputy regarding its SLA for 2012 and funding has been provided to meet fixed cost commitments, pending agreement to the terms of the SLA. The organisation, however, through its legal advisors, is refusing to provide supporting documentation relating to its accounts for previous years to the HSE, and does not believe that it should be subject to an SLA for the funding it receives. The organisation received a sum of €558,355 in 2011. Organisations with functions similar to the one in question have signed SLAs for 2012. For the reasons above, I am fully supportive of the HSE's position in ensuring accountability for State funding.

Compensation Schemes

286. **Deputy Clare Daly** asked the Minister for Health if he will review the insurance scheme in place by the Health Service Executive for individuals with hepatitis C in order to exclude the two year lead in time for the mortgage protection part of the scheme in view of the fact that this was an unanticipated problem in the scheme, which has led to persons not being able to move house as banks will not make available mortgages without mortgage protection in place. [22470/12]

Minister for Health (Deputy James Reilly): The Hepatitis C Compensation Tribunal (Amendment) Act, 2006 provides the statutory basis for the establishment of the Hepatitis C Insurance Scheme which commenced in September 2007 (SI 31 of 2007). This Scheme provides, subject to certain limits, life assurance, mortgage protection and travel insurance to those who were infected with Hepatitis C and/or HIV through the administration within the State of contaminated blood or blood products.

In each case the person requiring insurance pays the average basic premium which an uninfected person of the same age and gender would pay. The Scheme pays the additional premiums levied or covers the additional risks that would otherwise prevent a policy being taken out. Under the Mortgage Protection part of the Scheme there is a lead-in period for benefits. Since September 2008, which marked the end of the first year of operation of the Scheme, and the end of the open period for entry into the Scheme, there is a waiting period of two to three years for persons over 30 years, depending on the age of the person applying for the mortgage protection policy. Such a waiting period is necessary for mortgage protection and life assurance policies under the Scheme, to guard against the possibility of adverse selection.

There was significant consultation involved in establishing the Scheme and a Steering Committee was set up to advise on all aspects of implementation. The Committee included the interested support groups — Positive Action, Transfusion Positive, the Irish Haemophilia Society and the Irish Kidney Association. In all the circumstances, I am satisfied that the present arrangements are fair and reasonable.

Medical Cards

287. **Deputy John McGuinness** asked the Minister for Health if a medical card will be issued as a matter of urgency in respect of a person (details supplied) in County Kilkenny. [22481/12]

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.

Substance Misuse Strategy

288. **Deputy Brendan Griffin** asked the Minister for Health his views on a matter regarding alcohol sponsorship of sporting events (details supplied); and if he will make a statement on the matter. [22506/12]

Minister for Health (Deputy James Reilly): The report of the National Substance Misuse Strategy Steering Group in relation to alcohol was launched in February last and it is encouraging public debate. I envisage an Action Plan being developed in advance of proposals being drafted for Government later in the year. This Action Plan shall take into account the recommendations made by the Steering Group in its report — including the recommendation on drinks' industry sponsorship of sports and other large public events that is the subject of the Deputy's question.

Hospital Accommodation

289. **Deputy John McGuinness** asked the Minister for Health the position regarding his dealings in respect of a hospital (details supplied) in County Dublin; if he will appreciate the concerns of many at suggestions that this facility will close; if he will confirm that this decision to close is reversed; and if he will make a statement on the matter. [22554/12]

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 residents, 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 30 June 2012.

Public Sector Staff

290. **Deputy John Deasy** asked the Minister for Health the number of public servants that retired in Waterford city and county since the beginning of the year and the number of those that have been retired by the State. [23009/12]

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.

Sports Capital Programme

291. **Deputy Sandra McLellan** asked the Minister for Transport, Tourism and Sport if there are any short term grants available from his Department for a club (details supplied) in County Tipperary; and if he will make a statement on the matter. [22301/12]

Minister of State at the Department of Transport, Tourism and Sport (Deputy Michael Ring): I am pleased to announce that applications are now being sought for a new round of the Sports Capital Programme. This Programme is the main vehicle for Government support for the development of sports facilities and the purchase of equipment. It is open to any organisation, such as the group referred to by the Deputy, with a suitable project to apply for funding under the Sports Capital Programme, subject to the Programme's terms and conditions. More information and application forms can be downloaded from www.dttas.ie. The club in question should also contact the Irish Amateur Boxing Association to see if it could qualify for funding from an equipment grant made to the Boxing Association by my Department.

Licensing of Aerodromes

292. **Deputy Joanna Tuffy** asked the Minister for Transport, Tourism and Sport the position regarding Weston Aerodrome, County Dublin and whether there have been any applications to change its licence since 2005; and if he will make a statement on the matter. [22378/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The Irish Aviation Authority is the responsible authority for the licensing of aerodromes. I have referred the Deputy's

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question to it for direct reply. Please advise my private office if you do not receive a reply within ten working days.

Public Sector Staff

293. **Deputy John Deasy** asked the Minister for Transport, Tourism and Sport the number of public servants that retired in Waterford city and county since the beginning of the year and the number of those that have been retired by the State. [23013/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): My Department does not have offices in Waterford city or county. I have asked the State Agencies under the aegis of my Department to provide the Deputy with the information requested. If you do not receive a reply from the agencies within ten working days please advise my private office.