



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

Ceisteanna - Questions	2
Priority Questions	2
Bioenergy Strategy Implementation	2
Energy Policy Review	4
National Broadband Plan Implementation	5
Postcode Implementation	7
Postcode Implementation	9
Other Questions	11
Television Licence Fee Collection	11
Wind Energy Generation	13
Post Office Network	14
Electricity Transmission Network	16
National Broadband Plan Implementation	18
Water Services Bill 2014: Committee Stage (Resumed)	20
Leaders' Questions	36
Order of Business	43
Estimates for Public Services 2014	52
Water Services Bill 2014: Committee Stage (Resumed)	56

DÁIL ÉIREANN

Déardaoin, 11 Nollaig 2014

Thursday, 11 December 2014

Chuaigh an Ceann Comhairle i gceannas ar 9.30 a.m.

Paidir.

Prayer.

Ceisteanna - Questions

Priority Questions

Bioenergy Strategy Implementation

1. **Deputy Michael Moynihan** asked the Minister for Communications, Energy and Natural Resources when he will publish a biomass strategy; if he has sought to examine the possibility of transforming Moneypoint, County Clare, to biomass to reduce our carbon emissions; his views on converting our peat power stations to biomass; and if he will make a statement on the matter. [47396/14]

Minister of State at the Department of Communications, Energy and Natural Resources (Deputy Joe McHugh): The draft bioenergy plan was published in October and will undergo strategic environmental and appropriate assessments which will inform the content of the finalised plan. These assessment processes will commence shortly.

The draft plan sets out the broader context for the development of the biomass sector, as well as the current status with regard to the range of policy areas that must be co-ordinated to create the conditions necessary to support the development of this sector. The REFIT, renewable energy feed in tariff, schemes are the primary means through which electricity from a range of renewable sources is supported. In this regard, electricity from biomass, including co-firing with peat, is already supported through REFIT. The draft bioenergy plan recommends the continuation of REFIT for electricity generated from biomass and that the scheme would be kept under review to assess the most cost-effective way to support co-firing of biomass with peat.

The choice of technology is, however, ultimately a commercial decision for individual project developers and the fuel used at the Moneypoint plant is a matter for the operator. The

Minister has no role or function in this regard. Notwithstanding this, there are several important issues that would demand further consideration before biomass could be used at Moneypoint. The conversion of Moneypoint to biomass would require significant levels of capital investment by the operator. Support tariffs substantially higher than those available for wind, the most cost-effective renewable technology in the electricity market, would also be required which could lead to increased electricity prices. Substantially more biomass than is available domestically would be required with large amounts of the resource having to be imported leading to uncertainty in security of supply. The sustainability of transporting large amounts of imported biomass would also be a cause for concern. The commitment of substantial amounts of biomass to Moneypoint would divert scarce biomass away from the renewable heat sector where biomass can be used more efficiently and where fewer alternative technologies exist.

Deputy Michael Moynihan: The Minister and the Department will have to look carefully at the biomass issue. I have examined the use of biomass at the Drax power station in the United Kingdom, a station which generates 10% of the United Kingdom's electricity requirements.

On the Minister's point about transportation costs of biomass to the Moneypoint station, the same costs are already in place for transporting coal there. The boilers installed in the plant when it was constructed in 1979 are easier to convert to biomass than any other alternative fuel. Biomass should be put high on the renewables agenda because it is the best way to see reductions in carbon emissions.

Deputy Joe McHugh: I agree with the Deputy that biomass has a role in the bioenergy sector. It is hoped that biomass will account for 5% of the renewable electricity targets for 2020. Bord na Móna's peat-generating plant in Edenderry, County Offaly, has been using biomass. It is expected the plant will apply to the Department under the REFIT scheme. The ESB, however, has so far not given any indication of using biomass at its power station in Lanesboro, County Longford.

While transportation costs are a factor, the real concern is with the renewable heat sector. Biomass is more efficient in this regard. Unlike wind, it is also a scarce resource. While there are constraints in its use, I accept there is potential in the use of biomass.

Deputy Michael Moynihan: There is huge potential with biomass. The changes to the Common Agricultural Policy introduced by Ray MacSharry have resulted in a major increase in afforestation, with sitka spruce the main species of tree used. The Drax power station in the United Kingdom imports this raw material from the United States. With proper research and development, it would be possible to deliver considerable added value in this area. Much of the timber coming on stream nationally is being sold as pulp and pellets at a low, albeit reasonable, return. We should target other uses for these resources. Given that they are being used differently in other parts of the world, why not use our commodity as biomass? Ireland is slightly behind the curve on this issue. Biomass is the way forward and we must challenge the system to seek to integrate the resources available to us.

Deputy Joe McHugh: The Deputy and I are on the same page with regard to the potential of this sector. If officials have not examined the case in the United Kingdom to which the Deputy referred as part of the consultation process on the draft bioenergy plan, I will ensure they do so. Realising the potential from forestry presents cross-departmental opportunities. I will contact the Minister of State, Deputy Tom Hayes, to examine this potential. The way forward is to take a concerted, constructive and organised approach.

Dáil Éireann
Energy Policy Review

2. **Deputy Michael Colreavy** asked the Minister for Communications, Energy and Natural Resources if the White Paper on Energy Policy in Ireland will outline a funding mechanism for renewable energy. [47494/14]

Deputy Michael Colreavy: Ba mhaith liom beannachtaí na Nollag agus athbhliain nua fé mhaise a ghabháil leis an Aire agus leis an Cheann Comhairle. Is í seo an cheist dheiridh atá agamsa sa Dáil an téarma seo. Ba mhaith liom an tAire a mholadh maidir leis an bhfeabhas mór atá tagtha ar a chuid Gaeilge. D'éist mé leis an díospóireacht a bhí ar siúl an Mháirt seo caite. Ba léir an feabhas sin.

I ask the Minister if the White Paper on Energy Policy will outline the funding mechanism for renewable energy.

Deputy Joe McHugh: Ba mhaith liom mo bhuíochas a ghabháil leis an Teachta as ucht a teachtaireacht dearfa agus guím Nollaig shona air fosta.

Work on the development of a definitive energy policy is continuing. More than 1,240 written submissions were received arising from the public consultation process by the deadline of the end of July last. The Department is continuing to consider these submissions and engaging, through a series of seminars, with citizens and interested stakeholders, to ensure all views are heard and understood. It is also seeking to ensure that the assumptions on which the final policy paper will be written are tested and accurate so as to produce a dynamic and responsive evidence based framework, which will allow us to achieve a balance between sustainability, security and competitiveness challenges and opportunities.

Our overarching energy policy objective is to ensure secure and sustainable supplies of competitively priced energy to all consumers. While fossil fuels will remain part of the energy mix for some time, progress is being made towards increasing the share of renewable energy. The 2009 EU renewable energy directive set Ireland a legally binding 16% target from renewable sources by 2020, to be achieved through electricity, heat and transport.

The REFIT schemes underpin the development of a range of renewable electricity technologies, including hydro, biomass combustion, biomass combined heat and power, landfill gas and onshore wind. To date, wind energy has been the most cost-effective renewable technology in the electricity market, contributing most towards the achievement of the 2020 target. Work on the design of future incentives for renewable generation will commence next year. Any incentives will ensure maximum value for the electricity consumer and an appropriate return to project developers.

It should also be noted that the building regulations support the uptake of renewable heat. The draft bioenergy plan recommends the introduction from 2016 of a renewable heat incentive for larger heat users to change to renewable source heating solutions. In the transport sector, the biofuels obligation scheme and grants for purchasing electric vehicles underpin renewable energy deployment.

Deputy Michael Colreavy: I attended a briefing by the Sustainable Energy Authority of Ireland, SEAI, last week at which it presented its annual report. The report contains a large amount of good information, including enough statistics to give a person a nose bleed. The SEAI probably needs to work more closely with the Commission on Energy Regulation be-

cause a key element was missing from its report, namely, information on the comparative costs per unit of the various forms of energy, including the public subsidy per unit.

While I accept that renewable energy is the way forward, it must compete with a hard-nosed fossil fuel industry. The level of subsidy and its cost to citizens must be reviewed. The people going cold this winter are not confined to those living on the streets but include many people who cannot heat their own homes because of fuel poverty.

Deputy Joe McHugh: We are moving into a new phase in which we must be ambitious about what can be achieved. Whether using biofuels or providing grants for electric vehicles, we must consider all options. I have here a statistic on the biofuel obligation which will give the Deputy an idea of changes taking place in this area. The biofuel obligation increased from 4% to 6% from January 2013 and further increases will be required in future years if we are to comply with the renewable energy directive. The requirement for increased amounts of biofuel will incentivise the sustainable growth of the Irish biofuels market, which will support indigenous biofuel producers and expand the sustainable indigenous production of biofuels. In 2013, for example, 150 million litres of biofuel were placed on the Irish market.

We must be ambitious and examine international best practice. Every politician in the House is in contact with individuals involved in the renewable energy industry or university research in this area. A forum is also required in the House to advance new ideas on renewable energy. Officials in the Department are open to having such an engagement.

Deputy Michael Colreavy: While Ireland has obligations under the EU directive, our primary obligation is to provide affordable energy. I accept renewable energy is the direction in which we must move but we also require basic data that will allow us to compare the price for renewable energy *vis-à-vis* the price of fossil fuels, taking into account the public subsidy being paid and the price per unit of production.

Deputy Joe McHugh: The introduction of wind energy is having a direct effect on price and creating a more competitive market. The development by EirGrid of east-west infrastructure in recent years has also contributed to the energy mix and introduced more competition.

While final agreement has not yet been reached on the new INTERREG programme, it appears there will be a pillar focused directly on sustainable transport. This issue will affect the Deputy's constituency. Perhaps we need to have a conversation at this juncture about how the Department and Government can proactively feed into the INTERREG funding that will come on stream in 2015. The Deputy and I come from the same neck of the woods and our constituencies do not have access to sophisticated transport infrastructure. As we both come from the Border area, we will be in a position to target INTERREG funding under the sustainable transport pillar in the year ahead.

National Broadband Plan Implementation

3. **Deputy Tom Fleming** asked the Minister for Communications, Energy and Natural Resources when new generation quality broadband with speeds comparable to the broadband service that is available to customers on the east coast will be available to areas of County Kerry that currently have speeds of only 5 Mbps; and if he will make a statement on the matter. [47394/14]

Deputy Tom Fleming: There are large pockets of County Kerry where broadband reception is either very weak or non-existent. Ireland has dropped five places to 56th in the world in terms of broadband speeds, a performance that is worse than Mongolia which is regarded as a Third World country.

Deputy Joe McHugh: I thank the Deputy for his question. The national broadband plan aims to ensure that every citizen and business, regardless of location, has access to a high quality, high speed broadband service. This will be achieved through a combination of commercial investments and a State-led intervention in areas where commercial services will not be provided.

The commercial telecommunications sector is currently investing approximately €2.5 billion in network upgrades and I understand that over €18 million has been invested in broadband services in Kerry over the past 18 months. Approximately 1.6 million of the 2.3 million premises in Ireland are expected to have access to commercial high speed broadband services over the next number of years. These very significant investments represent a step-change in the quality of broadband services available.

On 24 November last, a public consultation on a national high speed coverage map 2016 was launched. This allows all members of the public, be they business or residential, to identify whether their premises-home is included in the Government's proposed intervention. It also provides detailed information on a county-by-county basis as to which villages and townlands are to be included. The map can be accessed at www.broadband.gov.ie. The areas on the map marked blue will all have access to high speed broadband services of at least 30 Mbps from the commercial sector by end of 2016. The areas marked amber will require the intervention of the State. It is anticipated that speeds of at least 30 Mbps will be delivered through the Government's intervention and the network will be designed to cater for future increased demand from consumers and business.

The next steps in this process will see a further public consultation on a detailed intervention strategy in mid-2015. A detailed procurement process will be undertaken in order to select a potential preferred bidder towards the end of 2015. In this regard, the Department will design a tender in a way that maximises efficiencies and keeps the cost to taxpayers as low as possible. It is expected that the physical build of this network will commence from 2016. This complex and ambitious project is a key priority for Government. It aims to conclusively address current connectivity challenges in Ireland.

Deputy Tom Fleming: The reality is that in terms of broadband speeds Ireland is a two-speed country. While some cities and towns have excellent coverage, large tracts of rural areas are served by up to 200 Eircom exchanges that have not been upgraded and provide broadband speeds of only 3 Mbps to 4 Mbps. While I welcome the recent announcement, reiterated this morning by the Minister of State, regarding the upgrade and expansion of broadband services, it remains the case that by 2016 one third of this country will still not have access to any satisfactory broadband service.

I would like to outline for the Minister of State the situation facing a business in County Kerry, which indicates the current situation is anti-trade, anti-business and anti-rural Ireland.

An Ceann Comhairle: I must ask the Deputy to conclude. I will allow him in again.

Deputy Joe McHugh: The reason the Minister introduced this intervention last month is

to try to address the challenge of broadband service provision in Kerry and other parts of the country that do not have access to broadband, be that for businesses, primary schools, secondary schools or at a domestic level. The focus now is on whether the mix in this regard will be a combination of wireless and copper or fibre. The process is a complex one in that we must adhere to EU guidelines in relation to commercial services. Where commercial companies are unable to access services, State intervention will be provided. It is crucial that people who feel excluded make known their situation between now and June 2015. There is already engagement on this issue between the Department and Kerry County Council and other local authorities but we must ensure this engagement is ongoing.

Deputy Tom Fleming: I was going to refer earlier to the situation faced by a business in Castleisland, County Kerry which employs more than 100 people and is a much needed facility in the area given the haemorrhage of much of its youth because of a lack of jobs. In this instance, to obtain the broadband service required for the business the owner has had to relocate two of his workforce to Dublin. Current broadband speed in Castleisland is 4 Mbps. Eircom has informed the businessman concerned that the cost to him to access its broadband service would be €40,000 over three years. Having made further inquiries he discovered that businesses in Dublin are charged €99 per month for a 120 Mbps service. It is unfortunate that this man has had to relocate some of his workforce to Dublin because of the discriminatory nature of broadband service provision in the Castleisland area. We need to move immediately to ensure a level playing pitch in respect of broadband service provision.

Deputy Joe McHugh: I share those sentiments and can relate to the Deputy's argument. I have come across similar businesses. In regard to the specific business in Castleisland, if the Deputy forwards me the details, I will discuss it with my Department officials and seek to have them engage with the company.

I also have responsibility for the Gaeltacht in County Kerry. Údarás na Gaeltachta is already engaging with the Department as part of the strategic consultation process to identify deficits and how we can move forward. Earlier I used the word "ambitious" in regard to renewable energy. With regard to broadband, we need to be strategically aggressive in our pursuit of broadband service provision. The situation in respect of the provision of broadband services is not dissimilar to that in which this country found itself in the 1920s with regard to rural electrification. Broadband is in a similar space to that of electricity in the 1920s in that it is necessary. As stated by the Deputy, we must do everything to combat the discrimination in terms of the rural-urban divide. I will work with the Deputy on any issues to do with County Kerry.

Postcode Implementation

4. **Deputy Michael Moynihan** asked the Minister for Communications, Energy and Natural Resources if his attention has been drawn to the concerns expressed by freight transport companies here surrounding the launch of Eircode; the costs surrounding Eircode; when the post code will be operational; and if he will make a statement on the matter. [47397/14]

Deputy Michael Moynihan: Is the Minister of State aware of the concerns expressed by some of the freight transport companies surrounding the launch of the Eircode? Will he outline the costs surrounding implementation of that code and how it will be operated, and make a statement on the matter?

10 o'clock

Deputy Joe McHugh: I thank the Deputy for the question. The Eircode postcode has been designed, *inter alia*, to manage challenges around finding addresses in Ireland, specifically the fact that more than 35% of addresses are not unique. This issue underpins the solution adopted which will assign a unique seven-digit alphanumeric identifier to each address. The first three characters of the code, called a routing key, will be used to help sort mail, but it is not directly linked to counties, towns or other geographic features. A routing key will be shared by a number of properties in an area, and will become familiar, rather like the prefix on landline phone numbers.

The second part of the Eircode postcode, the unique identifier, has four characters drawn from a carefully selected set of letters and numbers that identify each address. The Eircode design has a flexible structure with plenty of spare capacity. That means that it is future-proofed to allow for changes to buildings and new developments. There has been widespread support from public sector bodies and private businesses, with particular interest from the retail and financial industries, for the introduction of postcodes nationally. For example, Nightline, Ireland's biggest independent logistics firm, is fully supportive of the introduction of Eircode. In addition, the emergency services and, in particular, the National Ambulance Service, have welcomed the introduction of Eircode as the codes will facilitate the speedier deployment of its services.

The Freight Transport Association of Ireland and other bodies, as the Deputy has pointed out, have expressed concerns over the non-sequenced nature of Eircode. A sequential design has a number of drawbacks, including the potential to lead to the inability to assign a sequential Eircode postcode to new builds and to cope with the expansion in the number of addresses in the future. The cost to the Exchequer of the national postcode system over the ten-year cycle of the contract is expected to be €27 million, excluding VAT, with costs covering design, database upgrades, media and postcode distribution.

An extensive public information campaign will commence early next year to inform the public about Eircode postcodes and promote their use. This will include outreach activities to ensure the public, especially the vulnerable and hard-to-reach, obtain information on Eircode in a timely manner. Eircode postcodes are expected to be launched by the middle of next year when every household and business in the country will receive a letter containing their postcode.

Deputy Michael Moynihan: I thank the Minister of State. There is major concern among some freight transport companies. In recent weeks there have been conflicting reports about the cost to the Exchequer of the setting up of Eircode. The cost of outside consultants, which will be about 6% of the overall budget, was discussed at a committee. When the figures were added up, it equated to a total cost of €50 million. It was also said the cost would be only €27 million. The Minister of State might outline the exact costs incurred in regard to setting up postcodes. What figures refer to outside consultants? What is the overall cost? Is it €27 million, €50 million or €55 million? A cost of €87 million was also mentioned.

Deputy Joe McHugh: The cost to the Exchequer of the national Eircode system over the ten-year cycle of the contract is expected to be €27 million, excluding VAT, with costs covering design, database upgrades, media and postcode distribution. The cost of the contract will be €16 million over the first two years and a further €1.2 million per annum for the remaining

eight years of the contract. The bulk of the cost can be attributed to the dissemination and communications processes. The cost of designing the Eircode postcodes and associated databases is not a significant component of the overall cost.

Capita, the company employed, has been paid €3.22 million, including VAT, to date on foot of delivery of agreed milestones. For further clarification, consultancy costs from 2010 to 2014 were €1.12797 million. PA Consulting received €941,000, including VAT, Mason Hayes & Curran received €141,000, including VAT, while other consultants received €44,000. The Deputy referred specifically to costs. On the cost to businesses and SMEs from the introduction of Eircode, Eircode postcodes will be made available to a variety of business users who can avail of the postcodes free of charge for a limited number of look-ups per day, approximately 15, from a dedicated website.

Deputy Michael Moynihan: Officials said the cost of outside consultants was about 6% of the total cost. The Minister of State gave a figure of €3.22 million in regard to the delivery of the contract and gave other figures of €1.2 million. If €3.2 million is 6% of the overall budget, it would equate to a budget of over €50 million. Figures have been bandied around. For clarification, can the Minister of State confirm that every cent being used by the State to produce the Eircode postcodes leads to a grand total of €27 million? Are other costs not showing up?

Deputy Joe McHugh: Rather than repeat what I said in my reply, I will revert to my officials. If there are other costs or ancillary costs, I will get the officials from the Department to shed more light on them. The important point about costs is something on which all Departments have to be focused, namely, efficiency. There is a lot of engagement with An Post, for example, in terms of data. It has a geodirectory and information systems. Where there are efficiencies and savings can be made, there is no doubt that the Minister, Deputy White, will ensure that will be done. If there are ancillary costs and a further breakdown other than the information available here, I will get officials to get in touch with the Deputy directly.

Postcode Implementation

5. **Deputy Tom Fleming** asked the Minister for Communications, Energy and Natural Resources the total amount spent to date in consultancy fees on the proposed Eircode postcode system; the anticipated estimated cost of the project; the up-to-date progress regarding the roll-out of postcodes; if their implementation will be of help to the viability and future development of the post office network; and if he will make a statement on the matter. [47395/14]

Deputy Tom Fleming: The figures on the consultancy fees for the setting up of Eircode are exorbitant. I fear we could have a debacle similar to the Irish Water situation if this is allowed to continue in its current form. The Freight Association of Ireland has raised some problems. It said the system will be useless for its members. The chairman of the Fire and Emergency Services Association said the random nature of the system could cause confusion for first responders. This is a very serious matter.

Deputy Joe McHugh: I will be repeating some information as the question is similar to others. The cost to the Exchequer of the national postcode system over the ten-year cycle of the contract is expected to be €27 million, excluding VAT, with costs covering design, database upgrades, media and postcode distribution. A contract was signed with Capita Business Support Services Ireland limited in December 2013 to develop and roll out the national postcode system

over a ten-year period. Total spend to date on that contract is €3.22 million. Aside from the contract with Capita, consultancy costs of €1.12797 million, including VAT, have been incurred from 2010 to date on the national postcode system.

The design for the national postcode system was approved by Government and the brand Eircode was launched for the national postcode system in April 2014. Capita launched the website *www.eircode.ie* earlier this year. Over recent months, Capita has engaged with a number of private and public stakeholders to brief them on the project and prepare them for the launch of Eircode postcodes next year. Overall, the response to the project has been very positive. To support dissemination of Eircode postcodes, the databases of large public sector bodies are being Eircode enabled. This work is expected to be concluded this month, which means that public sector bodies with large customer-facing databases will be in a position to use the codes immediately on launch.

An extensive public information campaign will commence early next year to inform the public about Eircodes and promote their usage. This will include outreach activities to ensure the public, and especially the vulnerable and hard to reach, obtain information on Eircodes in a timely manner. Eircodes are expected to be launched by the middle of next year when every household and business in the country will receive a letter containing their Eircode. Although not aimed primarily at growing the post office network, it is expected that Eircodes will assist the mail service by providing a stimulus to mail volumes through direct marketing capabilities. In addition, An Post has been selected to disseminate Eircodes next year and will benefit accordingly.

Deputy Tom Fleming: I believe the views of the two organisations to which I referred earlier must be taken on board. In particular, the concerns of the Irish Fire and Emergency Services Association regarding the emergency services raise the possibility of being faced with catastrophic situations in which fatalities may be involved due to an erroneous system. The association has a problem with the randomised nature of the Eircode system whereby the code generated for each address is random, which means the Eircodes for adjacent properties bear no relation to each other. The lack of a sequenced code structure ensures that the postcode offers no assistance to the drivers who are seeking to negotiate the most efficient route when making either emergency calls or deliveries.

The ironic point in this regard is that An Post already has set up a code of its own and has stated it does not require this new postcode as such.

An Ceann Comhairle: I will let the Deputy back in.

Deputy Tom Fleming: It has developed its own GeoDirectory national address system. My question is whether this will cause problems for An Post. Might it be a further burden on An Post's viability?

Deputy Joe McHugh: I thank the Deputy for his questions. On the first point with regard to emergency services, my information is that the ambulance services have welcomed it. I do not have information on fire services but my officials certainly will follow up on that point. An exhaustive consultative process has been carried out in this regard and consequently, I am sure the fire services already have been contacted. However, if concerns exist there, the Department must follow up on them. In respect of the non-sequenced nature of the Eircode system, there probably is a couple of elements in the thinking behind it. First, one reason behind the

non-sequenced mechanism is the desire to avoid setting up a discriminatory system in which certain areas could be targeted by geography or otherwise if they all were in one block. Second, a feature of development in Ireland is the use of once-off housing. The Deputy might consider an example of a roadway in his own constituency in which two houses stand at present. It is possible that in two years' time, a brother or sister will build a house in between the two. It would be difficult to come up with a sequenced system that would build into future planning. However, I certainly will raise the concern regarding the fire services.

Deputy Tom Fleming: The Office of the Data Protection Commissioner also had some difficulties in this regard. In its most recent report, it reflected on how the Eircode system will award individual codes to each address, contrary to advice the then commissioner gave as long ago as 2005. This is being done contrary to his advice when at that time, he warned that a code which identified unique address instead of wider areas would pose a problem for data protection. Nevertheless, on 8 October 2013, the then Minister announced that the Cabinet had agreed to the roll-out of a unique seven-digit character code to each letterbox. I believe this matter should be reconsidered.

Deputy Joe McHugh: I acknowledge that a number of concerns were raised in the past. There always will be issues with a new system but with regard to the Data Protection Commissioner, as part of the Department's approach to the introduction of Eircodes, communications between the two have addressed the implementation, dissemination and commercialisation of Eircodes to ensure adherence to all pertinent data protection legislation. The Data Protection Commissioner's office has been advised of and has noted the rationale and policy justification for the approach suggested for the Eircode roll-out and implementation. However, I believe the key point regarding the roll-out is the intricate - I will not use that word and even am struggling with English words these days - the intrinsic link between An Post and the system. It will be part of the roll-out and its expertise and knowledge base is absolutely paramount to the success of this project because it has its GeoDirectory and has the information whereby postal staff on the ground know precisely where the people are. Consequently, An Post is a key and integral part of this development.

Other Questions

Television Licence Fee Collection

6. **Deputy Michael Moynihan** asked the Minister for Communications, Energy and Natural Resources his plans to introduce the broadcasting charge; and if he will make a statement on the matter. [47261/14]

Deputy Michael Moynihan: During the early stages of the formation of the present Government and subsequently, the then Minister indicated the Government's intention to bring in a broadcasting charge as opposed to the television licence. Great play was made about the distinction between the two and what would happen within it. Even during Question Time in this

Chamber, this charge was suggested. What is the status of the broadcasting charge at present? What are the plans to introduce it and will the Minister of State make a statement on the matter?

Deputy Joe McHugh: I thank the Deputy for the question. The programme for Government commits to examining the role and collection of the television licence fee in light of existing and projected convergence of technologies and to transforming the television licence into a household-based public service broadcasting charge to be applied to all eligible households and applicable businesses, regardless of the device used to access content or services. The Minister is currently considering the charge in the context of funding of public service broadcasting, arising from the Broadcasting Authority of Ireland's five-year review of broadcasting, including a new system of determining the adequacy of funding for public service broadcasters and a revision of the current governance arrangements for advertising minutage. In conjunction with this, the Minister is considering possible amendments in respect of certain administrative and operational issues identified in the period since the Act came into effect. Until he has given his full consideration to these matters and has brought proposals in that regard to the Cabinet for decisions, there will be no change to the current arrangements.

Deputy Michael Moynihan: Would it be correct to state the plans to bring in the broadcasting charge have been long-fingered or shelved at this stage? To judge from the Minister of State's response, that is the information I can take from it. As the Minister of State mentioned in his reply, the Minister has considered it in the context of the State broadcaster and the funding for it. Are the Minister and the Department fully content with the amount of money that is going into the State broadcaster from the television licence fee? Are they satisfied it is being put to good use by the State broadcaster? It is beyond me to understand it when independent television and radio programmers can produce programmes in some instances with one-tenth of the staff used by the national broadcaster to so do. I ask whether the Minister of State is content with the manner in which the money is being spent within RTE. Moreover, I ask him to indicate, in a simple "Yes" or "No" response, whether the planned broadcasting charge has been shelved.

Deputy Joe McHugh: In respect of the spend and the money that is not being collected, there is an evasion figure of anywhere between 15% and 16%. The total amount for the television licence is between €185 million and €190 million - I believe the latter is the correct figure. I am aware, for example, that some of this money goes to the likes of TG4 and is going back into the system. Moreover, from my work in my other portfolio, I am aware that this money is going to a place where it is being well spent. As for the Deputy's question where he sought a simple "Yes" or "No" answer, in the reply I gave, the Minister has stated categorically that there will be no change at present. My own thoughts in this regard concern the complexity of the subject. We are entering a whole new world with so much changing so quickly whereby people are not even using laptops for their daily news-feeds but are using their iPhones. Given the complexity of usage, the Minister needs to take time to reflect. If we have learned anything as a Government in the past six to seven months, it is that it is important to take time and do things properly rather than rush them.

Deputy Michael Moynihan: I take it that it has been postponed, for the want of better English.

Deputy Joe McHugh: We will be taking more time to work out a very complex system.

Wind Energy Generation

7. **Deputy Thomas P. Broughan** asked the Minister for Communications, Energy and Natural Resources the current status of negotiations between the Irish and British Governments regarding an intergovernmental agreement on the export of wind energy; and his views on whether a significant increase in generating electricity from wind energy here is financially and environmentally viable. [47113/14]

Deputy Thomas P. Broughan: Will the Minister of State tell me where the intergovernmental negotiations relating to the export of offshore wind power now stand? There seems to be a feeling that these negotiations have collapsed and yet one company called Element Power still seems to be proceeding with developments on Codling Bank. Where are the negotiations at the moment?

Deputy Joe McHugh: I thank the Deputy for the question. Following the signing of a memorandum of understanding on energy co-operation with the UK Government in January 2013, a joint programme of work was undertaken to consider how Irish renewable energy resources, onshore and offshore, might be developed to the mutual benefit of both Ireland and the UK.

Economic analysis conducted on the Irish side clearly indicates that, under agreed policy and regulatory conditions, renewable energy trading could deliver significant economic benefits to Ireland and the UK, as well as being attractive to developers. However, given the economic, policy and regulatory complexities involved and some key decisions that the UK is not yet in a position to take, delivery by 2020 of renewable energy trading will not be possible.

In the context of a European internal energy market, it would appear that greater trade in energy between Britain and Ireland is likely in the post-2020 scenario. Domestically, onshore wind energy has been the most cost-efficient renewable electricity technology in the Irish market. Detailed analysis by the Sustainable Energy Authority of Ireland, SEAI, and EirGrid found that for 2011, wind generation lowered wholesale prices and offset the costs of the public service obligation levy and other associated costs related to renewable electricity. In addition, the recently published SEAI report on quantifying Ireland's fuel and CO₂ emissions savings from renewable electricity in 2012 found that as a result of wind generation, almost 600 kilotonnes of oil equivalent of imported fossil fuels, valued at €180 million, were displaced with a consequent CO₂ saving of 1.5 million tonnes valued at €11 million.

Analysis undertaken by the Department, the SEAI, EirGrid and the Commission for Energy Regulation assessed the costs and value of choosing the path towards 40% renewable electricity generation in 2020 compared with a scenario where renewable electricity remained at 2013 levels. This analysis informed a report which the Minister expects to receive and publish shortly.

Separately, the second phase of public consultation on the renewable electricity policy and development framework will commence shortly with the publication of a strategic environmental assessment and appropriate assessment scoping document. The renewable electricity policy and development framework is expected to be completed in 2015.

Deputy Thomas P. Broughan: I thank the Minister of State for that reply. I think everyone in the House is broadly in favour of renewable energy. The Minister of State probably knows that just as in some areas with onshore wind energy, the cost-benefit analysis and the Govern-

ment invigilation of the proposals for offshore wind energy, particularly on the Kish and Codling Banks, which are just off the coast of the Ceann Comhairle's constituency, and the massive Dublin Array which is to have 145 turbines, most of which are to be 160m high, was very remiss. The approvals were granted by a previous Minister under the Foreshore Act 1933. Where do we stand on that? I know the previous Minister published the offshore renewable energy development plan about a year ago but where do we stand in respect of the legislation? What is the situation with regard to marine spatial plans? In view of the Minister of State's reply, is it the case that a marine spatial plan could be prepared which will, in effect, lock down the Kish and Codling developments? Is it the case that the Minister of State seems to be saying that the outgoing - hopefully - Tory Government in the UK has abandoned any further major offshore proposals and interconnectors?

Deputy Joe McHugh: I was not involved but I was certainly watching very closely from the sidelines when I was Co-Chair of the British-Irish Parliamentary Assembly when the agreement went to a memorandum of understanding between the British and Irish Governments. There was momentum behind the movement towards a bilateral agreement between the UK and Ireland. That did not happen and that conversation is off until 2018 or post-2020.

Between now and then, we must be creative in our ways of doing things. We should not, as an island nation, rely solely on the UK as a potential partner. We should be looking at the likes of France and other creative options. How far advanced are universities in their research in terms of tidal energy and how does that affect getting foreshore licences? We need to look at the entire mix and I am certainly prepared to work with the Deputy on this issue. If we are going to be moving to a period of time where resources will become scarce, we need to be ahead of the posse and work closely with the European Commission on these matters.

Deputy Thomas P. Broughan: When does the Minister of State expect the foreshore issue to come forward? Will he allow a debate if there is any proposal on marine spatial planning?

Deputy Joe McHugh: I do not have the answer but I will get the Minister, who has responsibility for this section, to get back to the Deputy on that question.

Post Office Network

8. **Deputy Michael Moynihan** asked the Minister for Communications, Energy and Natural Resources his plans on publishing a strategy on sustaining the post office network; and if he will make a statement on the matter. [47260/14]

Deputy Michael Moynihan: When it is planned to publish a strategy on sustaining the post office network in view of the changing society? What are the plans to produce a major innovative strategy in respect of maintaining the network as it now stands?

Deputy Joe McHugh: I thank the Deputy for his question. It is Government policy that An Post should remain a strong and viable company in a position to provide a high-quality postal service and maintain a nationwide customer-focused network of post offices in the community. The network stands well-positioned to become the front office provider of choice for Government and the financial services sector for both electronic transactions as well as the more traditional over-the-counter transactions.

It would be wrong to ignore the significant challenges facing the post office network in the current economic climate while also taking account of changes in technology and general retail behaviour. The future of the post office network will only be secured by its continuing to modernise and diversify in the provision of services that large numbers of people and business users want to use and that are sustainable in the long term.

Currently, there is a whole-of-Government review under the auspices of the Cabinet committee on social policy exploring the scope for providing additional public services and securing new lines of business through the post office network. The Minister has been engaged with both An Post and the Irish Postmasters Union concerning this review as and when appropriate.

Deputy Michael Moynihan: In view of the continuing talk about the maintenance of the post office network, whether it is in urban or rural Ireland, there is considerable concern about it. Is it not time for us to take a radical approach to An Post? The reality is that the Department of Social Protection is encouraging people to go elsewhere rather than use An Post for social welfare. We need to change the memorandum of understanding with regard to An Post and to be very clear. We need something similar to that used with the ESB. We need to make a direction to An Post that it must maintain the post office network in every single community full stop and tell it that this is its legal obligation and *modus operandi*. I do not see the management or the board of An Post effectively or aggressively going after business in respect of driving licences, motor tax and a whole raft of things. We must change fundamentally how An Post is governed and produce a memorandum of understanding to direct it to maintain the network.

Deputy Joe McHugh: I completely agree. Prior to the local elections, a debate was raging throughout the country about post offices. The overarching message from people within the communities we both serve was that the post office was an important one-stop-shop where people could meet. This must be the ultimate focus of any debate with An Post as technology improves. We spoke earlier about broadband and that we will try to bring either wireless, fibre or copper to every home but we do not want to create a society where people do everything from their sitting room. We must focus on the idea that people must still meet each other. There are many suggestions being made to the Department, for example, that post offices should be developed to have a sharper focus on banking. AIB has a contract in this respect and Aviva has a contract relating to insurance. The Revenue Commissioners includes An Post as one of the three avenues for people paying property tax, so we must be conscious of keeping people moving through the doors of post offices. Ultimately, it is a place for people to meet. Some people have even proposed that they could become types of Internet hubs as well for people to access online facilities. There are plenty of creative options, including that from the Deputy, and we will work from the Government policy of keeping those post offices.

Deputy Michael Moynihan: There was a whole-of-government report allegedly commissioned for the post office network in the run-up to the local elections in March or April. That has been lost along the way, if it ever existed. Where is that now? Fundamentally, the Government and the State must direct An Post to change its *modus operandi* and governing rules as it does not seem to be aggressively going after the businesses which they should pursue. There is a multiplicity of businesses out there which could be adopted into the post office network if there was a direction to do so. We must seriously consider the issue. Did the whole-of-government report ever exist and will it ever come to pass? Was it a figment of somebody's imagination, like the broadband announcement prior to the local elections?

Deputy Michael Colreavy: I submitted No. 11 but it makes sense for me to intervene now.

During the discussion on the whole-of-government approach, I suggested that post offices and credit unions need to get much closer. We could work towards a people's bank in every post office. That may not be an appropriate issue for the Minister of State but the working group should consider legislation relevant to credit unions because, between that legislation and the role of the Central Bank, there is a risk of losing the ethos of credit unions. It seems we are trying to make small banks that will not be fit to compete with the commercial banks. Will the working group take this on board? Will it consider what I have asked about, which is the potential for post offices and credit unions to set up functioning local people's banks?

Deputy Joe McHugh: I will certainly ensure that proposal will feed into the business development group. The Deputy asked where is the process now, with the conversation having started in March or April. At an October meeting of the Cabinet committee on social policy, approval was conveyed for the establishment of a business development group to examine potential opportunities for both government and commercial sectors. The group will be chaired by an independent chairperson and will have representation from An Post. My colleague, the Minister of State with responsibility for rural affairs, Deputy Ann Phelan, will have significant input, along with the Department of Agriculture, Food and the Marine. The group will also have the capability to call on representatives from other Departments, and it will be asked to provide an interim report by the end of the first quarter of 2015, with a final report concluded by the second quarter of 2015.

Electricity Transmission Network

9. **Deputy Mattie McGrath** asked the Minister for Communications, Energy and Natural Resources the current status of EirGrid's Grid Link project; the way his Department has assessed EirGrid's claims relating to the threat to the national power supply if the Grid Link overhead pylon project does not get the go-ahead; and if he will make a statement on the matter. [47123/14]

Deputy Mattie McGrath: There is a view put out strongly by EirGrid that the lights will be turned off in Dublin and elsewhere if it does not get the Grid Link project up and running. We know the difficulties it has in this respect and it is to launch a new public consultation. Has the Department done a proper assessment to verify the claims? When I served on the committee dealing with communications, I visited national grid facilities and there was never any indication that there would be a disruption in supply. That was at the height of the boom, when electricity usage was at a peak. Does the Department agree with the claims?

Deputy Joe McHugh: I thank the Deputy for his question. The Grid Link project will facilitate the integration of renewable energy onto the transmission system, reduce our reliance on imported fossil fuels and facilitate further electricity interconnection with Europe, providing a more secure electricity system. Despite the recent recession and drop in electricity demand, there remains a concern about the emerging risk to the security of supply in the south and east of the country, brought about largely by heavy power flows through the network. EirGrid estimates that, if left unchecked, the existing grid in the south and east of Ireland would not be sufficient to meet our future electricity needs, thus jeopardising electricity supply to the area. In meeting its obligations to ensure the system is secure, EirGrid proposed the Grid Link project to strengthen the grid and fulfil expected requirements in the south east.

EirGrid reviews all projects and strategies at regular intervals to take into account relevant

developments, including economic conditions and electricity demand forecasts. In 2010, a review of Grid25 resulted in EirGrid reducing the estimated cost of the programme to €3.2 billion. EirGrid is currently undertaking a further review, with the outcome expected in the first quarter of 2015. In January 2014, an independent expert panel was established to examine the Grid West and Grid Link projects. EirGrid is undertaking analysis on fully undergrounded and overhead options for each of the projects in accordance with terms of reference set by the panel, which are available on the Department's website.

In due course, the panel will provide an opinion to the Minister on the completeness, objectivity and comparability of the studies and reports and will oversee the publication by EirGrid of the two studies and reports prior to EirGrid proceeding to public consultation on the two projects. The panel expects to be in a position to provide an opinion to the Minister on the Grid West project in the first quarter of 2015. An opinion on the Grid Link project is expected in the third quarter of 2015.

Deputy Mattie McGrath: I thank the Minister of State and wish him well in his work on the portfolio, as it is the first time I have asked questions of him. I do not accept his answer, however, as the cart was put before the horse. The reports should have been with the Minister long before EirGrid bulldozed ahead with its sham consultation, which it has accepted was not done properly or adequately. They are going back for a new round of public consultation and I heard a spokesperson on RTE radio during the week explaining how it would be different and have more local staff involved. EirGrid has been knocked back by the sheer scale of resistance to the proposal as it was not being fair, listening to people or engaging. It was going to go ahead with the project before any reports were done. Nobody who is opposed to the projects wants to have the lights turned off. We are aware of the need for energy but the scale of the project was way too big and overly ambitious. There was an attempt to bulldoze the issue and EirGrid has been set back in those tracks. I wish those reports were ready to be presented now.

Deputy Joe McHugh: There was public pressure and it is important that there is engagement and consultation in response to that pressure. The Minister's predecessor, Deputy Rabbitte, set up the panel to consider the options of overhead pylons versus underground lines. I encourage the Deputy to feed into the process, and his contribution today will I hope form part of that. It is a fairly tight timeframe but it is important that both options are considered.

The issue of overhead pylons and wind turbines is a difficult space. I agree that people realise that energy requirements are a practical reality and important, particularly if we are seeking to attract investment in new industry. I will take on board the Deputy's points.

Deputy Mattie McGrath: I thank the Minister of State for his reply and for acknowledging that the Government had to listen to the people. We see that with Irish Water. The independence of the panel concerns some people. Is it wholly independent of EirGrid and the other bodies? There is also a concern about the new chairperson of EirGrid, who spent so much time in An Bord Pleanála. These things do not sit well with the public. The panel must be truly independent. This must be clear-cut. There must be no fuzziness or no spin.

Deputy Joe McHugh: Having found out who exactly is on the panel, I would be confident of its composition in terms of independence. Obviously, it has terms of reference. The panel is chaired by Mrs. Justice Catherine McGuinness and includes Professor John FitzGerald; the economist, Mr. Colm McCarthy; engineering professor, Keith Bell, from the University of Strathclyde; and Dr. Karen Foley, head of the school of landscape architecture in UCD. I am

confident that we have an independent group and I hope there will be a comprehensive examination of all the concerns in the first report in quarter one of 2015.

National Broadband Plan Implementation

10. **Deputy Gabrielle McFadden** asked the Minister for Communications, Energy and Natural Resources the person that will be tasked with costing the proposals for the State-led intervention in the national broadband plan intervention areas identified during the mapping process; and if he will make a statement on the matter. [47112/14]

13. **Deputy Gabrielle McFadden** asked the Minister for Communications, Energy and Natural Resources the criteria that will be used to cost the proposals for the State-led intervention proposed in the national broadband plan; the way the plan will be funded; if the areas with the poorest coverage will be prioritised; and if he will make a statement on the matter. [47111/14]

Deputy Gabrielle McFadden: If it is okay with the Minister of State, I propose that we take Questions Nos. 10 and 13 together because they are similar. Question No. 13 is the one I really want to ask. It is to ask the Minister of State what criteria will be used to cost the proposals for the State-led intervention proposed in the national broadband plan. How will the plan be funded and will the areas with the poorest coverage be prioritised?

Deputy Joe McHugh: I thank the Deputy for the questions. Is it okay with the Ceann Comhairle if we take the two questions together?

An Ceann Comhairle: Yes, but we only have a few minutes.

Deputy Joe McHugh: I will respond to the first question but will keep the other question in the back of my mind.

The national broadband plan, NBP, aims to ensure that every citizen and business, regardless of location, has access to a high quality, high speed broadband service. This will be achieved through a combination of commercial investments and a State-led intervention in areas where commercial services will not be provided.

On 24 November last, the Minister, Deputy White, launched a public consultation on the national high speed coverage map 2016. This allows all members of the public, whether business or residential, to see whether their premises or home is included in the Government's proposed intervention. It also provides detailed information on a county-by-county basis as to which villages and townlands are to be included.

My Department is responsible for the calculation of the costs associated with the Government's intervention under the plan. This is an important part of the detailed work that is being undertaken to finalise the detailed intervention strategy. Ultimately, however, the outcome of the tender process will determine the final cost of the intervention.

Detailed technical, legal, regulatory, financial and economic evaluations are required to ensure that the tender will be designed in such a way that maximises efficiencies and keeps the cost to taxpayers as low as possible. Given the strong dynamic that currently exists in the Irish broadband market we can expect a very competitive procurement process.

The next steps in this process will see a further public consultation on the detailed intervention strategy in mid-2015. A detailed procurement process will be undertaken in order to select a potential bidder or bidders towards the end of 2015 and it is expected that the physical build of this network will commence from 2016.

This complex and ambitious project is a key priority for Government. It aims to conclusively address current connectivity challenges in Ireland and no doubt in Longford-Westmeath.

Deputy Gabrielle McFadden: I thank the Minister of State. The national broadband plan to deliver high speed broadband to every corner of the country is very welcome. However, like all ambitious plans, it comes at a price. Longford-Westmeath is my priority. The previous Minister, Deputy Rabbitte, rightly said that an ambitious programme to provide high quality, reliable and high speed broadband is a necessity for the 21st century and society. Nobody would disagree with this assertion but, unfortunately, the broadband issue has almost become a toxic one in rural Ireland and in communities such as my own which have heard about the national broadband schemes but they have never materialised.

As the Minister of State knows, the broadband deficit is huge in rural areas. In my constituency of Longford-Westmeath, for example, there are many areas which have no broadband or patchy broadband at best. We seem to have an increasing urban-rural divide when it comes to available broadband speeds. Some rural areas have no broadband while some urban areas enjoy state-of-the-art broadband speeds. There is no question but that the midlands region can benefit hugely from improved broadband infrastructure and I hope this national broadband plan can provide a basis for regional economic growth and job creation in the midlands and across the country. Good broadband can level the playing field for small businesses and it is an essential piece of business infrastructure but, sadly, there is a deficit in many areas.

Deputy Michael Moynihan: The State has been very insincere in its approach to this. We have heard about all the Mickey Mouse plans over the past number of years. It must be fibre going into every house and community. There is a network there with the ESB. It must be fibre because anything else is tinkering around the edges. We did it in the 1930s and 1940s with the ESB.

Deputy Joe McHugh: I will take the two questions in the short time available. It is a complex process because we must adhere to EU competition guidelines. The Department is not in a position to say whether it will be fibre, copper or wireless or a combination. I agree with Deputy Moynihan that fibre is where it is at in terms of business, whether the MANs network or Project Kelvin in the north west. The competitive nature of this and compliance with EU regulations are important. We are looking at a constructive timeframe post-summer 2015 and at going to tender. Whether it will be a bidder or a combination of bidders, this is where the focus must be.

The physical infrastructure is there. We have ESB and Eircom infrastructures. There are also wireless solutions. A gap will be filled by commercial companies. The ESB has already announced 50 towns and Eircom announced another project in the past month targeting other towns, but there will be gaps.

There is a map. I encourage the Deputies to go to the local authorities, including that in Longford-Westmeath. I am sure there is engagement with the Department of Communications, Energy and Natural Resources. They know what is available, what is missing and what is in-

cluded. If there are to be changes on the map between now and summer 2015, there is an option there. Again, I encourage Deputies to engage with the local authorities which are already doing this at a formal level. If there are to be changes to the map, let us make them.

We are moving into a new space in regard to broadband. It is not just about providing broadband for present day needs. We have to look at how this broadband infrastructure, both commercial and State-led, will provide for the needs ahead, whatever they will be. Things are changing so quickly. I do not know what the needs will be but the people involved in the industry know where broadband capabilities, supply and services will be in the next ten to 20 years.

Written Answers follow Adjournment.

Water Services Bill 2014: Committee Stage (Resumed)

SECTION 2

Debate resumed on amendment No. 4:

In page 4, line 9, after “Resolution” to insert “of not fewer than two thirds of the Members”.

— (Deputy Catherine Murphy).

An Ceann Comhairle: The last time we debated this, we were on amendment No. 4.

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): I had concluded.

An Ceann Comhairle: The job I have now is to put the question.

Deputy Catherine Murphy: We had all made an initial contribution. I understood that on Report Stage, it was possible to come back on-----

An Ceann Comhairle: This is Committee Stage.

Deputy Catherine Murphy: And Report Stage.

An Ceann Comhairle: Report Stage comes after Committee Stage. They are not taken together. We will finish Committee Stage first and then we will go on to Report. I have to put the question.

Deputy Denis Naughten: I want to respond to the Minister and I think Deputy Catherine Murphy wants to do the same. I will give way to her because it is her amendment.

Deputy Catherine Murphy: There was an interesting and important intervention from the former Minister of State, Deputy O'Dowd. It is all the more reason why, if this Bill is passed and Irish Water goes ahead, this section needs to be significantly strengthened. Is the Minister talking about a binding plebiscite? A plebiscite is a very different proposition from a referen-

dum. Whether it is right to put the right to water into the Constitution is an entirely separate debate that would have to include other rights.

Some of the points others have made about this section are very well made. It does not state that the Government “shall” hold a plebiscite. The word “may” is much too weak. The provision has to be much more certain. It has to be certain that it is binding, otherwise I would have to question whether this is just a fig leaf to say it has been addressed. Like many things, it is being addressed superficially. It needs to be addressed in a much more solid and meaningful way.

Deputy Denis Naughten: I listened with interest to the Minister’s-----

Deputy Alan Kelly: I do not know what is going on.

An Ceann Comhairle: It is clear what is going on. We are on Committee Stage of the Bill. When we finish Committee Stage we go on to Report Stage. Is that understood?

Deputy Alan Kelly: Yes.

Deputy Denis Naughten: I listened with interest to the Minister’s response on Tuesday night. I was greatly disappointed that the Minister did not address my core point. The Minister announced here on 19 November that the public ownership of Irish Water would be nailed down and that water services could not be privatised without the explicit approval of the Irish people. That is not what is in this legislation. The Minister is deceiving the public. I would like to put that more strongly but I cannot under parliamentary rules.

Deputy Alan Kelly: It is strong enough.

Deputy Denis Naughten: The Minister is deceiving the public in what he said because that is not in the legislation. The legislation states that a government, if it is to dispose of and privatise Irish Water at some future date, needs the majority of one in Dáil Éireann, the majority of one in Seanad Éireann and then it may or may not put a plebiscite to the people. I put down a very simple amendment which states that it “shall” put that plebiscite to the people and the Ceann Comhairle has ruled it out of order based on the Standing Orders of this House.

As an alternative I have put forward amendment No. 5 which deals with the principle we are talking about here, ensuring that it is clear that the State-controlled assets, which are being handed over to Irish Water, cannot be privatised at any future date if the boot-boys from the EU come in here to tell us we are in serious financial difficulty and we have to flog off the assets of Irish Water to the highest possible bidder as quickly as possible. My amendment would force a situation such that it would take not only a majority of the Dáil and Seanad but of each of the 95 municipal districts across the country to approve. Without writing it into the Constitution that is the best way to protect the assets of Irish Water and ensure they remain in public ownership.

The Minister and his Labour Party colleagues say they are putting the protections in place to ensure the assets cannot be privatised. There is nothing new or additional in this Bill that would guarantee that. The former Minister of State, Deputy O’Dowd, said in his contribution here on Tuesday night that previously there had been an agreement to make it explicit in the legislation that the assets could not be privatised. That has evaporated. Interestingly, Deputy O’Dowd said there is a hidden agenda to privatise these assets in the long term.

I cannot understand why the Minister has not explicitly inserted in the legislation that it must go before the people. He has not even been prepared to defend that. In respect of my amend-

ment he has said that a future government will not look to dispose of the assets of Irish Water and the water supply in this country and that my amendment is too cumbersome. Cumbersome to whom? Cumbersome to a future government that wants to privatise the assets of Irish Water.

If the Minister is sincere in what he says, my amendment deals with the concerns raised by his party and the thousands of people who were outside this building yesterday and many thousands more, who are very concerned about the potential privatisation of water. It proposes putting a very simple procedure in place that each of their local councillors across the country would have a direct say before any decision could be made. In such a system and mechanism it would not get the agreement of all 95 municipal districts across the country. That would put a critical safety valve in place to ensure we do not see again a situation such as arose when the EU masters put a gun to the late Brian Lenihan's head. They will not be able to put a gun to the heads of the 95 municipal districts across the country. That will ensure that not only Irish citizens have a say but every individual in this State, over the age of 18, who has been legally resident in the country for at least 12 months, has a say through his or her local councillor in what should happen to the assets of Irish Water.

The Minister will again argue that he will do what he says but he did not do what he said on 19 November. The Government did not do what the then Minister of State, Deputy O'Dowd, said here 12 months ago next week, that people in County Roscommon or anywhere else who have a boil water notice in place would not pay for that water. They will face bills on 1 April next of €130 for a family in an urban area. The Minister promised us on 19 November that the boil water notice in County Roscommon would be lifted imminently. That is not happening. There is even confusion between the local authority and Irish Water as to when the boil water notices will be lifted.

The Government is being disingenuous in the commitments it is making in the House and in what is happening in practical terms on the ground. For the Minister to come in here and say he is reassuring us in this House and the public that no future government would privatise the assets of Irish Water is not good enough. This section in the legislation which deals with a plebiscite is nothing but a fig-leaf because it is deceitful to tell the public that there is such a plebiscite in place when it is written in black and white in this legislation that this is not the case.

11 o'clock

If the Minister is serious and genuine, I urge him to accept my amendment, which provides for a belt-and-braces mechanism that would ensure Irish water cannot be privatised at some future date. This is the only mechanism that would make such provision without having to put it explicitly into the Constitution. It seems the Minister's colleagues in Fine Gael are vehemently opposed to taking the constitutional approach, although I believe many of his colleagues in the Labour Party are anxious to see it happen.

Deputy Paul Murphy: It is nice to see that we can resume the debate on water charges, given that the sinister fringe has gone home. The Government feels safe again - mistakenly - now that tens of thousands of people are no longer outside the Dáil. The debate on privatisation inspired by these amendments gets to the core of this matter. I expected slightly more of a fig leaf from the Government on privatisation. When it started talking about privatisation and taking account of people's concerns about it, all the music initially suggested that the Constitution would be amended, or at least that a referendum would be absolutely essential. The Govern-

ment's strategy has been badly exposed by the wording of this Bill, which essentially tells a future Government that it "may" have a referendum on the privatisation of water charges if it wants. No future Government will need the permission of this Government to have a referendum or pass legislation on anything it wants. This useless and meaningless line in the Bill before the House will not bind any future Government or any future Dáil to anything, especially given that the ability to repeal this legislation will lie in the hands of such a Government and such a Dáil in any case.

Deputy Naughten hit the nail on the head when he picked up on the use by the Minister, Deputy Kelly, of the word "cumbersome" when the Minister was responding to the Deputy's amendment No. 5. Cumbersome is precisely what we want. Cumbersome is precisely what the Labour Party and the Government as a whole were supposed to be arguing for. They may have forgotten that they are supposed to be saying "do not worry, nobody is ever going to privatise it". They are supposed to be making it as cumbersome as possible for anybody to privatise it in the future. The best way to do this would have been to include a provision in the Constitution. In the absence of such a provision, it should be done by any means possible. The notion that an amendment like that proposed by Deputy Naughten should not be made because it would make things cumbersome is somewhat bizarre. It exposes the reality that Governments are open to the idea that water may be privatised in the future. It points to the sinister agenda of the elements that were referred to by the former Minister of State, Deputy O'Dowd. I would say those elements are twofold - they are political and they are in the European Commission. Together with the International Monetary Fund and the European Central Bank, the Commission has driven water privatisation across Europe. The privatisation of water was an integral part of the troika deal in Greece and Portugal. It would have been an integral part of the deal that the previous Government here did with the troika if water charges had been in place in this country at that time. If water is to be attractive for privatisation in the first instance, it has to be commodified by means of the introduction of water charges.

The amendments proposed by the Anti-Austerity Alliance are fairly simple, obvious and democratic mechanisms that should be accepted by the Government. We are proposing that the McKenna judgment should apply to any plebiscite in this area so that the Government cannot spend huge amounts of money promoting its side of the referendum. I think people would see this as entirely reasonable, given that the purpose of a referendum is to ensure a decision on a specific question is made by the people as a whole rather than by the Government. Another one of our amendments seeks to make it clear that the Government should not be allowed to row in with massive financial resources. We are also proposing that the vote should be extended to all residents of this country who would be affected by the privatisation of water.

Two days ago, the Minister, Deputy Kelly, said he had gone around the country to listen to the reasonable people of Ireland. The phrase "reasonable people of Ireland" seems to have replaced "middle Ireland" in the rhetoric of the establishment in this country. The Minister told us that the reasonable people of Ireland have decided that they will pay these modest charges because they do not have a problem with them. The Government was confounded yesterday when tens of thousands of these reasonable people - up to 100,000 of them - turned up outside the Dáil to say they are still opposed to paying the water charges. They are still demanding that there should be no privatisation of these water charges.

The Government has exhibited a twofold response to yesterday's events. First, it has tried to talk down the scale of the protest, which was massive by any stretch of the imagination, especially given that it took place on a weekday during working time. Yesterday's immense

protest filled two sides of Merrion Square fully and went from there all the way down Nassau Street to College Green. I suggest the size of the crowd was heading towards 100,000 people. It does not do the Government much good to deny that the protest was so big and to claim that the number of people was smaller than that. The people who were there know they were there. The people whose friends went know their friends were there. The people whose family members went know their family members were there. People know it was an immense protest and an expression of their refusal to be bought off, to be fooled or to be scared.

The second part of the Government's response to yesterday's protest is to suggest that everyone who was in attendance is a supporter of Sinn Féin and the so-called hard left. If that is the case, the Government has more problems than water charges. If we can conjure up 100,000 people to take to the streets during the week, the Government is facing a serious crisis that goes well beyond water charges. The Government's response will not work. The people who were at the protest are moving to the left. They can see through the lies of the Government and the establishment parties. The vast majority of them are not politically aligned. They are reasonable people who can see that regardless of the introductory rate of water charges, those charges will increase and will ultimately lead to privatisation. Will the Government continue with its delusional and arrogant response? It seems to be saying "so what, you can protest all you like, we are the Government, we are going to ram these things through". If it continues to act in such a manner, it will be surprised again by the next protests. Above all, it will be taken unaware by the level of the boycott that will meet these charges in April. I believe that boycott will sink the water charges and take down the Government.

Deputy Brian Stanley: I welcome the opportunity to contribute to this debate again. Yesterday's huge protest showed that people are not going to be browbeaten on this issue. Irish people understand the power of the boycott and of feet on the street.

Section 2(1)(b) of this Bill is nothing less than a total act of deception by the Labour Party and Fine Gael. Regardless of whether people agree with paying for water for a third time, through the water charges that are being proposed, I have not met anybody anywhere - not a single constituent - who does not want water services to be kept in public ownership. Fine Gael has got that message. People want water services to be kept in public ownership. We were told the Minister would put in place a measure to this effect. The Labour Party disgracefully voted against a Bill I introduced in this House two weeks ago, which would have provided constitutional protection in this regard. I offered some simple suggestions about how this could be done. Given that the Government intends to hold a number of referendums next year - we will be supporting some of them - it could have put my proposal to the people on the same day. I suggest it would have been carried by the people. I proposed that we should provide in the Constitution that water services could not be privatised and would be in public ownership forever, unless the Irish people decided to change the Constitution again to provide for privatisation, which is not something I believe they would ever do. The Government failed to accept my proposal. It is a disgrace that the Labour Party voted against it.

I tabled an amendment to this Bill to try to provide for constitutional protection in this regard, but it was ruled out of order. I have received no explanation for that. Other Deputies have tabled similar amendments. Amendment No. 6, in the name of Deputy Naughten, would have proposed that the section of this Bill stating that any attempt to provide for privatisation "may" be put to the people in a referendum should be changed to provide that this "shall" be done. He told me he has received no explanation for the decision to rule that amendment out of order. Another amendment that is before the House proposes that the approval of each local authority

municipal district would have to be sought before privatisation could take place. This provision would offer some level of protection because Fianna Fáil, Fine Gael, the Labour Party, Sinn Féin and Independent local authority members would not dare to support such a measure. Local councillors on the ground are closer to the people. They do not live in a bubble. They have to face the people every day. They would not dare to support privatisation.

The former Minister of State, Deputy O'Dowd, has spoken in this House about the manner in which draft versions of a previous water services Bill were handled. He said that protections in terms of privatisation were removed from drafts of the Bill when they were presented to him, even though he had been told that such protections would be included. Deputies have spoken this morning about the lobbying and potential power of the bureaucrats, the troika and the rest of the dead weight on top of us. Perhaps the hand in all of this is closer to home. Perhaps people in board rooms are influencing officials to change documents and trying to prevent words like "may" being turned into "shall", but such a protection would be a simple way of ensuring that Irish Water could not be privatised. The Labour Party should stand up and the Minister, as its deputy leader, should do the right thing. People on the street, regardless of whether they march or are for charges, want Irish Water to be kept in public ownership. Amendment No. 5 provides some level of protection. The Government needs to accept it. Not accepting it would be a betrayal by the Labour Party.

Section 5 is an act of deception. The Irish people want water kept in public ownership. They want this protection. The Government should give control back to them. Do not give it to others today.

Deputy Mattie McGrath: I am pleased to be able to contribute. I support the amendments, which the Minister seems hell bent on rejecting. He did not even want this debate. We went through two or three interactions with the Ceann Comhairle at the commencement of the debate. Thankfully, we are discussing it.

Where many aspects of this Bill are concerned, but especially these amendments, I plead with the Minister to listen to people and not to couch words in the legislation to give him an "out" or wriggle room. From the outset, this issue has been a fiasco. When the Minister was appointed, he promised us that he would sort it out after taking two weeks or however much time he needed to deal with all of the issues, but he has not done so because greater powers are at work in the interests of privatisation.

In fairness, the Minister did not oppose the Water Services (Amendment) (No. 2) Bill that I introduced last week. Obviously, it must wait in the queue, but the Minister could have accepted it in the interests of being honest with people and showing them that he was meaningful and trustworthy. He did not. Nor has he done so in this legislation. It is all spin and talk. There will be no block to a future Government selling Irish Water - the real story is that this is being readied - at the behest of the troika or someone else.

My clear understanding is that we have an explicit derogation from Europe as regards charging for water. I do not know why no Minister will answer that question. I hope that the Minister present will. The derogation will be removed in early January 2015. We are crucified with different types of European legislation, but we have a hard fought derogation in writing in this respect.

I listened to those who were outside yesterday. Many thousands of other people could not

travel because they had work or businesses to run. At this late stage, will the Minister accept the basic change proposed by Deputy Naughten's amendment? The Minister has adopted a hard-nosed approach against it.

There are boil water notices. Obviously, there will be temporary interruptions and boil water notices in areas regardless of who is in charge. At least the county councils communicated. They had the help of the Civil Defence. I thank the Civil Defence in my county for delivering boil water notices to households. Its members know the area and had the information. Thankfully, there is a memorandum of understanding with the county council as regards services. Other than that, though, one cannot get answers from Irish Water. I put questions in the Dáil two weeks ago but I have still not received answers. Irish Water claimed it had never heard of the issue of blocked sewers in private gardens despite having been contacted by Tipperary County Council. Irish Water will not allow the municipal district council to free up those sewers as the latter always did. The situation with Uisce Éireann is spin, deceit, brass necks, arrogance, bonus cultures and the worst of everything possible.

A Bill was rammed through the Houses almost a year ago and signed into law on 25 December 2013. As we all know, 25 December is a special day across the world. I do not know why the legislation had to be signed into law that day or why anyone other than the emergency services would be at work. Why was there indecent haste?

It is important that we have a referendum - my Bill contains this provision - before entering into any sale process or public-private partnership. I went that far. It is a simple proposal. The people will accept nothing less because they do not trust this or future Governments, whatever the composition. A Government might be forced, as happened on the night of the bank guarantee. I have said it hundreds of times - I could make a record - that I was forced to vote for that. It was the biggest mistake of my life because we were told lies and were bullied by other powers. The same could happen in this instance and we would use it as an excuse. Catch me once, it is my fault. Catch me twice, it will be very serious if it happens. The people will not accept it. They want Irish Water disbanded. The Minister is facing them down, but he will have to meet them sooner rather than later. As I stated recently, they will be able to deal with him one to one. They will write his epitaph. He spoke of his legacy on the evening he launched his changes in the Chamber. It will be some legacy. It will be an epitaph written by the people through a rejection of the policies-----

Deputy Alan Kelly: Your legacy is the bank guarantee.

Deputy Mattie McGrath: Destroying a decent party, the good Labour Party that I-----

Acting Chairman (Deputy Seán Kenny): Through the Chair, please.

Deputy Mattie McGrath: I am speaking through the Chair. The Labour Party was well regarded and respected. The Minister wants to wipe it out of existence. That will be his legacy. Will it not be a proud one? Decent people in Tipperary fought and worked for that party.

During the children's referendum, the Government was caught with its hand in the till. The €3 million that the House voted to the independent commission to run the referendum was siphoned away. A man had to challenge that in the courts. A five-member Supreme Court found unanimously that the Government had misbehaved and directed it to withdraw its information from a website, etc. The issue has never been debated despite a debate being requested hundreds of times. A Supreme Court decision was ignored and the referendum continued without

any debate in the Dáil. If any other citizen did that, he or she would be locked away. Some people seem to believe that they are mightier than the law and the Supreme Court. I remember the then Minister, Deputy Shatter, claiming that the High Court had found the Government to be acting correctly. When Mr. Brian Dobson challenged that because the Supreme Court was a higher court, Deputy Shatter said “No” and wriggled with his words. Where is he now? Tá sé imithe freisin. He is gone, thanks be to God, from that office anyway. There will be many more Ministers gone because of their arrogance and hard-nosed dismissal of the public. Similarly, the Government turned the mandate it received from the people in their faces. It will be their turn next to turn it in someone’s face. They are ready, able and waiting.

Even if we have a referendum, the powers, spin and big business interests can get involved. Companies are getting contracts despite not being registered. I happen to be a small businessman. I tender for works. I have tendered to Irish Water. One’s company must be set up and tick all of the boxes. However, some can get a big, lucrative job without any registration. I do not know how. Again, there has been special treatment for an elite group. This is fundamentally flawed and wrong. It is a scam. Deputy Naughten’s amendment would change one word. That is all we should need.

I mentioned hard water. Half of Clonmel town, which Deputy Healy, others and I represent, has a major issue with it. That gives rise to an enormous cost for people and many of them cannot afford it. Even if they can bear the cost, it is still putting a great deal of pressure on them. It costs up to €2,000 to install the equipment that takes the lime out of the water and there is the ongoing cost of treating it every month with salt and other commodities. A huge amount of water is used nightly to flush out these systems. People’s allowances will be used up after a few nights. I have referred to this issue in several parliamentary questions I have submitted to the Minister, but there has been no acknowledgment of it.

I do not know how some local authorities have been getting away with providing such a poor service. If any other business person was selling a poor product, various agencies would be in to inspect them, and rightly so. No other company would be allowed to sell a contaminated product. It is apparently acceptable, on the other hand, for householders to have to put up with boil water notices. In Clonmel, Golden and other parts of Tipperary, consumers will now be charged for this faulty product. That should not be legal, but people do not have the energy or money to challenge it in the courts. If one gets a bad ice cream in a shop or a bad beer or bad meal in a pub, one can complain and get a refund or some other form of redress. Where necessary, businesses will be shut down on health and safety grounds. We hear about that happening regularly. Uisce Éireann, however, is being given *carte blanche* to write its own rules and abide by those rules.

The Minister, Deputy Kelly, has been at great pains to emphasise that he was not in office when the original legislation was introduced and the President was disturbed on Christmas Day to sign it into law. The former Minister has gone on to greener pastures. He was lucky to get out of the burning fire just in time, but he will have to come back some day. Meanwhile, his colleagues must face the fire. This matter is now in the hands of the Minister, Deputy Kelly, and I do not know why he will not act reasonably and accept these honest and sensible amendments. Instead, he came into the Chamber this morning seeking to prevent this debate.

Deputy Alan Kelly: That was a procedural issue.

Deputy Mattie McGrath: I saw the Minister approaching the Ceann Comhairle and I heard

his utterances. The Ceann Comhairle was not too pleased with what he heard. Where is the openness in that? Is that the legacy the Minister wants? It is some legacy.

Deputy Alan Kelly: The Deputy has some legacy himself.

Deputy Mattie McGrath: Will you repeat that?

Acting Chairman (Deputy Seán Kenny): I ask Members to make their points through the Chair.

Deputy Mattie McGrath: I thank the Acting Chairman for his forbearance; I am almost finished. Members of the Government are saying they have listened to what people are telling them, but clearly they have not. Do they want to see another march in Dublin in January? Business people trying to make a living in this city could do without that. Gardaí are needed all over the country; they should not all have to be here in Dublin to oversee another such event. I thank them for their efforts yesterday, by the way. I also thank the marchers for the joyous and good-spirited manner in which they conducted themselves in spite of the hardships they face and the cost of travelling to the march. Peaceful, honest protest is a good and right thing.

The Minister is turning his face and refusing to listen to any sensible proposals from Members on this side of this House. It is a sad day for Ireland and for democracy here. I rest my case.

Deputy Ruth Coppinger: What we are proposing in amendments Nos. 7 and 8 is that the users of water services should have a say in any plebiscite. People on all sides of the House should avoid continually using the word “citizens” given that we have a significant number of people living in this country who are not citizens. The point was made the other night that 24% of the constituents I represent in Dublin West were born outside Ireland. Some of them have since attained citizenship but others have not. Nationally, 12% of people living here are not citizens, but they are being asked to pay water charges. As such, they should have a say in any decision regarding the ownership of Irish Water. We should be careful of the words we use. Our other request in these amendments is that the McKenna judgment should apply to any plebiscite that is held on this issue.

I am sorry the Ceann Comhairle is not in the Chair because I also wanted to ask why a whole series of amendments has been ruled out of order. For example, a key issue that is now emerging in the public discourse is the refusal of the Government to accept the word “shall” instead of “may”, as set out in amendment No. 6. One of the key points the Minister made when he introduced the Bill was that he would guarantee there would have to be a plebiscite - he actually referred to a referendum, but what we have in the Bill is a plebiscite - on any proposed change in the public ownership status of Irish Water. It is now clear that the Minister is not willing to accept any degree of compulsion on Government in that regard.

I wonder why the Ceann Comhairle ruled out this particular amendment. The usual grounds for so ruling is that the proposal would impose a cost on the State. How could the inclusion of the word “shall” in this section involve a cost to the State? Is it the case that we are not allowed to propose the holding of a plebiscite because that would cost the State money? It is farcical. This issue will not go away. What we discussed here in the Chamber at 12.30 a.m. on Tuesday night is now in the public domain, contrary to what the Minister wanted. The people who make the decisions to rule certain proposals out of order should have to explain why they did so.

The idea that is constantly peddled from the Government side that nobody in this House stands for privatisation of Irish Water is a nonsense. Who said that? There are many Deputies in this House who are neoliberal hawks and stand for the privatisation of absolutely everything that moves. The idea that they would somehow oppose the privatisation of Irish Water in a broad brush-stroke way is absolute nonsense.

Another important consideration emerged during the debate late on Tuesday night. We have all seen how the troika twisted Ministers' arms for the past six years. We have heard how they made Ministers of this Government do things they said they did not want to do back in February 2011. It was not Labour's way after all; it was Frankfurt's way. What is to stop the troika, EU or IMF from putting pressure on any future government to privatise the water service? I do not know why the Minister considers that so unlikely. Everybody outside this House considers it highly likely, based on this Government's performance since it came to office.

I would like an explanation as to why amendment No. 6 was ruled out of order. It does not incur any cost to the State. Is it the case that we are not allowed to advocate a plebiscite because holding one would cost the State money?

Deputy Denis Naughten: On a point of order, several speakers have referred to the decision to rule out my amendment No. 6. I would like to clarify the matter for colleagues.

Acting Chairman (Deputy Seán Kenny): Amendment No. 6 was ruled out of order.

Deputy Denis Naughten: Yes, and three speakers have asked why that was done.

Acting Chairman (Deputy Seán Kenny): The Deputy will have to take the matter up with the Ceann Comhairle's office.

Deputy Denis Naughten: Will the Acting Chairman allow me to speak?

Acting Chairman (Deputy Seán Kenny): The Deputy is out of order.

Deputy Denis Naughten: I simply wish to explain to colleagues why the amendment was ruled out of order.

Acting Chairman (Deputy Seán Kenny): I ask the Deputy to resume his seat.

Deputy Ruth Coppinger: May we hear that explanation, Acting Chairman? This is an issue of public concern.

Deputy Denis Naughten: It is a disgrace. Reference is being made to certain officials and so on. All I wish to do is clarify the situation for the benefit of colleagues.

Acting Chairman (Deputy Seán Kenny): The amendment has been ruled out of order and that remains the position. I have called Deputy Joan Collins.

Deputy Joan Collins: It is unfortunate that Deputy Naughten was not allowed to outline the reason he was given for his amendment being ruled out of order. It would be helpful to have that clarification.

The Minister must see that nothing short of a referendum will satisfy the people. Despite what he says, he clearly is not listening to what he is being told. I wish to refer to an analogy I heard being made by one of the members of the Detroit water brigade who travelled here yes-

terday to take part in the demonstrations. Before doing so, I must say that I cannot understand why the Labour Party is not being much more robust on this issue. The Minister is insisting that Deputy Catherine Murphy's amendment is too restrictive and the other proposals are too cumbersome. I would have thought that the Government, if it wants to respect the will of the people, would be seeking to ensure that water services will never be privatised and will remain in public ownership.

The analogy to which I refer is that which relates to the monkey and the crocodile. In this old story, the monkey is trying to cross the river and the crocodile knows that it cannot reach the other side without some help. The crocodile says, "Monkey, jump on my back and I will bring you across". The monkey is very nervous but he eventually jumps onto the crocodile's tail because he has to get across the river. The crocodile begins to swim across the river and says, "Lovely day, nice weather" and asks, "How is your family?" When the monkey tries to answer, the crocodile says, "Move to the middle of my back because I cannot really hear you". The monkey very nervously moves to the middle of the crocodile's back and chats away. Then the crocodile says, "Move a bit closer. I cannot hear you and I want to have a chat with you". The monkey, again very nervously, moves forward. After two minutes of conversation the crocodile turns his head and grabs the monkey between his jaws. When the monkey asks, "Why are you eating me", the crocodile replies "It is in my nature to do so".

This analogy reflects the position with regard to international capitalism. Huge water companies, such as Veolia, etc., are encroaching in countries across the globe in an effort to have public services privatised. If the Minister were serious about this matter, he would introduce the most robust legislative provision possible in order to ensure that our water will be protected from the big multinationals to which I refer. Nothing short of a referendum to amend the Constitution will facilitate this. If the Minister does not ensure that it will be necessary to hold such a referendum in order to allow the people to have their say, then that will be his and the Government's legacy. I urge him to think again and to inform his colleagues - as the former Minister of State, Deputy O'Dowd did - that he is not happy with what is proposed because it leaves the door open. He should inform the other members of the Cabinet that we do not want a situation similar to that involving the monkey and the crocodile to befall the people of Ireland or the country's water services. The Minister should make provision for a referendum - to be held in conjunction with those which are already planned - to protect public water in this country under the Constitution. If he does this, the many people and communities that are extremely concerned about this matter will be happy.

Deputy Seamus Healy: Irrespective of which side of the debate on which they find themselves, the one matter on which members of the public are in agreement is that there should be no privatisation of Irish Water. They are concerned that we have already begun the process in this regard as a result of the involvement of Denis O'Brien and GMC Sierra. They are very worried that at some point in the future those to whom I refer will become the owners of Irish Water, which will then - to the detriment of households throughout the country - become a for-profit organisation. The people want a referendum to amend the Constitution in order to prevent the privatisation of water services.

When this whole idea was first mooted by Deputy Costello, the members of the Green Party originally involved in drafting proposals to introduce water charges and Jack O'Connor, general secretary of SIPTU and the man who has acted as the mudguard of the Labour Party in recent years, it was nothing more than a diversionary tactic. The Bill before the House is the result of that. On 19 November, the Minister effectively promised that a referendum to ensure

water services would not be privatised. When introducing the Bill on 4 December, he stated:

Section 2 provides for a plebiscite on the ownership of Irish Water. It provides that where a government proposes to initiate legislation to amend the existing legislation that sets out the ownership of shares in Irish Water, such a proposal cannot be initiated without a resolution from both Houses of the Oireachtas. Subject to such resolutions being passed, [the Minister should listen to the next part] the Government would then be required to submit the proposal to a plebiscite of all people eligible to vote in a referendum on a proposal for an amendment to the Constitution.

On 19 November and 4 December the Minister stated that the Government would be required to hold a referendum. As he well knows, however, the legislation before the House does not reflect what he said publicly on either date. There is no requirement on the Government to hold a plebiscite. Section 2(1)(b) states that “if such Resolutions are passed, the proposal may, if the Government decides to proceed with the proposal, be submitted by Plebiscite to the decision of the people”. What is contained in the Bill does not, therefore, reflect what the Minister said on 19 November or 4 December, what the people want or what he gave them to understand.

It is clear that the Government wants neither a provision included in the legislation to prevent the privatisation of Irish Water or an amendment of the Constitution. It had numerous opportunities to ensure that the company will never be privatised but did not take them. For example, it refused to accept a Bill relating to this matter which was introduced by Sinn Féin. Deputies Stanley and Donnelly tabled amendments to the legislation before us in which they called for the Constitution to be amended by way of referendum but these were ruled out of order. The Minister also had the opportunity to make specific provision in this regard in the Bill but he did not take it. On foot of the debate in which we are engaging, he still has the opportunity to change his mind and ensure that a requirement to hold referendum to amend the Constitution in order to prevent privatisation is included in the legislation.

The Minister can bury his head in the sand if he so desires. The facts are, however, that despite what he said publicly, he and the Government have decided that there should be no requirement in the Bill to hold a referendum to amend the Constitution in order to prevent the privatisation of Irish Water. We can only assume from this that, at the very least, there are people on the Government side - the Minister may be among them - who want to privatise the company. That is why the Bill does not contain a provision to prevent this eventuality.

Deputy Tom Fleming: I wish to ask a number of questions relating to matters the Ceann Comhairle ruled out of order. What is the status of the €100 rebate that will be provided to all registered customers of Irish Water? Is this rebate designed to allow Irish Water to be set up as a semi-State company outside the Government sector? If it is not, then this money would be considered a subsidy. Is the €100 subsidy for non-registered customers of Irish Water a “thank you” gesture, as the Minister has stated, or is it a compulsory measure designed to get the company off the ground? Will the Minister respond to those queries?

There is considerable concern in rural areas over private wells. In many instances, people have been given grant aid to drill for a new well or upgrade an existing one. They would like to be assured that they will not be liable for water charges in any respect in the future. Will the Minister clarify that? Those concerned have spent a lot of money, especially those who did not get a grant or for whom grants were not available. Will the Minister assure them that they will not be brought into the charging system in any way for using their private water systems?

Deputy Billy Kelleher: I support the basic thrust of the amendment. We have had this debate on Second Stage. The streets of this city and elsewhere have comprised a very public forum over recent weeks and months. Many people may have varying views on how we fund our water and sanitary systems throughout the country but there is a very strong view that Irish Water, as an entity, concept, company and utility, is just not acceptable to the Irish people, for many reasons. People are seeking assurance on what will occur if this proposal is bulldozed through. It is regarded by the Minister as a very fine idea that has been brought about by much thought.

It is the company itself that people have great concerns about. They are concerned about the way in which it was established. Since its inception, it has been mired in difficulties. It has lost the trust and confidence of the people and many Members of this House, including some Deputies opposite. Note should be taken of that. The Minister should embrace the thrust of this amendment quickly because many people are losing a lot of patience. There is genuine concern, not only in the context of the protest. There are ordinary people who regard the funding of water services as a necessity but who regard funding them through the Irish Water mechanism as anathema to their views. The Minister should park this legislation. He should embrace the thrust of the amendment before us, at the very least, to give cast-iron assurance to the people. However, he is giving cast-iron assurance to the people about a company they do not want in the first place. That is the bigger issue at stake.

Former Minister of State Deputy Fergus O'Dowd, a very fine parliamentarian from County Louth who had responsibility for the NewERA document and Irish Water, has said in this House that he is genuinely concerned about forces, even dark forces, in the context of how the company could end up. He referred to the pressure being applied for its establishment and to its potential route towards privatisation. The Minister has dismissed him, as is his entitlement. I would not hurriedly dismiss Deputy O'Dowd and I certainly would not hurriedly dismiss the thousands of people who have genuine concerns about Irish Water as an entity and its privatisation. The amendment and thrust of this debate this morning are reflective, if only moderately, of people's view of Irish Water.

In December 2014, we are facing a period in which people will simply not comply with signing up to Irish Water, although they may view the funding of water services as necessary to ensure we have adequate water and sanitary services that are not polluting rivers and seas. However, because of the arrogant, bull-headed approach being taken by the Government in the context of this legislation to establish a company that will not achieve its aim, the trust and confidence of the people in the project of investing the billions of euro we are told are required to ensure proper water infrastructure will not be gained. The Minister is sitting here insisting he will railroad through this legislation against the will of many in this House and certainly against the will of the people. Legislation should always take into account the greater good and the noble good. In this context, Irish Water is far from achieving that aim.

In a way, by accepting this amendment or even proffering the view that it should be accepted, we are giving legitimacy to Irish Water. That is why I believe the Minister should think long and hard and allow time for reflection. There is nothing wrong with tearing up a plan, especially a bad one; it is actually a good thing to do. The Minister is going down a route in respect of which he has lost absolutely the confidence of the people. This is not just a political view from this side of the House; it is evident on the streets of this city and all over the country, and it is evident in polls taken by national newspapers. I am not saying we should be governed by what happens on the street or what is reflected in polls but that there will come a time when

the people will just not accept what is occurring.

Reference has been made to the number of people signing up. Let us not fool people: the reason there has been a rush of people signing up to Irish Water in recent times is that people are signing up who have their own septic tank and water supply. Of course they are. The Minister knows as well as I do the real reasoning behind it.

Deputy Alan Kelly: The €100.

Deputy Billy Kelleher: The reason is they will get the €100 next year; the Minister knows it as well as I do.

Deputy Alan Kelly: It is going to cost one more if-----

Deputy Billy Kelleher: If the Minister gives me the figures, we can debate it further.

The purpose of Irish Water, as the Minister says, is to invest and conserve. Certainly, on the basis of any assessment of the proposals that are before us, that will not be the case. Irish Water has been castrated in terms of its ability to borrow on the markets. It will simply be incapable of doing so because it will not have the financial base committed to previously when the Government originally talked about charging a family with two adult children €500. Obviously, pressure was exerted and the Government yielded to it, and rightly so. However, we are now in circumstances in which the Government is neither able to borrow, invest or conserve because there is no incentive to conserve. For all these reasons, I ask the Minister to consider the amendment. We are really asking him to consider an amendment to ensure the entity can never be sold although it should never have been set up in the first place.

Deputy Richard Boyd Barrett: The whole point of this Bill was to respond to the expressions of outrage over and opposition to water charges, Irish Water itself and people's fear that the establishment of the company is a prelude to privatisation. It was supposed to be the Minister's response, proof he is listening and his reassurance that people's worst fears will not, in fact, be realised. Yesterday, we got a clear statement that people do not believe the Minister's assurances. For 70,000 to 80,000 people — that is my estimate — to have come out on the streets midweek after the Minister made his so-called concessions was an absolutely decisive rebuttal and rejection of his assurances, including those made in here. It is a decisive statement that people do not trust the Minister when he states that Irish Water will not be privatised.

Lest there be any doubt, as I have heard some rather ridiculous comments on numbers yesterday, any demonstration that can fill three sides of Merrion Square, and where the end of it is at College Green and people who are arriving at College Green cannot move all they way up to Merrion Square, is vast. I got at least four telephone calls from people on College Green stating they could not move. It extended all the way up Nassau Street and on three sides of Merrion Square. The demonstration for the late Ms Savita Halappanavar was 20,000 people on one side of Merrion Square. We had three sides of Merrion Square and all the way down Nassau Street to College Green and some commentators stated there were 30,000. Who were these commentators?

Deputy Liam Twomey: The Garda Síochána.

Deputy Richard Boyd Barrett: Where were they standing? Did they have eyes in the back of their head, did they have eyes that could see around corners, or were they, in fact, shivering

in the cold near the back gate of the Dáil asking us how many people there were, looking at our estimates, looking at the Garda's estimates and deciding it was somewhere in between? According to those who were stewarding the demonstration, and calls we were getting, they were all the way down to College Green, there were more coming down from O'Connell Street and they were on three sides of Merrion Square. If that is not 70,000 to 100,000, I do not know what is. That happened mid-week, in the bitter cold.

Fianna Fáil will be glad to hear this little story. Up the front, I heard a big gang of people saying they have been life-long supporters of Fianna Fáil and voted for that party all their lives, but they were protesting. They said they did not agree with my politics, but they were there because they are absolutely opposed to these water charges and they know it will lead to privatisation.

There were grannies. There were young people. There were disabled people. Every sector of Irish society was represented. I was on the radio yesterday and in response to a Government spokesperson who said it was only the radical left and Sinn Féin supporters, a garda said, "You must be joking. I know of hundreds of off-duty gardaí who are on the demonstration". The Minister, Deputy Kelly, can no longer fool people.

This is an attempt to fool people again. Having said that the Government will not privatise Irish Water, the Minister uses in the word "may" when it comes to a plebiscite. Do the people think it will be "may" or "may not", or "will not", as all three are open to interpretation given the wording in the Bill? Of course, we got that answer yesterday. In case there would be any doubt, the Minister will get that answer again on 31 January, when towns, cities and villages across the country will again mobilise. There will be no dispute about numbers then because it will be seen in every town.

On the different provisions of the Bill, such as the use of the word "may", and what is happening in Irish Water, we learned from the people from Detroit. I do not know whether the Minister listened to what the people from Detroit were saying, but it was interesting. I had not been aware that the Detroit water system is still in public ownership. They said that while it is nominally in public ownership, like Irish Water, it is completely privatised. Everything is outsourced to the private sector. The private sector runs, controls and finances it. They made the important point that it also uses off-balance sheet financing for their water system. The people from Detroit pointed out it was precisely the issuing of bonds from the Detroit water system that had forced up water charges to astronomical, unaffordable levels.

Should we not know this from what we have learned about bonds generally? If one borrows to finance a public entity but all of the funding comes from the private sector, the bondholders call the shots. Once the Government finances this entity through off-balance sheet financing, it is, in fact, already privatised regardless of the nominal status that the Minister may accord it in law. Of course, we can see that with our own eyes in terms of the hollowing out by private interests of Irish Water even at this point by GMC Sierra and all of the private consultants who have had a feeding frenzy on the set-up costs of the utility.

The Minister's assurances are not credible. That a proposal "may" rather than "shall" be put to a plebiscite is the giveaway that the Minister knows his assurances are worth nothing, that they are a gimmick to defuse the unprecedented popular rebellion against these charges, against Irish Water and against the Government's plans to privatise Irish Water. The people have seen through it. The Minister should have the honesty to admit, at least, what is going on and explain

how this sleight of hand has occurred but the people already know what the Government is up to. The process of privatisation has started. The Minister is trying to facilitate it and all of this is merely smoke and mirrors to confuse people. He believes people are stupid out there but, believe me, they are not. The people have woken up. They have seen right through the Minister. That was evident on the streets and the Minister can be sure it will be again in the new year.

Deputy Fergus O'Dowd: There are three issues here we need to deal with. One is the question of reassuring the public that Irish Water will never be privatised. The Government had one lock, that it is already forbidden in law, before any of our new legislation came in, that the Government cannot sell off water infrastructure. The second part of that lock is the proposal in this Bill, which no doubt will pass. However, the real triple-lock, what would solidify the fact that it will never be sold, would be a referendum on the issue. I do not see why we do not do that. I see no reason whatsoever not to do it, unless the Minister may believe that there are some unintended consequences to such a referendum. The public wants it.

Some of the concerns might be about a referendum about the ownership of other entities, particularly energy companies. Views on that issue are not as strongly held as those on this one. I believe we should reach out. The Minister is in his wisdom listening to the people and listening to us here. He should reach out and hold such a referendum. If that happened it would put the argument to bed for all time.

Deputy Denis Naughten: Hear, hear.

Deputy Alan Kelly: I thank the Deputies for their contributions. I did not rule out the amendments.

Deputy Denis Naughten: I know that. I would have explained that if I was allowed.

Deputy Alan Kelly: In some cases, I was surprised at the decision to do so. It was not mine to make to rule out a number of the amendments.

There are issues that have been raised by Deputies in regard to other sections of the Bill and I will deal with their questions through those sections, if that is agreeable. On the amendments that have been tabled, Deputy Catherine Murphy's amendment refers to requiring the resolution from both Houses of the Oireachtas to be approved by two thirds of the Members. As I stated previously, I will not be accepting that amendment because it would place stringent conditions on future Governments in this regard and, potentially, set precedents which would not be helpful.

On amendment No. 7 in the name of Deputies Coppinger, Higgins and Paul Murphy, referendums should be based on those who are citizens of the State and we will follow that route on the basis of advice given by the Attorney General as well.

On amendment No. 8, which proposes-----

Acting Chairman (Deputy Seán Kenny): As it is 12 o'clock, we must move on to Leaders' Questions.

Progress reported; Committee to sit again.

12 o'clock

Leaders' Questions

Deputy Seán Ó Fearghaíl: Yesterday was International Human Rights Day. It came, as Members know, a week after the tragic death of Jonathan Corrie across the street. It came on a day when tens of thousands gathered outside this House to protest against Government policy on water. Many of the protesters consider the water policy as a public rights issue. It also came in the aftermath of the frightening exposé by RTE of the inhumane treatment of residents in Áras Attracta.

I put it to the Minister, however, that one of the most dangerous places for women and children in this country is in fact the family home, and that one of the most basic rights is for people to be able to enjoy the residential amenity of their home without fear of violence, be it mental or physical. We have a significant problem in this country with domestic violence. We are told that in excess of 18,000 reports were received last year by Women's Aid. The Garda Inspectorate reports to us a concern that while 11,000 reports were made to the Garda, only 287 arrests were made.

We are conscious as well that since 1996 a total of 204 women have died, most of them in the family home, and most of them at the hands of either their husband or ex-partner. A start in addressing that awful problem would be to address the funding crisis in Childline. The service provides support to children in situations where extreme violence exists in their home. A total of 45,000 children called Childline last year. The service was established in 1998 but the ISPCC now indicates that it cannot continue to provide a service in the evening.

Could the Minister ensure that the Minister for Children and Youth Affairs will move to augment the additional funding being raised by Childline to ensure that the service continues to be available? Is the Government prepared to approve the Istanbul Convention and to provide the necessary resources to ensure the State can start to combat violence against women in a real and meaningful way around the country?

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I thank the Deputy for raising what really is a very important and multifaceted issue, namely, domestic violence and the related issue of gender-based violence. The Government has specific campaigns to alert people to the issue, because by its very nature, unlike violent crimes that occur on the street, a lot of it is invisible even to the Garda. In many instances people are so intimidated within the domestic setting that they feel inhibited from any reaction and the situation continues for many years.

The issue is a real one. It is multifaceted in the sense that we need to have more than one response. The availability of outreach helplines is something of importance, not only the example the Deputy has instanced, namely, Childline, which is specifically focused on children and run by the ISPCC, a very important charitable organisation in the State, but many others such as the service provided by the Rape Crisis Centre and the Samaritans that are available for people in domestic crisis.

We must ensure people can also reach out to the Garda Síochána in such instances because violence against anybody in any setting is a crime. I will discuss with the Minister for Children

and Youth Affairs the two points raised by Deputy Ó Fearghaíl, namely, adequate funding to ensure that Childline, as one of the important helplines, is available, and also the current position on the Istanbul Convention.

Deputy Seán Ó Fearghaíl: I welcome the Minister's response but it is pretty inadequate because, first and foremost, we need a pretty clear commitment at this stage to Childline. That is the point to which children at risk direct their attention and that is where they expect to receive the psychological and emotional support-----

Deputy Mattie McGrath: Hear, hear.

Deputy Seán Ó Fearghaíl: -----they so desperately need. The sum of money involved, namely, €600,000, is not astronomical. It is not beyond the ability of the Minister for Children and Youth Affairs to give a commitment to provide the money.

Deputy Finian McGrath: Hear, hear.

Deputy Seán Ó Fearghaíl: It is through ratification of the Istanbul Convention, and its practical application, including the provision of resources to enable its ratification, that we can do something meaningful to combat violence, in particular against women around the country.

We are already in a situation where the number of women's shelters is hopelessly inadequate. In my constituency, a hostel was built but it remained empty for two years because the resources to open it were not provided. When eventually some resources were provided, only half of the residential units were effectively open. Must we wait until a woman or child is brutalised to death in their home before action is taken, in the way meaningful action has in effect been taken by Government in the aftermath of the tragic death of Jonathan Corrie?

Deputy Mattie McGrath: Hear, hear.

Deputy Brendan Howlin: Many actions have been taken not only by the State directly, but by a panoply of local organisations. The women's refuge in my home town of Wexford operates with significant HSE and local authority support, and public support, which is really important.

Deputy Mattie McGrath: Fund-raising.

Deputy Brendan Howlin: That model is replicated across the country. An enormous amount of focus and voluntary effort is evident as well as State support for the very things the Deputy has underlined as important. I absolutely and fundamentally agree that such importance should be afforded to domestic violence.

I wish to make two points on the matter; one of the biggest difficulties is giving the capacity to people to reach out and make the call or to walk into a shelter. For many people, psychologically that is a very difficult thing to do. That means better communication, presentation and understanding at local level.

Deputy Billy Kelleher: We are talking about children. The Minister cannot hop it or drive down it.

Deputy Brendan Howlin: I would not be flippant about something as important as the matter under discussion.

Deputy Billy Kelleher: I know.

Deputy Brendan Howlin: In terms of the helplines, I will discuss specifically with the Minister for Children and Youth Affairs the helpline to which the Deputy referred, but it is one of many helplines that are important in this area. By definition, Childline is aimed at children but what the Deputy has instanced is primarily violence against women-----

Deputy Sandra McLellan: And children.

Deputy Brendan Howlin: -----and a range of other helplines focus on that issue, including the helpline provided by the Rape Crisis Centre and others, which must all be resourced to ensure an adequate communication system is available for people who are in peril or who have been abused in order that they can reach out. The most important step for people to take is to call the Garda.

Deputy Mary Lou McDonald: Yesterday, tens of thousands of people protested outside the gates of the Dáil against the Government's water charges. The protest was peaceful and it was a vibrant demonstration of people power.

Deputy Paul Kehoe: It was not peaceful.

Deputy Finian McGrath: It was. Deputy Kehoe should withdraw his remark.

Deputy Mary Lou McDonald: Those tens of thousands-----

Deputy Finian McGrath: It was peaceful and democratic.

Deputy Mary Lou McDonald: Those tens of thousands of people represent just the front line of a much wider risen people-----

Deputy Eric Byrne: The risen people of Sinn Féin.

Deputy Mary Lou McDonald: -----who yesterday joined together and sang in one chorus that they have had enough. Enough cuts, enough poverty, enough of feeling hopeless and helpless, enough of the Minister and of his Government. They have told them that these charges are a step too far. The Minister can try, if he wishes, to dismiss or downplay or distort the significance of yesterday's Right2Water rally but that kite will not fly for him.

Deputy Emmet Stagg: A Sinn Féin rally.

Deputy Mary Lou McDonald: Did the Minister hear the voices of these people? Did he hear when they told him that partial U-turns and revised packages containing bribes and sour-sweeteners and kicking down the road the certainty of metered water charges does not cut it? The message and the demand of the people is very clear and simple, is to abolish water charges or if not, call a general election. That is the choice the Minister has to make. There is now no other show in town for Fine Gael or Labour. Will the Government finally do the right thing and scrap these odious water charges?

Deputy Noel Coonan: Thirty thousand against 1 million.

Deputy Brendan Howlin: I agree that there was a very powerful manifestation, and peaceful manifestation by and large, on the streets of Dublin yesterday. That was a manifestation of very many years of difficult economic decisions - both the Government and I understand it was not just water charges - that were required to give us hope for the future, to put our economy back on solid ground-----

Deputy Mattie McGrath: You are sinking in it.

Deputy Brendan Howlin: -----which we have now done. We can now begin to give people hope in planning for the future and creating jobs.

To answer the specific issue of water charges, this Government has been listening. The very clear view over many months was that people wanted certainty and simplicity-----

Deputy Mattie McGrath: They want rid of Irish Water and the bonuses.

Deputy Brendan Howlin: -----and they wanted to know it was affordable in the longer term. They wanted to know that the money was going to be used to invest in the country's decrepit public water and public sewage supply because the old system to which Fianna Fáil wants to return - to give it back to the local authorities - has plainly failed us.

Deputy Timmy Dooley: We invested €500 million every year and the Government will invest €400 million every year. The Minister should tell the truth.

Deputy Brendan Howlin: We need to invest in all the water treatment plants and all the sewage treatment plants that are required. We need to do away with the boil-water notices and give quality water to people.

Deputy Timmy Dooley: This is fairy tale stuff.

Deputy Mattie McGrath: It is not happening.

Deputy Brendan Howlin: Since the Government's revised package was presented, more than 90,000 people have registered with Irish Water.

Deputy Timmy Dooley: All those getting the €100 pay-back.

Deputy Brendan Howlin: That puts things into some context. As of now, some 935,000 people are registered.

Deputy Richard Boyd Barrett: How many filled out the forms?

Deputy Brendan Howlin: Most people understand that water and water infrastructure, a quality water supply and a clean water supply for families, individuals, companies and for communities, has to be provided, the same as waste water treatment plants, rather than spewing solid sewage waste into our streams and rivers. That all has to be paid for. If it is not paid for through a usage charge-----

Deputy Billy Kelleher: So the pre-election manifesto was wrong.

Deputy Brendan Howlin: -----it will be paid for through a further tax on workers. I know that the Deputy's party has already outlined €5 billion on additional taxes on work but I do not think that is the way to go.

Deputy Finian McGrath: Deputy O'Dowd is not a happy bunny.

Deputy Mary Lou McDonald: I will take that reply as a long-winded "No". The Minister could just have said, "No". If he had just had said "No", at least we would have the clarification that he had heard my question and also that he had heard the voices of the people. They want the certainty and simplicity of the abolition of these charges. People want the certainty

and simplicity of knowing that when they turn out in their tens of thousands in the middle of the week, on a working day, two weeks out from Christmas, in the freezing cold and give the Minister a certain and simple message, that he will certainly and simply hear it and that he will certainly and simply respond to it.

The Minister's answer is "No". He is hell-bent on these charges, hell-bent on them in the full knowledge of the widespread public dissent and in the secure knowledge that so many people cannot pay them, that this will be the straw that breaks the camel's back and sinks these families into real financial difficulty and, indeed, poverty. Búla bos for the Minister and for his Labour Party colleagues.

(Interruptions).

An Leas-Cheann Comhairle: Order, please. Deputy McDonald has the floor.

Deputy Mary Lou McDonald: The truth is the Minister will not abolish the charges so what we need is a general election. The Minister cannot waltz in here, as delusional as all of the members of the Government are, and pretend that the Government's mandate is still intact.

Deputy Arthur Spring: Ask Máiría Cahill about pretending.

Deputy Mary Lou McDonald: That mandate is not intact; it is broken and it was broken by the Government's own broken promises.

If the Minister disagrees with me-----

Deputy Emmet Stagg: Will the Deputy circulate her script?

An Leas-Cheann Comhairle: The Deputy is concluding, as I have asked her.

Deputy Michael McCarthy: Read on.

Deputy Mary Lou McDonald: -----if his backbenchers disagree with me, if he believes that the Government still has a mandate and if he is certain of that, then call a general election and prove me wrong.

Deputy Ray Butler: Sineád wants you to go. She will sing the song, "Goodbye Mary Lou".

An Leas-Cheann Comhairle: Order, please, the Minister has the floor.

Deputy Brendan Howlin: I know the Sinn Féin Party wants a general election because its members tabled a motion to that effect earlier. In terms of policy-making, it is not a general election so much as a by-election that determines Sinn Féin policy. Up to the most recent by-election, they were minded to pay water charges - as was the Deputy herself - and minded to support them.

Deputy Mary Lou McDonald: I never supported them.

Deputy Brendan Howlin: However, since they were out-manoeuvred in the by-election, they think now that policy should be determined-----

Deputy Timmy Dooley: They should be learning the lesson.

Deputy Brendan Howlin: Clearly, making fundamental policy by opinion poll in a time of

economic crisis will not serve this country well. Decisions on policy are made by the sovereign Parliament elected by the people of this country. I ask the Deputy to have regard for that. This is an assembly of elected politicians, each of us who have put our names on a ballot paper and each of us have the same mandate.

Deputy Timmy Dooley: It was based on a false promise in the Minister's case.

Deputy Brendan Howlin: To hear Fianna Fáil talk about false promises, I remind Deputy Dooley that it banjaxed the country.

Deputy Timmy Dooley: The Minister is following it up with some skill.

Deputy Brendan Howlin: We have now restored it and the least Deputy Dooley could do, in modesty, is to allow me to answer questions for people who are asking serious questions.

In reply to Deputy McDonald, the Government has been listening to the voice of people. We understand the impositions of the past number of years but we also look at the consequence for countries - I refer in particular and very carefully and in a very worried fashion at what is happening in Greece now.

Deputy Billy Kelleher: What about four years ago?

Deputy Brendan Howlin: If four years ago we followed the path that Sinn Féin has mapped out for us we would be in ruin now. We would not be talking about-----

Deputy Paul Murphy: Do you not get it?

(Interruptions).

Deputy Brendan Howlin: I know that a democratic assembly is difficult for some people to listen to; they like to shout people down from the back of a truck.

Deputy Mattie McGrath: The arrogance is mind-boggling.

An Leas-Cheann Comhairle: The Minister to conclude.

Deputy Brendan Howlin: If Sinn Féin and the Socialist Workers' Party, the Anti-Austerity Alliance, People Before Profit and whatever-you-are-having-today party had their way we would now not be paying 16 cent a day for a water charge or 43 cent a day for a family of more than two adults. We would be in ruin without being able to pay for any basic services.

Deputy Timmy Dooley: I would say Joan is on her way back from Belfast already.

(Interruptions).

An Leas-Cheann Comhairle: I call Deputy Maureen O'Sullivan of the Technical Group. Order, please, for the speaker.

Deputy Maureen O'Sullivan: Last Saturday, Professor Diarmaid Ferriter wrote an article in which he mentioned that 40 years ago to that day, Alice Leahy produced a report because there was a serious homelessness crisis in Dublin. At that stage, 1,000 men and women were either sleeping rough or in temporary accommodation. Her report led to a task force which highlighted major gaps in approach and it stated that this issue was a matter of urgency. If I fast forward to 2006, the same Professor Ferriter was chairing a political debate in Trinity College.

This was addressed by representatives from all of the political parties and Independent Deputy Finian McGrath. It was called the MakeRoom campaign and the topic discussed in 2006 was how to end homelessness by 2010. This did not happen.

The Minister, Deputy Kelly, has taken a collaborative apolitical approach and has acknowledged that no one person or organisation has all of the answers. The key is persistent action because otherwise Mr. Corrie's tragic death last week will be just last week's story and will not go any further, and we will see further tragedies. The question is how do we go about preventing homelessness. As part of this I ask the Government to examine legislation I worked on with Focus Ireland, which identified a gap in the legislative framework. This legislation would ensure that local authorities and local government would have the necessary legal framework from which to develop the multi-pronged response required. The Minister will agree that unless we have this co-ordinated collaborative approach to homelessness, we will face further tragedies. Will the Minister look at this and pursue it with the Minister, Deputy Kelly, and Focus Ireland? I am told it would prevent what happens now, which is individuals or families telling their local authority that they will be homeless in a number of days or the next week and the local authority telling them to return when they are homeless. The legislation, of which Focus Ireland is very supportive, could prevent this happening.

Deputy Brendan Howlin: I thank Deputy O'Sullivan for her question and her acknowledgement of the fact this is a very complex area which requires a multifaceted approach. This has already been embraced by the Minister, Deputy Kelly, in what Deputy O'Sullivan has characterised as a collaborative non-party way. It is a priority, and the centrepiece of my Budget Statement was the twin issues of providing social housing and ending homelessness. During the budget speech I announced a €2.2 billion budget investment for the next three years to deal with the lack of social housing provision.

We have set to end homelessness by 2016 and this is an absolute priority for the Minister, Deputy Kelly. It is one of the reasons he moved to the Department. He meets all of the social housing groups regularly. There is a meeting every Monday at 9 a.m. with Dublin City Council to deal with this issue. I will not rehearse again the short-term initiatives, which are bringing beds immediately into play and providing night facilities for those who will not go into shelters to ensure nobody is out in the cold. All of these are being done. In response to the specific question raised by the Deputy I will certainly go to the Minister, because she is absolutely right that nobody has the absolute answer to this and all of the organisations, particularly those she mentioned such as Focus Ireland, are important players and any suggestions, proposals or policy statements they have will be embraced and taken into account. I will raise this issue particularly with the Minister, Deputy Kelly.

Deputy Maureen O'Sullivan: I thank the Minister and I will pass on this information. It has been said before that ending homelessness is a priority but it has not happened.

I wish to consider another aspect of this, and I am glad the Minister for Health is present. We all know there are strong links between homelessness, mental health issues, addiction, prison and probation. Figures from some organisations show that 72% of people who are homeless are so because of their addiction. For many the exit from homelessness is through tackling addiction issues, and they do this through residential rehabilitation supported programmes. Through this they get the confidence, life skills and self-esteem to turn their lives around. When this happens they are less likely to become homeless. What is happening, and cannot be allowed to continue happening, is these young men and women, many out of prison but in recovery in

supported drug-free accommodation, are being asked to share accommodation with those who are homeless but in active addiction and living chaotic lives. It jeopardises the recovery of the first group.

Deputy Finian McGrath: Hear, hear.

Deputy Maureen O'Sullivan: I want to mention two projects I visited recently, one in Wicklow and the other in Meath. One works with young men and women and the other with young men. Most of them have come out of prison and the majority have been homeless. One organisation gets some funding from a task force, but it only covers one quarter to one third of the total cost of running it. This organisation has room for more people. The other organisation started a programme last November with 12 young men, many of whom had come out of prison and the majority of whom were homeless. They had to turn down 30 young men and I do not know where they are now. Organisations such as these could be examined as examples of excellent practice in dealing with those people who have addiction and homelessness issues.

Deputy Finian McGrath: Hear, hear. Deputy O'Sullivan has made sensible proposals.

Deputy Brendan Howlin: She has made very sensible proposals and I am anxious to embrace them. The scale and nature of the drug problem in Ireland is evolving. It is not a constant issue. There are issues we now need to begin to address again. When I was the Minister for Health, a very long time ago, the issue of providing injecting heroin users with methadone was first highlighted. I am not sure this is a permanent solution. I should not speak without discussing it with the Minister for Health, but there are issues we need to begin to re-address.

With regard to resources, it is an area we have identified in the most recent budget, and an additional €2.1 million has been allocated to the HSE for social inclusion programmes which will deal with a number of addiction programmes, including the provision of detox beds. We need to get a situation where people who want to detox are provided with the facilities to do so.

My next point is related to the other issue of homelessness. Many people were surprised to know, when the homelessness summit was called and all of the organisations were called in, that 37 different organisations are involved in dealing with the issue of homelessness. A huge range of bodies deal with the drugs issue but there is not a great deal of co-ordination. Something that should come out of addressing it in a holistic way is to have much better co-ordination between bodies providing services in order that their common awareness, facilities and understanding of the problems can be brought to bear. The specific suggestions Deputy O'Sullivan has made will certainly be brought to the attention of the Minister.

Order of Business

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): It is proposed to take No. 15, Supplementary Estimates for Public Services - Votes 12, 17, 25, 26, 30, 31, 32, 39 and 40, back from committee; and No. 31, Water Services Bill 2014 - Committee Stage (resumed) and Remaining Stages.

It is proposed, notwithstanding anything in Standing Orders, that the Dáil shall sit later than 5.30 p.m. today and shall adjourn not later than 10 p.m., and there shall be a suspension

of sitting for one hour after the Order of Business; No. 15 shall be decided without debate and all Supplementary Estimates shall be moved together and decided by one question which shall be put from the Chair and any divisions demanded thereon shall be taken forthwith; and if the proceedings on Committee Stage (resumed) and Remaining Stages of the Water Services Bill 2014 do not conclude today, the Dáil shall sit tomorrow at 10 a.m. and shall adjourn not later than 2 p.m., there shall be no Order of Business within the meaning of Standing Order 26 and, accordingly, the business to be transacted shall be as follows: No. 31, Water Services Bill 2014 - Committee Stage (resumed) and Remaining Stages.

An Leas-Cheann Comhairle: There are three proposals to be put to the House. Is the proposals for dealing with the late sitting agreed to? Agreed. Is the proposal for dealing with No. 15 agreed to?

Deputy Seán Ó Fearghail: It is not agreed. I understand this matter was debated at some length by the select committee on public services recently.

Deputy Brendan Howlin: The Select Sub-Committee on Public Expenditure and Reform.

Deputy Seán Ó Fearghail: At that meeting information was sought by my colleague, Deputy Sean Fleming. This information, relevant to these Supplementary Estimates, was to be supplied but, to date, despite it being requested again by Deputy Fleming and me via the Whips' office, we are sitting here being asked to approve the taking of the Supplementary Estimates without the information having been supplied. I put it to the Minister that it is a most unsatisfactory situation. We should not be asked to blindly accept Supplementary Estimates of this scale, in particular, without the relevant information being supplied to the Members.

Deputy Mary Lou McDonald: I reiterate that concern in respect of the superannuation and retired allowances Supplementary Estimate Vote 12. Deputy Sean Fleming requested that information, as did I. We went so far as to object to the completion -----

(Interruptions).

A Deputy: It is Gerry ringing?

A Deputy: Sinead O'Connor.

Deputy Mary Lou McDonald: It is probably Joan Burton on her phone.

Deputy Michael McCarthy: It is a text from Sinead O'Connor.

(Interruptions).

Deputy Mary Lou McDonald: We went so far as to suggest that we should adjourn the meeting and reconvene so that we could have access to the information. It was not forthcoming. Two things happened. We were asked to complete a process at committee not exactly blind but certainly without all the information. Now we are asked to clear not just that Estimate, but a whole set of them - Votes 12, 17, 25, 26, 30, 31, 32, 39 and 40 - many of which represent very substantial amounts of money. The biggest of them is the Health, HSE, Supplementary Estimate for €680 million.

We do not believe it is acceptable simply to rubberstamp these Estimates with no debate here in the Dáil. To make matters worse, in the case of the Estimate taken in our committee, it

is without having had the information that we requested and was promised by the Minister for Public Expenditure and Reform. He made a bit of a production around his trustworthiness and record for providing information on that occasion.

Deputy Finian McGrath: He is a great man for production.

Deputy Brendan Howlin: I thank the Deputies for their comments. I should explain to those Members of the House who were not in attendance at the Select Committee on Public Expenditure and Reform. Vote 12 relates to the payment of pension entitlements to retiring civil servants. Some 1,100 have worked all their lives in the Civil Service and are entitled to their pensions. I am anxious that they are paid. The reason for the Supplementary Estimate is that there are 250 more than we estimated. However, it varies every year because we cannot predict exactly the number of civil servants who will retire. It was 1,100 this year and was 850 last year. They are entitled to be paid their pensions.

Deputy Mary Lou McDonald: We are entitled to the information we sought.

Deputy Brendan Howlin: The particular information the Deputies sought was a breakdown of each type of pensioner. It was a very reasonable request. It is being compiled from Departments because it does not exist in one spreadsheet. The assistant secretary of my Department rang Deputy Sean Fleming this morning offering a full personal briefing today on the matter and offered to give the Deputies a précis of it over the phone this morning. All the details will be given to them as soon as it comes to hand. It is simply a breakdown of who is getting what.

Nobody disputes that these are retiring civil servants who have spent their lives in the Civil Service, paying into a pension to which they are entitled. I am anxious that they are paid it before Christmas. I inquired whether I could extract this particular Vote from the rest, but I am advised that logistically it is not possible because we need to publish the appropriations Bill, which is a constitutional requirement to validate payments next week.

I ask Deputies to bear with us. All the information will be provided orally today in a full briefing to anybody who wants it. It is simply a breakdown of who is getting what. All the documentation as soon as it is compiled will be given in writing through the committee secretariat. In the meanwhile, in the old tradition of Fianna Fáil I ask that the Deputies appreciate civil servants and do not stop retired civil servants getting their pensions before Christmas.

Deputy Seán Ó Fearghail: A Leas Cheann Comhairle-----

An Leas-Cheann Comhairle: I have to ask the Deputy to resume his seat.

(Interruptions).

An Leas-Cheann Comhairle: No. I am sorry, Deputy. It is very clear. We have a brief discussion and-----

Deputy Seán Ó Fearghail: I do not want to engage in a discussion.

An Leas-Cheann Comhairle: Sorry. There is no provision for response.

Deputy Brendan Howlin: Old Fianna Fáil used to support this.

An Leas-Cheann Comhairle: Is the proposal agreed to?

Deputy Brendan Howlin: It is agreed.

Deputy Seán Ó Fearghail: A Leas Cheann Comhairle, please-----

Deputy Brendan Howlin: Is the Deputy going to vote against the pensions?

An Leas-Cheann Comhairle: I have to put the question.

Deputy Seán Ó Fearghail: The Minister is asking the House to approve Estimates without the information being made available to the Members

Deputy Brendan Howlin: Old Fianna Fáil would have supported the pensioners.

An Leas-Cheann Comhairle: No, I am sorry, Deputy.

Deputy Seán Ó Fearghail: What is being proposed is outrageous. We are being asked to approve something first and then the Minister will give us the information afterwards and that is not acceptable.

Question, “That the proposal for dealing with No. 15, Supplementary Estimates, be agreed to”, put and declared carried.

An Leas-Cheann Comhairle: Is the proposal for dealing with the sitting and business of the Dáil tomorrow in the event of the Water Services Bill 2014 not concluding today agreed to?

Deputy Mary Lou McDonald: Will there be votes tomorrow?

Deputy Brendan Howlin: Yes. There will be votes tomorrow.

An Leas-Cheann Comhairle: Is the proposal agreed? Agreed.

Question put and agreed to.

Deputy Seán Ó Fearghail: All Members of the House agreed yesterday that what was revealed in the “Prime Time” report, Inside Bungalow 3, was appalling and everyone condemned what we saw happening to residents in that unit. When the Taoiseach was asked yesterday by my party leader, Deputy Martin, if he would instigate an independent inquiry into what we saw in that programme, he did not rule it out but he failed to confirm that it would be undertaken. With the passage of time since yesterday and with mature reflection, is the Government now prepared to commit to providing what the relatives of those in care most desperately want to see being provided which is an independent inquiry into what happened in Arás Attracta?

I ask about the Seanad electoral (university Members) (amendment) Bill. The Government, at its outset, promised us a democratic revolution. When the people did not agree with the Taoiseach’s proposal to abandon the Seanad, he returned to the idea of some reform. However, the small piece of legislation dealing with the amendment of the university panels has yet to be seen. When will that legislation be presented to the House?

The industrial relations (amendment) No. 2 Bill to provide for collective bargaining rights was promised in the programme for Government. When can the House expect to see that important legislation?

Deputy Brendan Howlin: Everybody in the House was shocked at the revelations about Arás Attracta. Having seen so much and after so many inquiries, one imagines that one is in-

ured to those things. However, I watched it with colleagues from the House and I found it really disturbing. I agree with the Deputy that there needs to be a full inquiry into it. The first inquiry, obviously, because what we saw *prima facie* looked like criminal activity, is a Garda investigation. My understanding is that 190 hours of RTE film is now being scrutinised frame-by-frame by the Garda Síochána to see what criminal charges might arise. That is the most important investigation that is under way.

I should pay tribute to the “Prime Time” investigation team without whom we would not have known that this happens. It may impact not only on Arás Attracta, but on similar homes and facilities across the country. We need a full investigation of what happened there and also need a robust mechanism to ensure we have proper oversight in every other-----

Deputy Thomas P. Broughan: What about the responsibility of the Minister for Health, who is sitting beside the Minister for Public Expenditure and Reform right now?

An Leas-Cheann Comhairle: The Minister is concluding.

Deputy Brendan Howlin: -----facility like it.

While I know I should not respond to Deputy Broughan’s sidebar, this is not about resources. There were five trained nurses shown on screen in a bungalow. This was about abuse of power.

Deputy Thomas P. Broughan: The buck stops with the Minister for Health.

An Leas-Cheann Comhairle: Deputy Broughan, please-----

Deputy Brendan Howlin: I know I should not encourage the Deputy. The notion that a Minister sitting in a Department is responsible for the action of 100,000 public servants-----

Deputy Mattie McGrath: That Department has control.

Deputy Brendan Howlin: -----is bizarre. We need to have accountability on the front line-----

Deputy Thomas P. Broughan: That is his responsibility.

Deputy Brendan Howlin: -----among people who are delivering services. We need proper oversight of them and proper mechanisms to ensure that any wrongdoing is outed. That is why we have, for example, enacted the Protected Disclosures Act to give real protection to whistle-blowers who see wrongdoing without putting themselves on the hazard. However, we need to do much more.

Deputy Seán Ó Fearghail: Will we have an independent public inquiry?

Deputy Brendan Howlin: I am informed that the Seanad electoral (university Members) (amendment) Bill will be next year as will the industrial relations (collective bargaining) Bill.

Deputy Mary Lou McDonald: I wish to finish out that point. There is an additional issue that the Ombudsman raises. It seems that concerns are not being passed on by the HSE or HIQA to the Ombudsman where there are matters to be investigated. In addition to the specifics that played out on our television screens, that is an issue the Minister might address as might the Minister for Health, Deputy Leo Varadkar. To return to the theme of the Childline night service, I am aware he replied to Deputy Seán Ó Fearghail earlier, the Minister seems to be unaware

that the ISPCC has been in correspondence with the Minister for Children and Youth Affairs, Deputy James Reilly, and has alerted him to the fact that it requires a further €870,000 to retain the service. All of us, I hope, would be of a mind that those moneys must be provided for that service. Will the Minister confirm that is also his view?

In respect of the consolidated domestic violence legislation that has been promised for some time and which we await, on one of the Friday sittings we introduced a modest amendment to the current domestic violence legislation but the Government voted it down on the basis that a more comprehensive package is required. I agree comprehensive reform is necessary but we are waiting a very long time. I have correspondence from Deputy Alan Shatter who was the responsible Minister at the time stating that he was very sorry about the delay but that he had more important things to attend to, as set out by the troika. I hope with his exit from the office that level of prioritisation has changed.

Deputy Brendan Howlin: In respect of the first matter on Áras Attracta and the comments made this morning by the Ombudsman, to whom I listened, the Oireachtas enacted new strong powers for the Ombudsman in the Ombudsman (Amendment) Act 2012 which gives him, in the instance of an institution such as Áras Attracta, the authority to enter, to seize documents and to interview people. These are compelling and strong powers that he indicated he had. It is a facility that is available to any citizen, who feels there is no proper response at local level from a public service provider, to access the Office of the Ombudsman. I have sent many of my own constituents in that direction if they had an inadequate response to a local complaint. They will find they will get a good response from the Office of the Ombudsman.

In respect of Childline, I agree it should continue as a facility and I hope the ongoing discussions with the Department of Children and Youth Affairs will facilitate that. The Deputy's last question was in respect of the consolidated domestic violence Bill. The Bill will come before the House next year.

An Leas-Cheann Comhairle: I call Deputy Mattie McGrath. As only a few minutes remain I ask him to be brief.

Deputy Mattie McGrath: In view of the recent scandal, the Pro Life Campaign has today commented on Mr. Tony O'Brien's remarks about the value of undercover investigators, yet when the Pro Life Campaign learned what the Family Planning Association was doing undercover Mr. O'Brien rubbished it. We are waiting for a report for two years on the issue. Now we are told an audit is required and that no action will be taken against the staff who actually lied, and asked people to tell lies, and there was no investigation by the HSE. How can we have faith in such matter? I ask the Minister under the Health Information Bill-----

Deputy Bernard J. Durkan: More lies.

Deputy Mattie McGrath: They told people to lie about their condition to their GPs and there was no investigation.

Deputy Arthur Spring: Will the Deputy say that outside the House?

An Leas-Cheann Comhairle: Sorry, will Deputy McGrath please withdraw the word, otherwise I will have to suspend the House.

Deputy Mattie McGrath: No. They told people to do that and there was no investigation.

This was the same Mr. O'Brien-----

An Leas-Cheann Comhairle: Sorry, Deputy, please withdraw the word "lie".

Deputy Mattie McGrath: People were asked to say untruths to their doctors.

An Leas-Cheann Comhairle: Does the Minister know anything about this?

Deputy Brendan Howlin: I have no idea what the Deputy is asking.

Deputy Mattie McGrath: He should have an idea, as should the Minister beside him. It concerns the investigation by the HSE into what happened at the Family Planning clinics, which gave out untruths to people. It is now being dismissed with no further investigation.

Deputy Brendan Howlin: Now that we know what the Deputy is seeking, the Minister for Health informs me that report was published yesterday.

Deputy Mattie McGrath: Yes, but there is no investigation and no sanctions, nothing.

Deputy Dessie Ellis: On road safety issues and the use of Go Safe vans detecting speeding offences, penalty points have been quashed by judges for technical reasons leading to very serious implications. Are there any plans or legislation to address this anomaly? Has the Cabinet discussed the issue? The Minister for Transport, Tourism and Sport, Deputy Paschal Donohoe, indicated recently that he would brief Opposition spokespersons on the issue. When will he do this?

Deputy Brendan Howlin: A number of amendments have been made to the Road Traffic Act broadening the powers of the Garda in the enforcement of road safety. We have made huge progress on road safety in recent times. That seems to have been halted this year and we want to ensure the pressure is continued. I understand there was an issue in respect of a recent Bill. The Minister reported to the Cabinet this week that the matter is being given urgent consideration both within his Department and in the Office of the Attorney General. Advice on dealing with this issue comprehensively will be given shortly. I will ask-----

Deputy Dessie Ellis: When is it coming before the House?

Deputy Brendan Howlin: I will ask the Minister for Transport, Tourism and Sport to contact the Deputy and the Opposition spokespersons generally to ensure they are brought up to speed.

An Leas-Cheann Comhairle: I call Deputy Denis Naughten.

Deputy Denis Naughten: I thank the Leas-Cheann Comhairle.

Deputy Brendan Howlin: Sorry. I understand that it is intended to brief Opposition spokespersons tomorrow.

Deputy Dessie Ellis: Tomorrow.

Deputy Brendan Howlin: Yes.

Deputy Denis Naughten: Yesterday, after the inquest into the death of her daughter Mary Kate Kelly, Amy Delahunt said there is no Santa Claus coming to her house this Christmas. Last February the then Minister for Justice and Equality, Deputy Alan Shatter, and the then

Minister for Health, Deputy James Reilly, said they were working on open disclosure legislation for hospitals. Two weeks ago I asked the Tánaiste when we would see this legislation as it is not on the list of promised legislation. What is needed is legislation that ensures that families, such as that of baby Mark Molloy, are not dragged through the courts to get basic answers to what happened to their sons and daughters that led to their deaths. When will we see the legislation and what is the reason for the delay?

Deputy Brendan Howlin: I am advised by the Minister for Health, Deputy Leo Varadkar, that there is already formal policy on open disclosure.

Deputy Denis Naughten: That is not legislation.

Deputy Brendan Howlin: That has been communicated to all staff. That should be happening. To ensure it does it will be followed up next year with legislation.

An Leas-Cheann Comhairle: I call Deputy Peter Fitzpatrick.

Deputy Peter Fitzpatrick: Before taking the consolidated domestic violence Bill we should reform and consolidate the domestic violence Acts so as not to delay the ratification of the Istanbul Convention on combatting and preventing violence against women and domestic violence. The Minister stated earlier that the Bill will come before the House next year. Is there any chance of taking the Bill sooner?

Deputy Brendan Howlin: I will raise the Deputy's concern directly with the Minister and since it has come from both sides of the House I will convey to him the sense of urgency that Members feel on this matter.

Deputy Sean Fleming: The Minister referred already to the interview with the Ombudsman, Mr. Peter Tyndall, on "Morning Ireland" this morning. I understand he made it clear in his press release yesterday that his office cannot examine the actions in private nursing homes and essentially laid the blame at the Minister's door, saying he was waiting for the Minister to pass some statutory instrument. Why is the Minister holding up the Ombudsman from investigating private nursing homes in the same way as he can investigate HSE nursing homes? That is the impression I get. When will the Minister get around to doing what is necessary in this regard?

Deputy Brendan Howlin: I understand that a protocol is being negotiated between officials of my Department and the Office of the Ombudsman and that the draft has been sent by my Department. We are awaiting a reply from the Office of the Ombudsman.

Deputy Bernard J. Durkan: The environmental liability Bill is important promised legislation. When is it intended to bring it before the House and have the heads have been cleared by Government? Similarly, in regard to the role of the probation services Bill, No. 40 on the list of promised legislation, when is it anticipated that Bill will come before the House?

Deputy Brendan Howlin: Both Bills are expected next year. The heads of both Bills have not yet been brought to Government.

Deputy Joe Carey: I wish to inquire about two pieces of legislation, the first is the policing authority Bill. The other issue is the Irish Aviation Authority (amendment) Bill. What is the current position of both pieces of legislation and when will they come before the House for debate?

Deputy Brendan Howlin: There is no date available yet for me to indicate for the Irish Aviation Authority (amendment) Bill. The policing Bill is regarded as an absolute priority and will be before the House early in the new year.

Deputy Arthur Spring: I ask about the provision of free GP care for children under six. We have been promised legislation in this regard and I would like an update on how negotiations are going with the Irish Medical Organisation, when we can expect legislation before the House and if financial provisions have been put in place for the issue.

Deputy Brendan Howlin: Legislation is already enacted and provision has been made in the Estimates to provide the service but, as the Deputy knows, there are ongoing discussions with the IMO in that regard.

Deputy Thomas P. Broughan: When will the licensing of health care facilities Bill be brought forward? Given the significant failure of HIQA in the Áras Attracta issue, all of us in the House welcome the extension of HIQA's powers to invigilate centres for citizens with intellectual disability. Will the Minister for Health be asked by the Tánaiste and Minister for Social Protection to bring an urgent report to the Cabinet on what happened in that particular facility and examine why HIQA's invigilation process does not seem to have worked in this regard? I also echo the point made by Deputy Fleming about the Ombudsman.

Deputy Brendan Howlin: The full investigation of what happened at Áras Attracta is ongoing and, no doubt, once the various investigations - the most serious of which is the criminal investigation by An Garda Síochána - are concluded, the matter will certainly be discussed by the Cabinet. I have no doubt that in due course it will be discussed here as well.

Deputy Derek Keating: What is the current status of the data sharing Bill?

Deputy Brendan Howlin: We are in the dying days of this term so it will come next year.

Deputy Frank Feighan: There are new policy requirements and we must update transport legislation so when will the road transport Bill come before the House?

Deputy Brendan Howlin: Again, it will be next year.

Deputy Michael Colreavy: Will the health reform Bill include provisions for informing communities when changes are to be made in acute hospitals? Mammography equipment was stolen overnight from Sligo General Hospital by agents of the Health Service Executive some months ago. It was purchased following fund-raising by local people in Sligo, Leitrim, south Donegal and west Cavan.

An Leas-Cheann Comhairle: I wonder if the Deputy could put this into a Topical Issues matter.

Deputy Michael Colreavy: It was taken away and despite promises that mammography services would be restored to Sligo General Hospital, we have now been told by the HSE that these services are gone.

An Leas-Cheann Comhairle: That does not arise on the Order of Business. The Deputy can raise it some other way.

Deputy Michael Colreavy: I raised it with regard to the health reform Bill.

Deputy Sandra McLellan: There are no Topical Issues matters today.

Deputy Seamus Kirk: The Minister is probably aware that the price of Brent crude oil has dropped significantly on the world market, with potential benefit for motorists, transporters and the overall economy. Unfortunately, the full extent of the reduction has not manifested itself for consumers because of the excise duty structure attached to the cost of diesel and petrol.

An Leas-Cheann Comhairle: Is there legislation involved?

Deputy Seamus Kirk: Is there any way at all that the Finance Bill could be revisited to accommodate a reduction in the excise duty which would give a real boost to the economy by reducing transport costs?

An Leas-Cheann Comhairle: The Deputy can submit a question on that.

Deputy Brendan Howlin: The Finance Bill is before the Seanad and it would be the appropriate forum for somebody to raise the issue.

An Leas-Cheann Comhairle: The next item is the Supplementary Estimates for public services.

Deputy Sean Fleming: The order we voted on just a few minutes ago was that the Dáil shall sit later than 5.30 p.m. today and shall adjourn not later than 10 p.m., and there shall be a suspension of sitting for one hour after the Order of Business. We have completed the Order of Business so, as we voted, we should suspend for an hour. Nevertheless, there is a proposal to take a vote now. That is not in line with the order as voted or Standing Orders. Will the Leas-Cheann Comhairle clarify why we are taking this business?

An Leas-Cheann Comhairle: It is a long-standing convention that business is done this way.

Deputy Sean Fleming: Perhaps we should put that in Standing Orders if there are long-standing conventions that are not written anywhere. I told some people there would be a vote after the sos but it seems now it will be before the sos.

Estimates for Public Services 2014

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I move the following Supplementary Estimates:

Vote 12 - Superannuation and Retired Allowances (Supplementary)

That a supplementary sum not exceeding €22,250,000 be granted to defray the charge which will come in course of payment during the year ending on the 31st day of December, 2014, for pensions, superannuation, occupational injuries, and additional and other allowances and gratuities under the Superannuation Acts 1834 to 2004 and sundry other statutes; extra-statutory pensions, allowances and gratuities awarded by the Minister for Public Expenditure and Reform, fees to medical referees and occasional fees to doctors; compensation and other payments in respect personal injuries; fees to Pensions Board; miscellaneous

payments, etc.

Vote 17 - Public Appointments Service (Supplementary)

That a supplementary sum not exceeding €230,000 be granted to defray the charge which will come in course of payment during the year ending on the 31st day of December, 2014, for the salaries and expenses of the Public Appointments Service.

Vote 25 - Environment, Community and Local Government (Supplementary)

That a supplementary sum not exceeding €34,710,000 be granted to defray the charge which will come in course of payment during the year ending on the 31st day of December, 2014, for the salaries and expenses of the Office of the Minister for the Environment, Community and Local Government, including grants to Local Authorities, grants and other expenses in connection with housing, water services, miscellaneous schemes, subsidies and grants.

Vote 26 - Education and Skills (Supplementary)

That a supplementary sum not exceeding €103,000,000 be granted to defray the charge which will come in course of payment during the year ending on the 31st day of December, 2014, for the salaries and expenses of the Office of the Minister for Education and Skills, for certain services administered by that Office, and for the payments of certain grants and grants-in-aid.

Vote 30 - Agriculture, Food and the Marine (Supplementary)

That a supplementary sum not exceeding €177,000,000 be granted to defray the charge which will come in course of payment during the year ending on the 31st day of December, 2014, for the salaries and expenses of the Office of the Minister for Agriculture, Food and the Marine, including certain services administered by that Office, and of the Irish Land Commission and for payment of certain grants, subsidies and sundry grants-in-aid and for the payment of certain grants under cash-limited schemes and the remediation of Haulbowline Island.

Vote 31 - Transport, Tourism and Sport (Supplementary)

That a supplementary sum not exceeding €162,080,000 be granted to defray the charge which will come in course of payment during the year ending on the 31st day of December, 2014, for the salaries and expenses of the Office of the Minister for Transport, Tourism and Sport, including certain services administered by that Office, for payment of certain grants, grants-in-aid and certain other services.

Vote 32 - Jobs, Enterprise and Innovation (Supplementary)

That a supplementary sum not exceeding €1,000 be granted to defray the charge which will come in course of payment during the year ending on the 31st day of December, 2014, for the salaries and expenses of the Office of the Minister for Jobs, Enterprise and Innovation, including certain services administered by that Office, for the payment of certain subsidies, grants and a grant-in-aid, and for the payment of certain grants under cash-limited schemes.

Vote 39 - Health Service Executive (Supplementary)

That a supplementary sum not exceeding €680,000,000 be granted to defray the charge which will come in course of payment during the year ending on the 31st day of December, 2014, for the salaries and expenses of the Health Service Executive and certain other services administered by the Executive, including miscellaneous grants.

Vote 40 - Children and Youth Affairs (Supplementary)

That a supplementary sum not exceeding €1,000 be granted to defray the charge which will come in course of payment during the year ending on the 31st day of December, 2014, for the salaries and expenses of the Office of the Minister for Children and Youth Affairs, for certain services administered by that Office and for the payment of grants including certain grants under cash-limited schemes.”

Votes put:

<i>The Dáil divided: Tá, 74; Níl, 27.</i>	
<i>Tá</i>	<i>Níl</i>
<i>Barry, Tom.</i>	<i>Boyd Barrett, Richard.</i>
<i>Butler, Ray.</i>	<i>Broughan, Thomas P.</i>
<i>Buttimer, Jerry.</i>	<i>Calleary, Dara.</i>
<i>Byrne, Catherine.</i>	<i>Collins, Joan.</i>
<i>Byrne, Eric.</i>	<i>Coppinger, Ruth.</i>
<i>Carey, Joe.</i>	<i>Daly, Clare.</i>
<i>Coffey, Paudie.</i>	<i>Donnelly, Stephen S.</i>
<i>Colreavy, Michael.</i>	<i>Fitzmaurice, Michael.</i>
<i>Conaghan, Michael.</i>	<i>Fleming, Sean.</i>
<i>Conlan, Seán.</i>	<i>Fleming, Tom.</i>
<i>Connaughton, Paul J.</i>	<i>Halligan, John.</i>
<i>Coonan, Noel.</i>	<i>Healy, Seamus.</i>
<i>Corcoran Kennedy, Marcella.</i>	<i>Keaveney, Colm.</i>
<i>Costello, Joe.</i>	<i>Kirk, Seamus.</i>
<i>Creed, Michael.</i>	<i>Mathews, Peter.</i>
<i>Creighton, Lucinda.</i>	<i>McConalogue, Charlie.</i>
<i>Daly, Jim.</i>	<i>McGrath, Mattie.</i>
<i>Deasy, John.</i>	<i>Martin, Micheál.</i>
<i>Deenihan, Jimmy.</i>	<i>Murphy, Catherine.</i>
<i>Deering, Pat.</i>	<i>Murphy, Paul.</i>
<i>Doherty, Regina.</i>	<i>Ó Cuív, Éamon.</i>
<i>Doyle, Andrew.</i>	<i>Ó Fearghail, Seán.</i>
<i>Durkan, Bernard J.</i>	<i>Pringle, Thomas.</i>
<i>Ellis, Dessie.</i>	<i>Ross, Shane.</i>
<i>English, Damien.</i>	<i>Shortall, Róisín.</i>
<i>Feighan, Frank.</i>	<i>Troy, Robert.</i>
<i>Ferris, Martin.</i>	<i>Wallace, Mick.</i>

<i>Fitzpatrick, Peter.</i>	
<i>Griffin, Brendan.</i>	
<i>Harrington, Noel.</i>	
<i>Heydon, Martin.</i>	
<i>Howlin, Brendan.</i>	
<i>Humphreys, Heather.</i>	
<i>Humphreys, Kevin.</i>	
<i>Keating, Derek.</i>	
<i>Kehoe, Paul.</i>	
<i>Kelly, Alan.</i>	
<i>Kenny, Seán.</i>	
<i>Kyne, Seán.</i>	
<i>Lyons, John.</i>	
<i>Mac Lochlainn, Pádraig.</i>	
<i>McCarthy, Michael.</i>	
<i>McDonald, Mary Lou.</i>	
<i>McEntee, Helen.</i>	
<i>McFadden, Gabrielle.</i>	
<i>McGrath, Finian.</i>	
<i>McHugh, Joe.</i>	
<i>McLellan, Sandra.</i>	
<i>Maloney, Eamonn.</i>	
<i>Mulherin, Michelle.</i>	
<i>Naughten, Denis.</i>	
<i>Nolan, Derek.</i>	
<i>Ó Caoláin, Caoimhghín.</i>	
<i>Ó Snodaigh, Aengus.</i>	
<i>O'Brien, Jonathan.</i>	
<i>O'Donovan, Patrick.</i>	
<i>O'Dowd, Fergus.</i>	
<i>O'Mahony, John.</i>	
<i>Penrose, Willie.</i>	
<i>Perry, John.</i>	
<i>Rabbitte, Pat.</i>	
<i>Reilly, James.</i>	
<i>Ring, Michael.</i>	
<i>Ryan, Brendan.</i>	
<i>Spring, Arthur.</i>	
<i>Stagg, Emmet.</i>	
<i>Stanley, Brian.</i>	
<i>Stanton, David.</i>	
<i>Timmins, Billy.</i>	
<i>Tóibín, Peadar.</i>	

<i>Tuffy, Joanna.</i>	
<i>Twomey, Liam.</i>	
<i>Wall, Jack.</i>	
<i>Walsh, Brian.</i>	

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

Votes declared carried.

Sitting suspended at 1.10 p.m. and resumed at 2.10 p.m.

2 o'clock

Water Services Bill 2014: Committee Stage (Resumed)

SECTION 2

Debate resumed on amendment No. 4:

In page 4, line 9, after “Resolution” to insert “of not fewer than two thirds of the Members”.

- (Deputy Catherine Murphy).

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): For clarity, I will repeat what I said in regard to the amendments. I will not accept Deputy Catherine Murphy’s amendment requiring a resolution of both Houses as we believe it would place more stringent conditions on future Governments. I do not think it is necessary anyway, although I appreciate the spirit of it.

In regard to amendment No. 7, when it comes to referendums or plebiscites, all citizens are entitled to vote and we should stick to that rather than deviate from it. That would be the legal advice as well. Amendment No. 8 proposes that a provision be inserted that the Government shall not expend public moneys for the purposes of promoting a particular outcome in the plebiscite. Section 2(7) requires the Minister to publish details of the proposal and the reasons for it to be submitted to the people in the plebiscite so this is unnecessary. How public moneys are spent is detailed in electoral legislation, so I do not think we need to make such changes in this legislation.

I will not accept Deputy Naughten’s amendment No. 5 because providing for a resolution of each municipal district would create a precedent whereby one municipal district or a small number could thwart the will of the Irish people. Having said that, I appreciate the spirit in

which he tabled the amendment.

I want to return to an amendment tabled by Deputy Naughten in regard to the word “shall”. I was surprised it was not taken but there are obviously reasons for that. Prior to today’s sitting, I reflected on this and I asked my officials and the Attorney General to look at it. The Deputy has to appreciate that whatever my views are in regard to all of these things, at all times I have to take cognisance of the legal advice given to me by the Attorney General. Let me be quite clear. I am very satisfied that the current drafting meets the requirements as set out that we would have to have a referendum if, in the very unlikely scenario, we ever get to the stage where a Government would look at this.

To be absolutely certain and to give everyone some form of extra confidence, even though I am absolutely sure the proposed wording is sufficient, I am prepared to look at changing the word “may” to “shall” and I am doing that in the spirit of co-operation. Considering what has been said, it would give those opposite more confidence. I have asked my officials to look at it and I will obviously take the advice of the Attorney General but I am pretty confident we will be able to bring forward an amendment to that effect and in doing so not just change the word “may” to “shall” in this section, but also strengthen the wording in general. I have asked my officials and the Attorney General to look at this and I will bring forward an amendment at some stage to reflect that.

I hope those opposite appreciate the spirit in which I am doing this because it can be done. If it gives greater confidence and comfort to people, we will do it, even though I do not necessarily think it is necessary, which is beside the point. I ask for forbearance as this will have to be drafted. If I could, I would bring it forward on Report Stage but I will bring it forward in the Seanad next week and then bring it back to the Dáil. I give a commitment that not only will I look at it, but I will bring forward an amendment to reflect it.

A number of comments were made, although not necessarily by those present, in regard to the bona fides of myself and the Government. Dare I say it, but my party was mentioned a number of times. There is no way that I would ever tolerate the privatisation of Irish Water, nor would my party or this Government. It is not something that anyone has on the agenda. In drafting the legislation, we had to bear in mind the legal advice at all times. In deciding whether to hold a referendum, the unintended consequences of doing something like that and deciding whether we want to go down that road, we must take on board the advice of the Attorney General at all times. I have had to do that in this regard and that is why I propose to go down the wording route I just outlined in order to give those opposite more confidence.

There has never been an agenda. Officialdom was referenced and there was some insinuation outside the House, not inside it, that there was an agenda. I have not heard of any agenda in regard to a supposed future privatisation of Irish Water. As far as I am concerned, it is an agenda being driven somewhere else. It is not on the agenda and, as far as I am concerned, it never will be. It is something I will never support.

I am going as far as I can with the advice I have been given in order to guarantee that this will not happen. I hope those opposite take that in the spirit it is intended. I will make that commitment on the record. I will not accept amendment No. 5 but I will do exactly what I just said.

Deputy Michael Fitzmaurice: I heard the Minister talk about a plebiscite. I got some legal advice on this as well. No Government can bind its successor. Nobody is accusing the Minister

or this Government of privatising water tomorrow, next week or during its term but we must look to the future in five, ten or 15 years time. The only way we can guarantee this will not happen is through a referendum. A plebiscite will not stand up in respect of successive Governments. It is worrying that a former Minister of State, who was involved in this whole water debacle, has said that there are outside forces trying to privatise water. We must realise there is €15 billion worth of infrastructure, between water treatment plants, pipe work in the ground and so on. We have huge infrastructure paid for by the taxpayer. We have made mistakes in the past and things have been privatised which we now regret. Nobody is accusing the Minister or the Government of doing this now but for the security of the Irish people, the taxpayer and our country, the Minister should consider holding a referendum.

Deputy Denis Naughten: I thank the Minister for his contribution. I acknowledge that he has listened to what we have said and I appreciate that. I got a reason amendment No. 6 was withdrawn and I pointed it out on Tuesday night but a number of the contributors today may not have been here then. The Ceann Comhairle's office wrote back and said the reason amendment No. 6 was ruled out of order was that it would impose a potential charge on the Exchequer and it would force a referendum. It shows that we need to revise Standing Orders. I thank the Minister for listening to the arguments put forward and, hopefully, progressing this and providing additional clarity in the legislation.

Amendment put:

<i>The Committee divided: Tá, 43; Níl, 67.</i>	
<i>Tá</i>	<i>Níl</i>
<i>Boyd Barrett, Richard.</i>	<i>Barry, Tom.</i>
<i>Broughan, Thomas P.</i>	<i>Bruton, Richard.</i>
<i>Calleary, Dara.</i>	<i>Butler, Ray.</i>
<i>Collins, Joan.</i>	<i>Buttimer, Jerry.</i>
<i>Colreavy, Michael.</i>	<i>Byrne, Catherine.</i>
<i>Coppinger, Ruth.</i>	<i>Byrne, Eric.</i>
<i>Cowen, Barry.</i>	<i>Carey, Joe.</i>
<i>Creighton, Lucinda.</i>	<i>Coffey, Paudie.</i>
<i>Donnelly, Stephen S.</i>	<i>Collins, Áine.</i>
<i>Dooley, Timmy.</i>	<i>Conaghan, Michael.</i>
<i>Ellis, Dessie.</i>	<i>Conlan, Seán.</i>
<i>Ferris, Martin.</i>	<i>Connaughton, Paul J.</i>
<i>Fitzmaurice, Michael.</i>	<i>Coonan, Noel.</i>
<i>Flanagan, Terence.</i>	<i>Corcoran Kennedy, Marcella.</i>
<i>Fleming, Tom.</i>	<i>Costello, Joe.</i>
<i>Grealish, Noel.</i>	<i>Coveney, Simon.</i>
<i>Halligan, John.</i>	<i>Creed, Michael.</i>
<i>Healy, Seamus.</i>	<i>Daly, Jim.</i>
<i>Keaveney, Colm.</i>	<i>Deenihan, Jimmy.</i>
<i>Kelleher, Billy.</i>	<i>Deering, Pat.</i>
<i>Kirk, Seamus.</i>	<i>Doherty, Regina.</i>
<i>Mac Lochlainn, Pádraig.</i>	<i>Dowds, Robert.</i>

<i>McConalogue, Charlie.</i>	<i>Doyle, Andrew.</i>
<i>McDonald, Mary Lou.</i>	<i>Durkan, Bernard J.</i>
<i>McGrath, Finian.</i>	<i>English, Damien.</i>
<i>McGrath, Mattie.</i>	<i>Farrell, Alan.</i>
<i>McGuinness, John.</i>	<i>Feighan, Frank.</i>
<i>McLellan, Sandra.</i>	<i>Fitzpatrick, Peter.</i>
<i>Martin, Micheál.</i>	<i>Griffin, Brendan.</i>
<i>Mathews, Peter.</i>	<i>Harrington, Noel.</i>
<i>Murphy, Catherine.</i>	<i>Harris, Simon.</i>
<i>Naughten, Denis.</i>	<i>Heydon, Martin.</i>
<i>Ó Cuív, Éamon.</i>	<i>Howlin, Brendan.</i>
<i>Ó Fearghail, Seán.</i>	<i>Humphreys, Heather.</i>
<i>Ó Snodaigh, Aengus.</i>	<i>Keating, Derek.</i>
<i>O'Brien, Jonathan.</i>	<i>Kehoe, Paul.</i>
<i>O'Sullivan, Maureen.</i>	<i>Kelly, Alan.</i>
<i>Pringle, Thomas.</i>	<i>Kenny, Seán.</i>
<i>Ross, Shane.</i>	<i>Kyne, Seán.</i>
<i>Shortall, Róisín.</i>	<i>Lyons, John.</i>
<i>Stanley, Brian.</i>	<i>McCarthy, Michael.</i>
<i>Tóibín, Peadar.</i>	<i>McEntee, Helen.</i>
<i>Troy, Robert.</i>	<i>McFadden, Gabrielle.</i>
	<i>McGinley, Dinny.</i>
	<i>McHugh, Joe.</i>
	<i>Maloney, Eamonn.</i>
	<i>Mulherin, Michelle.</i>
	<i>Neville, Dan.</i>
	<i>Nolan, Derek.</i>
	<i>O'Donovan, Patrick.</i>
	<i>O'Mahony, John.</i>
	<i>Penrose, Willie.</i>
	<i>Perry, John.</i>
	<i>Phelan, John Paul.</i>
	<i>Quinn, Ruairí.</i>
	<i>Rabbitte, Pat.</i>
	<i>Reilly, James.</i>
	<i>Ring, Michael.</i>
	<i>Ryan, Brendan.</i>
	<i>Spring, Arthur.</i>
	<i>Stagg, Emmet.</i>
	<i>Stanton, David.</i>
	<i>Tuffy, Joanna.</i>
	<i>Twomey, Liam.</i>
	<i>Varadkar, Leo.</i>

	<i>Wall, Jack.</i>
	<i>Walsh, Brian.</i>

Tellers: Tá, Deputies Catherine Murphy and Seamus Healy; Níl, Deputies Emmet Stagg and Paul Kehoe.

Amendment declared lost.

Deputy Denis Naughten: I move amendment No. 5:

In page 4, between lines 10 and 11, to insert the following:

“(b) a Resolution of each municipal district, as defined in section 22A of the Local Government Acts 1925 to 2014, is passed approving the alienation,”.

In light of the assurances that have been given by the Minister, I will withdraw the amendment.

Amendment, by leave, withdrawn.

An Ceann Comhairle: Amendment No. 6 is out of order.

Amendment No. 6 not moved.

Deputy Ruth Coppinger: I move amendment No. 7:

In page 4, lines 25 and 26, to delete “at a referendum on a proposal for an amendment of the Constitution” and substitute “in a local authority election”.

Amendment put:

<i>The Committee divided: Tá, 43; Níl, 67.</i>	
<i>Tá</i>	<i>Níl</i>
<i>Boyd Barrett, Richard.</i>	<i>Barry, Tom.</i>
<i>Broughan, Thomas P.</i>	<i>Bruton, Richard.</i>
<i>Calleary, Dara.</i>	<i>Butler, Ray.</i>
<i>Collins, Joan.</i>	<i>Buttimer, Jerry.</i>
<i>Colreavy, Michael.</i>	<i>Byrne, Catherine.</i>
<i>Coppinger, Ruth.</i>	<i>Byrne, Eric.</i>
<i>Cowen, Barry.</i>	<i>Carey, Joe.</i>
<i>Creighton, Lucinda.</i>	<i>Coffey, Paudie.</i>
<i>Ellis, Dessie.</i>	<i>Collins, Áine.</i>
<i>Ferris, Martin.</i>	<i>Conaghan, Michael.</i>
<i>Fitzmaurice, Michael.</i>	<i>Conlan, Seán.</i>
<i>Flanagan, Terence.</i>	<i>Connaughton, Paul J.</i>

<i>Fleming, Tom.</i>	<i>Coonan, Noel.</i>
<i>Grealish, Noel.</i>	<i>Corcoran Kennedy, Marcella.</i>
<i>Halligan, John.</i>	<i>Costello, Joe.</i>
<i>Healy, Seamus.</i>	<i>Coveney, Simon.</i>
<i>Keaveney, Colm.</i>	<i>Creed, Michael.</i>
<i>Kelleher, Billy.</i>	<i>Daly, Jim.</i>
<i>Kirk, Seamus.</i>	<i>Deenihan, Jimmy.</i>
<i>Mac Lochlainn, Pádraig.</i>	<i>Deering, Pat.</i>
<i>McConalogue, Charlie.</i>	<i>Doherty, Regina.</i>
<i>McDonald, Mary Lou.</i>	<i>Dowds, Robert.</i>
<i>McGrath, Finian.</i>	<i>Doyle, Andrew.</i>
<i>McGrath, Mattie.</i>	<i>Durkan, Bernard J.</i>
<i>McGuinness, John.</i>	<i>English, Damien.</i>
<i>McLellan, Sandra.</i>	<i>Farrell, Alan.</i>
<i>Martin, Micheál.</i>	<i>Feighan, Frank.</i>
<i>Mathews, Peter.</i>	<i>Fitzpatrick, Peter.</i>
<i>Murphy, Catherine.</i>	<i>Griffin, Brendan.</i>
<i>Naughten, Denis.</i>	<i>Harrington, Noel.</i>
<i>Ó Caoláin, Caoimhghín.</i>	<i>Harris, Simon.</i>
<i>Ó Cuív, Éamon.</i>	<i>Heydon, Martin.</i>
<i>Ó Fearghail, Seán.</i>	<i>Howlin, Brendan.</i>
<i>Ó Snodaigh, Aengus.</i>	<i>Humphreys, Heather.</i>
<i>O'Brien, Jonathan.</i>	<i>Keating, Derek.</i>
<i>O'Sullivan, Maureen.</i>	<i>Kehoe, Paul.</i>
<i>Pringle, Thomas.</i>	<i>Kelly, Alan.</i>
<i>Ross, Shane.</i>	<i>Kenny, Seán.</i>
<i>Shortall, Róisín.</i>	<i>Kyne, Seán.</i>
<i>Stanley, Brian.</i>	<i>Lyons, John.</i>
<i>Timmins, Billy.</i>	<i>McCarthy, Michael.</i>
<i>Tóibín, Peadar.</i>	<i>McEntee, Helen.</i>
<i>Troy, Robert.</i>	<i>McFadden, Gabrielle.</i>
	<i>McGinley, Dinny.</i>
	<i>McHugh, Joe.</i>
	<i>Maloney, Eamonn.</i>
	<i>Mulherin, Michelle.</i>
	<i>Neville, Dan.</i>
	<i>Nolan, Derek.</i>
	<i>O'Donovan, Patrick.</i>
	<i>O'Mahony, John.</i>
	<i>Penrose, Willie.</i>
	<i>Perry, John.</i>
	<i>Phelan, John Paul.</i>
	<i>Quinn, Ruairí.</i>

	<i>Rabbitte, Pat.</i>
	<i>Reilly, James.</i>
	<i>Ring, Michael.</i>
	<i>Ryan, Brendan.</i>
	<i>Spring, Arthur.</i>
	<i>Stagg, Emmet.</i>
	<i>Stanton, David.</i>
	<i>Tuffy, Joanna</i>
	<i>Twomey, Liam.</i>
	<i>Varadkar, Leo.</i>
	<i>Wall, Jack.</i>
	<i>Walsh, Brian.</i>

Tellers: Tá, Deputies Richard Boyd Barrett and Ruth Coppinger; Níl, Deputies Emmet Stagg and Paul Kehoe.

Amendment declared lost.

Deputy Ruth Coppinger: I move amendment No. 8:

In page 4, between lines 37 and 38, to insert the following:

“(9) The Government shall not expend public monies for the purpose of promoting a particular outcome in the Plebiscite.”.

Amendment put:

<i>The Committee divided: Tá, 44; Níl, 66.</i>	
<i>Tá</i>	<i>Níl</i>
<i>Boyd Barrett, Richard.</i>	<i>Barry, Tom.</i>
<i>Broughan, Thomas P.</i>	<i>Bruton, Richard.</i>
<i>Calleary, Dara.</i>	<i>Butler, Ray.</i>
<i>Collins, Joan.</i>	<i>Buttimer, Jerry.</i>
<i>Colreavy, Michael.</i>	<i>Byrne, Catherine.</i>
<i>Coppinger, Ruth.</i>	<i>Byrne, Eric.</i>
<i>Cowen, Barry.</i>	<i>Carey, Joe.</i>
<i>Creighton, Lucinda.</i>	<i>Coffey, Paudie.</i>
<i>Ellis, Dessie.</i>	<i>Collins, Áine.</i>
<i>Ferris, Martin.</i>	<i>Conaghan, Michael.</i>
<i>Fitzmaurice, Michael.</i>	<i>Conlan, Seán.</i>
<i>Flanagan, Terence.</i>	<i>Connaughton, Paul J.</i>
<i>Fleming, Tom.</i>	<i>Coonan, Noel.</i>

<i>Grealish, Noel.</i>	<i>Corcoran Kennedy, Marcella.</i>
<i>Halligan, John.</i>	<i>Costello, Joe.</i>
<i>Healy, Seamus.</i>	<i>Coveney, Simon.</i>
<i>Keaveney, Colm.</i>	<i>Creed, Michael.</i>
<i>Kelleher, Billy.</i>	<i>Daly, Jim.</i>
<i>Kirk, Seamus.</i>	<i>Deenihan, Jimmy.</i>
<i>Kitt, Michael P.</i>	<i>Deering, Pat.</i>
<i>Mac Lochlainn, Pádraig.</i>	<i>Doherty, Regina.</i>
<i>McConalogue, Charlie.</i>	<i>Dowds, Robert.</i>
<i>McDonald, Mary Lou.</i>	<i>Doyle, Andrew.</i>
<i>McGrath, Finian.</i>	<i>Durkan, Bernard J.</i>
<i>McGrath, Mattie.</i>	<i>English, Damien.</i>
<i>McGuinness, John.</i>	<i>Farrell, Alan.</i>
<i>McLellan, Sandra.</i>	<i>Feighan, Frank.</i>
<i>Martin, Micheál.</i>	<i>Fitzpatrick, Peter.</i>
<i>Mathews, Peter.</i>	<i>Griffin, Brendan.</i>
<i>Murphy, Catherine.</i>	<i>Harrington, Noel.</i>
<i>Naughten, Denis.</i>	<i>Harris, Simon.</i>
<i>Ó Caoláin, Caoimhghín.</i>	<i>Heydon, Martin.</i>
<i>Ó Cuív, Éamon.</i>	<i>Howlin, Brendan.</i>
<i>Ó Fearghail, Seán.</i>	<i>Humphreys, Heather.</i>
<i>Ó Snodaigh, Aengus.</i>	<i>Keating, Derek.</i>
<i>O'Brien, Jonathan.</i>	<i>Kehoe, Paul.</i>
<i>O'Sullivan, Maureen.</i>	<i>Kelly, Alan.</i>
<i>Pringle, Thomas.</i>	<i>Kenny, Seán.</i>
<i>Ross, Shane.</i>	<i>Kyne, Seán.</i>
<i>Shortall, Róisín.</i>	<i>Lyons, John.</i>
<i>Stanley, Brian.</i>	<i>McCarthy, Michael.</i>
<i>Timmins, Billy.</i>	<i>McEntee, Helen.</i>
<i>Tóibín, Peadar.</i>	<i>McFadden, Gabrielle.</i>
<i>Troy, Robert.</i>	<i>McGinley, Dinny.</i>
	<i>McHugh, Joe.</i>
	<i>Maloney, Eamonn.</i>
	<i>Mulherin, Michelle.</i>
	<i>Neville, Dan.</i>
	<i>Nolan, Derek.</i>
	<i>O'Donovan, Patrick.</i>
	<i>O'Mahony, John.</i>
	<i>Penrose, Willie.</i>
	<i>Perry, John.</i>
	<i>Quinn, Ruairí.</i>
	<i>Reilly, James.</i>
	<i>Ring, Michael.</i>

	<i>Ryan, Brendan.</i>
	<i>Shatter, Alan.</i>
	<i>Spring, Arthur.</i>
	<i>Stagg, Emmet.</i>
	<i>Stanton, David.</i>
	<i>Tuffy, Joanna.</i>
	<i>Twomey, Liam.</i>
	<i>Varadkar, Leo.</i>
	<i>Wall, Jack.</i>
	<i>Walsh, Brian.</i>

Tellers: Tá, Deputies Ruth Coppinger and Richard Boyd Barrett; Níl, Deputies Paul Kehoe and Emmet Stagg.

Amendment declared lost.

Section 2 agreed to.

SECTION 3

An Ceann Comhairle: Amendment No. 9 in the name of Deputy Barry Cowen is out of order.

Amendment No. 9 not moved.

An Ceann Comhairle: Amendments Nos. 10, 13, 16, 20 to 22, inclusive, and 24 are related and may be discussed together.

Deputy Alan Kelly: I move amendment No. 10:

In page 4, line 39, to delete “section 22(1)” and substitute “section 21(1)”.

Amendment No. 10 is a drafting provision to amend the reference in subsection (10) from “section 22(1)” to “section 21(1)”.

The purpose of amendment No. 13 is to ensure there is certainty regarding specific charges levied by or on behalf of Irish Water during the period from 1 October 2014 to 31 December 2014.

Amendment No. 16 provides for the rewording of the existing subsection (3). The subsection provides that where a dwelling is in receipt of one service from Irish Water, the maximum charge Irish Water can levy is 50% of the capped charge as set out in subsection (2). Therefore, the capped charge that will apply to a house that is either in receipt of a water supply but discharges wastewater into a septic tank or receives its water supply from a private well or other sources and discharges wastewater to the public sewers will be either €80 or €130 per annum. The existing subsection made the same provision, but the amended wording is much clearer in

its intent.

Amendment No. 20 is a technical drafting amendment to subsection (6). It provides for the inclusion of a reference to subsection (14), which sets out the capped annual charge to apply to dwellings which first receive water services from Irish Water on or after 1 January 2015. The subsection outlines the caps and the volumetric charges Irish Water may levy.

Amendment No. 21 is a minor drafting amendment to provide for the inclusion of the word “water” after the word “household”. This is merely to clarify that the subsection is referring to the household water allowance. The subsection provides that the allowance will cease to apply.

Amendment No. 22 is a minor drafting amendment which provides for the inclusion of the word “water” after the word “child”. Again, this is simply to clarify that the subsection is referring to the child water allowance. The subsection provides that the child water allowances provided under the approved water charges plan will apply to all persons who are not adults.

3 o'clock

An adult is a person aged 18 or over. Previously, the child allowance was available on the basis of the same conditions that apply in respect of child benefit payments from the Department of Social Protection.

Amendment No. 24 provides for the deletion of the word “initial” in section 3(15)(b). This will ensure that Irish Water will be allowed to charge for connecting or reconnecting a service to a dwelling. In addition to circumstances in which new customers want to connect to Irish Water’s network, we have been informed that there are instances where householders have requested that their dwellings should be disconnected from water supplies. The latter is the case where people may believe that their dwellings will be unoccupied for long periods. The amendment provides for Irish Water to be allowed to charge for reconnections in circumstances where this is the case.

Amendment No. 25 is similar to amendment No. 16, which we discussed earlier. It provides for the rewording of the existing subsection (3), which provides that where a dwelling is in receipt of one service from Irish Water the maximum late payment charge the company may impose will be 50% of the relevant charge set out in subsection (1). As a result, the late payment charge that will apply in respect of a house which is either in receipt of a water supply but which discharges wastewater into a septic tank or which receives its water supply from a private well or other source and discharges wastewater to the public sewer will be €15 per annum. The existing wording makes provision in this regard but I am of the view that the new subsection I am proposing to include is clearer in its intent.

Deputy Denis Naughten: I wish to make some specific comments on charges and on the issue I raised on Tuesday evening last. Some 12 months ago I was given a commitment by the then Minister of State, Deputy O’Dowd, on his behalf and that of his officials, to the effect that people who have boil water notices in place will not be charged for their public water supplies. However, in the amendments he has tabled, the Minister, Deputy Kelly, is making provision for charges to be imposed on households whose members cannot drink water from their taps.

There is absolute and utter confusion among people in respect of this matter. The Minister previously gave assurances to the House that the lifting of boil water notices in County Roscommon was imminent. However, that is not the case. As I pointed out to him on Tues-

day night last, members of the north-east Roscommon regional water supply scheme will be obliged to wait until March 2017 to have those notices lifted. The reason for this is that Irish Water has made a policy decision not to install temporary treatment plants pending the upgrade of the supply. Boil water notices relating to the north-east Roscommon regional water supply scheme could be lifted within three months if Irish Water committed to putting such a plant in place. To add to the confusion that already exists, I received briefing documents from both Irish Water and Roscommon County Council last month. The document from the council indicates that the boil water notice in Castlerea will be lifted in April 2014, while Irish Water's document indicates that this will happen in March. The council's document also indicates that the boil water notice relating to the Killeglan water supply will be lifted in May 2015, while Irish Water's document indicates that it will be March when the notice is lifted. Both documents state that the notice relating to Boyle, County Roscommon, will be lifted in March. There is utter confusion in respect of this matter.

It is wrong that from 1 January next until the early part of 2017, households in County Roscommon that are connected to public sewers will be obliged to pay water charges. The only way we can ensure that there is an incentive for Irish Water to prioritise the lifting of boil water notices is if the company sustains a financial hit in this regard. I put forward this argument last December, both in the House - when it was accepted by the Minister's predecessor - and to the regulator. However, the people to whom I refer are going to be sent bills by Irish Water from spring of next year.

An Ceann Comhairle: To which amendment is the Deputy speaking?

Deputy Denis Naughten: I am speaking to amendment No. 16. If one is unfortunate to be a commercial user of water, one will receive only a 20% discount. The latter is despite the huge financial cost associated with not having access to clean water.

An Ceann Comhairle: Amendment No. 15 is not included in the group of amendments under discussion.

Deputy Denis Naughten: I am speaking to amendment No. 16.

An Ceann Comhairle: Amendment No. 15 relates to boil water notices.

Deputy Denis Naughten: I tabled amendment No. 15, which was ruled out of order. I am speaking to amendment No. 16, which was tabled by the Minister.

An Ceann Comhairle: Yes, and that refers to circumstances where "a dwelling is in receipt of one service in respect of water services provided by Irish Water".

Deputy Denis Naughten: It also refers to the maximum charge that Irish Water may charge for that service in respect of the dwelling is an amount that is 50% less than the amount that would be charged if that dwelling has only one supply. The argument I am making is that where the water supplied is unfit for human consumption, people should not be charged at all. As already stated, commercial users will only receive a 20% discount.

I am asking for three things. First, there should be absolute clarity with regard to when boil water notices are going to be lifted. Second, pending the lifting of those notices, anyone who is affected should not receive a bill of any sort from Irish Water. The latter is the only way to incentivise the company in the context of prioritising this issue. Third, where it is feasible to

put in place a temporary treatment plant - as would be the case with regard to the north-east Roscommon regional scheme - then this should be done. Such a plant has been already put in place in respect of the Roscommon regional water supply and, therefore, a precedent has been set. However, Irish Water is afraid to go down this road in case demands might be placed on it in other parts of the country.

Deputy Michael Fitzmaurice: I concur with everything Deputy Naughten said. He and I attended a meeting on this matter in Roscommon and, to be frank, I would be far more likely to believe the figures and dates supplied to us by Roscommon County Council than I would to believe the information provided by Irish Water. Deputy Naughten is 100% correct in what he said regarding temporary treatment plants. A boil water notice is currently in place in Williamstown. We need to start thinking outside the box and dealing with problems much more quickly. Businesses must be treated properly. I ask the Minister to ensure that when boil water notices are put in place, people will not be sent bills one way or the other.

Deputy Seamus Healy: On a point of information, will we have an opportunity to discuss the section.

An Ceann Comhairle: When we have disposed of the amendments.

Deputy Alan Kelly: I understand the arguments put forward by Deputies Naughten and Fitzmaurice. I say that in a spirit of co-operation. Historically, County Roscommon has been treated in a shambolic way. I have visited the county and I discussed this matter with a number of people I met in Castlerea. I do not just visit Roscommon when a by-election is taking place. The issues relating to the provision of water services in Roscommon are probably symbolic of the reason we need to change our attitude to water services. In certain areas, those issues are extremely serious in nature.

Deputy Seamus Healy: The Minister should not forget Burcourt.

Deputy Alan Kelly: The investment made and commitments given by the Government in respect of solving the issues in Roscommon are the most significant to date. To be fair, everyone accepts that. The investment to which I refer must be continued, particularly in the context of the work Irish Water will carry out. As the Deputies are more than aware, some people have had boil water notices in place for ten, 12 or 15 years. That is outrageous. A generation has grown up with this as a way of life, which is absolutely insane.

The specifics relating to this matter are not quite as simple as they might first appear. I hereby give a commitment to examine the documentation supplied to Deputy Naughten by Roscommon County Council and Irish Water. We must accept that the CER has given a policy direction to the effect that 100% of water coming in is to be free where there is a boil water notice in operation, but that wastewater, which is completely different, must be paid for. I have to abide by the policy decision made previously and the policy direction given by the CER.

With regard to the technologies and the use of temporary water treatment facilities, I am no expert and do not know whether anyone in this House is. When making decisions on this and on what is appropriate, I must be guided by the technical experts, particularly those on the books of Irish Water who have been brought in from various sources. Those concerned have made massive savings on foot of some of the decisions they have made to date on water and wastewater treatment facilities. The technical experts and I must all be guided by the EPA, as it must be satisfied everything is right. In this regard, public health is paramount. It is on the

basis of these principles that we have gone down the road we have gone down.

I acknowledge the role of the CER and its direction. From an investment perspective, however, I understand the concerns and issues that arise in the county in question, which has had serious issues historically. The Deputies should please acknowledge that the current Government is the first to be committed to getting to the bottom of this. The approach might not be as quick as both Deputies requested and there may be some issues arising in regard to the months. The Deputy referenced May and March, but I believe they were in the same year. I would rather make the right decisions, based on the expert advice I have outlined and which the relevant agencies and I must take, than rush into things. That is the spirit in which this is being done.

Deputy Barry Cowen: With regard to amendment No. 16, I seek clarification from the Minister. Am I correct in saying there is no provision in legislation for a refund or allowance for those on a boil water notice? Am I correct in stating this remains a policy matter and that it is at the discretion of the CER, the regulator? Would it not be more prudent and correct to insert the provision in legislation to offer a guarantee in all cases rather than have dispute resolution by the regulator?

Could the Minister clarify the policy direction given to the CER on the commercial sector when it finds itself subject to a boil water notice? Contrary to what Deputy Naughten said, is it not the case that the sector gets a reduction of only 40%, not 100%? The commercial sector should be treated the same as the residential sector, especially considering that those in the sector, including those in the licensed trade or service industries, are forced to provide water for their customers. There is a cost associated with providing this water. That they do not benefit from the same discount as residents beside them is not fair, right or proper.

Is the Minister happy that he is not providing in legislation definitive detail on the discounts that exist for residential users subject to boil water notices? Can he confirm that the reduction is 40%, rather than 100%, for the commercial sector? Can he confirm that there is no provision in that regard in this legislation to copper-fasten the case of those in the commercial sector?

Deputy Seamus Healy: On the points made by the last two speakers on the boil water notices, the Skeheenarinky-Burcourt area of south Tipperary is another area that has been subject to a boil water notice for many years. I want clarification from the Minister on it. What instructions has he given to Irish Water on boil water notices? When is it expected that people in the area, who have been subject to a boil water notice for years, will have some relief? A significant number of water-using households in the area are not subject to boil water notices, yet their water is completely undrinkable. It is deep brown or deep black coming out of the taps. What is the position on these households? They are not formally given boil water notices but the water coming through their taps is completely undrinkable and unusable. These people, like their neighbours on boil water notices, have been buying water for years. What is being done for them?

Deputy Denis Naughten: I have two points. On Report Stage or in the Seanad, I would like the Minister to consider my amendment, No. 15, which would enshrine in primary legislation the discounts. That is the way to go on this. Could the Minister clarify whether the discount for commercial users is 40% in respect of incoming water, which means the discount is 20% of their actual bill? This is a grossly inefficient way of dealing with the costs associated with a boil water notice.

Deputy Alan Kelly: I thank the Deputies. As outlined by Deputy Naughten, the allowance for the commercial sector is 40%, which is 20% of the total bill. With regard to domestic customers, the rate is 100% for water coming in. This is based on a direction of the CER and I do not see any reason to include it in primary legislation.

Irish Water has a customer charter and it is based on guidelines of the CER. There is flexibility with regard to issues that might need to be reviewed periodically. All the decisions of the CER were made after a consultation process, as people are well aware. On the commercial side, there was a consultation process to arrive at the rate of 40%.

Deputy Healy referred to the Skeheenarinky-Burcourt issue in our native county, with which both he and I are very familiar. I am glad to say it is on the programme of work for the period from 2014 to 2016. As the Deputy knows, major progress is being made in this area, which has had serious water issues for many years. I am delighted to see the ongoing programme of work. It will be a priority of Irish Water to deal with this because the issue has been so significant historically. I will keep the Deputy updated on the progress.

Amendment agreed to.

An Ceann Comhairle: Amendments Nos. 11 and 12 are out of order.

Amendments Nos. 11 and 12 not moved.

Deputy Alan Kelly: I move amendment No. 13:

In page 4, after line 40, to insert the following:

“(2) *Subsection (1)* does not apply to non-domestic water supply and waste water charges made under the approved water charges plan in respect of the period from 1 October 2014 until 31 December 2014.”.

Amendment agreed to.

An Ceann Comhairle: Amendments Nos. 14 and 15 are out of order.

Amendments Nos. 14 and 15 not moved.

Deputy Alan Kelly: I move amendment No. 16:

In page 5, to delete lines 12 to 15 and substitute the following:

“(3) Where a dwelling is in receipt of one service in respect of water services provided by Irish Water, that is to say—

(a) the supply of water to the dwelling, or

(b) the removal of waste water from it,

then the maximum charge that Irish Water may charge for that service in respect of the dwelling is an amount that is 50 per cent less than the amount that would be charged for water services to the dwelling in accordance with *subsection (2)* but for this subsection.”.

Amendment put:

<i>The Committee divided: Tá, 66; Níl, 45.</i>	
<i>Tá</i>	<i>Níl</i>
<i>Barry, Tom.</i>	<i>Boyd Barrett, Richard.</i>
<i>Breen, Pat.</i>	<i>Broughan, Thomas P.</i>
<i>Bruton, Richard.</i>	<i>Calleary, Dara.</i>
<i>Butler, Ray.</i>	<i>Collins, Joan.</i>
<i>Buttimer, Jerry.</i>	<i>Colreavy, Michael.</i>
<i>Byrne, Catherine.</i>	<i>Coppinger, Ruth.</i>
<i>Byrne, Eric.</i>	<i>Cowen, Barry.</i>
<i>Carey, Joe.</i>	<i>Daly, Clare.</i>
<i>Coffey, Paudie.</i>	<i>Doherty, Pearse.</i>
<i>Collins, Áine.</i>	<i>Donnelly, Stephen S.</i>
<i>Conlan, Seán.</i>	<i>Ferris, Martin.</i>
<i>Connaughton, Paul J.</i>	<i>Fitzmaurice, Michael.</i>
<i>Coonan, Noel.</i>	<i>Fleming, Sean.</i>
<i>Corcoran Kennedy, Marcella.</i>	<i>Fleming, Tom.</i>
<i>Costello, Joe.</i>	<i>Grealish, Noel.</i>
<i>Creed, Michael.</i>	<i>Halligan, John.</i>
<i>Daly, Jim.</i>	<i>Healy, Seamus.</i>
<i>Deenihan, Jimmy.</i>	<i>Higgins, Joe.</i>
<i>Deering, Pat.</i>	<i>Keaveney, Colm.</i>
<i>Doherty, Regina.</i>	<i>Kelleher, Billy.</i>
<i>Dowds, Robert.</i>	<i>Kirk, Seamus.</i>
<i>Doyle, Andrew.</i>	<i>Kitt, Michael P.</i>
<i>Durkan, Bernard J.</i>	<i>Mac Lochlainn, Pádraig.</i>
<i>English, Damien.</i>	<i>McConalogue, Charlie.</i>
<i>Farrell, Alan.</i>	<i>McGrath, Finian.</i>
<i>Feighan, Frank.</i>	<i>McGrath, Mattie.</i>
<i>Flanagan, Terence.</i>	<i>McGuinness, John.</i>
<i>Griffin, Brendan.</i>	<i>McLellan, Sandra.</i>
<i>Harrington, Noel.</i>	<i>Martin, Micheál.</i>
<i>Heydon, Martin.</i>	<i>Mathews, Peter.</i>
<i>Howlin, Brendan.</i>	<i>Murphy, Catherine.</i>
<i>Humphreys, Heather.</i>	<i>Murphy, Paul.</i>
<i>Keating, Derek.</i>	<i>Naughten, Denis.</i>
<i>Kehoe, Paul.</i>	<i>Ó Caoláin, Caoimhghín.</i>
<i>Kelly, Alan.</i>	<i>Ó Cuív, Éamon.</i>
<i>Kenny, Seán.</i>	<i>Ó Fearghail, Seán.</i>
<i>Kyne, Seán.</i>	<i>Ó Snodaigh, Aengus.</i>
<i>Lynch, Ciarán.</i>	<i>O'Brien, Jonathan.</i>
<i>Lyons, John.</i>	<i>O'Sullivan, Maureen.</i>
<i>McCarthy, Michael.</i>	<i>Pringle, Thomas.</i>
<i>McEntee, Helen.</i>	<i>Ross, Shane.</i>

<i>McFadden, Gabrielle.</i>	<i>Shortall, Róisín.</i>
<i>McGinley, Dinny.</i>	<i>Stanley, Brian.</i>
<i>McHugh, Joe.</i>	<i>Troy, Robert.</i>
<i>Maloney, Eamonn.</i>	<i>Wallace, Mick.</i>
<i>Mitchell O'Connor, Mary.</i>	
<i>Murphy, Eoghan.</i>	
<i>Neville, Dan.</i>	
<i>Nolan, Derek.</i>	
<i>O'Donnell, Kieran.</i>	
<i>O'Donovan, Patrick.</i>	
<i>O'Dowd, Fergus.</i>	
<i>O'Mahony, John.</i>	
<i>Penrose, Willie.</i>	
<i>Phelan, John Paul.</i>	
<i>Quinn, Ruairí.</i>	
<i>Ring, Michael.</i>	
<i>Ryan, Brendan.</i>	
<i>Shatter, Alan.</i>	
<i>Stagg, Emmet.</i>	
<i>Stanton, David.</i>	
<i>Timmins, Billy.</i>	
<i>Twomey, Liam.</i>	
<i>Varadkar, Leo.</i>	
<i>Wall, Jack.</i>	
<i>Walsh, Brian.</i>	

Tellers: Tá, Deputies Paul Kehoe and Emmet Stagg; Níl, Deputies Catherine Murphy and Stephen S. Donnelly.

Amendment declared carried.

Amendments Nos. 17 to 19, inclusive, not moved.

Deputy Alan Kelly: I move amendment No. 20:

In page 5, line 23, to delete “*subsections (2) and (13)*” and substitute “*subsections (2), (13) and (14)*”.

Amendment agreed to.

Deputy Alan Kelly: I move amendment No. 21:

In page 5, line 38, after “household” to insert “water”.

Amendment agreed to.

Deputy Alan Kelly: I move amendment No. 22:

In page 5, line 41, after “child” to insert “water”.

Amendment agreed to.

Amendment No. 23 not moved.

Deputy Alan Kelly: I move amendment No. 24:

In page 6, line 25, to delete “initial”.

Amendment agreed to.

Question proposed: “That section 3, as amended, stand part of the Bill.”

Deputy Seamus Healy: This section provides for the charging of water.

An Ceann Comhairle: If Members are leaving the Chamber, they should please do so quietly. The Deputy is on his feet.

Deputy Seamus Healy: The proposals were announced by the Minister to the Dáil on 19 November. The position on charging for water is clear. Once we impose a charge for water then it will become a commodity and it will become marketable. Under EU law, full cost recovery will be required, perhaps not immediately but in the future. That is the direction in which we are going. If charges are introduced it will lead to significant costs on families. In effect, what we have is an introductory offer on charges. It is similar to a supermarket loss leader. We have the thin end of the wedge. It is like a sprat being thrown out to catch a salmon. The intention is to get the Government through the short to medium term and past the next general election. Once we start to charge for water then the costs to families will be significant.

We have been through the situation before. We know what will happen because of previous experience. The Government knows that as well. That is the reason it is introducing the charges at what would appear to be low levels. It knows that if it can introduce a policy of charging for water, no matter how low, that in future the charges will increase significantly.

It is worthwhile to recall what happened with refuse charges. I was a member of Clonmel Corporation when bin charges were introduced. The amount was £5 a year. I opposed the charge on the basis that it was the thin end of the wedge and that in the future families would be faced with bills for larger amounts. I was ridiculed by other members. One member went as far as to throw a box of matches across the table at me. He wanted to know what I was complaining about; that the charge was equivalent to the cost of a box of matches a week. What happened is that refuse charges in Clonmel and south Tipperary are now €300 a year, more than 50 times the introductory offer of £5 a year. The waiver scheme for bin charges that helped low and middle income families has been abolished and the service has been privatised. That is what will happen in future if the Bill is passed and if water charges are introduced. The 100,000 who were on the streets around the Dáil yesterday will not accept that. They will drive the Government back and get the charges abolished. If that does not happen, then ordinary families will be crucified by significant charges. We have no idea where it will end, but when one takes the analogy of

refuse charges, it could be 30 times higher than what is being introduced. Thirty times 60 is €1,800, or one could multiply it by 160. The Minister can do the calculations himself.

From a practical point of view, even if the charges are introduced, thousands of families have water that is not fit for purpose. I previously referred to families in the Skeheenarinky and Burcourt areas who are not on boil water notices but whose water is undrinkable. They do not meet the technical requirement for boil water notices but what comes out of the taps is completely undrinkable and unusable yet those people will be charged for water. There is no knowing how many thousands of families right around the country have hard water. I know the problem at first-hand because all the northern side of Clonmel, which means thousands upon thousands of families, has been supplied with hard water for the past number of years. The cost is already huge. Many householders have installed water softeners to remove lime out of the water and it could cost anything up to €2,000 to install those water softeners which must be flushed out with salt and serviced weekly and monthly. Electrical appliances such as electric kettles, dishwashers, washing machines, showers and shower heads in these houses are damaged by this hard water and must be replaced regularly. The water is completely unfit for purpose and we are proposing to charge them for that even though they are already paying to try to make the water in some way fit for purpose. This is unacceptable.

I refer to the question of the sewerage system. I am sure I am not the only Member to receive daily representations from householders whose sewers are blocked. Neither the local authority nor Irish Water will unblock those sewers. The householders are being forced to pay private contractors to unblock the sewers. In very many cases these sewers were laid by local authorities, in many cases, in local authority estates. The manholes are in the gardens of former or current local authority houses. Yet, Irish Water is refusing to unblock those sewers. These sewers may be servicing as many as nine or ten or 20 houses and up to 30 houses in one case. Recently in Clonmel the sewage flowed out on to the public road but Irish Water would not respond. In the past the local authority always serviced the sewers. The householders had to pay to have the blockages cleared. Better still, I currently have a case - one of many - where even though the blockage is not on the householder's property but is outside the gate on the public road, Irish Water will not clear that blockage. It insists that it is only responsible for the main sewer. Therefore, in the case I am currently dealing with, the blockage which originates under the public road but not in the main sewer has backed up into the householder's garden and he is supposed to clear that blockage himself at further cost. This is completely unacceptable and I would like the Minister to tell us what he proposes to do about it. This work was always carried out by the local authority and should continue to be done by the local authority or by Irish Water, but whoever does it, it should be done at no cost to the householder.

I oppose this section on the basis that this is the introduction of charges, the thin end of the wedge. People are already paying for water through general taxation. If this charge is brought in, there will be significant charges for families down the road.

Acting Chairman (Deputy Liam Twomey): I will give the list of speakers as provided to me. Deputies Cowen, Timmins, Paul Murphy, Boyd Barrett, Donnelly, Joan Collins, Fitzmaurice, Stanley and Halligan. Any Member who is not on this list and wishes to speak may inform me and I will take the name.

Deputy Barry Cowen: I seek to oppose this section which deals specifically with water charges on dwellings. My amendment is in response to the outcry of the public and the Opposition against the legislation governing the establishment of Irish Water and the charging

mechanism to be put in place by the CER, Commission for Energy Regulation under direction from the legislation and the Government. The CER carried out a consultation process and on foot of the consultation and a submission by the Government, it proposed a charging mechanism which does not meet with the approval of the Opposition or the public. As a consequence there has been a sea-change and a Government climb-down across many areas but specifically with regard to the charging mechanism. The Government has overturned its initial commitment which leaves the role of the CER contrary to what was initially expected of it, in that it was to be the watch dog for the consumer. Its remit was to fix prices last summer and in two years' time and upon its instruction thereafter. The Government intervened based on the failure to inform adequately the CER of the type of support there may be for such a charging mechanism. Most important, since the legislation was introduced in the House and guillotined in December last year, throughout that period until the publication by the CER of an indication of the sort of pricing, the public was left fretting and uninformed. It was left to us and others to read the legislation and read between the lines of the legislation and eventually to give the people some indication of the astronomical figures that would ensue in the proposed charging mechanism.

This is an effort by the Government to save political face. It would like to believe it has succeeded but I do not believe that to be the case. It was obvious that the Government had to admit its absolute failure in this whole sorry process and rather than come out with one hand up it should have come out with two hands up. It should have admitted failure and succumbed to the request for an immediate review by the relevant committee and by the Comptroller and Auditor General into the process since its inception and into the massive loss of public funds with no commitment to the capital investment required.

Yesterday the Minister for Health, Deputy Leo Varadkar, admitted that since the troika left these shores he and his Government had become arrogant. He admitted to the fact that he and his Government were not listening. The final outlandish admission made by him at approximately 1.30 p.m. yesterday was that he could not understand how the people had become so exercised about this issue and why they were marching on the issue of water charges when they should be more interested in engaging with the Government and with their representatives on the subject of jobs, for example. Of course they continue to engage with their representatives in a wide range of areas. They have become totally exasperated by the way in which the Government saw fit to introduce this model in the first instance, in its rush to have a charging mechanism and revenues in such a way that it could give the impression, by virtue of a 1% tax cut, that people were better off. Nothing could be further from the truth. That admission should have been accompanied by a willingness to step back and start the process over again. I and others have stated on a continual basis since it was first mooted that the concept and model of Irish Water were wrong. It was ill-thought out and a rushed process, and because of this we find ourselves where we are today.

During the past 12 months, the Ministers, Deputies Varadkar and Kelly, former Minister, Mr. Hogan, and the Taoiseach would have had us believe the reason for such immense quangos as Irish water and such outlandish and expensive charges was because we had to instil in the public a conservation ethos and commit to investment programmes in a broken network because of the failure on the part of the previous Government to invest in the system. I acknowledge that the system is not fit for purpose, but I also acknowledge there has been much expenditure by recent Governments. In the first ten years of this century €4.8 billion was spent.

We acknowledge and accept the system and network need to be updated and reinstated and the Dublin situation must be addressed. This being the case, one would think the Government

would have said it could not charge for a system which it acknowledges is not fit for purpose and informed the public of the investment programme, and its costs, which needs to be put in place. It is ironic and amazing to think we have gone through two Bills such as one we have today but we still have not had published in the public domain a short, medium or long-term capital investment programme which would seek to prioritise the investment required and state where it is required, when it will be provided and how much it will cost. We have not heard Irish Water commit to the Garryhinch project to solve the situation in Dublin or the costs associated with it. Is something else being investigated which contradicts all of the expense, processes and preparations which went into making it available? During the course of a debate here some weeks ago, when the Minister introduced the motion to give effect to the charges, with this legislation further to it, the Taoiseach assured the House, when questioned by me through the Chair, that the programme would be available before the end of the debate. The debate has come and gone and we still do not have a detailed roadmap of the prioritisation of the capital investment required. The only commitment given was earlier this year, that approximately €1.6 billion would be spent in the next three years, including this one. That is not a penny more than what was committed in the previous programme, under which the local authorities carried out investment. It needs to be similar to the National Roads Authority in that priorities on primary schemes, secondary schemes and group schemes need to be put on the table.

Those on group schemes and rural schemes need to be reassured that the investment by the Department and Government will continue to assist them. Their biggest fear, which despite the protestations of the Government they continue to have, is that we are heading down the road of privatisation. In the event of this being the case, nobody would seek to purchase this end of the network because it would not be seen to be profitable. This commitment must be given and must be seen in writing and the funds associated with it need to be put in place. I am concerned about whether this is possible. It probably is not possible until such time as the EUROSTAT market test has been approved.

I am also concerned that the Government is committed to this model by virtue of the fact it will not spend up to 50% subvention in the system as a whole and has made alterations in this proposed legislation to assist Irish Water pass the EUROSTAT test. At present the Government subvention is 44%. At what level of non-compliance from the residential and commercial sectors will the 44% move closer to 50%? Is the Minister convinced and satisfied the estimation of commercial rates applicable to local authorities from Irish Water is right and correct at €60 million, and included in this legislation is a mechanism by which this bill will not fall on the table of Irish Water? As I stated to the Minister during previous questioning, I am not convinced that correct or sufficient estimation or valuation has been carried out on the networks throughout the country to state the savings in this regard are €60 million. The revenue or income expected from local authorities throughout the country in the coming years from this source has been pulled from under them, with the guarantee it will be included in the central allocation. There is no guarantee and there is nothing in the legislation to prove this is the case and I would like to see this.

I have asked the Minister for further clarification on the €60 million as I believe it is only an estimate. The Valuation Office has only carried out evaluations in Dublin and Waterford and no other part of the country can be sure of the value of assets which are now assets of Irish Water or what rate would have been applicable to them. During the course of the first Water Services Bill, it was widely acknowledged the value of what was being transferred to Irish Water could well have been up to €11 billion, and I did not hear anybody openly contradict this figure. If it

is to be contradicted, I want it backed up with scientific evidence and proof it is the case.

It is quite obvious the Government will not take on board my requests, but it is only right and proper, in the event of a motion or amendment such as this succeeding, that one asks what is being offered as an alternative. In this area I state there should be an immediate review by the Comptroller and Auditor General into the entire process since it began with regard to a lack of value from consultants, despite the outlandish costs, the secrecy in the way it was set up and the use of the Economic Management Council.

The use of the Economic Management Council was at the expense of the other members of Cabinet who, when they were made aware that up to €80 million had been spent on consultants, showed surprise at the very fact. I remember stating publicly I felt they were feigning surprise, but we now know they were not at all feigning surprise because they had been kept in the dark by the Economic Management Council, which has gained so much power and momentum under the Government's tutelage then was ever there before. This is to such an extent that members of Cabinet cannot be fully accountable for decisions made in the name of the Cabinet, which is a grave situation in which to find ourselves and not one we support, considering the democratic nation in which we live and to which we aspire.

What ensued from this was €172 million in set-up costs, including the €85 million, and €500 million ploughed into the contracts for metering. Now we see the conservation element is minimal, given the water charges mechanism put before us. If and when the meters come into use, will they be obsolete? The water meters and standards associated with them which were installed over the past five years have been deemed to be obsolete by those carrying out the re-installation throughout the country now. Who is to say this will not be the case in five years time? We have also had household charge funding being ploughed into Irish Water.

4 o'clock

That was up to €500 million as well. There is the whole top-heavy nature of the quango which is oversubscribed in the provision of management within the company. Many people who assumed responsibility for well-paid jobs within it had already retired from the public sector with fine payments, pensions and so forth. In recent weeks we have had the revelation that, one month from the granting of the tender, the estimate for the provision of water meters was €100 million out.

We have yet to receive a commitment from the CER on the commercial sector. He has not assessed the costs associated with it with a view to arriving at a conclusive charge for the commercial sector, the farming sector and the industrial sector. Those sectors remain in the dark as to what their costs might be. They may feel, because of the reduction in income generated by this legislation, they might be in for a hike. As I said earlier, there is free provision of water - despite its quality - for those under boil water notice in the residential sector, but it is not free for the commercial sector. They are the ones in the small towns and villages, and in rural areas who are finding it very hard to sustain their businesses in recent times. The last thing they need on top of the commercial rates - which have not been overhauled in any shape or form despite the Government commitment to do so - is local authorities being forced to collect fees and charges at variance with the costs of providing that in addition to the residential element they have to pay for anyway.

I have spoken at length on this issue in its entirety over many months. I am glad in the first

instance that the Government acknowledged that it has failed in this regard and that it has made many mistakes. However, despite all the mistakes it admits, the one mistake it will not accept was a mistake is the setting up of Irish Water. That was the biggest mistake and everything else that ensued thereafter was obvious considering the rush to put that in place without preparing adequately, and because of that, we find ourselves in the bind we are in.

Therefore I believe it is appropriate to have a full review and audit led by the Comptroller and Auditor General. We should not throw good money after bad in this regard, which I believe will happen. I have no doubt that in the future there will be a review and we will learn much more about this process that has been to our detriment. I am saying that it should be done now or soon in order for a proper system to be put in place and in order for a proper programme of investment to be recognised by the public as being in the pipeline, so to speak. Only when we have a system that is fit for purpose and a system that is renewed and caters for the future well into the years to come will it be fair, proper and right to ask people to make a contribution over and above the general taxation, as they do at present.

Deputy Billy Timmins: Even the most partisan Government Member would acknowledge that this has turned into quite a fiasco. I acknowledge that the previous system did not work with 34 local authorities overseeing a system that did not get adequate investment over the years and could not be managed. It is impractical to expect a utility to have so many bodies overseeing it. However, what should have been a good news story has turned out to be an absolute disaster for Government because it just did not listen. It is almost a year to the day since I stated here in the Chamber that the water legislation would come back to haunt the Government, which has happened.

Several speakers referred to the time when the troika left. When the troika left the Government acted like the kids in the classroom when the teacher left for break. Its members felt they had free rein and they took off like wild horses. They are now reaping the rewards for it. This legislation historically will be seen to have been this Government's Waterloo. In time it will be a case study as to how governments should not do things. Everything was done in a very poor manner. While the Government won the confidence motion two days ago, the public no longer has confidence in it.

While I realise that polls can vary and the calling of a general election concentrates the mind, if a general election took place last Monday week based on the figures turnout for 2007, the Government parties would have obtained in the region of 17.5% of the vote. I do not believe there is any retrieval for the Government.

We now have a system set up that does not satisfy people who are totally opposed to water charges and others who would have seen the merits in one body, in the charge, in the conservation and in the repair of the infrastructure. They are not satisfied. In the fullness of time it will be shown that the model we have today should either be scrapped or we should go back to step 1 and develop it as it should have been.

I tabled an amendment in this section that was ruled out of order. It dealt with seven large urban areas that do not have secondary treatment plants. I suppose it is a populist amendment in many respects. However, if an individual dwelling has a septic tank and does not feed into a proper system, it incurs 50% of the charge. If we are to be consistent and equitable, the same should apply to a town dweller whose system just goes out into the local river or the sea.

In my area Arklow is such a town. We do not do infrastructure well in this country even though the previous Government introduced infrastructure legislation. We are all very conscious of our own doorstep, but it could apply anywhere. Will the Minister look at the situation in Arklow to prevent a replication of what has happened there? Planning permission was granted in 1997 and funding was allocated. However, to date the plant has not been built owing to a series of objections going up and down the ladder. This has resulted in the public not having confidence in the planning system. This arose due to the pressure from the public in the mid-1990s when interpretative centres were proposed for Luggala and Corofin in County Clare. There was an insistence by the public that State bodies had to apply for planning permission. One of the unintended consequences has been that one of our large coastal towns has water from a sewage treatment plant going out into the sea.

I do not have a solution to it. I do not know if legislation can be introduced to address it. The Minister may run into the same difficulty with those other large urban towns, four of which are in County Cork.

I am concerned about the assets and liabilities that were due to transfer to Irish Water. My understanding is that the assets are in the process of transferring and the liabilities will remain with the local authorities. However, the local authorities may not have budgeted for this. I do not know if the Minister is in a position to give us any breakdown of those liabilities. If not perhaps he might publish them on the Department's website.

The Vartry Reservoir was completed in 1863. The House of Commons at the time gave five weeks to debate the legislation. It was in the House of Lords for six days. It caused uproar at the time. There was an actual charge on the water at the time, strangely enough.

Deputy Paul Murphy: I am opposed to section 3, which deals with the imposition of the water charges. In particular I am opposed to the reference to water meters contained in section 3(6). As we know, water meters are being imposed on householders who do not want them. Entire communities are facing Garda occupation and Garda violence in order to impose those water meters, in particular on the north side of Dublin, but also in Cobh and other areas throughout the country. I draw attention to a serious escalation of the situation that has happened in the past day whereby private security is being used by water metering installers, in this case GMC Sierra, to harass, intimidate and try to prevent peaceful protests of those opposed to water metering. This morning, a protester, Mick Mooney, from Stoneybatter-----

Acting Chairman (Deputy Liam Twomey): I ask the Deputy not to mention people who are not in the House.

Deputy Paul Murphy: A protester from Stoneybatter was accosted by private security, which I will not name but whose name I have, in a very serious incident. In his words, "I was walking up Prussia Street, heading towards the North Circular Road at approximately 8.10 a.m. on 11 December 2014, and noticed three men in front of me who kept looking behind at me suspiciously. As I proceeded about my business the three men in question stopped. One guy, in particular, wearing a black hat and a black scarf covering his face, turned back and started to walk towards me. As you can imagine, I felt quite frightened by this behaviour. He started to shout at me saying: 'You would want to watch yourself; you do not know who you are messing with.' Subsequently, one of the other men approached me, pinned me to the wall. He too was threatening me."

Acting Chairman (Deputy Liam Twomey): That is not relevant to the debate.

Deputy Paul Murphy: It is relevant to subsection (6) that relates to water metering. “However, while I was pinned to the wall-----

Acting Chairman (Deputy Liam Twomey): It is not. It is about charges and I am not sure if-----

Deputy Paul Murphy: It relates to the water meters and that is the reason I am opposing the section.

Acting Chairman (Deputy Liam Twomey): I do not think that is relevant to the debate.

Deputy Paul Murphy: “The last thing the security people said was: ‘I will get you; you do not know who you are messing with.’ Later on, someone else was told: ‘We followed you home earlier; we know where you live. You do not know who you are dealing with.’” There were other incidents in Grangegorman, Phibsborough, and a spate of incidents in Dublin 7. Water meters are being imposed not just by the Garda but by private thugs hired by the companies imposing water meters. Is the Government okay with that? Does the Government think that people should have meters imposed on them with this kind of harassment?

Acting Chairman (Deputy Liam Twomey): I ask the Deputy to be careful with his language in the House. He said private thugs were employed by people.

Deputy Paul Murphy: That is evidenced by their behaviour.

Acting Chairman (Deputy Liam Twomey): I advise the Deputy to be careful with his use of language. He can make his argument without taking people’s character and reputation into account.

Deputy Paul Murphy: I did not name anyone. I could have named them but I did not.

Acting Chairman (Deputy Liam Twomey): The Deputy did. I call Deputy Richard Boyd Barrett.

Deputy Richard Boyd Barrett: I do not think there is any prohibition on using that word in Standing Orders.

Acting Chairman (Deputy Liam Twomey): There is actually about referring to people as “thugs”.

Deputy Richard Boyd Barrett: Does the Chair mean threats like that are not an issue?

Acting Chairman (Deputy Liam Twomey): Unless one has proof that they are.

Deputy Richard Boyd Barrett: If somebody made such a threat, they are a thug.

Acting Chairman (Deputy Liam Twomey): We do not know if they did.

Deputy John Halligan: If they killed innocent people in another country we would call them thugs.

Deputy Richard Boyd Barrett: Absolutely. The arguments have been rehearsed fairly extensively in the past year or two and there is probably not much point in dragging this torture

out in terms of the Bill and what the Minister plans to do. The decision of the people on water charges has been made. They reject them but sadly the Government is not listening. If the Government is not brought down by this issue before the appointed time for a general election, it is signing its political death warrant by persisting with these issues. I am not saying that as a rhetorical point, it is just a fact. I do not really get it. Whatever the Government may have thought at the beginning, it is worth saying one thing. The Minister's party specifically told the people before the last election that it would not do this, but it did it. We have had the unprecedented popular mobilisation against water charges and the people have said they do not want them. I do not understand why the Government persists when the people have so decisively rejected them given that it is not so long since the parties themselves rejected it. Why does it persist with this when there is no rationale, no mandate and no justification for it?

The suggestion that these charges are reasonable or affordable and will stay that way is preposterous. There is simply no evidence that can be pointed to anywhere that charges go in any direction other than up rapidly once introduced for a service that once upon a time was provided to everybody, without user charges, and paid for through general taxation. Everywhere it has been done, the charges have rocketed. It is not credible to suggest the charge will be kept affordable and that the Bill and its provisions will keep it affordable when we know that charges will go up and up and that there will be pressure from the European Union for full-cost recovery.

It is worth stating once again that the EU treaties are clear on the pressure they will exert on any utility. I have more or less learned off the passage in the Treaty on the Functioning of the European Union. It states that any utility or service that has the character of a revenue producing monopoly will be subject to the rules of the treaties, in particular the rules of competition. Once user charges are introduced, Irish Water has the character of a revenue producing monopoly. If it does not have charges, it does not have that character. Once it has charges, it becomes a revenue producing monopoly and, therefore, it becomes subject to the rules of the treaties, particularly in the area of competition. That means charges in terms of the legal provisions of EU treaties become the prelude to privatisation, no matter what the Government says. Private companies will be able to use those treaty provisions to demand the right to tender for those services. Therefore, the process of privatisation will be inevitable once user charges are introduced. As I said earlier, the process has started already given that most of the work has been outsourced to private consultants and private contractors. In effect, off-balance sheet financing is privatisation because it means the bondholders will be able to put pressure and demands on Irish Water. Once charges are introduced, all of these things follow inexorably. That is why the Government should not do it. It does not have a mandate to do it and we all know where it is leading.

I wish to make a point I have made once or twice here. There has not been a real response from the Government and it has not got out into the general debate and discussion. My fears and concerns about it were underlined by the experiences recounted by the people who came from Detroit this week. They said that what they called the financialisation of Detroit Water was a key prelude to the charges rocketing through the roof. In other words, the use of off-balance sheet financing, bonds and so on essentially became the main pressure to jack up the charges.

Another thing they said, which was really interesting and, frankly, quite scary, was that the bill for water in was a tiny fraction of the bill for water out. The same as the Government is doing here, its charges are divided into water in and water out. The charge for water in was - I will not say reasonable - in this stratosphere in that it was a couple of hundred dollars but the

charge for water out was three times that amount and brought it up to close to \$3,000, making it unaffordable and the reason tens of thousands of people in Detroit have had their water cut off, an absolutely despicable move. There is something else I did not know which may shock the House a little more. If one's water supply is cut off for more than two days, one's children are taken away. That is the sort of barbarism that is happening in the US. I am not saying this will happen next week but the Minister is now starting the process, and that is how it has happened everywhere else. The issue has not moved in any other direction. The assurances given to us are not credible, given the experience of every other place in the world. The charges go up, the water companies are privatised and there are demands for money and so on at every turn for fixing leaks, etc. This means affordability is left behind for the majority of people, leading to threats of being cut off, regardless of what is in preliminary legislation.

The elements relating to water egressing from premises have confirmed a fear that arose from reading the General Conditions for a Water and Wastewater Connection Agreement document from Irish Water. I do not know if the Minister has read it but it details the conditions that every customer of Irish Water commits to, although most probably will not have read it. The document is on the website and it outlines the conditions of being a so-called Irish Water customer. In the section dealing with obligations of the customer, section 1.9.7 indicates "The Customer shall not allow the discharge of rainwater run-off from roofs, paved areas or other surfaces into any Sewer, except as may otherwise be agreed in advance with Irish Water in writing". What is that about? Why would Irish Water require a written agreement - as every Irish Water customer will be giving a commitment to do this - demanding that if the customer has water running off the roof, windows or paving stones going into the wastewater system, there should be written consent from Irish Water? I would like the Minister to explain that.

I will tell him what I think it is about, as it is what happened in Bolivia and Detroit. As the charges are for water out as well as water in, people may try to save money on bills by harvesting water to minimise the water coming in. That water will go into a wastewater system so they will not be rewarded for water conservation and using less treated water coming in; they will be charged for it instead. In Detroit, the charges for wastewater are more expensive than that for water coming in. People are not rewarded for water conservation but they are charged for it instead. The more water conserved, the bigger the charge. In Bolivia, Bechtel was thrown out by a massive two year-long popular revolt against the introduction of charges and the privatisation of water. When it was privatised, Bechtel sent inspectors to people's homes to check if they had equipment to harvest rainwater. If people harvested rainwater and the Bechtel employees saw the evidence, there would be a charge.

That is what this clause is about. It will not happen today or tomorrow but there is a legal basis in the agreement that gives Irish Water authority to do what I described. The charging system is set up in such a way as to allow for it as it deals with water coming in and going out. There must be a written agreement from Irish Water for any water out that has been harvested from the sky. It is not just about treated water and people will end up being charged for water from the sky. It is shameful. As if the entire issue is not enough of a debacle, fiasco and injustice on a massive scale, we have this to add to it.

Please do not give us any fake assurances, as that happened everywhere else. I have studied the agreements and they are probably cut and pasted from other international models. I have examined the wording of agreements for all the other private water companies in America and other parts of the world and it is always the same. There is a model for privatisation and charging that is being pursued by multinational corporations all over the world. That is the Irish

Water model too, regardless of any assurances and promises from a Government whose credibility when it comes to promises is threadbare. This is yet another shocking aspect of the issue and another reason people are so right to resist it. The one happy consideration in all this is regardless of how much the Government refuses to listen to the will of the people and contempt it shows for it - as it has done over recent weeks - the people will triumph on this and charges will be defeated. The resistance will continue and defeat this obnoxious plan to steal people's resources and human rights from them in the interest of private companies. It will be resisted as successfully as it was in Bolivia. The Government which introduced these charges will fade in the dustbin of Irish political history.

Deputy Stephen S. Donnelly: Section 3 is the key section for the legislation. There are three points I wish to raise and three questions I would like the Minister to address. I tabled amendment No. 17, which the Ceann Comhairle ruled out of order along with others. This regarded the seeking of a reduction in charges in charges for residents in towns where there is no wastewater treatment facilities. I provided the Minister with a briefing and the Environmental Protection Agency has identified 42 such towns. I will not read all their names but they include Cobh, Passage West, Ringaskiddy, Youghal, Killybegs, Arklow, Ballyvaughan, Clarecastle, Kilkee, Kilrush, Liscannor, Ballycotton, Castletownbere, Bundoran, Kilcar, Merville and Rush. The list goes on.

There is a clear precedent in place whereby Irish Water is providing two services, charging half the amount for each of them. If a house has a well, it does not pay for water coming in and if a house has a septic tank, it does not pay for water going out. There is another provision, which is if the water coming in is substandard, households do not pay for it. The proposal I put to the Minister was that when the service taking water out is substandard - just as the service bringing water in can be substandard - the relevant household would have the same derogation in charges and they would not pay for that water. Arklow is an example in my constituency and it is not simply the case that Irish Water can argue that wastewater is being taken from the house. It is taking the wastewater and dumping it into the Avoca river, which runs through Arklow town. It is not going anywhere and it is directly affecting those residents.

I tabled an amendment and in his introductory speech on the legislation, the Minister referenced these 42 towns, so I thought I was going to see a derogation put in place. That has not happened, although it is what amendment No. 17 would have done. The Minister tabled amendment No. 16, on which we just voted, which clarified that these 42 towns would pay for the wastewater removed. Even the legislation tabled by the Minister left some hope for these residents, as section 3(3) states, "Where a dwelling referred to in *subsection (2)*, is in receipt of one service from Irish Water, that is to say either the provision of water services or waste water services, then the maximum charge that Irish Water may charge in respect of the dwelling is an amount that is 50 per cent less than the relevant amount mentioned in that subsection." That could be interpreted in a certain way by the people in Arklow and others. As they do not have the provision of full wastewater services, they would want that clause applied to them. Rather than doing the right thing and providing that derogation, the Minister tabled amendment No. 16 which clarified and changed his own legislation to state:

Where a dwelling is in receipt of one service in respect of water services provided by Irish Water, that is to say-

(a) the supply of water from the dwelling, or

(b) the removal of wastewater from it,

That clearly clarifies the fact that from Irish Water's and the Government's perspectives simply removing wastewater from the dwelling is sufficient and it is reasonable to charge the full amount even if all Irish Water does is take that wastewater and throw it into the river behind one's house, polluting one's town.

What does the Minister say to the people of Arklow and all these other towns who say they do not have wastewater treatment facilities and they are not getting the service? There is a clear precedence in place where substandard water coming in is not charged for, so why is there not a similar derogation for a substandard wastewater treatment? What does the Minister say to the people of Arklow and people around the country who will be charged for that?

The second issue is around the charging regime laid out in section 3(2) and (6). The net amount raised from Irish households, when we bring in this section and the so-called conservation grant, will be €90 million or thereabouts per year. The meters will cost €539 million. That is usually spread over a 15-year period in a utility company, so the cost of the meters per year will be €36 million as against a net amount raised of €90 million. We now must add in the cost of reading the meters, the cost of billing and the cost of customer service.

I have checked with people who work with utility companies internationally. What they tell me is that at the low end, a really efficient operation, which I suggest Irish Water probably is not, costs about €60 per household to meter and bill. We are talking about 2 million households, so the cost of metering and billing to the State through Irish Water will be about €120 million per year, and that is a conservative estimate. The net amount raised will be €90 million. We will raise €90 million, put that entire €90 into the cost of raising it and then pay a further €30 million to raise the original €90 million. These are indicative figures I have from practices abroad.

Does the Minister have an estimate of the annual cost of billing, metering and customer service from Irish Water? Can he provide the House with the actual net gain of domestic charging, because we know the total amount raised will be €90 million? I believe it will cost €120 million to raise that €90 million, leaving us worse off by €30 million, but maybe the Minister has different figures. Maybe he has figures that say we will raise €90 million but it will only cost us €50 million or €20 million. What is the projected cost per year to Irish Water of raising this €90 million?

I refer to the investment model. When the figures going around the House were that about €15 billion or maybe €20 billion needed to be invested, I could see an economic case to continue to pay for the current water system out of current taxation but if we need an extra €15 billion, then maybe there would be a case, with all sorts of caveats in place, where an additional charge could be brought in to pay for the new investment only. Some people would not agree with that but I would have been okay with it. Then we got new figures which said the capital investment would only be €600 million per year for approximately the next decade. The latest figures we have are for 2010 when the total capital investment was €400 million, so this entire fiasco and all of this talk about the system falling over, reservoirs, lead pipes and all these bits and pieces is basically about moving capital expenditure from €400 million per year to €600 million per year. The total additional investment in the system, based on Irish Water's own figures, is €200 million per year.

Scottish Water reduced its cost base by 40% in the first five years so here is what is going to happen. In 2010, €1.2 billion was spent on water, with €400 million being spent on capital expenditure. In 2015, the total amount spent on Irish Water will go from €1.2 billion to €1.5 billion but the total investment will only go up by €200 million. That €200 million could easily have been found by reducing the cost base and by renegotiating these ridiculous 12-year service level agreements the Government put in place in January. It should have said we spend €1.2 billion on water right now and that we will create a common organisation called Irish Water in public ownership, take at least €200 million out of the cost base, which they have done in other countries, and reinvest that money in capital expenditure. Meters and charging would not be necessary. Why are we proceeding with a charging regime if the additional investment is only moving from €400 million to €600 million and that investment could easily have been found by reducing the cost base?

Deputy Michael Fitzmaurice: It is disingenuous to charge for wastewater removal in many parts of Ireland. I refer to a so-called SAC, about which environmentalists are great at talking and on which the EPA has done two reports. It is near Glenamaddy in County Galway and 200 tonnes of raw sewage is being pumped into it. People are being asked to pay for something, even though there is no treatment facility. The same applies in other places around Ireland. In many small towns, people will be expected to pay for a Wavin pipe taking wastewater from their septic tank to be piped through the town or into rivers or streams.

Throughout Ireland, engineers from the councils are telling people that their septic tanks are not up to standard. There may only be one person living in the house. Even if they have registered, it is costing €10,000 to rectify the problem. The Government needs to look at small and even large towns where sewerage treatment plants have not been working probably. We are charging people for taking wastewater from A to B along a Wavin pipe. I totally object to this.

Before one charges people for something, the infrastructure should be put in place to supply the service properly. There seems to be one rule for the State and councils and another rule for the ordinary Joe soap who is being trampled on. Will the Minister address this rapidly?

Deputy Joan Collins: This section deals with the price people will have to pay for their water. I was surprised to hear the Minister for Health, Deputy Varadkar, being very dismissive of the 80,000 people who walked the streets yesterday, mid-week and mid-winter, and saying there are other more important and serious issues. There are other important and serious issues but this is important and serious to thousands of families throughout this country.

It is not just about this €1 or €3 per week, which the Minister for Health mentioned, but this is at the end of years of austerity. Some €30 billion has been taken out of people's pockets. People have faced increases in bills over the past six years. Electricity has gone up by nearly 28% while gas has gone up by 30%. We have had the universal social charge, the pension levy, prescription charges and cuts to the respite care grant. All these small cuts have had a cumulative impact on people. People have said they cannot take anymore of this austerity and that this is a step too far.

This is where people have drawn the line and said the Government is not going to come after them again. They know this is a Trojan horse, that this is the start, even though it has been capped to 2018, and that full cost recovery will most likely kick in after that. The Minister's party may or may not be in government and he may or may not be Minister. That raises a big question in people's minds about where this is going. This legislation, as we said before about

privatisation, is not robust enough to put people's minds at rest that this is not going to happen.

Experience has shown that this does happen, for example, the bin tax, which was based on the polluter pays principle. I support the polluter pays principle, that everything is put in place for people to recycle and reuse and those who do not use the services to recycle their bottles or plastic pay for pollution. The water directive came in under the polluter pays principle too. Who is the polluter? Ordinary people are not polluters. They want to conserve their water. They know it has to be paid for. People do not run their taps all day, despite what the Minister for Finance said that if they did not pay for electricity, they would leave lights on all day. How dismissive he is of the people of this proud country. People are not stupid. I oppose this section and will oppose the whole Bill.

In 2008, John Gormley, a former Green Party Minister, brought in again a 2003 exemption for domestic wastewater under the river basin plan. The current Minister will bring that plan to Brussels for renewal on 1 January 2015. Will that exemption go and, if so, how will that impact on this Bill because, as I understand it, the Minister will say it is covered by the new system? The European Commission cannot force us to change that exemption unless the Minister wants that to happen. People are very exercised by the idea that the Minister can put a line through the exemption because he is bringing in this Bill. I strongly urge the Government to listen to the people and abolish Irish Water and the water tax and bring that in through progressive taxation. Someone earning €70,000 a year who has got a nice tax cut of maybe €17 a week has to pay only €3 a week whereas someone earning €13,500 a year who got a tax cut of €2 a week also has to pay €3 a week. It does not make sense. It is absolutely unequal. People have said this does not happen with the ESB and the other utilities, such as gas, etc. Maybe it should happen because people need those utilities. Gas and electricity are different from water, which is a human need. People can live without electricity and gas, maybe very badly, but they cannot live without water. We need clean water in our system. I urge the Minister, taking on board all the points that have been made today, to continue using VAT and motor tax to provide the €1.2 billion for infrastructure and increase it if necessary and bring in a progressive tax to fund the local authorities in this area.

Deputy Brian Stanley: My amendment No. 11 was ruled out of order which is very frustrating. The people think we have the right to amend legislation in the House on their behalf but amendment after amendment is ruled out of order, which is very frustrating for us.

Section 3, which deals with charges, is the centrepiece of this Bill. The Government has back-pedalled several times on this. The justification for this is capital investment. Through the "noughties" approximately €400 million was spent per year on capital investment from central government but there was also substantial investment by local authority development levies. Some county councils did good work which has not been mentioned here at all. It is as if the local authorities never existed. Some used those development levies very well to upgrade and to part contribute to the upgrade of sewage treatment plants, water mains and other infrastructure. The Department told many local authorities to get involved in public private partnerships, PPPs. They were told if they wanted a sewage treatment plant or water source it had to be done by design build and operate, DBO. Local authorities were strapped into these DBOs and predicted they would have to be paid for through charges somewhere down the line. There is a legacy issue that was forced on local authorities against their wills in every county. I met with union representatives on this issue this morning.

On the charges, the Government has back-pedalled so quickly that it is in danger of toppling

over or falling to one side. It has climbed down several times but the latest is the biggest climb-down because while it is willing to charge €160 for a single person household and €260 for a two-adult household, it will give them back €100 out of the tax taken from them. This is done to count it as income to satisfy EUROSTAT criteria. It is a hare-brained idea. If a large or even a sizeable section of households do not pay, the Government will not meet the 50% requirement to satisfy the EUROSTAT criteria. It is impractical and it could fall apart.

The Government is supposedly giving the money back to people for conservation. Many forms have been submitted in recent weeks from people who will not be paying customers because they have private wells. They do not depend on Uisce Éireann or the local authority for water but the Government will give them the water conservation grant although they do not have to conserve water. They can go up the town and drink the money. They can buy four bottles of vodka or anything else with it.

I am totally in favour of conservation. The party I represent wants to conserve water and protect the environment but this has nothing to do with that. The €100 could be used to damage the environment. It could be used for anything. It is a hare-brained scheme just to perform some bookkeeping gymnastics to satisfy the Government's European masters.

Borrowing off balance sheet is given as a justification for the charges. This week, I invited the Detroit water campaigners into Leinster House where they met Members and their staff. They outlined very clearly what happened in their city with borrowing off balance sheet. Their water services are technically in public ownership but the city sold debt bonds, as this Government is going to do, but the people who control the debt bonds now control the service. They set out how it is supposed to operate and a whole range of measures the water services must follow, including charge huge prices for water in and massive prices for water out. This has led to a situation where almost 16,000 households in Detroit are disconnected from water services today. It is absolutely crazy that so many people in that city are without water or sanitary services. That is where all of this is going. That is where it will get to.

The Minister is one of the two Labour Party Deputies who are present. I know the Fine Gael Deputy who is here has concerns about this matter too. I assure them that the water charges project is not sustainable. It is wrong. It cannot work in its current form. It is hare-brained, and no conservation measures have been provided for. There is no conservation. The figures have been moved around to try to meet a false set of criteria. It is morally wrong because many people do not have the money to pay. There is no recognition of people's ability to pay. It is wrong that a single millionaire living in a mansion will pay the same as a family living in a cabin. It is also tactically wrong. The Government should stop it and go back to the drawing board. I will be opposing section 3 of the Bill.

Deputy John Halligan: I would like to begin by agreeing with Deputy Paul Murphy, who referred to people who threatened him or some people he knows as "thugs". I would call those people "thugs". Regardless of what people think of Deputy Murphy, I remind the House that some choice words have been used against him without those words being ruled out of order. I do not suggest that the current Chairman was in the Chair at the time.

Acting Chairman (Deputy Liam Twomey): I am trying to be impartial, Deputy.

Deputy John Halligan: I am reminded of what happened when an attempt was made to introduce water rates some years ago. I would describe those who were involved at the time in

forcibly cutting off water supplies, threatening and abusing people and passing sexual remarks against women as thugs. I would not withdraw that remark.

We are in the dying hours of this debate. The section of the Bill we are discussing will impose water charges on the people of this country. It is worth reminding people of exactly what we are doing and who we are doing it to. I will do so by referring to the three issues that have concerned and aggravated people here. I remind Fine Gael and the Labour Party - I do not have to remind the Opposition - that people believe they have already paid for water from PRSI, VAT and all sorts of indirect taxation. People do not believe in the stability of the supposedly reasonable or affordable charges that are being proposed by the Government. The charges will not stick. People know in their hearts and souls that this is the beginning of increased and sustained charges. All of the indicators are there. Water charges in Scotland and England increased by 68% over a period of eight years. If people check it out, they will see that words like “reasonable” and “affordable” were part of the terminology used in the British Parliament when water charges were first introduced there. Nobody believes the unfair charges being introduced in this country will be reasonable or affordable two, three or four years from now.

Deputy Boyd Barrett mentioned the word “mandate”. We all have a mandate from the people who voted for us. The Government has a mandate. The Opposition has a mandate. Every individual Deputy has a mandate from those who voted for us and tell us what they think. There is absolutely no doubt that the vast majority of people are opposed to water charges. The Minister should not get hung up on the fact that people are paying or registering, because that does not necessarily mean they agree with these charges. The Minister is completely out of touch if he thinks the 4 million people in this country who were not among the 45,000, 70,000 or 150,000 people marching yesterday or a few weeks ago agree with these charges. That is not the case. It is interesting to note that many of the people I meet on these demonstrations are not followers of Deputy Boyd Barrett, Deputy Halligan or Deputy Catherine Murphy. Very many of them vote for Fine Gael, Fianna Fáil and the Labour Party. They just do not agree with the water charges. Why does the Minister not get this? He seems to think there is a divide involving people on the left wing who are opposed to water charges and are gathering together to manipulate people in Waterford, Cork and Dublin, etc. If he goes into Facebook, or if he talks to his own people, he will understand that is not the case at all. I met a family in Waterford that has consistently voted for Fine Gael and will probably vote for it again. Three members of that family were out demonstrating against what they consider to be an unfair and unjust charge.

It comes back to the word “mandate”. Where is the Government’s mandate? It does not have one from the vast majority of people who believe they are paying too much. Furthermore, it should bear in mind that the Society of St. Vincent de Paul has suggested that a vast number of people in this country - 700,000 adults and 200,000 children - are on the poverty line. Hundreds of thousands of more people are on very low incomes and cannot afford a penny more. As I said when I was interviewed by RTE radio yesterday, the Government needs to stop telling people that this costs just €3, €5 or €6 a week. It started at this with the universal social charge and the household tax, and now it is at it with the water charge. It is not acceptable to say to someone on the minimum wage, jobseeker’s benefit or a JobBridge scheme who is barely putting food on the table each Thursday and barely keeping a roof over his or her head that it is only €5. The Government does not have a mandate to say that to people.

At this late stage, I would say the Minister is not going to change his mind. Regardless of whether he believes there were 30,000, 40,000 or 70,000 people at yesterday’s protest, which took place on a Wednesday - a working day - he must acknowledge that a substantial number

of people, representative of almost every city and country in Ireland, came to Dublin to make it clear that they will not pay these water charges. I will give an example of why those who were at yesterday's event represent many more people. We met many people yesterday whose wives, husbands and children were unable to come to the protest. If all of them had been present, there would have been 300,000 people marching in Dublin. If the many people who could not get off work, who were ill or who could not make their way to Dublin because they could not meet the expense had been in attendance, we would not be debating figures like 35,000, 45,000 or 70,000.

The problem is that the Government does not have a mandate to do this. Before they came to power, the members of the Government said on every radio and television programme that they would listen to the people and to what they want. Is the Minister seriously telling me through all of this that the people agree with this charge? Does he believe that? Is he using as his reasoning for that belief the fact that people are paying? People had to pay for outrageous mortgages on their houses because costs were shot up by banks and developers. They had to pay to keep the house. They had to pay the rent. Did they agree with that? No, they did not. People have had the universal social charge forcibly taken out of their wages. Did they agree with that? No, but they had to do it. I ask the Minister to think about that equation. People have to pay excessive costs to rent or buy houses. Do they agree with that? No, they do not. If the Minister really believes he has even one third of the population behind him, he is out of touch because he does not.

Deputy Mattie McGrath: I would like to return to the substantive issue of section 3 of the Bill. I suppose it is the nuts and bolts of this legislation. We are trying to cobble a system together to cover up a totally mismanaged and ill thought-out strategy. As someone asked here one day, where was Irish Water conceived? Where was the baby delivered? What kind of an infant was it? What kind of beast has it grown into?

5 o'clock

All of this happened under the watchful eye of the former Minister, whom I affectionately call Big Phil Hogan, and the able, civilised and more reasonable face at the Department of the Environment, Community and Local Government at the time-----

Deputy Fergus O'Dowd: Thank you very much.

Deputy Mattie McGrath: -----the Deputy from Louth, whom I believe has enough information now. I have stated privately that he has the grenade in his hand. I had a water meter with me in the Dáil one evening during the debate. It was about the same size as a hand grenade, if a bit larger and more technical. The Deputy has the grenade if he wants to pull the pin and sink this beast. Not the Government, but the beast, because it is a failure. One could not bring it to a mart or anywhere to sell it because no one would buy it, take it or want it. The Minister, Deputy Kelly, does not want it either. He does not want his legacy to be the depraved beast of Irish Water. That would be some legacy. I told him so this morning and will not dwell on it. No one wants Irish Water. It is a monstrosity contrived by officials and some private people who thought it was a great idea because a lot of them, despite only being in their 50s, were due to retire with their pensions and redundancy payments and they might have wanted get a job somewhere else. Irish Water was created as a rest home for senior officials and to take in a great deal of money and bleed the people.

I am on record as saying that water should be paid for. I drew water on a horse and cart from a well with a hand pump and a barrel. I am only 56 years of age. Most people remember those days. I salute the pioneers who developed the group schemes.

I thank and compliment the county council officials and workers on the ground, including plumbers, caretakers and inspectors, who ran a good service for years while starved of funding. The Taoiseach and the Tánaiste claimed that Irish Water got a desert - there was no network, intake plant or treatment plant. One would think Irish Water was out in the Sahara somewhere, but there was a working scheme. We were not all coming up to Dublin black with dirt. We were washed and clean and had sanitation, thanks be to God. Going by the comments of the Taoiseach and the Tánaiste, one would think that we were going around with buckets, barrels and jennets all of the time to bring water from wells or going into bog-holes for water. We had services. We had treatment plants. We had good staff. We had good people who worked all hours of the day, including Christmas Day, to provide water, fix leaks and talk to people.

Officials have been dismissed as if they have never worked. I know and am friendly with many of them and respect their work. They devised a system of charging. Farmers, publicans, hairdressers and constituency offices - every business - have been paying for water for decades. Meters were fitted, water was supplied and people had accounts. They had one-off leakage allowances if they had large leaks about which they did not know. The system was good and working but it was not a quango that could give jobs to the boys who wanted second incomes on top of their pensions and huge payouts. I want to put paid to that idea and salute the people and departmental officials who worked hard in my county to get the Burncourt and Fethard schemes, which have been awaited for 50 years. I do not know whether the former Minister of State, Mr. Brian Hayes, MEP, announced them, but the contract was signed last January. I have not seen sight of the contract. When I inquired, I was told that it had been “executed”. I thought I was back in the days of the 1916 Rising. “Executed”, Uise Éireann’s new terminology. The Minister might tell me what is meant by a contract being “executed”. No sod has been turned. The Minister would be welcome to visit any day.

I welcome the Minister of State, Deputy Coffey, who is a good friend of mine, to the Chamber. He does not want Irish Water. He is not happy with this Bill because he is a practical man who understands that-----

Deputy Paudie Coffey: I fully support Irish Water.

Deputy Mattie McGrath: Good man. All right. Tell that to the people in Portlaw, Ballmacarbry and other places.

Deputy Paudie Coffey: I did.

Deputy Mattie McGrath: They will talk with little pencils. Have I a pencil? No. They will go to their ballot boxes in privacy. The Minister of State knows where they will put their strokes.

Deputy Paudie Coffey: The Deputy cannot chase with the hare and run with the hounds.

Deputy Mattie McGrath: Not beside the name of anyone who supported Irish Water. Systems were devised and developed and we have a water supply.

When some clever officials got into trouble with the Minister over treatment plants - Bray

was the first, but there were others - they decided to portray the ordinary people of Ireland who had septic tanks - many dug them by hand and installed them at huge cost and got treatment plants in recent years - as being dirty and the ones causing the trouble. No one who has drawn water from a well would pollute someone else's water. They had it right.

I could name 34 towns and villages in south Tipperary that have no treatment plants. In my village, a big tank has a four-inch pipe that belts out raw sewage. Deputy Fitzmaurice mentioned something similar. But, no, the former Minister, Phil Hogan, was going to terrify the dirty people of Ireland, make them have manners, clean themselves up, and get their septic tanks right and tell the EPA that they were causing the trouble. However, now the tune has changed altogether. The Minister of State, Deputy Coffey, mentioned yesterday that 4,200 plants were below standard. That was hardly true, but maybe it is. Now the real beast has been formed and the Government has always known where the trouble is. In 2006, the EPA found that more than 50% of plants in Kilkenny in the former Minister's constituency were below standard. We were going to prosecute, arrest and jail the dirty people in their households who were polluting the ground. We were going to bring them off in the paddy wagons. They were not fit to live where they were. They should have gone back to caves or elsewhere, or emigrated to get jobs in Canada.

What happened? I said it was like Joe Duffy's "Fiver Friday" had come to Clonmel. The former Minister dropped the amount to €5. I passed a basket around here for the fivers, as Deputies might remember. The entire thing dropped off the agenda. Several people in the business made applications - I did not - to become legitimate contractors, but they ran up against a large obstacle. One page of the form - I got one, but it had a lot of pages in it - stated that I had to get a letter from a local authority - it need not have been my own - confirming that I could take sludge by emptying Johnny, Mary or Tommy's tank. The problem was that local authorities - the Minister of State's, the Minister's, mine in south Tipperary, Offaly and so on - could not give out those letters because they had no capacity to do so. It became a national issue. Were people expected to eat the stuff? What were they going to do with it? They had nowhere to take it. It would have cost them several hundred thousand euro. Then they were going to be given grants. Then it turned out that only 29 tanks were going to be tested in Tipperary, my and the Minister's county. Some 19 below and ten above or the other way around; I am not sure. The entire thing died a death. The little people were left alone. Nineteen of them.

Everyone who registered thought he or she could get a grant. First, people could not get grants unless they were inspected. Second, the grants would be put into their wages. The grant would only cover a look into the tank and a bit of reseedling of the ground. It would not cover the substantial works. The Government knew that. It was a con job of the highest order.

Which brings us on to this, the real con and the mother of all quangos. We were told that the Commission for Energy Regulation, CER, was going to fix prices, but the Minister told the House two weeks ago that the Government would fix them. Is the CER redundant? The Government is using the Social Welfare Bill. I turned the dial for the 11 o'clock news on RTE last Saturday week while travelling and heard that the Department of Social Protection was going to employ more staff to administer the €100 payments. This is a great. Deputy Donnelly cited a list of figures, including the €536 million to fit the meters, the cost of running everything and so on. Off balance sheet? The cost will be inside it like a corrosive rust. It will wreck the balance sheet, and all for the sake of a child conceived by Labour and breast fed, bottle fed and delivered on behalf of the fat cats. It stinks to high heaven. It is just a quango.

The former Minister of State across the way has enough information. He was being intimidated by whoever wanted to get this job. The contract for the meters was awarded before the company had a registration number, something that I did not think could happen. As I have said umpteen times, the legislation was signed into law on Lá Nollaig, 25 December. Whatever the reason for the indecent haste was, I do not know.

Irish Water is there, but the Government does not have the common sense to scrap it. Have the wake and the funeral and bury it. It will bury the Government. That is happening. It will do huge damage to democracy. People are marching. I thank and salute them for their behaviour yesterday. They were in good spirits despite all of the economic hardships they were facing, the cost of travelling to Dublin and the cold. I salute them for how they conducted themselves. There were a few people involved who would not be wanted on any march. They are looking for something different out of it all. However, most people behaved very well and should be saluted.

I am hugely worried about the talk of this being done off balance sheet. We all know it will actually be on the balance sheet and will cost us a fortune. All of the fat cats have bonus contracts and will receive a bonus even if they do not earn it. It is ludicrous. These contracts were drafted by the very people who created the monster that is Irish Water. That is what has been wrong with this country for the past 20 years. We have had quangos and more quangos created by people with their hands on the handlebars of power. One would need a jackhammer to get them off. Of course, Ministers come and go. The Minister, Deputy Kelly, and the Minister of State, Deputy Coffey, will be gone from here eventually. I might be gone as well. However, whoever is here will not be able to change any of these arrangements.

Senior officials have this country plundered. It is time they came in here and dealt with everybody. I am not referring to the officials who are accompanying the Minister in the Chamber today but to the senior officials in Departments. What happened to Kevin Cardiff after all the advice he gave the late Brian Lenihan? He got promoted to Brussels. He could not be sacked or otherwise punished. There is no retributions for those people. At least all of us in this House must face the electorate, which is as it should be. The same does not apply to the members of the permanent government. They devised this scheme to suit themselves and it is nothing more than a pension scheme for some of their own people. I know of three former county managers who have been appointed to the new body, along with several other former senior officials.

In the meantime, no pipes have been fixed and no sod has been turned on a number of promised sewerage plants. After all the talk about the Ringsend plant and the €180 million that was laid out, there is very little to show for it. We are now looking at a different animal; it is a completely different plant. Anybody who knows anything about it knows it is not the same plant.

I asked the Minister earlier about the exemption we got on the river basins, but he did not refer to it. We have very few exemptions and derogations from Europe. This one was hard fought for, but now it looks like we are just going to dispose of it. Are we stark, raving mad? After all the EU did with the financial crisis, after it robbed us in the so-called bailout - I call it the clean-out - are we now going to give away the one hard-won derogation we have? There is no explanation as to why this is being done. We are supposed to be putting a new plan forward on 1 January and it seems we will get rid of the derogation. I can only conclude this is being done to preserve the beast, stimulate it and put it on steroids. It is being beefed up for the wealthy people and con artists who are laughing at us.

I met with some of the people from Irish Water two weeks ago and asked them seven or eight questions. I have had no answer yet, even though I e-mailed the questions to them the following day. Instead, they told me barefaced porkies. They said they had heard nothing about a problem in Clonmel with sewers being blocked on private properties. I am tired of writing to them about these issues and tired of asking parliamentary questions about them. The CEO of the council also has written to them. How can they expect us to believe they are not aware of the problem? These are the people who were isolated from any responsibility at senior level in Departments and other local authorities where they were answerable to nobody. They were looked after by the former Minister, Phil Hogan, the big fella who also looked after himself when he got sent off to Brussels.

The huge worry I have - I suspect it is shared by the Minister of State, Deputy Coffey, and maybe the Minister, Deputy Kelly, too - concerns the people who have been paying rates for years - the farmers, shopkeepers, hairdressers, funeral parlour owners and so on. There has already been a problem in recent years with meters and the ongoing increases in standing charges. Somebody will have to pick up the can for the climbdown the Minister has done. I will not use the word "legacy" again; the Minister knows all about that. Will the shortfall in revenue be pushed on to these people? I have no doubt that it will.

GMC Sierra is installing 600 meters in the Clogheen, Mullinahone and Killenaule areas of south Tipperary as I speak. These are to replace the meters and boxes it fitted 15 months ago under contract with South Tipperary County Council. The council insisted at the time that the workers put metal manhole covers on the footpaths, especially in Mullinahone where the streets are narrow, the footpaths are low and trucks sometimes go up on them. The company agreed to do so. Now, however, its workers have taken away all the steel covers and replaced them with plastic ones. I am told all the steel covers are in a scrap yard in Clonmel. The workers will not be gone off the job before the new covers are broken. Then we will have leaks and the devices will have to be replaced. It is about creating more business for themselves. Who will call a halt to this in consideration of the cost to consumers? Business people are already paying charges and there is a 98% collection rate in south Tipperary. I salute both the rate collectors and the business people of south Tipperary for paying. People do not mind paying for a service once they actually get that service.

The problem, however, is that the price will be jacked up through the roof and people will be put out of business. Two weeks ago in this House we debated the Bill put forward by Deputy John McGuinness to reform the rates system. Somebody will have to pay if the Minister, Deputy Joan Burton, is going to use the Social Welfare Bill to give €100 back to households. Some people who have a septic tank and a well have told me it is like Christmas coming early. Although 8 December has come and gone, their €100 will go further in the sales on 6 January. That is assuming they get the payment. The Department of Social Protection will have to take on more staff to administer the scheme. The whole thing is stark, raving mad.

I do not know why the Minister does not stop and admit that this beast is a bad creation, is not fit for purpose and is climbing on the people. It is about looking after the fat cats and it is not good for democracy. It will wipe the Labour Party off the map and will severely damage the Minister of State's party. And all for what? To fulfil promises and side shoves to cronies. These people have been shoved into Irish Water for no other reason. It was the same thing with EirGrid. The powers that be in that case were determined to do what they wanted throughout the country. This week we heard there will be a new consultation. They are going to play nice and come down to the country and listen to people. I asked the chairman of that company two

years ago to put on his wellies and walk through the fields of Tipperary to see where the pylons were being installed. He did not want to hear about it. He and his colleagues have learned, however, and now they have a different attitude. Bhí siad ag éisteacht and the Minister and Minister of State are supposed to be listening in the same way. However, they are only listening like the farmer who is in bed half-asleep, with one ear on the pillow and the other one covered with his scarf or cap. It goes in one ear and out the other with the Minister and Minister of State. They are not listening and will not listen, and that is the rock on which they will perish.

I have huge concerns, as I said, regarding business people and big industry. Large firms have to use power water and are already paying for it. As other speakers noted, there is no element of conservation in any of this. The meters are going in at the huge cost of €536 million - the Government was €100 million out in its estimation - and will not be used at all. They are nothing but ornaments. Perhaps people will put a geranium plant inside the box and water it. The spanking new meters that were installed in Mullinahone last year, which I went out to look at, have been taken out again. All that was needed was the little device on top; the clips were already there. The new piece could easily have been fitted to allow them to be read electronically rather than manually. It is very hard for anyone to read the meter because the new fitting they put on top of them obscures some of the red digits. Previously, if one wanted to check if one had a water leak, one had to turn the water off at midnight and get up at 6 a.m. or 7 a.m. in the morning to read it again. However, that is not the case with this system because 1,000 litres must be involved before one can tell whether there is a leak.

It is nothing but a set-up. The whole thing was designed and created as a cash cow and perpetrated on the people to make fat cats fatter. It is like rubbing butter into a fat sow's you-know-what. It is nothing more than an insult to people's intelligence. It was designed and created that way and the Government parties intend to vote it through tonight or tomorrow in spite of knowing in their heart and soul it is wrong. Government Members are denigrating the good councils on which many of them served over the years. We did not have a barren desert before. Local authorities had water treatment plants and good services and supplies and they were contactable.

When people ring Irish Water now to fix a leak, staff do not know where towns in Tipperary are. They say they never heard of them. They tell people to ring the council because they cannot do anything. I experienced that one Sunday evening about two months ago. When people came home from a match, the road was blown up and the water main was leaking. They rang and rang the emergency number in the council and eventually they rang the Garda in Cahir because the road was a danger, not to mind the water being wasted. The Garda gave them Mattie McGrath's number. Thank God I was able to get someone in the council; I had the number of the caretaker. This is the farce that has been created. When the council caretaker comes out now to check a leak, as he always did, he can no longer touch it and must advise the person to contact Irish Water first. Did you ever hear the beat of it? Irish Water then must come back, when it decides to come back, and instruct the caretaker to deal with it.

That is just nonsense of the highest order and the Ministers know it, as does the man sitting quietly on the uppermost benches opposite. That man previously held a grenade in his hand. Had he pulled the pin, both the Government and Irish Water would be gone. Funny things have happened in this matter. Deals were done in hotels in Dublin and I have information which indicates that this was the case. Of course, I do not have as much information as the former Minister of State. The information in my possession has not been verified so I will not put it on the record of the House but side deals worth hundreds of millions were done not just in respect

of water, but also wind energy. It was all a big crazy scheme.

Deputy Paudie Coffey: Conspiracy theories.

Deputy Mattie McGrath: I suppose it was not really all that crazy and it developed into a Ponzi scheme for certain individuals. These deals were done in this city, in a hotel not far from this House. I know what happened but I have not confirmed the details. Those details will come out very soon.

The Government has time to back off and reconsider the matter, particularly if its members respect their constituents. We are here to serve the people. We are Teachtaí Dála - messengers of the people. I appeal to some of those opposite to go missing for the vote later tonight in order that the debate on the Bill might collapse. They should take action in order to save some shred of honour and dignity and display a modicum of pride and responsibility. Those in government received the finest mandate ever from the electorate. However, they flushed that mandate down the drain long ago.

I ask the former Minister of State at the Department of the Environment, Community and Local Government to come clean. He has the information I referred to but by the time he puts it on the record, it will be too late. He knows that queer, wrong and immoral things happened. Information relating to this will all come out in the wash, if we have enough water for washing.

Deputy Thomas P. Broughan: I wish to make a final appeal to the Minister, Deputy Kelly, to withdraw the Bill, to abolish Irish Water and to get rid of water charges and taxes. The Minister comes from a real Labour movement background. After yesterday's protest and in view of the huge turnouts at the previous protests, he cannot be unaware of the intense anger and deep concern among people. In large part, the protest which took place outside Leinster House yesterday was organised by fantastic trade unions such as Mandate and UNITE. Of course, SIPTU - finally and belatedly - came on board. As I stated many months ago, the introduction of water charges is the straw that broke the camel's back. People are sick and tired of the austerity policies put in place by this Government, which I could never support, and that which preceded since 2010. They want this matter over and done with.

I support Deputy Cowen in his efforts to have section 3 deleted from the Bill. The Bill with which we have been presented is basically a political public relations, PR, exercise. It is an attempt to remove this crucial issue from the agenda in 2015 during the run-in to the next general election. The Minister should be aware that his Fine Gael ministerial colleagues, who are adept in this regard, are going to pull the plug on the Government and send out hapless Labour Party backbenchers to meet a terrible fate at the hands of their constituents. This PR-style Bill is also an attempt to smooth the rough edges in the hope that the Government will somehow "get away with it" on this issue. Unfortunately, the reality is that the damage has already been done. As I informed the Minister a few weeks ago, Irish Water is a toxic brand. There is no future for it. Following the next general election and regardless of the combination of parties, etc., involved, we hope that a progressive government will rise to lead the State either in late 2015 or early 2016. Whatever happens, Irish Water will not survive and neither will water charges.

I have received a steady stream of e-mails regarding the Minister's potential role in respect of the European water directive. I understand the Minister has the authority to ensure that Ireland's famous Article 9 exemption will be maintained. We received legal documentation from individuals who follow European affairs very closely which indicates that Ireland does have

such an exemption. Many countries have exemptions. A number of people stated that only Azerbaijan and Ireland do not have water charges. Why should Ireland have water taxes? Do we want to be like Azerbaijan? It is an interesting and, I hope, progressive state but it does not have water charges. Countries across the board have exemptions in different areas. We have an exemption in respect of water because the then Taoiseach, Bertie Ahern, had previously been a member of Dublin City Council and had witnessed the ferocious and relentless opposition of the people of the city to water taxes. We fought against those taxes and we defeated those who proposed them. We will also defeat the Minister and his Government if they continue with this crazy policy. The former Taoiseach, Bertie Ahern, decided not to proceed with water taxes and he obtained an exemption. It seems, from the legal advice we received, that the Minister has a particular role to play before the end of the year in terms of ensuring that the exemption will remain in place. The UK has major exemptions in respect of the contributions it makes to Europe and in many other areas. Why should Ireland not have its own exemption?

Earlier today, the Minister for Public Expenditure and Reform, Deputy Howlin, referred to Ireland's reputation in Europe, etc. In recent days, *The Guardian* published two articles by Martin Wolf, a professor of economics from Harvard University, in which he highlighted the fact that when people say Greece they also say Ireland, when they say Portugal they also say Ireland and when they say Spain they also say Ireland. In other words, they are referring to the periphery. What Martin Wolf is saying is that Ireland has been hammered - the Minister for Public Expenditure and Reform, Deputy Howlin, forgot to mention this - with a national debt of €230 billion. It must be remembered that this Government is leaving that appalling debt to this country. Professor Wolf is of the view that something major must be done for Ireland, Greece, Portugal and Spain. He is also of the view that Germany and Chancellor Merkel, who was re-elected as leader of the conservative forces in Europe in recent days, must face up to their responsibilities.

I have known and worked with the Minister, Deputy Kelly, for many years since he became a leading figure in Labour Youth. I appeal to him to abolish the quango that is Irish Water and water taxes. I very much support what the Minister of State at the Department of the Environment, Community and Local Government, Deputy Ann Phelan, and various other Members are trying to do in respect of the rural economy. However, colleagues who represent rural constituencies underestimate the impact of property taxes on Irish cities, particularly Dublin. Some of the people who protested outside Leinster House yesterday live in very modest semi-detached and terraced houses and they are paying between €500 and €800 in property tax. On 21 March next, they will be obliged to come up with this money again. They are of the view that this is enough and that the amount they pay in property tax should cover all local government services, including water. If people pay property tax of €700 or €800 per year, why should they be obliged to pay a further €160 or €260 in water tax? I have heard people put this argument forward time and again, and it is a very valid one.

Irish Water is unsustainable because of issues relating to the drainage function. I was about to refer to Deputy Mattie McGrath as a Minister. I hope he will be a Minister one day. In any event, the Deputy referred to the problem with drainage in many counties. The drainage system in Dublin city, including that part of it which is located in my constituency, is extremely complex and intricate. Local knowledge is required to operate and maintain it. I would prefer the engineers of Fingal County Council to look after the drainage system in its area of remit and those of Dublin City Council to look after that authority's system. That will be the way it will be done in the future. If we were reorganising water services, we would proceed on a regional

basis. People in Dublin are used to a regional system. I served as chairman of the general purposes committee of Dublin City Council which operated the water system and which was responsible for developing a major facilities in Leixlip and at Poulaphouca, which the Minister may have visited. The committee in question ran the system despite not being given any money by either Fine Gael or Fianna Fáil. We had major difficulties in the context of trying to obtain resources from the two conservative parties. However, we operated a system which served the four local authority areas in Dublin and large parts of Kildare, Wicklow, Meath and Louth. We had a major regional system and we believe the next Government will proceed in a similar way. As I stated, what is being done is wrong, even in engineering terms. It would certainly be wrong on the basis of a cost-benefit analysis.

The Minister faces tonight a major and desperate housing crisis in the city. The last telephone call I took before coming in here for the debate was about a constituent who is on the streets right now. I welcome the measures the Minister and Minister of State, Deputy Paudie Coffey, tried to introduce in recent days but I believe that, if one were to make a case for a national body to do work now being done by county and city councils, one would do it in respect of housing. We could have thought very seriously about setting up a single housing executive for the nation because housing is an area that was not delivered on. Many city and county councils just did not deliver the required amount of social housing, nor did they agitate enough to plan for or organise it. While a case could be made for a national housing executive, areas such as my county and region did very well, with no support from the conservative parties, regarding the provision of water.

Many speakers said that, by establishing the quango of Irish Water and passing section 3, the Government is putting us on the road to privatisation. The Minister says it is not but voted us down the other night on the points made by Deputies Clare Daly and Catherine Murphy on the use of “may” and “shall”.

Deputy Róisín Shortall: That was accepted.

Deputy Brian Stanley: We made some progress on that.

Deputy Thomas P. Broughan: It was accepted but the Minister is still not proceeding in such a way as to have an immediate referendum to prevent privatisation once and for all. In light of what we saw in regard to waste management, it is inevitable that the Government will leave the door open to privatisation.

It must be stated much of the work of Irish Water is already privatised. Since Irish Water was established, Siteserv, Sierra and such companies have had huge water metering contracts. It is a private system. It is not a case of using the county or city engineers as Irish Water has already gone down the road privatisation.

The United Kingdom, France, the Czech Republic and other countries that embarked on the process the Minister is now embarking on ended up following the privatisation road. By studying those countries, we know there is a desperate feeling therein to try to get back to the public sector and re-nationalise water supplies. Paris is a case in point. The Minister has set us on an inevitable path. If there is a conservative majority in the next Dáil or next couple of Dála, we will end up with an increasingly more expensive privatised water system.

Many issues have been brought to the Minister’s attention in his rush down the Irish Water road. There are difficulties with lead pipes in so many houses, for example. Some have said

one's PPS number will still be used in the process of this Bill because the conservation grant has to come through the Department of Social Protection. Therefore, there is a set of circumstances that are similar to the morass the Minister inherited.

I appeal to the Minister to take on board the fact that this Bill represents the road to nowhere. It is certainly the road to nowhere for the Labour Party, unfortunately. It is the straw that broke the camel's back. The Minister should listen to this House, withdraw the Bill and consider a structure whereby water services could be provided by city and county councils on a regional basis, as was done well for many decades.

There is no question about what will happen in the upcoming general election. When some of the controversy over Irish Water started, I asked the Taoiseach, Deputy Kenny, whether there would be a referendum on this issue. The upcoming general election will serve as a referendum on this matter. There is no question but that the PR Bill the Minister is presenting us with today, the original Bill and all the pomp and works of Irish Water will be swept away. Unfortunately, some of the Minister's colleagues will be swept away with them.

Deputy Róisín Shortall: I support those who oppose section 3 because it is the key section of the legislation. It provides for the charging for water. I oppose this section because I am of the view that the game is up for water charges. The bottom line is that the public simply does not accept water charges. If the Minister has ever doubted that, he need only recall the hundreds of thousands of people who took to the streets, not only yesterday but on each of the other occasions. People mobilised and came out onto the streets to say to the Government that enough is enough. Regrettably, the Minister has continued to ignore the views being expressed to him. He is doing so at his peril because enormous damage has been caused to both parties in government by their insisting on going ahead with the charges.

There is no public support for the charges, for several reasons. Many oppose water charges in principle but there is a very large number who simply cannot afford to pay them. That might be difficult for Ministers to understand but the fact is that there are some 1 million people in this country who have incomes of €25,000 or less. Yesterday, the Minister for Health, Deputy Varadkar, seemed to have difficulty understanding how some people might not have €3 left at the end of the week. How much does he believe he would have left over at the end of the week if he were trying to live on €25,000 or less per year? There is a need for a reality check in terms of where people are at. A large number of people are in very difficult circumstances and their basic income is very low. This does not take into consideration those who have incomes in excess of €25,000 but who have major debt problems. That is the lot of so many people in the country; they cannot take any more.

Others oppose the charges because they are sick and tired of the cronyism that has existed and which the Government promised it would end. It has not done that. We have seen a continuation of that culture of cronyism in the setting up of Irish Water.

Another group of people opposes the charges because they are so angry about the incompetence the Government has displayed from start to finish in respect of the entire Irish Water shambles. It is an utter shambles in terms of public administration and the ability to go about setting up a new public body that actually functions. It is a complete shambles and many people are sick and tired of the incompetence that has been demonstrated by the Government in this regard.

Most people are sick to the teeth of additional charges at a time when their income is being cut. Over recent years, the cost of running the country, including the cost of repaying bondholders, has been shifted disproportionately onto the shoulders of those who can least afford it. It started after the election in that the Government did a complete *volte-face* and decided to pay back the bondholders in full. We are paying an enormous price for that, and future generations will continue to pay that price. However, in the actions the Government has taken since paying back the bondholders, all the changes it has made in terms of additional charges and cuts to secondary benefits and pay have affected disproportionately those people who could least afford it. We have moved from a situation where many services had been paid for out of the general taxation system, which up until recently has been reasonably progressive, to one where those charges have been shifted onto the shoulders of people without any regard for a person's ability to pay. We have a raft of new regressive charges that the people are expected to pay irrespective of their circumstances. That principle, which the Government has been following in recent years, in terms of everybody having to pay the same irrespective of their circumstances, is continuing with the revised charges that the Minister announced in recent weeks. There was a pensioner on to me in recent days who was aggrieved that, whatever about the previous charging system that the Minister spoke about, this latest charging system is most unfair to those in the circumstances, for example, of a pensioner couple on a low fixed income. Such a pensioner couple will be charged exactly the same as, for example, a company director with an income of €500,000 a year with four grown-up children living in the family home where considerable quantities of water are being used, and there is no recognition of that whatsoever. The original argument in favour of water charges was principally one of conservation. That has now gone out the window. There is no element of conservation in this at all. Shortly, we will talk about the so-called conservation grant and all of the problems associated with that, but this charge continues the trend of the Government in terms of imposing equal charges on people irrespective of their ability to pay or otherwise, and it is a regressive charge. The Government is responsible for introducing a raft of regressive charges and, indeed, making the taxation system less progressive than it was previously. That is not what I would have expected from the Labour Party.

The Minister cannot continue to ignore the will of the people. It seems as though Deputy Kelly is determined to do that, but he will pay a significant price if he insists on going ahead with it. It is time the Government realised that there is no public support whatsoever for these charges. Of course, the public realises that, irrespective of the level of these charges, no doubt they are only the thin end of the wedge. Whatever the charges introduced, they are the thin end of the wedge and they can only go in one direction.

In respect of the Minister's announcement, the back-peddalling, as other Members have referred to it, in which he engaged two weeks ago and the new charging regime that he has announced does not add up and does not stand up to any kind of scrutiny. The Government talks about the need to keep the borrowing off the balance sheet. There are a whole lot of elements contained in these proposals which will result in a situation where we will not have Irish Water operating off the balance sheet. The Minister talks about the ability to issue bonds and to raise loans. It is being talked about in terms of this being a way of raising funding in order that the public does not have to pay for it but, of course, all of those loans must be repaid. The only one who will repay those loans is the public. The public must, sooner or later, repay those loans. People are not stupid. They understand that now more than ever, given what has happened over recent years. In terms of the model the Minister is talking about where significant investment will be made in Irish Water, the point has already been made that we will end up in a situation

where the bondholders of Irish Water will dictate terms. That is inevitable and the next step is privatisation, irrespective of any commitments in terms of the future ownership of Irish Water.

One would also have to ask how any investor can have confidence in this model when the funding model for Irish Water keeps changing. Nobody has seen the detailed figures in light of the revised charging regime. I seriously suspect that it does not add up. As we have not had those figures in the public domain and given the significant question marks that hand over that entity, how can the Minister expect investors to have any confidence and to put money into Irish Water? Why would any investor invest in that company when there is such uncertainty about user fees and whether they will be collected? The Minister has gone out of his way in recent weeks to suggest that they will not be collected next year anyway and it will be late in 2016 before any action is likely to be taken. What are the implications of that message from the Minister for potential investors in the company when we could be in a situation where the projected revenue from fees will be drastically reduced? What are the implications of that for the Minister's off-balance sheet model? One would also have to ask why any investor would consider investing in this company when there has been such an extraordinary level of incompetence shown by both the Government and senior management in Irish Water to date. There is a significant problem with lack of leadership in that company and a serious lack of competence.

The penalties the Minister announced in the past couple of weeks will not kick-in for a year and three months after the charges are meant to be paid. That brings us to at least April 2016. I heard on the radio Deputy Kelly stretching that out further stating it would be after April 2015 that the 15 month period would kick in, and he suggested that would bring us to August 2016. Given that, the back-pedalling that has gone on, and the strong messages going out that nobody will be taken to court and no action will be taken, one must ask in terms of the viability of this entity why anybody would pay water charges next year. There are no penalties that come into play next year. The Minister himself has said no penalties will apply until the last quarter of 2016. If that is the case, what are the implications for the revenue of Irish Water?

I would further put it to the Minister in terms of questioning the entire financial viability of what he proposes that if it is the case, as he suggested when he made the announcement of the backing down or back-pedalling, that 50% of people will be able to get a rebate, this in turn will have significant implications for the revenue of Irish Water, and it also raises questions about the user data that are being used. In addition, it is proposed to collect data to assess the new charging regime in 2018. Given the paucity of any solid data that would support the contention that this will be a viable company, we are told that we must wait and see whether it passes the market corporation test. All of the indications from the utterances of Government, particularly the Minister, are that it will not pass the market test, but we have no indication of what plan B will be. What happens if we reach a situation where we realise that the data are not reliable, the charging regime does not operate in any kind of effective way and people have no incentive to pay their charges next year? What happens when the market corporation test fails? What is plan B?

For the past six months the Minister, and the Taoiseach in particular, in an effort to keep all of this at arm's length have been saying repeatedly that the charging regime has nothing to do with the Government; that it is set by the Commission for Energy Regulation, CER. Now the CER is no longer relevant to the pricing regulation. It does not have a role in it because politics has kicked in and the political system is now setting the price. The situation is an utter shambles. This is nothing other than a strategy to get the Government through to the other side of the next election. Everybody sees through the ploy. We know that the chickens will come

home to roost for the Government parties in the next general election, but more importantly, we know that in terms of the cost of funding Irish Water, the chickens will come home in a very serious way for the public who will be stuck with a hefty bill.

One must ask whether the Government is trying to make the situation unworkable. This is all supposedly being done for the sake of €90 million a year. The politics of that are ridiculous. The Government gave away €1 billion in the recent budget, much of it in tax breaks for the better off. That was not very clever politically if all the Government is getting out of the entire Irish Water debacle is €90 million and all of the grief involved. Of course, that is not the case. We are talking about a maximum of €90 million this side of a general election and then having kicked the can down the road, all of that will mount up for the public after the next election.

The Government has utterly failed in this regard. The public do not accept what it is doing. There is no element of fairness involved. Neither is there any element of the reform the Government once talked about. We continue to have a bonus culture in the new quango and the board has been stuffed. There was a political pay-off to Phil Hogan. More and more people are asking how the person responsible for creating the mess has been rewarded by the Taoiseach and has gone off into the sunset with a plum job at European level. Apart from the question of the lack of fairness and lack of reform the situation gives rise to a significant question about the incompetence of the Government.

The legislation is largely undoing the previous legislation that was brought before the Houses, passed and was signed into law by the President. That again underlines the incompetence of what is happening. The Government introduced a regulatory system based on previous legislation and now it must be undone. People have lost trust in the Government. There is every reason for that – broken promises, the Government saying one thing and doing another, and being really disappointing and letting people down. That is why nobody believes what the Government is saying. Everybody knows this is merely a strategy to get the Government through a difficult political period and past the next election. The Government is kicking the can down the road. Everyone knows that is a serious mistake.

If the Minister had any sense or courage he would have recognised the serious mistakes that have been made and he would have scrapped this hare-brained shambles of a plan. Unfortunately, the Minister has not done that and there will be a big price to pay for it. Could the Minister clarify exactly what the situation is in regard to the exemption to Article 9.4 of the EU directive? Some of us tabled parliamentary questions asking the Minister to clarify the existence of an exemption for this country, and that there is no European requirement to introduce water charges. The Minister denied the existence of an exemption. We do not want to find ourselves in the situation in the new year where the Government is again throwing its hands up in the air and saying we have to do this or that because Europe is insisting. We heard further reports from people who seem to know the situation that if the Minister wants the exemption to continue, he must apply for it to be extended. Could the Minister clarify once and for all what is the situation? Could he confirm whether there is an exemption for Ireland? Will he also confirm whether a deadline is looming at the end of this month and what his intention is in that regard?

Deputy Noel Grealish: I got elected to Dáil Éireann in 2002. This is one of the biggest issues that has come before me in my constituency of Galway West. It is even bigger than the Protection of Life During Pregnancy Act. People refer to the cost of setting up Irish Water, the number of managers and the bonuses being paid. A total of 90 managers earn more than €100,000 a year. They also get a car bonus worth €10,000 a year. The big talking point among

people is the cost of setting up and running Irish Water. They believe it will eventually cost more than the HSE to run because of the number of managers and workers involved.

Every day of the week jobs are advertised in local authorities for people to work in Irish Water. A lot of the people who work in Irish Water are good people who have given a great service to the local authorities. We do not blame the people who work in Irish Water who are trying to do a job. The Government has set up the company. People are concerned about the costs associated with setting up Irish Water. A total of €80 million was spent on consultants alone. How could anyone justify that? How could one explain to people that consultants got €80 million to set up a utility company?

The Minister stated the charges for the average family for water will be low. They might be low today, tomorrow and in a year's time but what will they be in ten years' time? I am in the House for 12 years and the time was not long going by. The costs in ten years' time will be a lot higher than €60, and they will be a lot higher than €160. I will put any money on it that people will pay an average of €1,000 per year for water.

In addition, there is the property tax. Many people accepted the property tax. They registered their property and paid the tax. They asked why another €100 was not added to the property tax to cover water services rather than setting up a new utility company. The Minister for Public Expenditure and Reform, Deputy Howlin, said this morning that 935,000 people had registered with Irish Water. Irish people are law-abiding citizens. They do not want to break the law. They are worried. They do not want letters telling them that if they do not pay they will be brought before the courts. The vast majority of people have never seen the inside of a court house. They do not want to go inside a court. They registered because they are afraid of what will happen. They know that by registering they will be caught within the payment system. I will not advise anyone to break the law. I have never advised any constituent who came into my office to break the law. That is a big worry because property prices will increase, as will the property tax.

6 o'clock

Give it another five to ten years and the average household will be paying in the region of €1,000 for water and €3,000 or €4,000, if not €5,000 or €6,000, property tax. They will get nothing out of it. Many Government Deputies are saying that the system was not working correctly and there were numerous leaks and much damage. I agree but there were also many excellent schemes in place. We must hand it to the local authorities because they have done brilliant work in upgrading schemes and taking schemes in charge. If local authorities were properly financed to service the schemes it would cost a fraction. Rather than giving that €80 million to consultants if it was given to local authorities many schemes would be upgraded.

About four or five weeks ago there was a major pipe burst on a regional road in Galway. It blew a section of the road. The neighbours contacted my local councillor, Councillor Jim Cuddy, who in turn rang Irish Water at 8.30 a.m. on a Saturday morning. The receptionist thanked him for his call and said the incident would be brought to the attention of Irish Water on Monday morning. This was 8.30 a.m. on a Saturday. Many thousands of litres of water were leaking by the hour. A house was nearly flooded only for the quick action of a few neighbours who put up a barrier against the water.

Councillor Cuddy rang me. I know that I am not supposed to name people but the Leas-

Cheann Comhairle who is a Galway man knows Martin Lavelle who is the senior engineer in Galway County Council. He was at home in Mayo and I rang him on his mobile. He took the call and he explained that technically he would be required to wait for clearance from Irish Water before the local authority could deal with a leak and have all the paperwork completed. I explained to him that hundreds of thousands of gallons of water were leaking and fair play to him, he got it fixed. He arranged for a contractor to fix the leak. I asked him what was the procedure for paying the local authority for the work because technically the local authority was not supposed to carry out any work without prior approval from Irish Water.

Talking about leaks, recently it came to my attention that a large school received a bill in the post for €11,500 to cover a two-month period. Contractors eventually discovered the underground leak which could not be seen. The school contacted the local authority engineers who assured the principal that the bill could be paid off over four or five years but that the school was liable for that bill. I brought this matter to the attention of the city manager and in all fairness to him he is looking after it and it is hoped something can be done. I advise everybody that they should examine their water meter when it is installed to see if it registers a leak because the only time it will be brought to one's attention is when the bill comes in the door. A householder might be allowed one write-off of the cost but the chances are that we will not get any write-off of the bill. I advised the principal of the school to examine the water meter every morning to see if it has registered any change. I advise all schools to do so because an underground leak will not be noticed until the bill comes in the door. This issue must be addressed.

Some time ago I put down a parliamentary question to the Minister about the cost of installing meters and the reply was that it was nothing to do with the Minister but that it was the responsibility of the local authority. My colleague, Deputy Mattie McGrath, raised this issue previously in the House. The Minister replied that it was a matter for Galway County Council. My colleague, Councillor Jim Cuddy, tried to raise the matter at a council meeting but he has been unable to get the information about the costs. Now the meters have to be removed and replaced with new meters and this is more money wasted when people are sitting on trolleys in hospitals and waiting to have operations and €500,000 was spent in Galway just to change the name of a hospital. Talk about wasting money.

I wish to raise the issue of new connection charges for new builds, in particular, the once-off house for a young couple who will be told to contact Irish Water. I know that Irish Water as well as the Government will try to get the money from somewhere. I foresee a situation where if building a house in the countryside it will cost €8,000 to pay an engineer to keep an eye on the house to make sure it is properly built and this is welcome. However, the cost of €8,000 is astronomical and too much for young couples. The connection fee to water schemes under the control of Irish Water will go through the roof and will amount to another €3,000 or €4,000. Another issue will be how Irish Water is to raise money. I refer to businesses which pay commercial rates. The annual rates bill for one business known to me was €27,000 but was increased on review to €56,000. This is what will happen with water usage.

A GAA club brought to my attention that young children who train and play matches usually have their showers at home but now the parents are telling them to take their showers in the club house because it will cost more for the water at home if they shower at home. They want the clubs and the schools to pay for the water instead. This is more cost for the schools. The capitation grant was cut and water charges will drive up the costs of running a school.

Christmas is the season of goodwill and most people on this side of the House are looking

forward to going home to celebrate Christmas. I know there are many people on the opposite side who are not looking forward to going home for Christmas. The only time they smile is when they are leaving the constituency to come here in order to get away from the people who are so worked up over the cost of water charges and the new bills they will have to pay. Their faces drop when they leave here on Thursday or Friday morning to go back to the constituencies.

I walked with the people in the march in Galway. I registered my own house and I will pay whatever is brought in by law. I will not advise anybody to break the law. The people on that march were good, decent people. The Government tried to say that they were left-wingers and troublemakers, people who just wanted to go out and cause havoc and trouble. There were good decent people on the march in Galway-----

Deputy Brian Stanley: Left wing people are decent too.

Deputy Noel Grealish: -----such as teachers, county council workers, city council workers and off duty members of the Garda Síochána. I spoke to two doctors who were on the march including the large number of people who work in factories and in various jobs all over the city. They were there because they are worried. The universal social charge will become a big issue with €3.5 billion collected from what was supposed to be an emergency tax. The Minister, Deputy Michael Noonan, fairly dampened a lot of people's Christmas when he said that this tax will not be withdrawn and that it is there to stay. He might reduce it a bit to pretend that he is giving a Santy present in the next budget in the run-up to the next general election. The universal social charge, the household charge and the property tax are now joined by the water charge. That is why the good, decent Irish people, the working class people, the middle class people, were out marching. I saw people in Galway whom I have never seen on any march and there has been a lot of marches in Galway over various issues. That was the first time I saw many of those decent people on a march. The Minister should not try to put the word out that these are troublemakers and people who want to cause hassle and riots. I agree there are a few troublemakers who will always try to hijack a march but the vast majority of the people who marched were decent people who marched because they are worried. I ask the Minister to do the decent thing and to withdraw this charge. Wind down Irish Water and let the people back to the local authorities. Fund the local authorities, where the expertise is and where they know the location of the schemes, ball-cocks, stop-cocks and connections. It would be a good thing and the people would regain some faith in the Government. As it stands at present I would not like to be a Government Deputy knocking on a door during a general election, whether now or in six or 12 months time. The Irish people will not forget what the Government has introduced and how it has affected them.

Deputy Peter Mathews: It is a week short of a year from when the primary legislation was forced through the House, effectively without any debate. Instead we have had this debate yesterday and today and perhaps we will have it tomorrow. This is a good debate but it should have happened a year ago. Various analyses and considerations are being discussed, as is the genesis of Irish Water and whether there should be a central utility for water charges. The saddest moment I witnessed this afternoon was when the Minister shook his head and then nodded when Deputy Shortall brought to his attention the issue of whether there was a derogation from European law whereby we did not have to establish this massive Titanic. By that head-nodding the Minister indicated this has been forced on our people and this is wrong.

There are four elements to life, namely, fire, air, water and earth. Our country's shoreline

is owned by the State as a matter of constitutional reality. Water and its distribution to the citizens of the country should be in the ownership of the State, the people of Ireland, and it should be well managed as such. It might be managed on a locality basis, as it has been to date, and funded through central funding as well as some local funding. To do what is being forced upon us at present is entirely wrong and it arises because there has not been a proper understanding of what has happened in this country since the year 2000 and the turnover into the new millennium. Even the make-up of our population has changed. We have in our population now Irish citizens who came from other countries such as Poland, China and Lithuania. In the year 2000, I worked in Lithuania and there were hardly any Lithuanians in Ireland that year. Since then approximately 70,000 have come. We also have Latvians, Estonians and an increasing number of Africans and Indians. This shows how our country has changed.

We had a financial collapse as a result of complete dereliction from any responsibility by banks after creating a credit pyramid bubble which left the country with a national debt of €230 billion and private household debt which is suffocating many families. Approximately 100,000 mortgages are in deep distress and families comprising approximately 350,000 souls are imprisoned in their homes, which are being financed by loans they received in the past which were too big. What the Government terms the two pillar banks are drawing blood from these people. They are supposed to be utilities for the financial bloodstream of domestic family life, business life and small and medium enterprises. These institutions are no more behaving like proper healthy utilities than the man on the moon. We see this in the correspondence we receive in our offices.

This debate on sections and amendments to a Bill which is trying to half unwind a crazy idea is meaningless. We are being invited to speak about the arrangement of the deckchairs and internal fit-out of some of the rooms on the *Titanic*. We should not even be on the *Titanic*. The State, to provide the medical, security, police, army, educational, teacher, university and lecturer services needed in a society, needs to be funded from revenues which it fairly earns and are not just dreamt up at the point of crisis by unelected bureaucrats on the mainland of Europe. Most of our parents and their friends died for Europe's liberation in the Second World War, as did our grandparents in the First World War. We have not even had a break from the imposition of the losses in our economy which derived from the crazy funding of a crazy and fraudulent pyramid scheme by financiers who have disappeared into the sunset.

The property tax, as Deputy Shortall pointed out, is regressive for a huge swathe of those who must pay it. Many pensioners must pay huge amounts when their incomes and pensions may have fallen. As initially designed, the water charge is the same. It is completely regressive with regard to the incomes of the people who must pay it. Two massive bureaucracies are being created to try to administer something which is badly designed and should not even be in place.

People who are employed or who work as sole traders or unincorporated businesses, and small and medium incorporated businesses which produce goods and services and export them, produce the incomes out of which the State can rightly and justifiably ask those individuals and companies to contribute to pay for the services it provides. This is where the thinking should begin and not with this lurched approach of knee-jerk reflex to widen the tax base. The Government is not widening it at all. The bills, invoices and notices of assessment must be paid out of income. Deputy Shortall explained that the gross earnings of 1 billion people are less than €25,000 a year. The Government is placing property tax and prospective water charges on them when their incomes have fallen and their other expenditures have increased. The foreign direct investment multinational corporations, which tell us what they earn in their reported profits,

have shown no decreases in net incomes in the period under review.

On the correction to the difference between revenues and expenses of the State since 2009, Deputy Cowen is correct that €20 billion of the €30 billion, two thirds, was achieved before the present Dáil. Again the thinking has been reactionary or knee-jerk responses to bureaucrats on the mainland Continent of Europe, which was liberated by our parents and their friends, who in many cases were wounded and in some cases lost their lives in the liberation of the land where those bureaucrats were educated and are telling us what to do for our national recovery. There is something not good about that.

There is something not good about the fact that with a massive majority on 9 March 2011, the Government could not have put together a team with double the numbers of those who represented our people and gone to Frankfurt and Brussels to make the case. There was woolly thinking then. There was timidity. There was gutlessness and there remains gutlessness about those losses from our crazy pyramid-based banking funding from 2001 through to 2008. None of the directors of those banks, whether they were Irish-owned or foreign-owned, has been asked to explain how they arrived at the policies to expand their funding base in crazy financial engineering to create that asset price bubble.

An Leas-Cheann Comhairle: The Deputy is moving slightly away from the Bill. Contributions should be relevant to section 3.

Deputy Peter Mathews: On 28 November 2010 we had the arrival of the troika, indicating where it wanted us to make those fiscal adjustments. One of the items that came up was the proposal to introduce a comprehensive overarching water utility, incorporating water charges. We should have told it to get lost and that we were going to deal with priorities first and add up correctly the bill for what had taken place in the economy. It was not just €64 billion; it was about €135 billion or €140 billion of losses. Those losses in the banks, whether they were Irish-owned or non-Irish-owned, in the domestic economy arose in the households and SMEs of this country. What ends up on the banks' balance sheets as losses is also mirrored in the losses of those households. It may not be fully realised and may be realised over the next 20 years in impossible repayments.

I was doing a message today on Dawson Street when Professor Morgan Kelly crossed the road and reminded me of the genesis of all the stuff we are trying to deal with today. Do Members remember Professor Morgan Kelly, who said we would be relying on the kindness of strangers when at that stage even the scale of losses had not been fully admitted?

I will not look and point to one side of the House or the other side of the House; we are where we are. The challenge now is maybe to come down on 28 December to Ballyhea to the 200th protest at the complete wrongfulness of the imposition of what still remains on Professor Patrick Honohan's desk, €25 billion of Government bonds which are bonds that the people of Ireland will have to repay. They should be cancelled unilaterally because they are not for our account. I invite Government party Members to join that protest.

An Leas-Cheann Comhairle: The Deputy could raise that-----

Deputy Paul Kehoe: A Leas-Cheann Comhairle, the Deputy is not speaking on the Bill at all. It is a joke.

An Leas-Cheann Comhairle: I know that. I just ask the Deputy to keep his contribution

relevant to section 3.

Deputy Peter Mathews: Section 3 is the undoing of what was done a year ago, bar one week, with no debate and with the Whip used. It is very timely and coincidental that the Government Chief Whip is in the Chamber. If this debate had taken place back then, there might have been the realisation that we were on the wrong path. The Government is trying to impose on the people this toxicity while sugar sweetening it, which is wrong. This is a terrible playing of politics; it is cynical. We should be rebuilding a nation, an economy, a just society and not the unequal one that has emerged from the crazy imposition of so-called widening of tax bases on people. It is not doing that at all. Deputy Shortall showed it logically step by step. The financial modelling of this is all wrong.

Deputy Paudie Coffey: The Deputy campaigned on it.

Deputy Peter Mathews: I encourage the Chief Whip to read the transcript of what she said. The logic is perfect. The evidence and the facts supporting it are absolutely spot on. The Government is trying to fit something that does not fit the situation and it is wrong. The Government is launching a Titanic and they are all on board politically. They will be gone. It is tragic. They should stop it. There is no loss of face in stopping what is going to be a terrible accident.

We have, as I said, to do what is fair to get proper equality-based distributive economics working in this country. Deputy Grealish outlined how it will play out on the ground, how the stupidities and contradictions will appear all over the place and how there is no conservation for the next few years.

It is funny. In the countries on the globe where there is total drought they do not even charge for water and one would think they would because it is scarce. They do not. There is fundamental logic. We need to repair the systems of retaining water in the right quantities for distribution after treatment through pipes that do not leak. We agree it will cost €10 billion or thereabouts. However, that €10 billion can be got from the €25 billion that should be cancelled and torn up on the desk of the Central Bank Governor, Professor Honohan. If that story is told properly to the Europeans and the ECB, they will get it, but nobody has even told it. They get lost in lever arch files and in sections and subsections of law, and miss what is staring them in the face.

I appeal to the Minister to think with a fresh mind. He should look with fresh eyes and see the big picture. He should see what has happened and how it happened. He should look at the current situation in big picture terms, with €230 billion of debt.

Today we had stupidity in the anomaly of approving - Sinn Féin approved it - the Supplementary Estimate for pensions because of a miscalculation of how many people would retire from the public service. I have nothing against that, but yesterday we debated the 15,000 pensioners, deferred pensioners and current employees of the Irish aviation superannuation scheme - Aer Lingus and DAA. The Government decided, with what sort of schizophrenic logic I do not know, that it can do nothing for them and yet whistle this one through today.

An Leas-Cheann Comhairle: The Deputy is moving away from section 3, which is about water charges.

Deputy Peter Mathews: I am trying to show, like a doctor would show to a patient, that it is behaving in a way that is not going to help it get well again. The Government is behaving

schizophrenically. It is not getting its facts, its situation properly measured, its accountability properly aligned and working logically from there. It could do it. However, it has got to stop what it is doing if it is about to go over a cliff or about to hit the iceberg to stay on the *Titanic* issue. The Government must stop the engines, review, reconsider, nothing is lost. Just because €80 million was spent on consultancy fees and €600 million on the installation of meters, amounting to about €750 million, those costs are gone, it is a mistake, but do not compound the mistake by alienating the people of this country, the 1 million people who earn gross pay of less than €25,000 per year, the families of the 100,000 deeply distressed mortgages, the homeless people, the 90,000 on waiting lists for homes, and the 500,000 to 600,000 who have emigrated, including two of my sons, and the various instances of under-funded care institutions about which we heard yesterday from Deputy Caoimhghín Ó Caoláin and others, where care is not provided because of the stress of lack of resources in many of these places. The stress leads to dysfunctional behaviour where people take their own lives, families break up, divorces happen and children get sick and psychologically damaged. That is what happens when society becomes unfair. We must get fairness back into the way we do things and the way we talk about things. It starts in places like this.

An Leas-Cheann Comhairle: Could the Deputy apply that to the water charges, please?

Deputy Peter Mathews: The Government proposed revenues of €90 million for the first year. That is 0.1 of 1% of the profits of the multinational corporations. Why does it not ask them rather than saying it has got to get €90 million in the year. That is the thin end of what is going to be an ever-expanding wedge, as other Deputies have explained. The only Government Deputies present are those who are next to speak.

Deputy Liam Twomey: The Deputy will not stick it much longer.

An Leas-Cheann Comhairle: Please Deputies, I do not want any exchanges across the floor. I will respond to Deputy Mathews. Deputy Liam Twomey is to speak and also Deputy Catherine Murphy.

Deputy Peter Mathews: The Deputy is going to give us all kinds of forensic, minutiae stuff that is irrelevant.

Deputy Liam Twomey: We will-----

An Leas-Cheann Comhairle: Deputy Twomey and Deputy Mathews, I am not having an exchange across the floor from either Deputy. Will Deputy Mathews please continue.

Deputy Peter Mathews: The discussion that has taken place from the Opposition side, during the debate on the amendments and so on, has been of a quality that any six year school boy or girl listening in would say that the Government should disappear on the basis of the facts, the arguments and the logic it has produced. What the Government has put forward as a proposal is stupid, in capital letters, so stupid it is unbelievable. It should be ashamed of itself when it leaves €230 million on the backs of the people and €25 billion in identifiably bad, stinking, debt. That is so wrong. Some €10 billion would fix the water issue, €15 billion would fix the other capital projects and support the social services and social protection that is needed in places such as Áras Attracta and other places that are crying out for it.

Deputy Liam Twomey: The Leas-Cheann Comhairle may restrict me to around two minutes. If anybody thinks that €25 billion is lying around on the desk of the Governor of the

Central Bank-----

Deputy Peter Mathews: The Government created it.

Deputy Liam Twomey: -----and that we are whistling past it every day, somebody needs to get their head examined in this House. Of course, this is a contentious issue. Northern Ireland Water is quietly installing meters on all new homes in Northern Ireland for conservation reasons and Northern Ireland is getting stick from the same people who are supporting them here in this Chamber.

Deputy Jonathan O'Brien: There are no water charges in Northern Ireland.

Deputy Liam Twomey: Does the Deputy accept the fact that meters are being installed in Northern Ireland? If the Deputy wants to get into a debate we will discuss it.

Deputy Jonathan O'Brien: We have no water charges.

Deputy Liam Twomey: I thank the Deputy.

An Leas-Cheann Comhairle: I am glad we are discussing water.

Deputy Jonathan O'Brien: Does Deputy Twomey accept that we have no water charges?

An Leas-Cheann Comhairle: Please, Deputies.

Deputy Liam Twomey: There are charges in Northern Ireland for households.

Deputy Jonathan O'Brien: We have rates.

Deputy Liam Twomey: So Northern Ireland has charges.

An Leas-Cheann Comhairle: The Deputy has clarified that issue.

Deputy Liam Twomey: So it has charges. It is the same system. I hope we will manage and that is exactly what we need to do.

An Leas-Cheann Comhairle: I ask Deputy O'Brien and Deputy Twomey, to please stop these exchanges. Deputy Twomey has the floor. Through the Chair, Deputy Twomey, please.

Deputy Liam Twomey: My apologies a Leas-Cheann Comhairle. I should finish because this section has been debated for more than four hours already. The majority of the people are losing confidence in the present water supply and water treatment system. Some 33 different systems do not work in the same way that we could not have 33 different ESB networks across the country. That would not work for supply electricity to people's homes. We would have the same problem if we tried to keep the present system going. Everybody in the House knows the present system is not working and that there is an issue around lack of funding. There has been much debate here about these issues but very little alternatives put forward on how we are supposed to fund it.

Deputy Peter Mathews: Some €10 billion.

Deputy Liam Twomey: Everybody in the Chamber knows there are problems in Dublin where there are approximately 4,000 km of water pipes across the city and yet less than 1% of them has been replaced in recent years. They are an issue and this is what we need to have

sorted. I will hand over to the Minister as I am sure the Leas-Cheann Comhairle will lose his patience with me.

An Leas-Cheann Comhairle: Deputy Catherine Murphy wishes to make a brief contribution.

Deputy Catherine Murphy: I do not have a need to put a whole lot more on the record. While I agree with much of what has been said I have a number of questions about the borrowings because the numbers will be the make or break of Irish Water. We are continuously told there will be a need to borrow and that borrowing can happen off the balance sheet. I ask the Minister to tell the House who will pay back the borrowings and if estimates have been carried out on the amount of money that has been talked about? That will tell us a great deal. People have a resistance to becoming customers rather than citizens. If the customers are going to pay, may we have the numbers, please? The Minister said he will distinguish between the people who cannot pay and those who will not pay. Leaving aside the views on either side of the debate, if there is a significant number of people who cannot pay, it does not matter how many easy plans are put in place, if they have not got the money they will not be able to pay it. What percentage of those who cannot pay have been put into the equation in terms of compliance with EU spending rules? In the event of not passing that test, the Minister will not be able to borrow.

Deputy Lucinda Creighton: I wish to raise a few points, specifically on section 3 which deals with the charges proposed. I agree with much of what Deputy Liam Twomey has said. I agree that there needs to be investment in water. I also agree that there needs to be an efficient utility in place to deliver the economies of scale that were promised before the last general election. However, there were two principles behind the original Bill which was introduced here and rammed through in less than a couple of hours on 18 December 2013. A specific figure had to be raised as a result of the hole in our public finances and the requirements of the International Monetary Fund and other troika members. That figure was in the region of approximately €500 million. The second piece of logic that has been repeatedly put forward - it was again referenced by Deputy Twomey - relates to conservation. The sum of money that will now be delivered on an annual basis via this flat charge is in the region of €90 million, as noted by Deputy Mathews, so it is less than a fifth of what-----

Deputy Jonathan O'Brien: That assumes a 100% collection rate.

Deputy Lucinda Creighton: We shall see about that. It is less than a fifth of what the Government claimed it needed to raise, which puts paid to the original argument that €500 million had to be raised on an annual basis for investment in and the running of Irish Water. The second argument in respect of conservation has also been put paid to because we will not have metered water until 2019 and we can only have a leap of faith as to whether it will happen; I am not convinced of that at all, and there is nothing to say this or another Government will not capitulate or extend the flat-charge period for another three, five or ten years if convenient or politically expedient. The Government has basically lost the argument for the establishment of Irish Water and the introduction of charges. This Bill is living proof of that as, in effect, it represents the capitulation of the Government in its original arguments.

I am unsure why we are proceeding with Irish Water, which is not going to raise the revenues claimed necessary or introduce any form of conservation. We already know how much taxpayers' money has been invested in the establishment of Irish Water, and I put that on the

record in my Second Stage contribution last Friday. I will do so again. Irish Water borrowed €250 million from the National Pensions Reserve Fund in 2013 and collected €240 million from the proceeds of property tax in 2014, which we were promised by the Government would be ring-fenced for direct investment in local communities. Although 80% of that fund was to be ring-fenced, it was plundered instead for €240 million to invest in Irish Water rather than in local communities and services that are so desperately needed. Irish Water also gained €490 million from the local government fund in 2014. That is in excess of €1 billion already, and we know Irish Water will take €190 million from businesses, major corporations and small and medium enterprises, including family businesses, every year. It will take in the region of €90 million per year from householders. Taxpayers have been required to invest a massive amount of money in this utility, which will not conserve water, and I am very sceptical about what it will achieve in delivering a proper water infrastructure.

I will make one or two connected points. It is important to reiterate the very clear commitment made in the Fine Gael manifesto in 2011 with regard to Irish Water. It indicated that the party would not ask home owners “to pay for a broken and unreliable system”. That was a clear commitment contained in the party manifesto of the largest Government party before the last election. I believed it and stood on that platform. I believed the broken and unreliable water system would be fixed before charges would be introduced. That is what I advocated and understood to be the intention of the main Government party. Now there are flat charges in place - they are not metered or based on consumption and do not promote conservation - and the only purpose is to raise revenue. They come without a reliable or clean water system being delivered across the country, which is reprehensible.

I hope the Minister can help with the next point, which I have raised repeatedly. It is the issue of the so-called Irish Water consultative group, which arose in a secretive arrangement made by the Minister’s predecessor, former Deputy Phil Hogan, when he set up a cosy cartel between the trade unions, his Department and local authorities. This ensured so-called service-level agreements were put in place to ensure the kinds of economies of scale, savings or efficiencies that were supposed to be introduced by Irish Water could not happen by law. These 12-year agreements have been entered into with unions and ensure the cost of maintaining Irish Water over the next 12 years will be in the region of €1.5 billion to €2 billion more than was necessary. That figure has been put forward by the Economic and Social Research Institute and independent economist, Professor John FitzGerald, on the basis that Irish Water is employing almost double the number of staff required to deliver an efficient water service across the country.

I have submitted parliamentary questions to the Minister in the past number of weeks on this. On 2 December, in replying to Question No. 93, the Minister assured me the local government management agency, which hosts the meetings of this secretive group, provides secretariat services to it and is responsible for holding all the records of the group, will forward to me the minutes, including attendee lists, directly. Those secret meetings led to a secret deal which will cost Irish taxpayers a minimum of €1.5 billion more than they should be paying for water over the next 12 years. I would like the Minister to provide those minutes as it is his responsibility. The matter should not be kicked to touch and I hope there is detail in those minutes as to how these agreements were arrived at. They are reprehensible, unfair and unrepresentative as nobody advocated the interests of taxpayers who are being asked to foot this bill for 12 years. These taxpayers were essentially sold a pup in the general election when they were told that Irish Water would deliver economies of scale, efficiencies, savings for taxpayers and a better,

cleaner and reliable water system. It is in the NewERA document published by Fine Gael in 2010, its manifesto and the programme for Government.

Irish citizens were not to be charged until the safe and reliable water service was in place but instead they will see a standing charge levied on an annual basis without the delivery of a clean, reliable and safe water system. On top of that, they must foot a bill of €1.5 billion that arose when the Minister's predecessor, former Deputy Hogan, basically bought peace with the unions. That is reprehensible and an insult to the Irish public. I urge the Minister to take this opportunity to address the issue and, if necessary, undo it. I believe that is necessary.

An Ceann Comhairle: Members have a right to discuss a section but may not repeat what has already been stated with regard to various amendments. In other words, if amendments to a section have been dealt with, we cannot go back over them. I say this to clarify what people are entitled to say when speaking to the section.

Deputy Alan Kelly: It feels like it was yesterday that I last saw the Ceann Comhairle. I thank everyone for their contributions over the past four hours or so. This section relates to water charges for dwellings, although much of the discussion was outside that issue.

Section 3 provides for amendments to the approved water charges planned and they relate to water charges applying to domestic customers of Irish Water, commencing on 1 January 2015. The capped charges will apply from that date until 31 December 2018. The section provides that a Minister may, after consulting with the Minister for Public Expenditure and Reform, by order set maximum charges to apply for periods after 31 December 2018. That is a critical component of the legislation.

The main aspects of the amendments are as follows: a capped maximum charge of €160 for a dwelling occupied by not more than one adult; a capped maximum charge of €260 for an unoccupied dwelling or a dwelling occupied by two or more adults; provision that only 50% of the maximum charge may be applied where a dwelling receives one service from Irish Water, that is, water supply or sewage service; the application of a charge of €260 for a dwelling that has not registered with Irish Water by a date to be prescribed and subject to the capped charges outlined; the setting of maximum volumetric charges of €1.85 per 1,000 litres of water or €3.70 per each 1,000 litres of water and sewage services provided; clarification that the child allowance provided under the improved charges plan shall apply to all persons under the age of 18 and not just persons in receipt of child benefit; and a limitation on the types of additional services for which Irish Water may charge.

In the context of various issues raised, it is important to point out that customers can make complaints about the service. There is a charter in place between Irish Water and the customer, which is overseen by the Commission for Energy Regulation. Section 8 puts the customer dispute resolution service on a statutory basis.

Deputy Cowen asked about timelines in regard to the capital investment programme. The five-year plan will be released shortly and there will be a 25-year plan after that. Deputy Boyd Barrett asked how excess water from storms, etc., would be dealt with. I think he missed the point. The section he quoted was in regard to new connections. It is actually good practice from a planning and water resource point of view and it does not apply to current customers.

A number of Deputies asked if Ireland had a derogation, as outlined in Article 9 of the Water Framework Directive. Article 9 of the Water Framework Directive 2000 requires member

states to take account of the principles of recovery of costs of water services in accordance with the principle of the polluter pays, which everyone knows. Article 9.4 of the directive, which has been quoted to me many times in the past week or so, states that the member states are not in breach of the directive if they decide in accordance with established practice not to apply the provisions of the recovery of costs for a given water use activity where this does not compromise the purposes and the achievement of the objectives of the directive. However, Ireland is not specifically named in this directive. There is no exemption and there is nothing to be signed on 1 January. The Government's policy on water charges is fully consistent with the objectives of the Water Framework Directive and reflects the commitment entered into as part of the programme of financial support for Ireland agreed between the previous Government and the EU-IMF. Commitments were also made by the previous Government in 2010 in regard to the river basin plan that charges would also be brought in.

I will try to go through the queries raised by Deputies. I think Deputy Donnelly said €271 million would be raised from domestic charges in 2015. Many of these figures are available on my Department's website. Some €899 million is the overall allowed revenue from the CER which includes meter reading, operational costs and financing. Deputy Donnelly asked about charging for sewage services. I understand the question about why people should have to pay for that but the simple fact of the matter is that the wastewater is being taken out. The answer to the people in Arklow is that by taking such revenue, we will be able to provide the infrastructure they badly need and which they should have had many years ago, if there had been a plan in place to do so.

Deputy Donnelly's second question related to how much it will cost to read meters and so on. It will be under €50 million, so the Deputy can do his own figures based on that.

Deputy Stephen S. Donnelly: Is that per year?

Deputy Alan Kelly: Yes. In regard to the capital side of things, the figure of €200 million or €300 million extra for capital has been quoted. I do not know which way one wants to analyse it over the coming years as we reach €600 million. That analysis does not show where we will get those millions of euro and it does not take into consideration the economies of savings that have been made by Irish Water, which I have often quoted. Some €170 million savings were made in Ringsend and there are other examples across the country. I hope that has brought some clarity to that.

In regard to Deputy Creighton's specific query about that documentation, I understood it was sent to her and I have not been made aware that did not happen. If she does not get it in the next couples of days, she should get back to me. There does not seem to be an issue. It would concern me more if she did not get it.

Service level agreements were part of the PwC independent assessment and the time periods were agreed between Irish Water, the unions and the local authorities. The framework agreed is on the Department's website. The transformation plan agreed with the local authorities will achieve economies of scale, will avail of expertise and efficiencies will be created also. A number of those questions did not relate to this section but I felt it appropriate to address them.

An Ceann Comhairle: I will put the question.

Deputy Stephen S. Donnelly: Can we come back in?

An Ceann Comhairle: Once we do not repeat what has already been said.

Deputy Stephen S. Donnelly: It is in direct response to the Minister. I thank him for addressing the three questions I raised. I would like to go back to the three of them. The first one was about Arklow and, if I understood the Minister correctly, the rationale was that while there is no wastewater treatment facility in Arklow, or in 41 towns around the country, by charging for wastewater, it will raise funds to allow a wastewater treatment plant to be built. Funding for the wastewater treatment plant in Arklow has been in place for many years through central taxation. The only reason it has not been built is due to a legal issue. The issue of people in Arklow having to pay for a wastewater treatment service they do not have in order to fund the wastewater treatment plant that does not exist.

Deputy Alan Kelly: There are many more Arklows.

Deputy Stephen S. Donnelly: Maybe, but I am speaking specifically about Arklow. For the people of Arklow, the businesses and the residents who I represent, there is no argument that states we need to charge them for wastewater in order to fund the wastewater treatment plant because the funding for that is in place through the taxes they already pay. If that is the rationale, why is it not being applied to boil water notices? Were one to apply that rationale, which I accept is not an unreasonable one to apply, although in the case of Arklow, it does not apply, surely one should be consistent and apply it to boil water notices because exactly the same argument applies. It would say to the residents of Roscommon that the water coming in is substandard so we are going to charge them for it in order to fund better quality water. That is clearly not happening in the case of water. The argument and the precedence that has clearly been set is that they have a substandard service and we are not going to charge them for it until it becomes a high quality service.

The funding is already in place in Arklow, so why should the businesses and the residents there be charged to fund the treatment plant?

An Ceann Comhairle: We cannot deal with local issues in a Bill of this type. If it was the case, every Deputy could raise-----

Deputy Stephen S. Donnelly: Fine. Let me broaden it.

An Ceann Comhairle: Please understand that this is Committee Stage of a Bill.

Deputy Stephen S. Donnelly: Let me broaden it. For any of the 42 towns around the country, where funding has already been identified, the argument the Minister put forward clearly does not apply. Can he give another rationale because the one he gave does not apply to any of those 42 towns?

The figure the Minister provided is that the cost of billing per year will be €150 million.

Deputy Alan Kelly: No. The cost of financing, reading meters, etc. is under €50 million.

Deputy Stephen S. Donnelly: What is the annual cost of metering, billing and customer service? There is a package of activities specifically related to charging people for water.

7 o'clock

An Ceann Comhairle: I have to again ask for the Deputy's co-operation. On a Committee

Stage debate on a section of a Bill, having gone through all the amendments, we cannot engage in questioning about costs or anything else. It is not in accordance with Standing Orders.

Deputy Stephen S. Donnelly: It is directly relevant to the section which concerns the raising of the money. What is the cost associated-----

Deputy Alan Kelly: If the Deputy wants to write to me on all of these questions I will give him everything back in writing. Most of it is available-----

An Ceann Comhairle: It is not relevant to the legislation. It will not change the legislation.

Deputy Stephen S. Donnelly: It could, if I may beg the Ceann Comhairle's indulgence.

An Ceann Comhairle: There is no amendment. We are dealing with the section. The amendments to that section have already been dealt with. We are talking about the principle of the section.

Deputy Stephen S. Donnelly: I am not addressing an amendment. I am addressing the section, which concerns the raising of domestic water charges and the specific question, which is directly relevant to that and needs to inform the debate, is how much it costs to raise that money. If the total amount to be raised is €90 million it is relevant to the legislation and to the Oireachtas how much it will cost to raise that €90 million because I believe it will cost more than €90 million to raise that €90 million. That is the question and I believe it is directly relevant to the section.

In response to the Minister's third point - I am answering a specific question that the Minister has asked me – with regard to the €200 million in additional capital expenditure, the Minister suggested that I have not provided an analysis of where that €200 million could come from.

An Ceann Comhairle: I have to again interrupt. This is not Question Time, it is a Committee Stage discussion on a Bill. We have dealt with all the amendments to the section. We are now dealing with the section. The Deputy cannot go on asking questions about costs and so on. That is not suitable when we are debating the section. I ask the Deputy to please read the salient rulings and Standing Orders.

Deputy Stephen S. Donnelly: I am answering a question the Minister asked, which is relevant.

An Ceann Comhairle: It is not up to the Deputy to be answering questions from Ministers or anybody else. This is not a debate on the section.

Deputy Stephen S. Donnelly: This is a debate on the section. This is the Committee Stage debate on the section. That is exactly what it is.

An Ceann Comhairle: In a Committee Stage debate when discussing the section Deputies do not discuss matters that have already been raised during the course of the debate on that section by way of amendments. Those are the Standing Orders.

Deputy Stephen S. Donnelly: I am not discussing the amendments.

Deputy John Halligan: We are giving an opinion on the matters that have been raised.

An Ceann Comhairle: The Standing Order is that while Members have a right to discuss a

section he or she may not repeat what has already been said on various amendments to it.

Deputy Stephen S. Donnelly: This has not been said.

An Ceann Comhairle: We cannot deal with matters that have been dealt with by way of amendments.

Deputy Stephen S. Donnelly: I appreciate that and luckily in this case the matter has not been dealt with by way of amendment. It is specific to the section.

An Ceann Comhairle: If the Deputy does not co-operate with the Chair and try to get through some of this we will be here forever. The Deputy cannot go back on a Second Stage debate.

Deputy Stephen S. Donnelly: This is not a Second Stage debate.

An Ceann Comhairle: It is a Second Stage debate.

Deputy Alan Kelly: I am happy to take a list of the questions and respond straight away to the Deputy in writing.

An Ceann Comhairle: It is not Question Time. It is when we debate the section of a Bill.

Deputy John Halligan: If there is a difference of opinion on a matter that has been raised are we not entitled to make an observation or ask for clarification?

An Ceann Comhairle: Deputy Halligan should not interrupt. This is between the Deputy on his feet, me and the Minister.

Deputy John Halligan: If there is a difference of opinion on a matter that was raised we are entitled to debate that. Are we not entitled to ask for clarification on it?

Deputy Stephen S. Donnelly: I suggest in debating the section that the additional €200 million does not need to come through the mechanism in the section, which is water charges. It could come through a reduction in the cost base which requires a re-negotiation of-----

An Ceann Comhairle: That is not debating the section. The Deputy is providing an alternative to something that is already in the section and has been debated. He cannot come up with other ideas about how to raise money when debating a section.

Deputy Stephen S. Donnelly: It is a specific replacement for the proposed-----

An Ceann Comhairle: The Deputy cannot do that when debating a section. He should have put down an amendment. We have already been through all the amendments. I have read out the rulings twice. The Deputy should please accept them. I am not making them up.

Deputy Stephen S. Donnelly: I appreciate that and I am trying to comply with the Standing Orders. I am speaking specifically to the section in a way that has not been covered in the conversation on the amendments so far. I am suggesting to the Minister that the mechanism contained in the section for raising the money in answer to his question is unnecessary because he can get it from a reduced cost base.

Deputy Peter Mathews: Following that last interaction between the Ceann Comhairle and the Deputy, and in response to the Minister's response, I am forming the impression that this

whole debate is meaningless because Government Deputies will come in here under the Whip and vote the Bill through without knowing what they are doing.

An Ceann Comhairle: That is a different matter.

Deputy Peter Mathews: That is fundamental.

An Ceann Comhairle: It may be fundamental but it is not in order.

Deputy Michael Fitzmaurice: The Minister has no one to support him in the Dáil. There is no one in the Government benches.

Deputy Alan Kelly: The costs are all in the €899 million allowed. I have to disagree respectfully with the Deputy, it is not just for next year or the year after but to have the capacity to generate the revenue and from a capital point of view to invest at levels we have never seen before.

In respect of Arklow, there is a plan in place for the next few years. There is no funding mechanism in place for all 42 towns. That is set out as regards priorities and decision making. We have to gather revenue to be able to fund the capital investment needed for all of those areas. I accept and have often said to the Deputy Arklow is one of the worst and should be a priority. It is crazy that raw sewage is running straight into the river there. That is being funded as part of the programme I outlined earlier.

Deputy Stephen S. Donnelly: Will the Minister provide to the House, before Report Stage, the estimated costs associated with raising the money that is outlined in section 3?

Deputy Alan Kelly: It is all available on the CER website.

Deputy Stephen S. Donnelly: It is not. The total costings are available. I have gone through the CER's opinion paper and nowhere has it estimated the cost of collecting the money.

Deputy Alan Kelly: I am happy to provide the figures if the Deputy wants to write to me with his specific requests.

An Ceann Comhairle: That is a separate issue. It is nothing to do with the section in the Bill.

Deputy Alan Kelly: I have made that offer three times.

Deputy Stephen S. Donnelly: With respect, a Cheann Comhairle, the costs associated with-----

An Ceann Comhairle: That was a Second Stage contribution. We are now debating detail of the section and amendments thereto.

Deputy Stephen S. Donnelly: With respect, it is not a Second Stage contribution.

An Ceann Comhairle: The Deputy cannot introduce questions. It is not Question Time.

Deputy Stephen S. Donnelly: We are entitled to try to understand the costs associated with implementing section 3. That is a perfectly reasonable thing for us as legislators to try to understand. How can we get from the Minister's office the costs associated with implementing this section?

Deputy Alan Kelly: I have said on three or four occasions all the costs are available on the CER website. If the Deputy has a specific question on their break-down he should please put it to me and I will provide him with an answer.

Deputy Stephen S. Donnelly: I just have.

Deputy Alan Kelly: If the Deputy puts them in writing I will provide him with the answer.

Deputy Róisín Shortall: Will the Minister clarify the exemption from the EU Water Framework Directive, Article 9.4? I heard what he said in an earlier response and received a reply to a parliamentary question from him this evening but I am still not entirely clear about this. It is suggested that the facility for an exemption allows a situation where a member state does not have full recovery of costs when it comes to water services. I take the Minister's point that it is not specific to Ireland. If that general exemption is going to expire at the end of the year and if it is not extended does that not imply that in the new year, if this Government were to decide not to proceed with water charges, we would be in breach of that directive?

Deputy Alan Kelly: I will repeat what I said previously and then provide some more information. We do not have an exemption. There is no specific exemption for Ireland in that respect.

Deputy Róisín Shortall: I know that. I have made that clear.

Deputy Alan Kelly: Previous Governments have signed up under the river basins programme. We also have the agreement with the troika, as the Deputy is well aware.

Deputy Róisín Shortall: Yes.

Deputy Alan Kelly: A directive is a directive. It does not expire. It is there.

Deputy Róisín Shortall: The exemption expires.

Deputy Alan Kelly: It does not expire. Our requirements under the directive are what they are. We have to meet those requirements.

Deputy Róisín Shortall: I did not suggest that the directive expires. It is the exemption that expires.

Deputy Alan Kelly: We are not going to meet the requirements of that directive if we do not make the necessary capital investment.

Deputy Róisín Shortall: It is important for the Minister to clarify this point. There is a facility for an exemption-----

An Ceann Comhairle: Sorry, the section we are debating relates to water charges.

Deputy Róisín Shortall: Yes, exactly.

An Ceann Comhairle: It has nothing to do with EU regulations.

Deputy Róisín Shortall: It has, actually.

An Ceann Comhairle: No, it is not in the section. If the Deputy reads the section-----

Deputy Róisín Shortall: It is, a Cheann Comhairle.

An Ceann Comhairle: Show me where it is in the section.

Deputy Róisín Shortall: The Minister spoke about this earlier.

An Ceann Comhairle: I do not mind what the Minister said, with respect. I am dealing with the Bill here. Section 3 deals with water charges and dwellings. It sets out what the charges will be. It does not deal with an EU directive.

Deputy Róisín Shortall: The Minister has made two statements today, at least.

An Ceann Comhairle: I do not care what the Minister said. A Minister can be wrong as well as a Deputy can be wrong. We should not be straying into areas.

Deputy Róisín Shortall: I do not want the Minister to mislead the House inadvertently.

An Ceann Comhairle: If he misleads the House, he will have to come back in and correct the record.

Deputy Róisín Shortall: It is important for him to put on the record what the situation is. If there is no extension to the existing exemption, will this Government or a future Government have the option of not proceeding with water charges in the new year? That is the question.

An Ceann Comhairle: That is not in the section we are debating.

Deputy Stephen S. Donnelly: It is relevant.

Deputy Róisín Shortall: It is relevant to the section.

An Ceann Comhairle: It is not relevant. I am dealing with the practicalities of the section.

Deputy Stephen S. Donnelly: So is the Deputy.

Deputy Brian Stanley: The whole section hinges on this issue.

An Ceann Comhairle: We are not discussing a principle.

Deputy John Halligan: The imposition of the charge is relevant.

Deputy Róisín Shortall: I think the Minister wants to clarify the situation.

An Ceann Comhairle: This is becoming quite absurd.

Deputy Alan Kelly: Deputy Shortall's confusion is based around the river basin plans and the directive. We always have to comply with the directive, no matter what. The previous Government signed up to the river basin plans. As part of that process, it committed in 2010 to the introduction of a water charge regime.

Deputy Róisín Shortall: That does not answer the question.

Deputy Alan Kelly: It does answer the question.

Deputy Róisín Shortall: That is dodging the question.

Deputy Alan Kelly: It is not dodging the question.

Deputy Róisín Shortall: The Minister is dodging the direct question he has been asked.

An Ceann Comhairle: The Minister has replied. As far as I am concerned, it is now time to put the question.

Question put:

<i>The Committee divided: Tá, 56; Níl, 40.</i>	
<i>Tá</i>	<i>Níl</i>
<i>Barry, Tom.</i>	<i>Boyd Barrett, Richard.</i>
<i>Butler, Ray.</i>	<i>Broughan, Thomas P.</i>
<i>Buttimer, Jerry.</i>	<i>Calleary, Dara.</i>
<i>Byrne, Catherine.</i>	<i>Collins, Joan.</i>
<i>Byrne, Eric.</i>	<i>Colreavy, Michael.</i>
<i>Carey, Joe.</i>	<i>Cowen, Barry.</i>
<i>Coffey, Paudie.</i>	<i>Creighton, Lucinda.</i>
<i>Collins, Áine.</i>	<i>Doherty, Pearse.</i>
<i>Coonan, Noel.</i>	<i>Donnelly, Stephen S.</i>
<i>Corcoran Kennedy, Marcella.</i>	<i>Ellis, Dessie.</i>
<i>Coveney, Simon.</i>	<i>Ferris, Martin.</i>
<i>Creed, Michael.</i>	<i>Fitzmaurice, Michael.</i>
<i>Daly, Jim.</i>	<i>Flanagan, Terence.</i>
<i>Deasy, John.</i>	<i>Fleming, Sean.</i>
<i>Doherty, Regina.</i>	<i>Grealish, Noel.</i>
<i>Dowds, Robert.</i>	<i>Halligan, John.</i>
<i>Farrell, Alan.</i>	<i>Healy, Seamus.</i>
<i>Feighan, Frank.</i>	<i>Higgins, Joe.</i>
<i>Griffin, Brendan.</i>	<i>Keaveney, Colm.</i>
<i>Harrington, Noel.</i>	<i>Kirk, Seamus.</i>
<i>Harris, Simon.</i>	<i>Kitt, Michael P.</i>
<i>Heydon, Martin.</i>	<i>Mac Lochlainn, Pádraig.</i>
<i>Howlin, Brendan.</i>	<i>McConalogue, Charlie.</i>
<i>Humphreys, Kevin.</i>	<i>McDonald, Mary Lou.</i>
<i>Keating, Derek.</i>	<i>McGrath, Finian.</i>
<i>Kehoe, Paul.</i>	<i>McGrath, Mattie.</i>
<i>Kelly, Alan.</i>	<i>McGuinness, John.</i>
<i>Kyne, Seán.</i>	<i>McLellan, Sandra.</i>
<i>Lynch, Ciarán.</i>	<i>Mathews, Peter.</i>
<i>Lyons, John.</i>	<i>Murphy, Catherine.</i>
<i>McCarthy, Michael.</i>	<i>Murphy, Paul.</i>
<i>McEntee, Helen.</i>	<i>Naughten, Denis.</i>
<i>McFadden, Gabrielle.</i>	<i>Ó Caoláin, Caoimhghín.</i>
<i>McGinley, Dinny.</i>	<i>Ó Snodaigh, Aengus.</i>

<i>Maloney, Eamonn.</i>	<i>O'Brien, Jonathan.</i>
<i>Mitchell O'Connor, Mary.</i>	<i>Ross, Shane.</i>
<i>Mulherin, Michelle.</i>	<i>Shortall, Róisín.</i>
<i>Murphy, Eoghan.</i>	<i>Stanley, Brian.</i>
<i>Neville, Dan.</i>	<i>Timmins, Billy.</i>
<i>Nolan, Derek.</i>	<i>Troy, Robert.</i>
<i>O'Donnell, Kieran.</i>	
<i>O'Donovan, Patrick.</i>	
<i>O'Dowd, Fergus.</i>	
<i>Penrose, Willie.</i>	
<i>Perry, John.</i>	
<i>Phelan, John Paul.</i>	
<i>Rabbitte, Pat.</i>	
<i>Ring, Michael.</i>	
<i>Ryan, Brendan.</i>	
<i>Shatter, Alan.</i>	
<i>Stagg, Emmet.</i>	
<i>Stanton, David.</i>	
<i>Tuffy, Joanna.</i>	
<i>Twomey, Liam.</i>	
<i>Wall, Jack.</i>	
<i>Walsh, Brian.</i>	

Tellers: Tá, Deputies Emmet Stagg and Paul Kehoe; Níl, Deputies Barry Cowen and Brian Stanley.

Question declared carried.

SECTION 4

Deputy Alan Kelly: I move amendment No. 25:

In page 7, to delete lines 10 to 13 and substitute the following:

“(3) Where a dwelling is in receipt of one service in respect of water services provided by Irish Water, that is to say--

- (a) the supply of water to the dwelling, or
- (b) the removal of waste water from it,

then the maximum charge that Irish Water may charge for that service in respect of the dwelling is an amount that is 50 per cent less than the amount that would be charged

for water services to the dwelling in accordance with *subsection (1)* but for this subsection.”.

The reason for this amendment relating to the late payment fees that Irish Water can charge is essentially the same as the reason behind amendment No. 16. This amendment rewords the existing subsection (3) and provides that, where a dwelling is in receipt of one service from Irish Water, the maximum late payment charge that Irish Water can charge is 50% of the relevant late payment charge set out in subsection (1). Therefore, the late payment charge that will apply to a house that is either in receipt of a water supply and discharges wastewater into a septic tank or in receipt of water from a private well or other source and discharges wastewater into public sewers will be €15 per annum. The previous wording also provided for this, but the amended subsection makes it much clearer.

Deputy Stephen S. Donnelly: For the same reasons I opposed amendment No. 16, I oppose this amendment. It is inconsistent and unfair on the 42 towns and their residents and businesses to charge them full cost for a wastewater treatment that they do not have. It should not be done.

Amendment put and declared carried.

Question proposed: “That section 4, as amended, stand part of the Bill.”

Deputy Joe Higgins: Everything has been said. This issue will be decided in the communities of Ireland and by the people of Ireland in April and succeeding months, not in this Chamber, which is increasingly irrelevant as far as water charges are concerned, and by the tens of thousands who went out onto the streets yesterday representing their fellow citizens all over the country.

Deputy Joe Carey: Five thousand.

Deputy Joe Higgins: I am opposed to this section. It should be opposed by all.

Deputy Barry Cowen: We also oppose the section.

Question put and declared carried.

SECTION 5

An Ceann Comhairle: Amendment No. 26 in the name of Deputy Stephen Donnelly is out of order.

Amendment No. 26 not moved.

Deputy Catherine Murphy: I move amendment No. 27:

In page 7, between lines 35 and 36, to insert the following:

“(5) The Minister shall ensure that all information transmitted in accordance with *subsection (4)* is done so in a manner consistent with the Data Protection Acts 1988 to 2003.”.

I welcome the change whereby householders are no longer required to provide a PPS number to Irish Water. This was an issue I raised at the committee back in January and on several occasions in this House, as did others. Irish Water issued three or four different statements

between January and July, one of which referred to selling people's information as an asset. That particular message was toned down and the language changed, but the import remained the same because the relevant section of the original Bill did provide for Irish Water to use PPS numbers. That provision is gone, but the question now arises as to what will happen to the information contained in the information packs already submitted. There has been a lot of propaganda in recent days regarding the number of householders who have returned packs. One has to wonder about the validity of some of the information given by Irish Water. The form householders received required applicants to place a check beside a declaration which includes the following:

By completing and returning this form, I declare that to the best of my knowledge all of the information provided is true and accurate. If I have confirmed that I am connected to the public water main and/or the public sewer then I declare that I am a customer of Irish Water...

A person who returns a blank form should not receive a letter back from Irish Water saying he or she is now a customer, but that is what seems to be happening.

The propaganda being put about is that 900,000 people have completed the form. However, the Minister could not tell me, Deputy Coppinger or Deputy Paul Murphy, when we each put down a parliamentary question on 13 November, how many of those forms had been returned incomplete. He stated in his reply:

Irish Water has informed my Department that as of 12 November 2014, it had received in excess of 849,000 responses. My Department does not have a breakdown on a local authority basis, nor does it have any information on the number of application packs that have been returned incomplete.

For all we know, 800,000 of those forms might have been incomplete. The information that is being put out is inaccurate and the intention behind it is one of propaganda.

The scheme that is being introduced is completely different from what was originally proposed. Under the new legislation, Irish Water is no longer entitled to have householders' PPS numbers. We must have an assurance that the information it does have will be disposed of rather than retained. Given the changes to the scheme, surely all householders should be given a fresh application form, regardless of whether they filled out the original form to completion. If an applicant has not ticked the box declaring himself or herself a customer of Irish Water, one would have to question how these things are being handled. There is a lot of nonsense being spoken in the media in regard to that figure of 900,000. The Minister must give a clarification regarding the numbers and an assurance regarding PPS numbers.

Deputy Billy Timmins: On PPS numbers, people generally did not have a difficulty in the past giving that information to Government agencies. In fact, in 2012, the Joint Committee on the Environment, Culture and the Gaeltacht recommended that PPS numbers be used as a method of collating information for a body that would be set up in the future to deal with water services. What caused the difficulty in actuality was that the measure was brought in as an amendment to the Social Welfare and Pensions Act 2014.

An Ceann Comhairle: We are discussing Deputy Catherine Murphy's amendment, No. 27. The amendment provides that the Minister shall ensure that all information transmitted in accordance with the relevant subsection is done in a manner consistent with the Data Protection

Acts. We are not dealing with PPS numbers under this proposal.

Deputy Billy Timmins: Deputy Catherine Murphy spoke about PPS numbers in her contribution.

An Ceann Comhairle: She strayed a little bit, but I did not wish to interrupt her while she was moving the amendment. It is time, however, to get back to business. We are not talking about PPS numbers; we are talking about amendment No. 27, which makes provision as I have outlined.

Deputy Billy Timmins: The same issue arose in regard to the non-principal private residence tax and gave rise to a great deal of difficulty. It should be a policy of government, irrespective of which parties are in office, that if something is included in a Bill which goes beyond the original remit of that Bill, the Title will be amended to reflect the change. In the case of Irish Water, the manner in which the provision regarding PPS numbers was introduced has caused a great deal of unnecessary angst. That is as much the problem as the fact that it was introduced in the first place.

Deputy Alan Kelly: I cannot accept amendment No. 27. Any data transfer between Irish Water and the Minister for Social Protection must be carried out in accordance with the Data Protection Acts 1988 and 2003, and Irish Water is required to manage all personal data in accordance with that legislation. This means ensuring that data are used only for the purpose for which they were collected and that any data collected are stored securely. Irish Water is in regular contact with and works closely with the Office of the Data Protection Commissioner to ensure that the process for the capture, storage and usage of customer data is in compliance with the legislation.

More than 98% of the forms that have been returned to Irish Water were filled in as necessary. There are issues with only 2% of the forms submitted. That is the latest information from Irish Water.

Amendment put and declared lost.

Deputy Barry Cowen: I move amendment No. 28:

In page 8, between lines 4 and 5, to insert the following:

“(6) The scheme shall be subjected to annual review by the Joint Committee on the Environment, Culture and the Gaeltacht.”.

The amendment proposes that the relevant all-party Oireachtas committee with jurisdiction in this area be allowed to carry out an annual review of the scheme to ensure its operation is properly and adequately scrutinised and its success determined thereafter.

Deputy Alan Kelly: I do not propose to accept the amendment. With any grant scheme, it is open to the relevant Oireachtas committee to keep it under review. I expect the Joint Committee on the Environment, Culture and the Gaeltacht, under the chairmanship of Deputy Michael McCarthy and the participation of Deputy Cowen as a member, to do exactly that in respect of this particular scheme. I do not see the necessity for the amendment.

Amendment put and declared lost.

Question proposed: "That section 5 stand part of the Bill."

An Ceann Comhairle: I understand Deputy Stanley is opposing the section.

Deputy Brian Stanley: That is correct.

Deputy Stephen S. Donnelly: Amendment No. 26 in my name, which deals with people's ability to pay, was ruled out of order because it was deemed to be not relevant to the provisions of the Bill. Why an amendment-----

An Ceann Comhairle: We cannot debate an amendment that has been ruled out of order. The Deputy must understand that.

Deputy Stephen S. Donnelly: -----that deals with charging is not relevant to a Bill that also deals with charging is beyond me. However, the usual gymnastics seem to have been performed in respect of Standing Orders.

An Ceann Comhairle: The officials make such decisions impartially and strictly in accordance with the rules of the House. I can vouch for that.

Deputy Stephen S. Donnelly: I would love to know how an ability to pay clause-----

An Ceann Comhairle: I am sure that if the Deputy discusses the matter with them, they will be only too pleased to enlighten him.

Deputy Stephen S. Donnelly: -----is not relevant to the Bill. I would talk to them, but they would inform me that I should talk to the Ceann Comhairle and he would simply back them up, regardless of what they decide.

An Ceann Comhairle: Excuse me. I ask the Deputy to withdraw that remark. He is completely out of order.

Deputy Stephen S. Donnelly: That has been my experience so far.

An Ceann Comhairle: Of course I back the officials up when they give me proper advice. Why would I not do so?

Deputy Stephen S. Donnelly: Why not, indeed?

An Ceann Comhairle: Yes, indeed. Perhaps the Deputy might take advice on certain occasions when it is given to him.

Deputy Stephen S. Donnelly: My question relates to the water conservation grant. I am seeking to discover what will be the cost of the grant and the impact of the grant on the net revenue raised. The Minister stated that the revenue raised under section 3 will be approximately €271 million. Obviously, there will be a cost associated with section 5 and this will reduce the net benefit from €271 million. The figure circulating in respect of the net amount is €90 million. What is the Minister's estimate of the total revenue that will be raised under section 3, minus the cost associated with the grant and that relating to collection of the money?

Deputy Róisín Shortall: I have a serious difficulty with this section, which relates to what is termed the conservation grant. That term is a complete misnomer. The grant has nothing whatsoever to do with conservation. It is, in fact, a sop to try to soften the blow and obtain

some kind of political acceptance in respect of these charges. Not only is the grant misnamed, it is also a very regressive measure because it will benefit rich and poor equally and takes no account of people's ability to pay. The other aspect is that people will be obliged to pay up-front charges from April of next year. However, the so-called conservation grant will not come into play until the final quarter of 2015. As the Minister stated, people will only be able to begin to apply for the conservation grant from 1 September of next year. This means it will probably be the end of 2015 before any grants are paid. People will be obliged to pay an up-front cost of either €160 or €260 and it will be the best part of a year before they receive rebates.

When the work relating to the payment process commences at the end of next year, there will be an extraordinary spectacle whereby staff and financial resources within the Department of Social Protection will be directed towards sending out a grant amounting to €100 to every household in the country. This will be done irrespective of the circumstances of the members of those households. So those who are perceived to be millionaires, exceptionally well off, the generally rich or very well-to-do will all receive grants from the Department of Social Protection - of all Departments - for no reason other than to save the Government's political skin. That is the appalling vista with which we will be faced at the end of 2015. Many Government representatives have stated that the reason for dealing with Irish Water off the books is to ensure that the company will not be obliged to compete with other services for funding. Of course it is going to be obliged to compete with them, because at the end of next year the Government is going to have to find between €130 million and €140 million to pay these grants to every household in the country. This is lunacy on a grand scale.

The Minister was asked about the cost of administering the grant. We know that a waiting period of over three months currently obtains in respect of the processing of claims relating to the carer's respite grant. Will all of the waiting times relating to social welfare payments be extended when staff resources are transferred out of various sections in the Department of Social Protection to facilitate the payment of the €100 conservation grant to every household? It is just incredible that the Government is legislating to do this. What is being done makes no sense whatsoever. The Department of Social Protection will be obliged to compete with all other Departments because it - the Government may be forced to do this in its budgetary negotiations - is going to have to find €130 million to pay the grants to which I refer. From where else is that money going to come other than out of the budgets relating to education services, health services and all the other services that are already starved of funding? What the Minister is attempting to do is absolute madness.

Deputy Thomas P. Broughan: Instead of Alice in Wonderland it is Alan in Wonderland.

Deputy Paudie Coffey: Deputy Broughan should not be making personal comments.

Deputy Róisín Shortall: In the context of this calamitous matter, is the Minister going to outline where the staff who will be obliged to process claims will come from? The payout in respect of this grant is going to be bigger than that of any other social welfare scheme. I am not aware of any such scheme under which payments are made to every household in the country. This is going to be a huge bureaucratic undertaking. Where will these staff come from? Is the Government going to recruit additional staff and, if so, what will be the cost of this? If existing staff are going to be diverted, what will be the implications for people who are waiting for basic payments in order to survive? Will the Minister confirm that the total amount to be paid out is €130 million? Will he explain from where this money will come?

In the context of his earlier comments on the EU water directive, it is important that the Minister make a very clear statement at this juncture. I am concerned that he misled the Dáil in his earlier remarks and I want to give him the opportunity to clarify the position. He appears to be conflating a number of different issues, including the troika agreement and, for example, the water directive. These two matters are entirely separate. Will the Minister confirm that if he proceeds to introduce water charges on 1 January next, this will, *de facto*, end Ireland's exemption under Article 9.4 of the EU water directive? There is a facility under that article for any member state - if it can satisfy various conditions - not to seek to recover full costs in respect of water services. Ireland has managed to do this up to now. Will the Minister confirm that if he proceeds from 1 January to introduce water charges, we will, *de facto*, have ended that facility?

Deputy Richard Boyd Barrett: If this were not so serious, it would be comical. I do not know whether the Minister is a fan of Charlie Chaplin — I am a big fan. This is like something out of a Charlie Chaplin movie in that there are to be 400 people employed in the super-quango that is Irish Water who will all be busy sending out bills at significant expense to the taxpayer. They will be sending out 1 million bills-----

Deputy Catherine Murphy: Two million.

Deputy Richard Boyd Barrett: Two million bills costing us an absolute fortune. Somewhere else, in another State agency, again paid for by the taxpayer, there will be hundreds of people sending out cheques in order for people to pay those bills. It is absolutely laughable but extremely serious.

The only comment one can make is that anybody who ever says protests do not get people something should realise they certainly got something here; protests get one a €100 cheque. Maybe this is the lesson people should take: go out on another protest and get another €100 cheque. The problem is that there are many people who did not and who do not need to protest who are getting the €100 cheque when they should be having a little extra tax levied on them. Charlie Chaplin would be very proud of this measure.

I would like an answer on something that should be in a water conservation section or which should be addressed or clarified, that is, the point I raised earlier with the Minister on the general conditions for the customer agreement and the provision therein that states one must enter into a written agreement with Irish Water if there is any water coming off one's roof. Why must there be a written agreement with Irish Water? Could the Minister explain what that is about?

Deputy Brian Stanley: This section of the Bill is the most puzzling and amusing of the whole charade we are dealing with here. We have heard the terms "fairytale economics" and "fantasy economics".

Deputy Alan Kelly: I will not take an economics lecture from the Deputy.

Deputy Brian Stanley: How the Minister can stand over this with a straight face and hold this up as anything but a con is beyond me. The Government introduced a good measure in the budget last year, the tax rebate for home improvements. It achieved two objectives in that it provided employment and allowed people to improve their homes. I give the Government credit for that but it is now introducing a measure that is supposed to be for conservation although there is absolutely no requirement to conserve. It is lunacy. A millionaire living in a mansion up a long driveway who does not have to conserve any water because he is not even connected to the public supply will get the cheque from the Department of Social Protection.

I refer to all those big Fine Gael voters up the long driveways. I know they are not all up long driveways but many of them are. Deputy Creed knows that.

(Interruptions).

Deputy Brian Stanley: The Deputy knows a few of them also. They will get the cheque of €100 but Deputy Kelly, the senior Minister in the Department, will stand over it. The staff in the Department of Social Protection will be tied up. The whole system is gridlocked. I am sure the Minister's offices are dealing with the Department of Social Protection every day of the week. We are now to ask that Department to deal with the applications. If everyone applies, there will be 1.8 million applications. What we should have if we are to have grants is to have proper conservation. We should upgrade the building regulations and promote water harvesting. What is happening is insanity. It is fantasy and fairytale economics. How Fine Gael and the Labour Party can come in here with straight faces and stand over this is beyond me.

Deputy Catherine Murphy: Several serious points have been raised and I would like to pick on the one made by Deputy Shortall. We all know there are certain Departments whose work results in a lot of activity in our constituency offices. The Department of Social Protection will be such a Department for all of us. It is outrageous that people who are struggling for a long time to get a decision on an invalidity pension or carer's allowance could have their decision delayed further by virtue of a measure like this. Will the embargo be lifted to recruit extra staff for the Department of Social Protection? Has the cost of the extra staff been worked out and will it be included in the amount counted in terms of EU spending rules? If not, why not?

With regard to the conservation element, Deputy Barry Cowen has already made my point. He questioned the notion of calling the grant a conservation grant when there is no relationship between it and conservation whatsoever. Many of us believe we need to conserve water and we are well aware of how difficult it is. Dublin and north Kildare, for example, are in a similar position in that they both receive their water from Poulaphouca, in the main, and the treatment plant in Leixlip. The Minister has lost the argument on saving water through conservation. If we could save some water in this regard, it would prevent us from having to spend extra money. However, the money will be handed back to people like me if I make an application. That is totally wrong.

Deputy Joe Higgins: We really are into Orwellian-speak territory. Giving something a name — in this case, “conservation grant” — and declaring it to be such although one knows it is something else altogether is exactly what we are talking about here.

Deputy Brian Stanley: A bribe.

Deputy Joe Higgins: In April, Irish Water, at the behest of the Minister, will be sending 1.5 million bills out to people looking for €40 or €65. In July and October, there will be similar exercises. In October, as Deputy Boyd Barrett said, there will be a small army of civil servants sending €100 in the opposite direction. When the books are prepared at the end of the year, it will be found that a considerable number of the cohort to whom €100 was sent will actually be boycotting the water charges. Then the Department will have to send out another letter demanding the €100 back. We are in Alice in Wonderland territory here. We are in Fine Gael and Labour in Blunderland territory. The more this goes on, the more incredible the saga becomes. I hope that, in April and May, when a huge cohort will exercise their right not to pay any water tax because they pay already, the Government will finally realise the game is up. Otherwise, it

will be further into fantasyland.

Deputy Alan Kelly: Under section 5, eligible householders are to be provided with an annual water conservation grant, as we all know. It is to assist with water conservation, despite the Deputies' commentary.

8 o'clock

The Government has decided the annual grant should be €100 per household. The estimated cost of this grant is €130 million.

The section provides that to be eligible for the grant in 2015, a household shall have provided the information on the water supply to their dwelling to Irish Water and any necessary information required by the Minister for Social Protection. The section also provides for the Minister for the Environment, Community and Local Government to prescribe a date by which households should register with Irish Water, details of the water supply and wastewater treatment. The section also provides that a person resident in a nursing home or other residential care facility would be eligible to claim the grant in respect of his or her own house provided the house is not rented to another person.

The response to this grant, particularly in rural areas where people have paid for water for decades - many Members in this House represent those people - is quite good.

Deputy Róisín Shortall: It is money for old rope.

Deputy Alan Kelly: People who have paid for water for decades-----

Deputy Róisín Shortall: For no reason.

Acting Chairman (Deputy Jerry Buttimer): The Minister without interruption.

Deputy Alan Kelly: -----have spent thousands.

Deputy Róisín Shortall: We all are paying for it.

Deputy Alan Kelly: They have to service their wells, treatment systems and group schemes as well. Some Members might not be familiar with those but I certainly am.

Deputy Thomas P. Broughan: They are not paying our property tax.

Acting Chairman (Deputy Jerry Buttimer): The Minister without interruption.

Deputy Alan Kelly: They have spent thousands. Great credit is due to all of those who were involved in group schemes and have worked so diligently down through the years, and it should be recorded.

There were a number of questions related to the Department of Social Protection, DSP. This will be actioned by the DSP. The Department of Social Protection is quite happy to handle these queries.

It is worth pointing out that the Department of Social Protection has made significant savings by the actions that it has taken as regards the volume of those unemployed who are going back to work. We have the lowest unemployment rate in many years. As a result of those savings-----

Deputy Richard Boyd Barrett: Give them something to do.

Deputy Alan Kelly: -----the Department of Social Protection is in a position to respond and deliver this. They are quite happy to deliver this on behalf of the Department.

The real answer to Deputy Boyd Barrett's question, which I answered previously but the Deputy was out of the House, is that, because it goes into the drain and is not treated as sewerage, it is merely good practice. There is not a big issue in that regard.

Deputy Stephen S. Donnelly: The question I asked is straightforward and is very important for the House. Let me repeat it. What is the net financial position of the money raised in section 3 through domestic charges less the cost of raising that money less the cost of the grant in section 5? Does the Minister know the answer? If so, can he please tell us?

Deputy Róisín Shortall: Could I ask one more question?

Acting Chairman (Deputy Jerry Buttimer): Yes, briefly.

Deputy Róisín Shortall: There is another question I would like the Minister to answer in that regard. He stated that 50% of people can beat the cap that has been set. If 50% of people beat the cap, what are the implications of that for the funding of Irish Water?

Deputy Richard Boyd Barrett: That was not an answer to the question.

Acting Chairman (Deputy Jerry Buttimer): Deputy Boyd Barrett will be aware-----

Deputy Richard Boyd Barrett: On water conservation, I am merely making the point that I am baffled by the Minister's answer on the condition in the agreement. Is he stating it is because it is good practice to demand a written-----

Deputy Alan Kelly: It is only for new connections.

Deputy Richard Boyd Barrett: That is not what the agreement states. It states that if one has water running off one's roof, one must get written agreement from Irish Water for that water to go back into the system. The Minister has not given me any explanation as to why they do it which leads me to believe it is what I fear. It is providing the legal basis for them to charge for someone harvesting rainwater off one's roof. That is what it is there for.

Deputy Alan Kelly: It is quite clear that what they are talking about here is drainage policy rather than waste policy. It is to create sustainable drainage policies rather than have it all treated directly as wastewater. However, I will have a look at the section - I do not have it to hand.

I have answered on numerous occasions this question on the figures to which Deputy Donnelly refers. The figures have been outlined in detail on CER's website. Specifically, if Deputy Donnelly wants me to break down those figures here in writing, I ask him to provide me with the questions and I will do so.

Deputy Stephen S. Donnelly: I will submit the parliamentary questions. However, we are at Committee Stage of legislation that the Minister is tabling and it is reasonable for me to ask whether he currently knows. My assumption is the Minister does not know. I appreciate he will go and find the answer.

My concern is that the Minister is proposing legislation, which will tax people and which

will send €100 cheques all over the country, and he does not know, at Committee Stage of the Bill, the net financial impact of that. If he cannot give us figures, can he confirm to the House that he does not know the net financial effect of charging people, the cost of charging them, including the caveat from Deputy Shortall, and the cost of sending them all €100 cheques? It is relevant for us to know whether the Government has even worked out the net financial effect of charging people and sending €100 cheques around the country. I would like to know whether or not the Minister knows and if he even can answer the question on Committee Stage of the Bill.

Deputy Alan Kelly: Based on the calculations we have here now, it is approximately €529 million.

Deputy Stephen S. Donnelly: What is?

Deputy Alan Kelly: The cost. Deputy Donnelly asked specifically what is the cost to Government.

Deputy Stephen S. Donnelly: I did not.

Deputy Alan Kelly: What is the question?

Deputy Stephen S. Donnelly: The question is as follows. Section 3 will raise money from domestic charges and there is a cost associated with raising that money. There is a cost associated with section 5, which sends €100 cheques around the country.

The context is this. I am checking whether the cost of raising the revenue is more than the revenue that will come in. I believe it will cost the State to charge people for water. What is the net income to the State of raising revenue through domestic charges less the cost of raising that revenue which is the annual cost of the metering, billing and customer service, less the annual cost-----

Deputy Brian Walsh: Deputy Donnelly is asking a very specific question.

Deputy Stephen S. Donnelly: Yes, I am.

Deputy Brian Walsh: The Minister has already told Deputy Donnelly he will revert to him-----

Acting Chairman (Deputy Jerry Buttimer): I remind Deputy Walsh we will have one speaker.

Deputy Stephen S. Donnelly: The Minister asked me to repeat the question.

Deputy Brian Walsh: The Minister already told Deputy Donnelly-----

Deputy Stephen S. Donnelly: Deputy Walsh's colleague, the Minister-----

Deputy Brian Walsh: -----that he will revert to him-----

Deputy Stephen S. Donnelly: No. The Minister has not told me; he asked me to repeat the question.

Acting Chairman (Deputy Jerry Buttimer): I remind Deputy Walsh we will have one speaker.

(Interruptions).

Deputy Stephen S. Donnelly: The Minister asked me to repeat the question.

Deputy Brian Walsh: For God's sake. I ask Deputy Donnelly to be reasonable.

Acting Chairman (Deputy Jerry Buttimer): I remind Deputy Walsh we will have one speaker.

Deputy Stephen S. Donnelly: I am.

Deputy Brian Walsh: They could not get it right last night.

Acting Chairman (Deputy Jerry Buttimer): Deputy Walsh can speak, if he wishes, to the section. Deputy Donnelly without interruption. I ask him to pose the question because he has contributed already a number of times.

Deputy Stephen S. Donnelly: The Minister asked me to repeat the calculation I am looking for. It is the net position to the State-----

Deputy Brian Walsh: The Minister has answered the question.

Deputy Stephen S. Donnelly: -----which is the value of the money raised minus the cost of raising that money minus the cost of the grant.

Deputy Alan Kelly: In fairness, I have not got all those calculations; I will get them for Deputy Donnelly. I can give the Deputy this assurance, that, in relation to the costs he outlined versus the revenue which has been outlined on numerous occasions, for instance, €271 million in domestic charges, the revenue is more. Over time that will obviously be the case, considering that the costs will decrease and the revenue will be what it is.

Deputy Róisín Shortall: If the Minister expects people to support this important legislation, the least we are entitled to know is whether this model stacks up or not. The question is reasonable. Will it cost the State to charge people for water? It is a basic question and we have a right to know the answer before a decision is taken on this legislation.

The Minister has already talked about the revenue being €271 million and he also gave a figure of €130 million for the cost of the grant. That leaves €141 million. As I asked earlier, what is the estimated cost of bringing in those charges from the public, writing to every household and processing the charges four times a year, and what is the cost of writing the cheques for €100? Will the Minister indicate the administrative costs for both Irish Water and the Department of Social Protection?

Deputy Alan Kelly: The revised allowed revenue approved by the Commission for Energy Regulation on 30 September 2014 was €958 million. The adjustment to reflect the change in commercial rates is €59 million, which gives a final revised revenue of €899 million. This is made up of an operation subvention of €399 million, domestic billed income of €271 million, non-domestic billed income of €299 million and customer billing of approximately €500,000. The total figure covers both Irish Water and the Department.

Deputy Jonathan O'Brien: What is the cost? That is what we are asking.

Acting Chairman (Deputy Jerry Buttimer): I ask Members not to interrupt. Deputy

Donnelly has indicated and I ask him to be brief and avoid repetition.

Deputy Stephen S. Donnelly: It is clear at this stage that the Government does not know the net financial impact for the Exchequer of charging people for water and sending €100 cheques throughout the country. I am not trying to score political points here. This is a very important element of what the Government is proposing. On the basis that the Minister cannot tell the House the net financial impact of what he is proposing, I suggest that we adjourn Committee Stage to allow him time to work it out before returning to the House at a later date. We need those figures if we are to vote responsibly on his proposals.

Deputy Alan Kelly: I have outlined how Irish Water is funded. If one deducts €130 million, one can derive the net figure. It is a question of subtracting €130 million from €899 million.

Acting Chairman (Deputy Jerry Buttimer): Before calling Deputy Shortall, I ask Members to try to avoid duplication and repetition.

Deputy Róisín Shortall: There is no duplication. We have posed very specific questions to which the Minister has given us partial answers. While we appreciate the information he has provided, some of our questions remain to be addressed. What is the administrative cost to Irish Water-----

Acting Chairman (Deputy Jerry Buttimer): To be fair to the Minister, he has outlined the information to the House.

Deputy Róisín Shortall: No, he has not. The Acting Chairman should be fair to us.

Acting Chairman (Deputy Jerry Buttimer): I am being fair. The Minister outlined the information in his reply.

Deputy Róisín Shortall: If the Acting Chairman listened to the reply, he would know the Minister has not given us all the information we sought. First, what is the estimated cost to Irish Water of administering the charges, that is, sending out bills four times a year, chasing payments and so on? Second, what is the estimated cost of sending out cheques to every household in the country under the so-called conservation grant scheme? Third, what is the cost of the maintenance of meters? We will have a fuller picture if the Minister answers those three questions.

Deputy Stephen S. Donnelly: I appreciate that the Minister is trying to answer the questions and we are making progress here. The estimated amount that will be raised is €271 million. I presume that includes the 50% who beat the meter. The cost of payments under the €100 grant arrangement is some €130 million, which leaves a net position of €141 million.

Deputy Shortall and I are asking the same question. I have asked people who work with utility companies abroad what the annual cost is per household of metering, billing and customer service. The answer I was given - I cannot stand over it personally, but it is what people who work in utilities have estimated - is that the low end of the cost per household is approximately €60. If that is accurate then, based on a figure of 2 million households, the cost of administration of billing, not including the cost of administration of the grant, would be approximately €120 million. This would leave a net position for the State of €20 million. That is the figure I am asking the Minister to clarify. We know the estimate for the total amount to be raised. We now know the estimated cost - I thank the Minister for that information - of section 5 in terms of the cheques that will be issued. We are down then to €140 million. However, there is po-

tentially some €120 million still to be taken off. Does the Minister have any figures on the cost per household?

Deputy Brian Stanley: The Minister indicated that the estimated cost of the grant scheme will be €130 million. However, if there is to be a payment of €100 per household, is the Minister basing his calculation on the assumption that 1.3 million households will claim it? People in rural areas can apply. Persons who do not have a connection to the public water supply can avail of this grant. My understanding is that there are closer to 1.9 million households in the State. If there are 1.9 million households in the State, the Minister is talking about €190 million. I ask the Minister to address that point. The number of households in the State is not 1.3 million; it is closer to 1.9 million which brings this figure of €100 per household to €190 million. Is the Minister saying that 600,000 are deviant and only 1.3 million will be deserving of the grant? Is the Minister assessing that there are only 1.3 million households in total which can avail of it?

Deputy Alan Kelly: The answer is quite simple: the figure of 1.3 million is based on the primary households which is €130 million.

Deputy Brian Stanley: That is wrong. On a point of information, the Minister is wrong. The CSO figures show more than 1.3 million primary households.

Acting Chairman (Deputy Jerry Buttimer): Deputy Stanley, I will allow you later.

Deputy Alan Kelly: How is it wrong? The figure is €130 million-----

Deputy Brian Stanley: There are more than 1.3 million primary principal residences.

Deputy Barry Cowen: Perhaps that is a net figure.

Deputy Joe Higgins: Does that mean the tenants will not get it back?

Acting Chairman (Deputy Jerry Buttimer): The Minister is in possession.

Deputy Alan Kelly: It is based on principal primary residences. I have outlined the figures and I have read them into the record of the House on how they add up. The allowed revenue approved by the CER was €958 million, less the €59 million for commercial rates. The revised revenue is €899 million, which is made up of the €399 million from the revised Government operational subvention. Domestic bill income was €271 million and the non-domestic bill income was €229 million, making €500 million in total. I have also outlined that €130 million is allowed for the conservation grant.

As I understand, the Deputy is looking for the costs for billing and the costs for managing the meters. While I do not have them to hand, I will certainly endeavour to get them for the Deputy directly.

Acting Chairman (Deputy Jerry Buttimer): Deputy Stanley is not next. I call Deputy O'Brien.

Deputy Jonathan O'Brien: I ask the Minister to clarify those figures. How is it 1.3 million as opposed to 1.9 million? Where do the figures come from?

Deputy Stephen S. Donnelly: I appreciate the Minister's responses and this will be my final contribution. The figure of €271 million has a cost of €130 million, although that has

been questioned. Maybe it is €130 million or maybe it is €190 million. The Minister does not have a figure for the cost of billing. The figure I have that is used abroad is that the low end in Ireland would come in at about €120 million. Can I suggest that on the basis that we do not actually know whether charging people for domestic water is going to end up costing us money, we should suspend Committee Stage and ask for clarification so that when the House is asked to vote on charging people for domestic water, we know whether that is a net benefit or a net cost to the Exchequer?

Deputy Billy Timmins: I do not think that people are trying to entrap the Minister and I am certainly not doing so. I appreciate it has been a long day for him.

Deputy Brian Stanley: Read the legislation, Deputy Timmins.

Deputy Billy Timmins: I ask for clarification because it is an important issue. The Minister mentioned the figure of 1.3 million primary residences. Does that mean that if someone has a rental property and it is let to tenants, the tenants will be paying water charges but they will not be able to receive the grant? Is that what we are talking about?

Deputy Joe Higgins: I see the Minister for Public Expenditure and Reform has come to assist so all will probably be well now.

Deputy Brendan Howlin: I came to hear you, Joe. Ten years on the administrative council of the Labour Party.

Deputy Joe Higgins: Ten years on the administrative council of the Labour Party made me greyer than the Minister, believe me.

Acting Chairman (Deputy Jerry Buttimer): It would be a help if the Deputy would speak to section 5.

Deputy Joe Higgins: Irish Water sent out 2.8 million packs. That is 2.8 million homes. If each one was entitled to €100, in round figures that would be €200 million.

Deputy Brian Walsh: Only if they are registered.

Acting Chairman (Deputy Jerry Buttimer): Thank you, Deputy Walsh.

Deputy Brian Walsh: The Deputy is telling people not-----

Acting Chairman (Deputy Jerry Buttimer): Deputy Walsh, Deputy Higgins is in possession.

Deputy Brian Walsh: -----to quantify-----

Acting Chairman (Deputy Jerry Buttimer): One speaker at a time, please.

Deputy Richard Boyd Barrett: Is Deputy Walsh expecting a mass boycott?

(Interruptions).

Acting Chairman (Deputy Jerry Buttimer): Deputy Walsh, with respect, Deputy Higgins is in possession.

Deputy Joe Higgins: I thought it was customary for new appointments to the Cabinet to be

announced in the Dáil before they appear here from the backbenches.

Acting Chairman (Deputy Jerry Buttimer): That is not relevant to the section. On section 5 only, please.

Deputy Joe Higgins: Let us clarify these figures. That would be €200 million.

Deputy Alan Kelly: No.

Deputy Joe Higgins: How many second homes - non-principal private residences - are excluded from this? The number of second homes does not come to 700,000, which is what the Minister would need to bring the figure down to 1.3 million. I ask the Minister to clarify. Will tenants - local authority tenants and tenants of private landlords - get the €100 conservation grant as well?

Deputy Thomas P. Broughan: I think the House is completely confused. In over 20 years in the House I cannot remember a time when the ministerial team was not able to present basic figures on Committee Stage that actually added up. I note the sweeper of the team has come to the House to do a bit of sweeping in defence-----

Acting Chairman (Deputy Jerry Buttimer): On section 5, please.

Deputy Thomas P. Broughan: -----but with these incredible figures, it still looks to me, as I said earlier, like Alan in Wonderland.

Acting Chairman (Deputy Jerry Buttimer): Please, Deputy Broughan, you are a long-standing Member of the House.

Deputy Thomas P. Broughan: It is Alice in Wonderland.

Deputy Paudie Coffey: Deputy Broughan is the dame.

Deputy Thomas P. Broughan: The figures do not add up. Deputy Donnelly and Deputy Shortall have made a consistent case tonight. It looks as though it will cost the State money to collect the water charge. I ask the Minister, Deputy Howlin, to tell me the difference between the cost of delivering 1,000 cubic litres of water through the 31 local authorities and the equivalent cost to Irish Water. The Minister, Deputy Kelly, did not provide us with that kind of information when dealing with the other water Bill. The central point is that there is a lacuna. There is a fundamental information deficit which I have never seen before in a piece of legislation. I agree with Deputies who said we should suspend this session until the Minister comes back to us with figures that stack up.

Deputy Barry Cowen: I have a quick question to add to the many others. Is it the case that someone with ten houses does not get €1,000? Is that correct?

Deputy Brendan Howlin: One payment.

Deputy Barry Cowen: Is it the case that a tenant renting a property is not entitled to a conservation grant, or will that be dealt with in the new extra legislation in the new year because of the discrepancies that exist?

Acting Chairman (Deputy Jerry Buttimer): Deputy Mathews on section 5.

Deputy Peter Mathews: I know that. I said earlier that the Minister should stop where he is and reassess, remeasure. That is what everybody does. Carpenters and plumbers do it and so do accountants. The Minister does not know what he is doing. It is a black hole. It is irresponsible to continue if he does not know where he is going.

Deputy Richard Boyd Barrett: Did the Minister say that tenants will or will not get the grant?

A Deputy: Fergus, come back, all is forgiven.

Deputy Alan Kelly: There are 1.3 million principal primary residences. People living in their homes will get this grant should they sign up. If they own other properties they will not get it for other properties.

Acting Chairman (Deputy Jerry Buttimer): Please allow the Minister to speak, and Deputies might get the answer they are seeking without interruption.

Deputy Alan Kelly: A tenant who is renting what is his or her primary residence will get the grant too. However, a person who has multiple properties will only get the grant based on the primary residence. Tenants will get the grant. The figure is 1.3 million.

Deputy Joe Higgins: Where did the figure of 700,000 houses go to?

(Interruptions).

Acting Chairman (Deputy Jerry Buttimer): Deputy Higgins, suigh síos, le do thoil. Tá an tAire ag caint.

Deputy Joe Higgins: Seacht gceád míle tig.

Acting Chairman (Deputy Jerry Buttimer): Tá fhios agam. The Minister is in possession. I will allow you to speak again if you wish.

Deputy Alan Kelly: It is our estimation that the figure is 1.3 million principal or primary residences, and they will be eligible for this €100. If a person owns the house in which he or she lives, he or she will get the grant. If the person has another nine or ten or 20 or 40 premises, however, they will not get it for those. However, a tenant in a property will get a conservation grant once he or she registers the property as a primary residence.

Deputy Barry Cowen: Is the tenant legally responsible?

Acting Chairman (Deputy Jerry Buttimer): I have a list of speakers, Deputy Higgins.

Deputy Joe Higgins: We are nearly there.

Acting Chairman (Deputy Jerry Buttimer): Tóg go bog é. Fan nóimeád, le do thoil. Deputy Shortall is next. I have a list of speakers and you are on the list. I will not forget you, I promise. I could not forget you.

Deputy Róisín Shortall: This is pretty fundamental stuff. We have a right to know whether all of this adds up or not.

Deputy Brendan Howlin: It does.

Deputy Róisín Shortall: We need the Ann and Barry guide now, if the Minister can produce it.

Let us round the figure down and say there are 2 million homes - housing units - in the country. The Minister is saying there are 1.3 million primary residences. That suggests, then, that at least 700,000 homes are not accounted for. The Minister has already contradicted himself when he said the tenants in those housing units would be getting the grant. Leaving aside primary residences, how many households will be getting the so-called conservation grant by virtue of the fact that those involved are living as tenants in a housing unit? There is a gap of 0.7 million here and the Minister needs to account for it.

Deputy Jonathan O'Brien: I do not wish to confuse the House by asking the same question.

Deputy Brian Stanley: The number of households calculated by the Minister means there is a gap of 0.7 million, and many of those houses are rented. The tenants of those houses are the primary residents as defined by the Minister in the Bill.

Deputy Michael Fitzmaurice: No matter how it is dressed up, there are 1.3 million primary residences, but on top of that, from the figures, there are something like 530,000 or 540,000 more which are rented. They are entitled to the grant as well. I think there are something like 1.85 million to 1.9 million homes under discussion, and there are something like 40,000 or 50,000 houses around the country which are second homes or holiday homes. It will still cost €1.85 million to €1.9 million.

Deputy Joe Higgins: It is very simple to clarify it. At the moment we are searching for 700,000 houses.

Deputy Brendan Howlin: That is only in your mind.

Deputy Joe Higgins: We have accounted for 1.3 million-----

Acting Chairman (Deputy Jerry Buttimer): Please avoid repetition if you can, Deputy. We have been around the houses already.

Deputy Joe Higgins: I will address the Minister for Public Expenditure and Reform. At a briefing, Irish Water, in the form of the chief executive, told us they had sent out 2.8 million packs, presumably to 2.8 million homes. They were not sending them to tents pitched on the Blasket Islands.

Deputy Brendan Howlin: Are you sure?

Deputy Joe Higgins: There were sending them, presumably, to fixed structures.

Deputy Noel Grealish: Maybe mobile homes.

Deputy Barry Cowen: Or churches and schools.

Acting Chairman (Deputy Jerry Buttimer): Thank you, we are on section 5. We are not in The Abbey.

Deputy Brendan Howlin: He is camping on the Blasket Islands now.

Acting Chairman (Deputy Jerry Buttimer): We are not in The Abbey, Deputy Higgins.

Deputy Joe Higgins: We are told 1.3 million are principal private residences. At €100 each, that makes up-----

Deputy Brian Walsh: You are confusing the 1.3 million with Deputy Murphy's European Parliament salary.

Acting Chairman (Deputy Jerry Buttimer): Thank you, Deputy Walsh.

Deputy Joe Higgins: The unofficial member of the Cabinet is coming in again. He is confusing things. Please let us-----

Acting Chairman (Deputy Jerry Buttimer): Could we speak through the Chair? I ask Deputy Walsh to refrain from interjecting, if he would not mind.

Deputy Joe Higgins: Let us be serious.

Acting Chairman (Deputy Jerry Buttimer): Deputy Higgins on section 5.

Deputy Joe Higgins: We have accounted for 1.3 million principal residences, which is the €130 million the Minister has stated tonight.

Deputy Peter Mathews: Bingo.

Deputy Joe Higgins: That is clear. Will the Minister give us a breakdown of the missing 700,000 homes? Some of them are holiday homes that are not rented out so they are not entitled to €100, but there must be hundreds of thousands of houses in the 700,000 which are rented, which means the tenants are entitled to €100. Therefore, for every 100,000 houses it is an extra €10 million. How many of the 100,000 tenants will receive the €100 grant and what will it amount to on top of the €130 million about which the Minister has told us? Is that clear?

Deputy Peter Mathews: Yes, thank you professor.

Acting Chairman (Deputy Jerry Buttimer): Thank you, Deputy Mathews.

Deputy Richard Boyd Barrett: I would like to shed a bit of light on this for the Minister, which may be helpful.

Deputy Brendan Howlin: Thank you.

Deputy Barry Cowen: Did you find any houses?

Deputy Richard Boyd Barrett: According to the census, 475,000 people are renting.

Deputy Billy Timmins: Houses or people?

Deputy Richard Boyd Barrett: If the Minister is saying the cost of the grant to those living in their own home is €130 million and there are 475,000-----

Deputy Brendan Howlin: We did not say that.

Deputy Richard Boyd Barrett: Is that not what you are saying?

Deputy Róisín Shortall: Yes, you did say that.

Deputy Richard Boyd Barrett: The story is changing now. We were told it was-----

Deputy Róisín Shortall: Yes, €130 million and 1.3 million-----

Deputy Richard Boyd Barrett: -----€130 million based on 1.3 million-----

Acting Chairman (Deputy Jerry Buttimer): Deputy Shortall spoke already.

Deputy Brendan Howlin: She is giving him a tutorial.

Deputy Richard Boyd Barrett: -----in principal private residences. That is what the Minister said and those two figures tally; €100 for those 1.3 million principal private residences. In addition, there are 475,000 people renting.

Deputy Alan Kelly: No, they have a principal private residence where they are renting.

Deputy Brendan Howlin: Where they are renting is their principal private residence.

Acting Chairman (Deputy Jerry Buttimer): The Minister can come back in.

Deputy Richard Boyd Barrett: I am afraid the Minister referred to people living in their own homes.

Deputy Brendan Howlin: They are their own homes; they are renting them.

Acting Chairman (Deputy Jerry Buttimer): Has Deputy Boyd Barrett finished?

Deputy Richard Boyd Barrett: There is a major gap in the Minister's figures.

Deputy Brendan Howlin: No, I think you have just misunderstood.

Deputy Róisín Shortall: Account for the 700,000.

Deputy Richard Boyd Barrett: No, there is a major gap. How do you explain the gap of 700,000?

Deputy Brendan Howlin: There is no gap. I am afraid the argument has just fallen.

Deputy Richard Boyd Barrett: It would make sense that approximately 475,000 people are renting and others are multiple properties or second homes which are not empty, and this would bring the figures up to approximately 2 million.

Deputy Brendan Howlin: There are not 2 million.

Deputy Richard Boyd Barrett: Otherwise it looks as if we are staring at an extra liability of €47 million.

Acting Chairman (Deputy Jerry Buttimer): I ask people to respect the fact that we are in the Chamber. There are side-bars and conversations taking place, which are unfair to the speaker. It would be in the interests of all of us if we had a small bit of decorum.

Deputy Barry Cowen: The Minister for Public Expenditure and Reform is here.

Acting Chairman (Deputy Jerry Buttimer): We are on section 5 and the Minister, Deputy Howlin, has nothing to do with section 5.

Deputy Barry Cowen: He might assist in establishing whether the houses are missing. Can we find out how much is being provided by the Government towards the payment of a conservation grant?

Deputy Noel Grealish: A simple question.

Deputy Brendan Howlin: It is published in the Estimates.

Deputy Barry Cowen: Has it provided €1.9 million, €1.3 million or €2.8 million? What is it? Perhaps if we divide the houses and we will have some indication as to where we are going.

Deputy Brendan Howlin: It is published in the Estimates. Read them.

Deputy Barry Cowen: The Minister can tell us again. There are 700,000 houses missing.

Deputy Brendan Howlin: That is your invention.

Deputy Seamus Healy: It is now clear that we do not know, and Minister is not able to tell us, whether there will be a net income as a result of these water charges or whether there will be a deficit to the State as a result. The Minister cannot tell us how many houses are in the country-----

Deputy Alan Kelly: That is not true.

Deputy Paudie Coffey: We have told you ten times.

Deputy Seamus Healy: -----or how many households will receive the €100 grant. At this stage it is clear there could be anything up to an additional €70 million of costs associated with this grant. These are two fundamental issues with regard to this legislation. I propose we suspend Committee Stage until the Minister returns with the figures.

Deputies: Hear, hear.

Deputy Stephen S. Donnelly: The figure people are looking for is 1.66 million. This is the number of households, and includes people living in homes they own and people renting. The figure for 2011 from the CSO is 1.66 million, so the cost at €100 per household will be €166 million.

Deputy Brendan Howlin: That would be if everybody were entitled to it. They will not all be entitled to it.

Deputy Stephen S. Donnelly: Here is where the figures now stand. The total amount the Minister told the House would be raised is €271 million. This minus €166 million for the grant leaves €105 million.

Deputy Brendan Howlin: It is not €166 million for the grant. You are just making it up.

Deputy Richard Boyd Barrett: Stop interrupting.

Deputy Stephen S. Donnelly: I am not making it up.

Acting Chairman (Deputy Jerry Buttimer): Deputy Boyd Barrett please. I will chair proceedings.

Deputy Richard Boyd Barrett: I just wanted to help you.

Acting Chairman (Deputy Jerry Buttimer): I appreciate that. Thank you.

Deputy Stephen S. Donnelly: My numbers may be wrong but I am certainly not making it up. The figures we have from the Minister are that every household will receive €100 and that there are 1.66 million households which leads to €166 million.

Deputy Brendan Howlin: I have a flat in Dublin and a house in Wexford and I am not entitled to two.

Deputy Barry Cowen: Is your tenant?

Deputy Brendan Howlin: I do not have a tenant.

Acting Chairman (Deputy Jerry Buttimer): Thank you.

Deputy Stephen S. Donnelly: To be clear, there are 1.66 million unique households.

Deputy Brendan Howlin: Yes, and I have two of them.

Acting Chairman (Deputy Jerry Buttimer): Thank you.

Deputy Stephen S. Donnelly: No, households, families living in households.

Deputy Peter Mathews: Not buildings.

Deputy Jonathan O'Brien: Occupiers, according to the CSO.

Deputy Stephen S. Donnelly: The total amount of money raised is €271 million and this minus €100 per household, be they renting or owner occupiers, is €166 million. This leaves a net amount of €105 million. The estimate I was given is that the cost of collecting the €271 million, between metering and billing, is €120 million, so before we factor in the costs of administering the conservation grant we are at a net cost to the State of charging people for water of €15 million a year. I may be wrong; I am just going on the best figures I can get and I accept I may be wrong. On the basis that clearly there are an awful lot of very important questions to be answered, in particular the net position of the State for charging people for water, should we suspend the session and come back next week and have an informed debate and the Minister can send around the numbers?

Deputies: Hear, hear.

Deputy Billy Timmins: This is a very simple issue and there should be a simple answer to it. If every eligible household in the country registered for Irish Water, how many households would register? If I am a tenant in a pre-1963 house on the North Circular Road in which there are nine units with nine different tenants on which property tax has been paid, would I be entitled to the conservation grant and would the other eight people in the block be entitled to the conservation grant? Are they part of the 1.3 million or the 1.66 million? Perhaps we are at cross purposes but it should be easily clarified.

Acting Chairman (Deputy Jerry Buttimer): Deputy Higgins has spoken already so I will bring him in after the Minister replies.

Deputy Joe Higgins: I can clarify the issue now and he can deal with it. I am confident he

can. According to the 2011 census, in this-----

Deputy Jonathan O'Brien: The Deputy should scroll down the page.

Deputy Brendan Howlin: The Deputy should scroll down the page.

Deputy Billy Timmins: The Deputy should not scroll down; he might lose it.

Acting Chairman (Deputy Jerry Buttimer): Thank you.

Deputy Joe Higgins: In 2011 there were 1,649,408 permanent private households. It has not altered that much since then. At €100 per household, that would be €164 million. I ask the Minister to clarify, please.

Deputy Alan Kelly: The 1.3 million is based on the principal primary residence. If there were eight people in eight different apartments in the one block who had all signed up as customers of Irish Water, they would get the €100. If somebody has their own house, they will get it for that, but if they have another holiday home in Kerry, they will not get it for that. So it is not for holiday homes.

Deputy Joe Higgins: Right, we know that.

(Interruptions).

Acting Chairman (Deputy Jerry Buttimer): Deputy Cowen spoke already.

Deputy Alan Kelly: It is not for businesses that have got the packs sent out or anything like that. It is for people who either have their own home - it is not for their holiday homes - or it is for people who are renting and are signed up to Irish Water as a customer.

Deputy Joe Higgins: That is 1.64 million.

Deputy Alan Kelly: The estimate based on that is 1.3 million, which at €100 comes to €130 million.

Deputy Joe Higgins: What happens-----

Acting Chairman (Deputy Jerry Buttimer): Sorry, Deputy. You were in already on a number of occasions. Let the Minister speak. I will bring you in again at the end.

Deputy Joe Higgins: We are going round in circles.

Acting Chairman (Deputy Jerry Buttimer): The Deputy is helping himself as well, in fairness.

Deputy Joe Higgins: There are 700,000 houses.

Acting Chairman (Deputy Jerry Buttimer): The Minister is in possession.

Deputy Joe Higgins: Is the Minister saying there are 700,000 holiday houses in the country?

Acting Chairman (Deputy Jerry Buttimer): Deputy Higgins-----

Deputy Joe Higgins: Is he saying that?

11 December 2014

Acting Chairman (Deputy Jerry Buttimer): I ask Deputy Higgins to resume his seat and let the Minister conclude. I will then bring him back in if he so desires.

Deputy Joe Higgins: I keep asking the same question.

Deputy Alan Kelly: No, I am not saying there are 2 million. I am saying there are 1.3 million as outlined there. I cannot be any clearer than that.

Deputy Joe Higgins: It is wrong.

Deputy Alan Kelly: It is not wrong

Deputy Joe Higgins: The census-----

Deputy Alan Kelly: It is not wrong.

Deputy Brendan Howlin: It is our best estimate.

Deputy Alan Kelly: It is the best estimate based on the analysis done by the Government.

Deputy Joe Higgins: Is the Minister better than the census of the population?

Acting Chairman (Deputy Jerry Buttimer): Deputy Higgins knows the rules of the House better than most and should not be interrupting.

Deputy Joe Higgins: This is absolutely ridiculous.

Deputy Alan Kelly: The Deputy is not taking into account a whole range of factors regarding holiday homes, other types of buildings, vacant houses and all of that.

(Interruptions).

Acting Chairman (Deputy Jerry Buttimer): We will have one speaker and it is the Minister.

Deputy Joe Higgins: That is nonsense. He is in a fog.

Deputy Alan Kelly: This is very clear. The 1.3 million is very clear.

Deputy Richard Boyd Barrett: It is very clear the Minister has got it wrong.

Acting Chairman (Deputy Jerry Buttimer): Thank you. The Minister is in possession.

Deputy Alan Kelly: At 1.3 million-----

(Interruptions).

Acting Chairman (Deputy Jerry Buttimer): Sorry, Minister. I ask the Deputy to resume his seat.

Deputy Alan Kelly: Irish Water has been set up to deliver better water services and new investment. I have outlined the figures already. This needs a new funding model and as I have outlined the revenue will drive this investment. The cost of collecting this revenue is less than the revenue collected.

Deputy Stephen S. Donnelly: I ask the Minister to repeat that.

Deputy Alan Kelly: The cost of collecting this revenue is less than the revenue collected. The figures the Deputy has outlined-----

Deputy Stephen S. Donnelly: What is that?

Deputy Alan Kelly: I have told the Deputy on numerous occasions I will get him those data. I have outlined all the costs.

Deputy Róisín Shortall: Let us adjourn now and-----

Acting Chairman (Deputy Jerry Buttimer): Sorry, Deputy Shortall-----

Deputy Alan Kelly: I have outlined all the costs regarding this on numerous occasions, making up to €899 million that will be spent. I have also outlined the €130 million in the conservation grant on numerous occasions. The CER looked at the costs. Customer operation costs are on its site. As I have said previously, I will get the Deputy those data.

The water conservation grant is a universal grant. I think I have outlined that 1.3 million is the estimate based on the data we have. It could never be anywhere near 2 million, given all the vacant houses and holiday homes, and given the fact that it was sent out to various other types of buildings and operations.

Acting Chairman (Deputy Jerry Buttimer): I call Deputy Shortall.

Deputy Róisín Shortall: Thank you.

Acting Chairman (Deputy Jerry Buttimer): Sorry, I call Deputy O'Brien.

Deputy Jonathan O'Brien: The Minister has said the best estimate is 1.3 million. We are working from the CSO figures, which were updated on 4 April 2013. Its website states there are 1.65 million residences. It even gives the number of people who live in those houses. So we need clarity on this figure.

Deputy Róisín Shortall: It is clear that the Minister has put considerable effort into doing the political maths on this, but he has utterly failed to do his economic homework. This is very basic information. We want the figures to know whether this stacks up. A number of us have contended today that it simply does not stack up. The onus is on the Minister to prove otherwise.

Deputy Alan Kelly: The only-----

Acting Chairman (Deputy Jerry Buttimer): Sorry, Minister-----

Deputy Róisín Shortall: Three key figures have been put out. Irish Water has sent notices to 2 million households. The CSO figures indicate there are 1.65 million households and the Minister is telling us 1.3 million households will be entitled to the grant. Given the Minister's figures and the CSO figures, it suggests there are 350,000 holiday homes or second homes like that of the Minister, Deputy Howlin. Can the Minister give us the figure for the holiday homes he has calculated?

Deputy Brendan Howlin: The Deputy could have one herself in my constituency.

Deputy Róisín Shortall: No. I do not, actually.

Can the Minister give us those figures? We are entitled to them. We are getting to the point of high farce in the House. Has any regulatory impact assessment been carried out in light of the Minister's political intervention a few weeks ago when he completely changed the map involved in this? Has a regulatory impact assessment been carried out? If it has, the Minister would surely have the figures. If it has not, we should abandon this shambles at this point. I strongly support other speakers who have said that we cannot possibly consider this legislation adequately in the absence of those key figures. A proposal has been made that we adjourn for 30 minutes so that the Minister can go off and get a full briefing from his officials. That would be the sensible thing to do. People looking in at tonight's debate must be horrified at the level of incompetence being displayed by the Government. It is bringing the entire House into disrepute.

Deputy Stephen S. Donnelly: I thank the Minister for his answer. The answer he gave was that while he does not have the cost of billing, metering and customer service, he is confident that whatever that cost is, it is less than the revenue raised. However, I think the figure he is talking about when he talks about the revenue raised is the €271 million. I would agree that based on the estimates I have seen, irrespective of the cost of metering, billing and customer service, it is highly likely to be less than €271 million.

However, what we need to compare in asking the House to vote this legislation through is not the €271 million versus the cost of collecting the 1 million, but the €271 million minus the cost of the grant. If €100 is going out to every unique stand-alone household - not house but household - that figure is €166 million. It is entirely likely at this point that the cost of charging people for water will be more than the money that they pay. I do not imagine that any Member of this House, including any Minister, would vote for or stand over legislation with the potential to cost the State money to charge households for water.

Given that no Deputy in the House is clear as to whether domestic charging will end up costing the State money, should we take, maybe half an hour, but actually maybe a few days to let the Minister and his officials pull the numbers together and send them to us to look at? We can then come back here. I do not imagine that any Minister would ask any Labour or Fine Gael Deputy to vote for legislation whereby charging people for water could end up costing the State money.

Deputy Michael Fitzmaurice: While I have not been a Member for a long time, for the people who may be looking at us, the one thing I would say is that there is no shame in not knowing something. Every Deputy needs clarification. I ask the House to agree to postpone the debate for the time being until we get the facts and figures for the benefit of everyone here and for the benefit of the country. Let us not be over and back towards each other but let us get the clarification that is required. Let us not try to defend the indefensible as has happened down through the years to the detriment of this country. Let us do it a new way and just listen to the people for once.

Deputy Richard Boyd Barrett: I think the Minister should do so because if he thinks the fiasco and the outrage surrounding the issue of Irish Water has been bad to date, if he has got this wrong, he is in deep trouble. We are asking a very simple question. How is it that the census states there are 1.6 million principal private households and the Minister says there are only 1.3 million. How can that be? How is it that the Minister can say there are 300,000 fewer prin-

principal private households than the census shows and that somehow, mystically and magically, 300,000 households have disappeared since the census? It does not add up and neither do the references to holiday homes because they are accounted for by the gap between the 1.6 million and the 2.1 million. They are the multiple properties, the holiday homes, of which there are 400,000, but what the census says - God almighty, if we are not supposed to believe the census to be reasonably accurate - is that there are 1.6 million principal private residencies, not second homes and not holiday homes. The Minister will have to explain that. Otherwise he has got a €30 million hole in his mathematics.

Deputy Brian Stanley: I did not raise this issue to put the cat among the pigeons but it has put the cat among the pigeons. I heard the Minister mention a figure of 1.3 million and it did not sit right with me and has led to a long debate. I am concerned about that because between the 1.65 million and the approximately 2 million are the holiday homes, the vacant houses and second homes. People who work in one part of the country, such as some people in the House, may have an apartment in Dublin. There is nothing wrong with that, as they need to live close to their work. Section 5(2) provides that a grant under this section payable in respect of the year 2015 shall only be paid where the occupier of a dwelling has registered with Irish Water and has provided to the Minister for Social Protection information as specified in regulations. In order that we are absolutely clear, it is an occupier of a household - an occupied household - who is entitled to the grant. There are more than 1.3 million occupied households in the State. I remember clearly all the discussions we had around the local property tax, LPT. I remember clearly the earlier discussions with the former Minister, Mr. Phil Hogan, who has departed for greener pastures, and the figure was always higher than 1.3 million occupied households. My memory of the 2011 statistics which my colleague, Deputy Jonathan O'Brien, has updated to 2013, is that the number is more than 1.3 million.

As the person who first raised the question and given that we are talking about a large amount of money, potentially €35 million-----

Deputy Brendan Howlin: The Deputy is right.

Deputy Brian Stanley: -----although it could be €200 million or €250 million or €25 million or €30 million, but in the interests of accuracy we need to adjourn. The €130 million which the Minister says will be covered if everybody who is entitled to it applies is not correct. I believe it is more likely to be €150 million to €160 million. We cannot vote on a measure if we are €25 million or €35 million wide of the mark.

Deputy Peter Mathews: The suggestion that we adjourn is excellent. Deputy Michael Fitzmaurice, who is new to the House, put it very graciously when he said there is nothing wrong about not knowing something and having to revisit it and recalculate. That is the right thing to do. In that gracious sense, it is an opportunity to reconsider the whole issue and get the figures right. Simply put, 2 million is the number of registration forms that Irish Water posted out to households. The 2011 census showed there were 1.64 million residential households. That means the difference of 340,000 are the holiday homes and the unoccupied residences in the country. It is worth clarifying this and just stand back and pause. Earlier I asked that we stop the whole exercise.

Deputy Thomas P. Broughan: I support Deputy Peter Mathews and the other Deputies in the request to adjourn.

Acting Chairman (Deputy Jerry Buttimer): Will Deputies please take their seats?

Deputy Thomas P. Broughan: I think we should adjourn because a very important proposal has been brought to our attention. I think Deputy Donnelly's original questions have not been addressed. We are talking about charges on the Exchequer and charges on the taxpayer. Thanks to modern technology, everybody in the Chamber has checked the CSO website, as has Deputy Brian Stanley who first raised the number of households. It is clear the number was 1.65 million in 2011 and a little more in 2013. It is clear that the conservation grant will cost in the region of €165 million upwards and we are being presented with a figure that does not stack up. We need to look at that again. Deputy Donnelly has correctly asked the cost of administering the actual charges and Deputy Róisín Shortall asked the cost of administering the conservation grant. There are at least three major sets of figures with which the Minister, who has been a senior Minister for a relatively short time, has not been able to satisfy the House. The majority of Deputies present, including possibly Deputies on the Government side, are not clear. The best alternative, and there is no big deal about it, is to adjourn and come back next week with chapter and verse in terms of the figures. Otherwise we are doing a disservice to the people. We are not giving them the figures. I would say to the Minister for Public Expenditure and Reform, Deputy Howlin, that we may end up with a situation where this new tax is costing the taxpayer and the Exchequer money. It is a ludicrous situation. On the basis that the Minister and his colleagues do not appear to have the figures to hand, we should adjourn at 9 p.m. and come back with a full set of figures in order that we can have a proper debate.

Deputy Barry Cowen: I join others in seeking that adjournment. Will the Minister confirm that the Government has provided €130 million towards the conservation grant based on a compliance rate of 70% or 80% by those who register? In the event of a 100% registration, will the Government provide the extra €36 million mentioned and will he give a commitment to the House to do so?

9 o'clock

Deputy Seamus Healy: Over the past month, the Minister and the Government spoke about how this issue would be clarified and people would be satisfied with that clarity. Tonight, we have anything but clarity; instead, we have a bank of fog. We have no clarity in the figures for houses or the cost of administering the grant. It is quite clear that the House does not know if the introduction of these charges will cost the taxpayer and the State money.

I hoped the Minister would at this stage have offered the House an adjournment, and I still hope he might do so. If he is not prepared to do that, I propose an adjournment. My understanding of Standing Orders is the Leas-Cheann Comhairle can make a decision in that regard. In the event of the Minister offering to adjourn, there would be no need for that, and I hope that will happen. If that does not transpire, I ask the Leas-Cheann Comhairle to adjourn the House until next Tuesday at 2 p.m. to allow the Minister and the Government to give some clarity on the various figures at issue tonight.

Deputy Thomas P. Broughan: Hear, hear.

Deputy Jonathan O'Brien: To be honest, this is bizarre.

Deputy Brendan Howlin: Allow the Minister to reply.

Deputy Alan Kelly: I have the figures.

Deputy Jonathan O'Brien: Not only is Deputy Alan Kelly the Minister responsible for water charges, but he is also the Minister responsible for housing. One would think he would know how many houses are within the State and being occupied by home owners or tenants.

Deputy Mattie McGrath: Are they all in NAMA?

Deputy Jonathan O'Brien: If the Minister has the figures, let us hear them.

Deputy Peter Mathews: Let us put a little bit of context into where we are tonight. It is only days ago since the Government had to revisit the water charges scheme. Following the announcements, the EU officials from the troika who were here reviewing issues tried to start pushing us around again. I appreciate that the three gentlemen occupying the ministerial benches are not in an easy position. It is an awkward one. I would be inclined to make the excuse that the difficulty in getting the numbers right could have been caused or exacerbated by people pushing the Ministers around. Tell them to go to hell.

Deputy Brendan Howlin: The papal nuncio has spoken.

Deputy Barry Cowen: They are on their own now.

Deputy Alan Kelly: I took the intervening time to get Deputy Donnelly's figures and I apologise for not having them before. The €130 million is based on the best "guesstimates" of volume of households, as I outlined earlier. The Deputies opposite can accept that or reject it but those are the estimates given to me.

Deputy Jonathan O'Brien: By who?

Deputy Mattie McGrath: Who was that?

Deputy Brendan Howlin: Deputies should listen.

Deputy Alan Kelly: Deputy Donnelly argued that costs could potentially be in excess of charges and some points should be borne in mind. One cannot include the €130 million, which is an allowance given to everybody. It is not relevant in comparing costs and charges of Irish Water. The cost of billing and metering is estimated at €22 million. If that is deducted from €271 million, it comes to €249 million. This does not include the financing of the metering programme, which has a long-term financing cost. As I repeated earlier, that is €41 million. One may choose to deduct that and although I would disagree with such action, one may also choose to deduct the €130 million cost of the grant. Even if that is done, revenue exceeds costs as outlined.

Deputy Brendan Howlin: Some of the €130 million would go to people who are not Irish Water users.

Deputy Jonathan O'Brien: Who provided the number of houses?

Deputy Billy Timmins: I appreciate the Minister's comments. If we do not dispute his costs in refuting the argument from Deputy Donnelly, he is taking in more revenue than it costs to finance the operation. Let us say we agree in principle with that.

Deputy Alan Kelly: I have just outlined it.

Deputy Billy Timmins: It is a mathematical issue and this is not a matter of opinion. We

are dealing with mathematical facts with respect to the 1.3 million households. There seems to be a mental block on the Government's side in this respect, which is a weakness. It is a mathematical fact there are at least 1.65 million households in the country. The Minister has argued that if a grant went out to every eligible household, the number in question is 1.3 million. Is the Minister telling us there are 365,000 houses that are either holiday homes or empty? There are clearly not that many.

Deputy Mattie McGrath: They are all in NAMA.

Deputy Billy Timmins: It is a certain percentage. Even if there are 50,000 or 100,000-----

Deputy Barry Cowen: He is saying the people will not sign up.

Deputy Billy Timmins: If all those households sign up, the cost must be greater than €130 million. That is where the argument does not stack up. Deputy Donnelly may disagree but if I give the Government the benefit of the doubt on the cost of financing the issue, the figure of 1.3 million households does not stack up. Where have the 365,000 houses disappeared to?

Deputy Peter Mathews: They are households.

Deputy Billy Timmins: Yes.

Deputy Barry Cowen: It is obvious the Government has provided €130 million towards conservation grant aid and this is done on the basis of 70% or 80% compliance. If there is 100% compliance, will the Government commit to the extra €35 million? In the absence of that, I am at a loss in understanding the scientific basis for the figure being €130 million. We should remember that €80 million was spent on consultants. Irish Water have had this matter for the past 18 months. It was in the hands of the Government, this particular Department, Bord Gáis and now Irish Water, with all their staff, expertise and management levels. The best estimate is €130 million but there is an acknowledgement that there are 1.65 million houses. If there was full compliance, the figure would have to be €160 million and not €130 million. Will the Minister indicate where he got the scientific basis for the "guesstimate" of €130 million and does the Government accept that in the event of full compliance, the figure will have to be larger? Will it adjust its estimates to allow that be paid?

Deputy Brian Walsh: It is very clear that the Opposition is protesting because it is not getting the answers it wants to hear and which suit its agenda.

Deputy Mattie McGrath: Sit down.

Deputy Brian Walsh: It is equally clear the Opposition is confused by these figures.

Deputy Richard Boyd Barrett: The Deputy can explain them.

Deputy Sandra McLellan: Yes. The Deputy can do it.

Deputy Mattie McGrath: The Government Members do not have a hope of being elected if they cannot find the houses to canvass.

Deputy Brian Walsh: When I came to the Chamber an hour ago, there was mention of a figure of 2 million households.

Deputy Peter Mathews: No, that refers to houses.

Deputy Brian Walsh: Members opposite have adjusted that downwards to 1.6 million households.

Deputy Jonathan O'Brien: It is houses.

Deputy Barry Cowen: We are talking about occupied houses.

Deputy Brian Walsh: They are confused and in the space of an hour they have lost almost 400,000 households.

Deputy Sandra McLellan: No.

Deputy Mattie McGrath: There is something in the water.

Deputy Brian Walsh: The figure is 1.3 million.

Deputy Sandra McLellan: It is not.

Deputy Brian Walsh: The difference between the 1.6 million figure and the 1.3 million figure is clearly the number of households that are unoccupied in the State.

Deputy Richard Boyd Barrett: No.

Deputy Joe Higgins: Go away and-----

Deputy Brian Walsh: Members of Sinn Féin regularly stand up in the Chamber and complain about the numbers-----

Deputy Sandra McLellan: The Deputy is making an idiot of himself.

Deputy Brian Stanley: He is making things worse.

An Leas-Cheann Comhairle: Order, please.

Deputy Brian Walsh: -----of boarded-up local authority houses, for example. There are a number of holiday homes that would be excluded from the 1.6 million figure.

Deputy Sandra McLellan: Are people living in them as well?

Deputy Brian Walsh: As a result of the irresponsible attitude presented by Sinn Féin and some of the other Members opposite, there are a number of households that will unfortunately not register, so they will not be entitled to the €100 grant.

Deputy Peter Mathews: I have a point of order.

Deputy Brian Walsh: That makes up the difference between the number of households in the census and the number of households in receipt of the €100 grant. The Minister spent the last hour and a half answering these questions. Obviously, the Opposition will continue to pose the questions because it is not getting the answers which suit its agenda. I appeal to it to move on to the next section. These questions have been answered.

The Minister was asked very reasonable questions by Deputy Donnelly and he undertook to write to him and the Deputies present, if necessary, to give the specific details but it is unreasonable to ask him to give specific details in regard to some of the very specific questions asked.

We should move on from here.

Deputy Róisín Shortall: I thank Deputy Walsh for that clarification. I must say it was very enlightening. If he had been in the House earlier for the debate, he might have understood the difficulties for people because we have had no clarity at all from the Minister. The figure of 2,008,000 is the figure used by Irish Water. Irish Water sent out registration forms to 2,008,000 homes. That is an official figure, so somewhere out there are 2,008,000 houses which got forms. The CSO tells us that there are 1.65 million households-----

Deputy Peter Mathews: Residential households.

Deputy Róisín Shortall: -----and yet the Minister is only accounting for 1.3 million households, which will be entitled to the grant.

Deputy Joe Higgins: There is a gulag somewhere.

Deputy Róisín Shortall: There is a very substantial gap there. We are talking about a gap of between 0.35 million and 0.7 million in terms of households. We are entitled to clarification on that, which the Minister has not given us.

In addition, two hours ago, a number of us asked the Minister two key questions. What is the estimated cost for Irish Water to administer the charges, that is, send out invoices, process the charges, send reminders and so on? What is the estimated cost of administering the so-called conservation grant, which the Department of Social Protection will be sending out to every household in the country? What are those two key costs? Can the Minister provide clarification on the number of households?

There are only so many ways one can phrase the question. It has been asked-----

Deputy Alan Kelly: I have answered the question.

Deputy Róisín Shortall: The Minister has not. Nobody accepts that he has answered the question. These are key questions. Does the Minister need them posed again?

Deputy Brendan Howlin: God no.

Deputy Róisín Shortall: The Minister should provide clarity on the number of households. Tell us how much it will cost Irish Water and tell us how much it will cost the Department of Social Protection to administer the grant. They are very clear straightforward questions. If the Minister is not in a position to answer them, which seems to be the case, then we have no option but to adjourn this. It is becoming shambolic. We cannot continue like this in the absence of key information which is required. If the Minister cannot provide the information now, let us adjourn, do the sensible thing and come back at a time when he is properly briefed.

Deputy Jonathan O'Brien: The Minister said he was working off guesstimates.

An Leas-Cheann Comhairle: Deputies should not be irrelevant in their statements. I do not want too much repetition because we are having a lot of that.

Deputy Brian Stanley: The reason I raised this more than an hour ago was to try to get some clarity because of the discrepancy in the figures. Deputy Walsh, who came in about an hour and a half ago to play full-back, is wrong in what he said about Sinn Féin. Sinn Féin did not tell people not to register or to register. The difference between us is that we do not tell

people what to do. We allow people to make up their own minds. The Government is not doing that; it is threatening them.

(Interruptions).

Deputy Brian Stanley: I see Deputy Walsh has been joined from the bar on the back line.

An Leas-Cheann Comhairle: On section 5.

Deputy Brian Stanley: Irish Water sent out 2 million packs but the figures from the census states that there are 1.65 million occupied households. This is the key point. The legislation state that it shall only be paid to households where the occupier of a dwelling has registered and has provided the information to the Minister for Social Protection. We are clearly talking about occupied households and the Minister clarified that where it is rented housing, social housing, local authority housing, voluntary housing or, as described by Deputy Timmins, private rented flats or apartments. We are all on the one page on that.

The problem is the figures do not add up because there is a discrepancy between the households, as defined in the Bill, and the ones set out in the census figures, which we always take as accurate. The Minister is going on a guesstimate and he has not clarified where the 1.3 million is.

As the person who raised this, I propose we adjourn and that the Minister and his officials come back with figures next Tuesday morning so that we can continue this debate, based on proper information available to us and that we are not here literally shooting in the dark, which is what is happening.

Deputy Brendan Howlin: Sinn Féin is very good at that.

Deputy Brian Stanley: We were here the other night until 1.30 a.m. The Government hoped this would be done out of the glare of the media, that the press gallery would be empty and that everybody would have gone home. Here it is tonight trying to get this through without the proper figures. I propose, if there is a seconder, that we adjourn the House.

An Leas-Cheann Comhairle: I will deal with that in a moment. I call Deputy Mathews on a point of order.

Deputy Brian Stanley: Sorry, a Leas-Cheann Comhairle, that is a formal proposal.

An Leas-Cheann Comhairle: I know that.

Deputy Brian Stanley: I have a seconder.

An Leas-Cheann Comhairle: I will deal with that in a moment.

Deputy Peter Mathews: I second or at least echo that. Deputy Healy referred to the official way to adjourn. He might like to remind the Chair of what he said.

An Leas-Cheann Comhairle: Deputy Healy is not chairing this and neither are you. Deputy Mattie McGrath has a question to ask.

Deputy Mattie McGrath: I have because this has descended into a total farce. I remember when the Minister, Deputy Kelly, took over, he went on television with an ashen-faced John

Tierney. I said the morning after that if he brought John Tierney to every house in the country, he would not change people's minds but now he would not find them. Some 365,000 houses are missing. That is 1,000 for every day of the year. That would solve the homeless crisis in Europe, not to mention in Ireland. This is farcical. This will be some legacy for the Minister, Deputy Kelly - 365,000 houses for which he cannot account. Please adjourn before I walk out in disgust.

Deputy Brendan Howlin: Off you go.

Deputy Mattie McGrath: I said before the Minister was making a show of Tipperary and, by God, he is.

(Interruptions).

An Leas-Cheann Comhairle: I call Deputy Donnelly.

Deputy Stephen S. Donnelly: I thank the Minister for the figures. Here is where I think we are. The Minister's figure is that €271 million would be raised in revenue. I appreciate that the figure he has been given for the number of eligible households for the grant is 1.3 million. It would appear from what he said, that every household gets it, the figure he has been given is wrong. According to the CSO, it would appear that it would cost €166 million. That would appear to be the case but we need clarification, which we cannot get this evening.

The Minister stated that the annual cost of the meters would be about €41 million. I accept that cost----

Deputy Alan Kelly: Financing.

Deputy Stephen S. Donnelly: That is probably a reasonable cost for the meters. The final figure the Minister gave - I appreciate him getting it - is that the additional cost of billing would be €22 million per year. The figure I have is that it would be a lot higher but I accept that is the figure the Minister has been given. Here is where we are, based on the figures we have tonight.

Some €271 million would be raised, €166 million would be given back in grants, €41 million would be the cost of metering and €22 million would be the cost of billing. I believe some of those figures would be higher but they are the figures we are working on. Given those figures, the net benefit to the State of charging people for water - the net benefit of people paying out €271 million - would be €42 million.

There will be an administrative cost to the grants. We do not know what it is but let us assume it is 3%. A 3% administrative cost on the grants would add a further €5 million or so in costs, bringing the net benefit to the State, from households paying out €271 million, of €37 million. That is if the figures the Minister has been given on billing are correct and based on what I have seen they are very low. As of now, the people of Ireland will pay €271 million for their water and the benefit to the State at best will be €37 million and may be negative. This case, irrespective of whether there is a net benefit or cost to the State of charging people for water, is fundamental to this legislation. Can we please, in the interests of good parliamentary and legislative work on all sides, adjourn and come up with the figures? We have an independent expert-----

Deputy Alan Kelly: We have the figures.

Deputy Sandra McLellan: They are wrong.

Deputy Stephen S. Donnelly: We have an independent expert which can study the figures, the CER. It already has an opinion paper on this. Let us come back next week with figures everyone can agree on, please.

Deputy Richard Boyd Barrett: I want to add one piece to Deputy Donnelly's maths. If we take in all the figures the Minister is talking about and add a possible €36 million gap between the Minister's estimate of the number of households that will get the grant and the number the Central Statistics Office, CSO, says exist, it comes to €42 million but the Minister has not given us a figure for the maintenance costs for metering. He gave us the capital cost broken down on an annual basis but what about the maintenance costs for metering? Those have to be added in as well, which is likely to bring it down further. We do not know the cost of the administration of the grant. Deputy Donnelly gives a figure of 3% working on €5 million but if it costs Irish Water €22 million to send out the bills, we could be looking at a pretty significant figure, meaning that the net benefit to the State of levying these charges would be absolutely derisory, possibly as low as €20 million. If I were the Minister I would want an adjournment.

Deputy Alan Kelly: The figures are out there.

Deputy Richard Boyd Barrett: The Minister has not given us the figure.

Deputy Alan Kelly: I have given the figure.

Deputy Richard Boyd Barrett: The Minister has not given us the figure for the cost of administering the grant.

Minister of State at the Department of the Environment, Community and Local Government (Deputy Paudie Coffey): It is administered like every other grant.

Deputy Richard Boyd Barrett: Exactly, the Minister does not have it.

Deputy Alan Kelly: It is administered like any other grant. How would one disaggregate that cost?

Deputy Paudie Coffey: It is the same as the Department of Social Protection. It is the same as the Christmas bonus.

Deputy Richard Boyd Barrett: Of course the Minister disaggregates the cost of administering.

Deputy Alan Kelly: How would the Department explain how it does the Christmas bonus and everything else? That is impossible.

Deputy Richard Boyd Barrett: That is a very serious admission for the Minister to make that he does not disaggregate the cost of the Department's-----

Deputy Alan Kelly: I do not.

Deputy Paudie Coffey: The Department of Social Protection does.

Deputy Richard Boyd Barrett: The Minister's maths will be very seriously out.

Deputy Alan Kelly: The Department of Social Protection does it.

Deputy Richard Boyd Barrett: The Department of Social Protection is already overrun-----

Deputy Alan Kelly: I do not have those figures.

Deputy Richard Boyd Barrett: -----where people wait months and months to get responses to appeals and the Minister is going to load all this extra work on them and he has not figured out how he is going to pay for it. He does not know the extra cost of the staff, the administration and has not added it into this. That is ridiculous.

Deputy Alan Kelly: What about the millions of euro we are saving by getting more people employed?

Deputy Richard Boyd Barrett: The Minister is digging a big hole for himself. He would be better off-----

Deputy Alan Kelly: Why does the Deputy not look up more to the Visitors Gallery?

Deputy Richard Boyd Barrett: The journalists will be looking and there will be an independent scrutiny of this debate and of the figures the Minister has put out. The questions we are asking will be writ large over the next few days and if it is discovered that the Minister's maths were way out and he rammed the Bill through, despite the fact that those legitimate questions about the maths were being raised, he should just imagine how bad it will be for him.

Deputy Mattie McGrath: The Minister will get a bad report card from the Taoiseach. He will get a red card.

Deputy Jonathan O'Brien: The Minister said earlier that 1.3 million homes was the best guesstimate he had. I do not know who gave him that guesstimate. Maybe he can clarify that now? Where did he get the figures? We are quoting figures from the CSO. Can the Minister tell us who gave him his guesstimate?

Deputy Lucinda Creighton: I am as perplexed as everybody else seems to be. Could the Minister tell the House whether the 1.3 million households equates to everyone who is entitled to register or is it an estimate? They are two different things. Is it an estimate or is it the figure that the Minister believes is the total number of those entitled to register? If his figure is that much lower than the CSO figure of 1.65 million households is that potentially a concession from the outset that the Government does not expect 365,000 households will register? Is it an admission of defeat at the beginning?

Deputy Brendan Howlin: Those are not Irish Water customers.

Deputy Barry Cowen: I have already asked the same question as Deputy Creighton. On what scientific basis did the Minister approve €130 million? Where did the information emanate from? What expert, what adviser or what level of competence within Irish Water gave the information to the effect that the compliance rate will be such that the Government will have to pay out only €130 million in these conservation grants? If that is misinformation let us find out where it emanated from so somebody will have to be accountable.

Tonight's proceedings prove the grave mistake made this time last year when the legislation governing the initial charging mechanism instructing the CER to do it was as flawed as the Bill we have here tonight and we might have got a lot of answers that it has taken a year to get in the meantime because of that legislation.

Deputy Paudie Coffey: The Opposition is quite cleverly trying to be obstructive by-----

(Interruptions).

Deputy Martin Ferris: The Minister should answer our questions.

Deputy Paudie Coffey: It is being very obstructive by trying to stitch the allocation of a conservation grant that will allow people across the country, in rural and urban areas, a €100 payment to assist them in conserving water in their households. That is not an Irish Water expenditure, it is an allocation-----

Deputy Róisín Shortall: It is an Irish joke.

Deputy Paudie Coffey: It is an estimated allocation from the Government to assist people in conserving water. It has nothing to do with Irish Water expenditure.

Deputy Sandra McLellan: In that case it does not matter if people pay or not.

Deputy Pearse Doherty: They have to pay the Irish Water bill to get it.

Deputy Paudie Coffey: It is a conservation grant allocated to households to assist them in conserving water.

Deputy Aengus Ó Snodaigh: I thought “hello” money was illegal.

Deputy Paudie Coffey: It is not an Irish Water expenditure. The Opposition is cleverly trying to obstruct the debate. That is its form of protest on the floor of the Dáil-----

Deputy Jonathan O’Brien: The protest was yesterday.

Deputy Sandra McLellan: We did not see the Minister of State at it.

Deputy Paudie Coffey: -----by trying to stitch it into Irish Water expenditure. That is what it is doing. There is nothing to stop the Government evaluating the number of registrations for this grant and if there are more registrations the grant will be paid to those people.

Deputy Richard Boyd Barrett: That could be €36 million.

Deputy Paudie Coffey: The allocation that has been made in the Estimate is €130 million. If that needs to be upped it will be upped. It is as simple as that.

Deputy Michael Fitzmaurice: Come on in, Deputy O’Dowd, all is forgiven. Tell us all.

Deputy Joe Higgins: If the Minister had come up front immediately and said that in fact his departmental advisers or number crunchers had figured out that there are 1,650,000 households in the State which are entitled to the €100 grant, if he had said that is €1,300,000 and then told us his Department estimates that 350,000 households will refuse to pay and therefore will not be entitled to the €100, according to his rules, that would have explained the gap. Why did he not do that two hours ago so we could move on?

Deputy Thomas P. Broughan: The shambles we have witnessed for the last few hours from the Minister, Deputy Kelly, and the Minister of State, Deputy Coffey, is reminiscent of what happened four or five years ago when two senior Ministers, Dermot Ahern and Noel Dempsey, did not have a clue that the blanket bank guarantee had bankrupted our country. It is

a very similar situation.

Deputy Paudie Coffey: We got the figures.

Deputy Thomas P. Broughan: As the Leas-Cheann Comhairle will recall particularly well, the then Ministers knew nothing about a key element of the figures they were supposed to be supervising in government. Regardless of how we consider the conservation grant numbers in this section of the Bill, it seems that the €271 million is evaporating before our eyes like the 40% of water that is being wasted from the current delivery systems, as the Minister for the Environment, Community and Local Government has indicated. We do not have a clue about what the real figures are with regard to the income or revenue from the domestic sector. The Minister, Deputy Kelly, can bet his life that this will be raised when we knock on the doors of the 1.65 million households in this country during the next general election campaign. In my own case, I think the number of households in the new Dublin Bay North constituency is 49,000. I know Deputy Stagg, who is sitting behind the Minister, will be assiduous in going to every one of the 50,000 or more houses in his constituency in County Kildare.

Deputy Róisín Shortall: People will be waiting in the long grass.

Deputy Thomas P. Broughan: They will be waiting for the Government in the long grass behind the garden wall. People will raise the night we found out the Government did not know what the figures were or what the income was.

Deputy Paudie Coffey: We do know.

Deputy Aengus Ó Snodaigh: They are written on the back of an envelope.

Deputy Alan Kelly: I have just outlined them.

Deputy Thomas P. Broughan: This goes back to a broader question about Irish Water. When the Minister came in here to make his famous “legacy” speech about what would happen, he did not give us the numbers. We had to go back to our offices and go on Twitter to get some figures. We got some basic figures about the whole parameters of Irish Water an hour or two hours later. We still do not know how it is going to work. We have spent €500 million or €600 million on these useless meters. Some of our female constituents have phoned us to tell us they have to put on boiler suits and lie on the ground to try to lift the lids off these meters and look at them. They find them totally impossible to read. The whole thing, from start to finish, is kind of Alan in Wonderland stuff. It is farcical.

Deputy Brendan Howlin: They are in every country in Europe.

Deputy Thomas P. Broughan: Except for ourselves and Azerbaijan. We had a good reason for them.

Deputy Brendan Howlin: That is where the Deputy would like to be.

Deputy Thomas P. Broughan: The Minister, Deputy Howlin, will remember that he opposed water charges with me.

Deputy Brendan Howlin: I abolished them.

Deputy Thomas P. Broughan: He stood shoulder to shoulder beside me.

Deputy Dara Calleary: The brotherhood.

Deputy Thomas P. Broughan: We stood together and we defeated and destroyed Bertie Ahern's whole system of water charges in the mid-1990s. We stopped it. To be fair, Mr. Ahern later went to Europe and said "this is something the Irish do differently because we live in a rain-sodden country where water is freely available".

Deputy Brendan Howlin: Free, yes.

Deputy Thomas P. Broughan: We decided to meet the cost of supplying water from general taxation.

Deputy Paudie Coffey: Without raising the taxes.

Deputy Thomas P. Broughan: We are left in a situation in which we do not know the global numbers for this Irish Water quango because the Minister, Deputy Kelly, did not give them to us the day he came in here to make his famous speech.

Deputy Brendan Howlin: A Leas-Cheann Comhairle, this is a Second Stage speech.

Deputy Thomas P. Broughan: We have come back in here tonight to find that everything is a total shambles. I advise the Minister, Deputy Kelly, and the Minister of State, Deputy Coffey, to adjourn this debate for a couple of days in order that they can go back to their Department to do their homework. When they come back in here, they should try to give us some numbers we can actually discuss.

Deputy Alan Kelly: I have given the numbers.

Deputy Thomas P. Broughan: These numbers do not add up.

Deputy Paudie Coffey: The Deputy does not accept them.

Deputy Thomas P. Broughan: It is not fair to the House, to the Opposition or to the people. We do not know where we are. It looks like after all this schemozzle and turmoil, it is going to cost us money to collect these taxes.

Deputy Paudie Coffey: Not at all.

Deputy Brendan Howlin: Deputy Broughan knows that is wrong.

Deputy Mattie McGrath: It has been brought to my attention that during my contribution a few minutes ago, the Minister, Deputy Kelly, expressed a very nasty expletive to me across the House. I did not hear him, but I want the records checked and I want an apology if he used that kind of foul language to me as an elected representative of the people of Tipperary.

An Leas-Cheann Comhairle: I did not hear him say-----

Deputy Mattie McGrath: I might be robust in what I say, but I am not going to insult or use denigrating language.

An Leas-Cheann Comhairle: I thank the Deputy.

Deputy Mattie McGrath: I will give the Minister a chance to reflect. He needs to reflect on a lot of stuff tonight.

An Leas-Cheann Comhairle: Okay.

Deputy Mattie McGrath: He needs to go back and learn his sums.

An Leas-Cheann Comhairle: All right.

Deputy Brian Stanley: I would like to make a point about the collection of the €100 grant. We are being told that if we pay for this, some €100 in taxes will be taken off us with one hand and handed back to us with the other hand. Then it will be counted as income for Irish Water.

Deputy Brendan Howlin: It is not income for Irish Water.

Deputy Brian Stanley: It is fantasy economics. We know now that we have heard fantasy figures here tonight.

Deputy Brendan Howlin: No, it is not income for Irish Water.

Deputy Brian Stanley: I want to address the point that was made by the Minister of State, Deputy Coffey, a minute ago. He said that if more money is needed-----

Deputy Paudie Coffey: I spoke about more registrations.

Deputy Brian Stanley: -----to fund it-----

Deputy Brendan Howlin: We would be delighted with more registrations.

Deputy Brian Stanley: -----that money will be provided. That means he is talking about the number of people Irish Water expects to register, as opposed to the number of households. The Minister, Deputy Kelly, said for an hour and a half that he was talking about the number of occupied households. The Minister and the Minister of State cannot agree on this.

Deputy Paudie Coffey: We do agree.

Deputy Brian Stanley: We have fantasy figures, fantasy economics-----

Deputy Paudie Coffey: The allocation is €130 million.

Deputy Brian Stanley: -----and we have a fantasy Bill. We should quit this here tonight. I am proposing again that we adjourn this debate until next Tuesday to allow the Minister and his departmental officials to come back here with proper figures.

Deputy Jonathan O'Brien: We need to take it to the voters.

Deputy Brian Stanley: The whole thing is a bloody farce.

Deputy Paudie Coffey: The Deputy wants it to be a farce.

Deputy Brian Stanley: We should call it off.

Deputy Kevin Humphreys: What did the Deputy say?

Deputy Paudie Coffey: Who is using expletives now?

Deputy Brian Stanley: The Government will be the laughing stock of Europe. It is not a conservation grant to give people €100 with no conservation. Where is the conservation in

that? There is no conservation in it and the Minister of State, Deputy Coffey, knows that. He is coming in here with bluff and bluster. He is the laugh of Europe.

Deputy Brendan Howlin: This is a filibuster.

Deputy Pearse Doherty: The Minister of State, Deputy Coffey, wants to suggest that the conservation grant has nothing to do with Irish Water.

Deputy Paudie Coffey: It has nothing to do with the expenditure of Irish Water. That is a fact.

Deputy Pearse Doherty: The legislation we are dealing with here, which is not Government spin, provides that people will have to pay their Irish Water bills-----

Deputy Brendan Howlin: No. What about group water schemes and septic tanks?

Deputy Pearse Doherty: -----to be able to get the conservation grants.

Deputy Dara Calleary: They will have to register.

Deputy Mattie McGrath: It is Santa Claus stuff.

Deputy Pearse Doherty: The Government is saying that people who are availing of public water have to pay their Irish Water bills to get this.

Deputy Paudie Coffey: They will have to register with Irish Water.

Deputy Jonathan O'Brien: Why is it not in the legislation?

Deputy Pearse Doherty: That is the reality and that is the majority. How can the Minister of State square his statement that this has nothing to do with Irish Water-----

Deputy Paudie Coffey: It has nothing to do with Irish Water expenditure.

Deputy Pearse Doherty: -----with the provision in this legislation that someone who is in receipt of public water has to pay the bill or else he or she will not get the conservation grant? We all know that the grant has nothing to do with conservation.

Deputy Brian Stanley: It is a bribe.

Deputy Pearse Doherty: It is an attempt to sweeten the pill for people to accept these water charges in order that the Government can increase them at a later stage.

Deputy Brendan Howlin: Is the Deputy not in favour of the people getting it?

Deputy Pearse Doherty: I have made it very clear what I think about the conservation grant. I think the Government is on thin ice with regard to the market corporation test. We know that if we fail the market corporation test, the Labour Party will say Europe told us we cannot actually do it, otherwise we will fail the market corporation test, just as it did in the past when it referred to Frankfurt's way or Labour's way.

Deputy Brian Stanley: It is the Fine Gael way.

Deputy Pearse Doherty: The €100 sweetener will be the first thing to go. At the end of

the day, we all know where this is going. I want to take this in baby steps for the Government. This question has been occupying the Dáil for almost two hours.

Deputy Paudie Coffey: The Deputy has only just come in the door.

Deputy Pearse Doherty: I have listened to the bluster from the Minister of State and his backbenchers in relation to this matter.

Deputy Paudie Coffey: The Deputy is pretty good at it himself.

Deputy Jerry Buttimer: So are the fellows around him.

Deputy Pearse Doherty: The question that is being asked is a simple one. It is about the conservation grant figures, which seem to have been drawn up on the back of an envelope. The Minister enlightened us when he said they are guesstimates.

Deputy Paudie Coffey: It is an allocation.

Deputy Pearse Doherty: Does the Minister or the Minister of State accept that in 2011, there were 1,654,208 private households in this country?

Deputy Paudie Coffey: Yes.

Deputy Pearse Doherty: I would like to help those backbenchers who tried to confuse the matter by referring to private households and holiday homes, etc. by telling them how “household” was defined on the census form in 2011. According to a Central Statistics Office document released on that occasion:

In the census, a private household is defined as either one person living alone or a group of people living at the same address with common housekeeping arrangements. A household can contain one or more families.

That makes it clear that these are people living in these houses. There are 1.654 million such households. Can the Minister confirm that he accepts the census and what was said in it?

Will the Minister confirm that he accepts the CSO’s census figure that there was this amount of households in 2011?

If Deputies read the release, they will note that, in the past 20 years, the number of households has increased by more than 60%. These figures are nearly four years out of date. If we are in line with the past two decades’ trends, this number has also increased rapidly and we are not referring to a gap of just 350,000 households. It is likely to be more because of the increase in the population. Will the Minister accept that these households exist? If he does, is it the case that, based on his own figures, he expects 22% non-compliance with Irish Water? The gap between the census figure and the Government’s suggests 22% non-registration. I believe that the level will be much higher, but I would like the Government to enlighten us on these two basic facts. Does the Minister believe that the households are there and is he assuming or guessing that there will be 22% non-compliance, meaning that the Government will only have to pay the €100 to 78% of the households that existed in 2011?

Deputy Brian Walsh: This debate reflects everything that is wrong with Irish politics at the moment.

Deputy Jonathan O'Brien: It does. We agree.

Deputy Brian Walsh: It is no wonder that the Irish public, listening to the Members opposite, has become disillusioned.

(Interruptions).

An Leas-Cheann Comhairle: Order, please.

Deputy Mattie McGrath: Give Deputy Walsh a looking glass.

Deputy Brian Walsh: I am looking at a front page article in the North's *Irish News*, dated Wednesday-----

Deputy Richard Boyd Barrett: Is this relevant?

Deputy Sandra McLellan: That is not in the legislation.

An Leas-Cheann Comhairle: Deputies, please. I will chair this.

Deputy Brian Walsh: Yes, it is relevant. I will come to Deputy O'Brien next.

Deputy Martin Ferris: It is not in the legislation.

Deputy Brian Walsh: The newspaper was dated Wednesday, 26 November 2014, less than three weeks ago.

Deputy Michael Colreavy: What does that have to do with-----

Deputy Brian Walsh: The headline referred to 35,000 water meters being installed in homes in Northern Ireland-----

Deputy Martin Ferris: No water charges.

Deputy Brian Walsh: -----and Stormont's deception as the infrastructure necessary for fees was quietly put in place. This is where our friends opposite-----

Deputy Martin Ferris: No water charges.

Deputy Jonathan O'Brien: It does not say how many households are in this State, does it?

Deputy Brian Walsh: The Deputies talk about bluster. They should look to their left and right to see bluster.

Deputy Stephen S. Donnelly: This is not on the section.

(Interruptions).

Deputy Brian Walsh: This is what Sinn Féin is administering in the North. It is quietly installing meters.

An Leas-Cheann Comhairle: On section 5, Deputy, please.

Deputy Brian Walsh: I listened to Deputy Broughan's observations. Not a single vote was cast in the 31st Dáil when Deputy Broughan was a member of an organisation, the Labour

Party, that signed up under the programme to Government to the introduction of water charges. I do not recall any objection.

Deputy Thomas P. Broughan: Labour did not.

Deputy Brian Walsh: The Labour Party signed up to a programme for Government that included the provision on water charges. I do not recall any-----

Deputy Róisín Shortall: Not charges like this.

Deputy Brian Walsh: -----strenuous objection from Deputy Broughan.

Deputy Thomas P. Broughan: There was. I had no-----

Deputy Brian Walsh: The Member to his right, for whom I have a great deal of regard-----

Deputy Brendan Howlin: “Charges like this” are €60?

Deputy Brian Walsh: -----accepted a ministerial position in a Government that proposed to introduce such charges.

An Leas-Cheann Comhairle: On section 5, please.

Deputy Brian Walsh: The two Deputies are speaking out of both sides of their mouths.

Deputy Thomas P. Broughan: No, we are not.

Deputy Joe Higgins: Regrettably, this has descended into farce because of the Government’s-----

Deputy Jerry Buttimer: The farce has been created by the Opposition.

Deputy Joan Collins: Created by us?

Deputy Joe Higgins: -----inability to answer simple questions or its refusal to answer questions because it wants to cover up a number of issues. The questions that Deputy Pearse Doherty just asked are what we have been asking for at least two hours and as clearly as he put them. The three musketeers on the Government’s Front Bench, or maybe the three stooges would be more appropriate, considering the type of disaster that we have had tonight-----

Deputy Martin Ferris: Yes.

Deputy Joe Higgins: -----are incapable of either giving us the answer or do not want to give it because they want to cover up-----

Deputy Brendan Howlin: On a point of order-----

Deputy Joe Higgins: Hang on.

An Leas-Cheann Comhairle: The Minister on a point of order.

Deputy Brendan Howlin: Is it all right for Deputies to abuse Members of the House like that and call them names?

An Leas-Cheann Comhairle: I am waiting-----

Deputy Jonathan O'Brien: If it is factual, yes.

Deputy Brendan Howlin: Is that all right?

Deputy Sandra McLellan: Government Deputies do it all of the time.

(Interruptions).

An Leas-Cheann Comhairle: Deputy Higgins, that word is not parliamentary.

Deputy Joe Higgins: Which word?

An Leas-Cheann Comhairle: The word “stooge”.

Deputy Emmet Stagg: “Stooges”. Something that would come out of the top of-----

(Interruptions).

An Leas-Cheann Comhairle: I ask the Deputy to-----

Deputy Mattie McGrath: What about the word the Minister, Deputy Kelly, used for me?

An Leas-Cheann Comhairle: I did not hear it.

Deputy Mattie McGrath: I am being serious.

An Leas-Cheann Comhairle: I ask Deputy Higgins to withdraw his remark.

Deputy Joe Higgins: Okay.

Deputy Mattie McGrath: On a point of order, what about the language that was used about me? I received no retraction or apology.

An Leas-Cheann Comhairle: We will check that. I ask Deputy Higgins to withdraw his remark.

Deputy Joe Higgins: Yes. The Minister, Deputy Howlin, and his two ministerial colleagues are not stooges.

Deputy Jerry Buttimer: What did the Minister say? Deputy Mattie McGrath stated that he did not hear it.

Deputy Mattie McGrath: It was during the debate.

An Leas-Cheann Comhairle: The remark has been withdrawn.

Deputy Jerry Buttimer: How did Deputy Mattie McGrath hear it if he was not here?

Deputy Mattie McGrath: It was heard.

Deputy Jerry Buttimer: The Deputy said that he had not heard it. Who told him?

An Leas-Cheann Comhairle: I was talking to Deputy Higgins.

Deputy Mattie McGrath: Dúirt bean liom go ndúirt bean léi. The clown in County Cork.

Deputy Jerry Buttimer: Who told the Deputy?

Deputy Mattie McGrath: Never mind.

An Leas-Cheann Comhairle: Please, Deputy Higgins has the floor.

Deputy Jerry Buttimer: The Deputy did not hear what the Minister said.

Deputy Mattie McGrath: Animal people.

Deputy Joe Higgins: They are just acting like that. Deputy Healy made a proposal and I, according to the Standing Order and in the proper way, want to make that proposal formally. Standing Order 23(2) states: “A motion that a sitting be suspended for a period may at any time be made, by permission of the Ceann Comhairle, and without notice. Such motion shall fix the period of suspension.” I propose that the Dáil adjourn until Tuesday next at 2 p.m., whereupon the Government may have the answers to the questions that have been asked for the past two hours and allow clarity.

Deputy Joe Carey: Is Deputy Higgins not around tomorrow?

Deputy John Lyons: Is he busy tomorrow?

Deputy Joe Higgins: I do not think tomorrow is time enough for the Deputies.

Deputy Emmet Stagg: I thought the Deputy said we were simple animals.

Deputy Thomas P. Broughan: It is a lot of homework.

Deputy John Lyons: The Deputy has a protest to go to tomorrow. That is why he will not be here.

Deputy Joe Higgins: Since we have made absolutely no progress over two hours, it will take a little bit more than overnight. I propose that the Dáil adjourn until 2 p.m. on Tuesday-----

Deputy Emmet Stagg: The Deputies have been proposing that all night.

(Interruptions).

Deputy Joe Higgins: -----and that the Government return with the answers that will facilitate this crucial debate to continue. I formally move.

Deputy Richard Boyd Barrett: Seconded.

Deputy Seamus Healy: I second that. I made that proposal approximately an hour ago. I had hoped that the Minister would do the decent and right thing and offer an adjournment. As he has not done so, we are left with no choice but to request the Leas-Cheann Comhairle-----

Deputy Emmet Stagg: Let the Minister respond.

Deputy Seamus Healy: -----to adjourn the sitting until next Tuesday at 2 p.m.

Deputy Emmet Stagg: May the Minister respond?

An Leas-Cheann Comhairle: The Minister to respond. There are other speakers, but I will call them if there is time.

Deputy Alan Kelly: Regarding Deputy Mattie McGrath, I am not aware of it but if I did say something, I withdraw it and apologise. Is that okay? It was not my intention.

Deputy Mattie McGrath: What?

Deputy Alan Kelly: The Deputy asked whether I had made a statement. If I did say something involuntarily, I will withdraw it and apologise.

Deputy Dara Calleary: Involuntarily?

Deputy Alan Kelly: I have given the figures. The Deputies have looked for answers and I have given them. The fact is, the Deputies do not want them. They do not like the answers.

Deputy Jonathan O'Brien: From where did the Minister get his figures?

(Interruptions).

Deputy Alan Kelly: Wait a second. Despite all of the Deputies' commentary, at least give me a chance to reply.

This is a demand-led scheme. Of course we have census figures. Who is going to stand in the Dáil and say that census figures are wrong? However, it is a demand-led scheme. The estimate is 1.3 million households. Let me make two points in that regard. If more people register, of course we will be happy to pay them the €100 million. May I also point out-----

Deputy Brendan Howlin: €100.

Deputy Alan Kelly: The €100. May I also point out that this is not a cost or a benefit to Irish Water.

Deputy Brian Stanley: The taxpayer.

Deputy Joan Collins: It is a cost to the State.

Deputy Alan Kelly: Deputies can do the equations whatever way they want, but it is not a cost to Irish Water. It is a Government initiative for a water conservation grant.

Deputy Dara Calleary: The Minister's backbenchers will-----

Deputy Alan Kelly: Consider all of the people who are getting this grant.

Deputy Brian Stanley: Millionaires.

Deputy Alan Kelly: Consider all of the people in Tipperary, Galway and Kerry-----

Deputy Paudie Coffey: Water is a valuable resource.

Deputy Mattie McGrath: Stop.

Deputy Alan Kelly: -----who have been paying for water for decades-----

Deputy Joan Collins: Is it enough money to buy a vote?

Deputy Alan Kelly: -----in many cases thousands and thousands of euro.

Deputy Brendan Howlin: On group water schemes.

Deputy Dara Calleary: They got taxed.

Deputy Alan Kelly: They have been servicing their wells, members of group water schemes and working hard in that regard.

Deputy Brendan Howlin: And paying for it.

Deputy Dara Calleary: The Minister, Deputy Kelly, is not on the back of a bus in Tipperary now.

Deputy Alan Kelly: Do they not deserve to get grants so as to ensure that they can do this appropriately, manage their schemes or wells and service their costs the same as everyone else? They have been paying for water for decades.

Deputy Joe Carey: Good man, Minister.

Deputy Alan Kelly: I do not see anyone going down to protest the fact that they have had to pay for water.

Deputy Brendan Howlin: Joan is on her way.

Deputy Alan Kelly: This is not unique. Water is such a valuable resource that the grant going to people like that is well deserved. In fact, judging by my travels, it has been welcomed in rural Ireland.

There is €130 million for a demand-led scheme. If demand increases, so be it. That will indicate success in many ways. I outlined to the House the figures that were requested. I indicated that the billing and metering costs are coming in at €22 million. These are the figures that were given to me. Deputies opposite can say the costs are lower if they wish, but I have conveyed the information that was given to me. I further outlined to the House that the figures do not include the long-term financing costs of the metering programme of approximately €41 million.

The information I have given shows clearly that the costs are less than the revenue, which was ultimately the question that was asked. I have outlined that the costs in regard to the water conservation grant should not be taken as part of this equation. I had to wait almost an hour to give that information to the House. Some of the Deputies opposite might not like the figures I have set out, but they represent the facts and are given in response to the questions Deputies asked.